

54:29A-7.1; 54:29A-24.3

LEGISLATIVE HISTORY CHECKLIST

(Railroads--Property-Payments by State to municipalities)

WJSA 54:29A-7.1, 54:29A-24.3

LAWS OF 1979

CHAPTER 95

Bill No. A3186

Sponsor(s) T. Gallo and others

Date Introduced April 23, 1979

Committee: Assembly Taxation

Senate Revenue, Finance & Appropriations

Amended during passage ~~Yes~~ No

Date of Passage: Assembly May 7, 1979

Senate May 10, 1979

Date of approval May 19, 1979

Following statements are attached if available:

Sponsor statement Yes ~~Yes~~

Committee Statement: Assembly Yes ~~Yes~~

Senate ~~Yes~~ No

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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97 (d) The authorities of any taxing district desiring to contest
98 the validity or amount of the assessment on any such additions
99 or withdrawals may appeal to the Division of Tax Appeals in the
100 manner provided in sections 31 and 32 of the act of which this act
101 is amendatory and supplementary.

102 *For the purposes of this section, real property shall be deemed*
103 *to be in railroad use if such property is used for the transportation*
104 *of persons or freight by a railroad, regardless of the ownership or*
105 *possession of the real property.*

1 2. (New section) For the purposes of the act to which this act
2 is a supplement, real property shall be deemed to be in railroad use
3 if such property is used for the transportation of persons or freight
4 by a railroad, regardless of the ownership or possession of the real
5 property.

1 3. This act shall take effect immediately and shall be retroactive
2 to December 15, 1978.

STATEMENT

The purpose of this bill is to insure that municipalities will receive State payments with respect to real property in railroad use, regardless of the ownership or possession of the real property. Under the existing law a question has arisen concerning the status of railroads owned by Conrail, or, in certain instances, by the State or by private persons or corporations. This bill would specify that as long as such real property "is used for the transportation of persons or freight by a railroad, regardless of the ownership or possession of the real property," it shall be deemed to be in railroad use.

A3186 (1979)

ASSEMBLY TAXATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3186

STATE OF NEW JERSEY

DATED: MAY 3, 1979

The purpose of this bill is to insure that municipalities will receive State payments with respect to real property in railroad use, regardless of the ownership or possession of the real property. Under the existing law a question has arisen concerning the status of railroads owned by Conrail, or, in certain instances, by the State or by private persons or corporations. This bill would specify that as long as such real property "is used for the transportation of persons or freight by a railroad, regardless of the ownership or possession of the real property," it shall be deemed to be in railroad use.

FOR IMMEDIATE RELEASE

For Further Information

MAY 21, 1979

JOE SANTANGELO

Governor Brendan Byrne has signed S-3139, sponsored by Senator Eugene J. Bedell (D-Monmouth), which supplements state racing statutes to reduce the State's share of parimutuel takeout. It is effective January 1, 1979, to December 31, 1979.

The measure provides for a fixed percentage of the parimutuel pools to be retained by the tracks for their own uses and purposes. A fixed percentage also is designated for purses and various breeder award programs.

The "breakage" will be retained by the State but, in order to offset any loss, an equivalent amount is replaced through the percentages designated for the purses and programs which have benefited from breakage in the past.

The bill also authorizes the Racing Commission to allot an additional 100 harness racing days and continues the one percent Winter racing benefit.

The bill, similar to one enacted last year, was signed by the Governor together with the two following bills before departing today for Florida.

"This legislation will help ease the financial problems of the State's race-tracks so they can continue to operate and provide jobs," said Byrne.

* * * * *

Governor Brendan Byrne has signed A-3186, sponsored by Assemblyman Thomas A. Gallo (D-Hudson), which amends state tax laws to ensure that railroad aid will continue to be paid to municipalities for real property in railroad use, even though it is not owned by a railroad. The law is retroactive to December 15, 1978.

Under existing law, questions had arisen concerning the status of properties owned by Conrail or other persons or corporations.

The measure specifies that as long as real property "is used for the transportation of persons or freight by a railroad" it shall be considered in railroad use regardless of the ownership.