

40A: 4-45.3a

LEGISLATIVE HISTORY CHECKLIST

HJSA 40A:4-45.3a (Municipal caps increases—referenda—
establish date)
LAWS OF 1979 CHAPTER 268
Bill No. S3146
Sponsor(s) Kennedy and others
Date Introduced April 5, 1979
Committee: Assembly Municipal Government
Senate County and Municipal Government

Amended during passage Yes Amendments during passage
denoted by asterisks
Date of Passage: Assembly Dec. 10, 1979
Senate May 24, 1979
Date of approval Jan. 3, 1980

Following statements are attached if available:

Sponsor statement	Yes	<input checked="" type="checkbox"/>
Committee Statement: Assembly	Yes	No
Senate	Yes	<input checked="" type="checkbox"/>
Fiscal Note	Yes	No
Veto message	Yes	No
Message on signing	Yes	<input checked="" type="checkbox"/>

Following were printed:

Reports	Yes	<input checked="" type="checkbox"/>
Hearings	Yes	No

974.90 N.J. Legislature. Joint Committee on Tax Policy.
T235 Report. June, 1979.
1979a [Suggested legislation—pp.145 - pp.151]

8/1/78

[OFFICIAL COPY REPRINT]

SENATE, No. 3146

STATE OF NEW JERSEY

INTRODUCED APRIL 5, 1979

By Senators KENNEDY, GAGLIANO, BEDELL, DORSEY, CAFIERO, VREELAND, WALLWORK, FORAN, HAGEDORN, DUMONT, EWING, GRAVES, PERSKIE, FRIEDLAND, YATES, SHEIL, MUSTO, DWYER, FELDMAN, HERBERT, SKEVIN, RODGERS and ERICHETTI

Referred to Committee on County and Municipal Government

A SUPPLEMENT to "An act to place limits on expenditures by counties and municipalities and supplementing Title 40A of the New Jersey Statutes," approved August 18, 1976 (P. L. 1976, c. 68, C. 40A:4-45.1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The provisions of any other law to the contrary notwithstand-
2 ing, **[all referenda]** **any referendum** conducted by **[any]**
3 **a** municipality pursuant to subsection i. of section 3 of P. L. 1976,
4 c. 68 (C. 40A:4-45.3i.), for the purpose of **requesting approval*
5 *for** increasing the municipal budget by more than 5% over the
6 previous year's final appropriations, shall be held on the last
7 Tuesday in the month of February of the year in which the pro-
8 posed increase is to take effect. **The municipal budget proposing*
9 *such increase shall be introduced and approved in the manner*
10 *otherwise provided in N. J. S. 40A:4-5 at least 20 days prior to*
11 *the date on which such referendum is to be held, and shall be*
12 *published in the manner otherwise provided in N. J. S. 40A:4-6*
13 *at least 12 days prior to said referendum date.**

1 2. This act shall take effect immediately.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

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STATE OF NEW JERSEY

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1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The provisions of any other law to the contrary notwithstanding
2 ing, all referenda conducted by any municipality pursuant to sub-
3 section i. of section 3 of P. L. 1976, c. 68 (C. 40A:4-45.3i.), for the
4 purpose of increasing the municipal budget by more than 5%
5 over the previous year's final appropriations, shall be held on the
6 last Tuesday in the month of February of the year in which the
7 proposed increase is to take effect.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to reduce the costs presently borne by county boards of elections when several municipalities conduct "budget referenda" pursuant to the "caps law" (P. L. 1976, c. 68, C. 40A:4-45.1 et seq.) on different days during the municipal budget process. This purpose is effectuated in this legislation by requiring all municipal referenda conducted for the purpose of increasing municipal budgets by more than 5% over the previous year's final expenditures, to be held on the last Tuesday in the month of February of the year in which the proposed increase is to take effect.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 3146

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MAY 10, 1979

As the sponsor states, Senate Bill No. 3146 would supplement the "local budget caps law" (P. L. 1976, c. 68; C. 40A:4-45.1 et seq.) to require all municipal referenda seeking approval for increasing the municipal budget beyond the 5% limitation to be held on the same date, the last Tuesday in February.

The purpose is to reduce the costs presently borne by county boards of election when several municipalities in the county hold such referenda on different days during the municipal budget process.

The Senate committee amendments would additionally insert in the supplemental statute the time requirements for introduction and approval, and publication, of a municipal budget proposing such an increase, which are currently provided only by regulation of the Local Finance Board.

SENATE COMMITTEE AMENDMENTS TO
SENATE, No. 3146

STATE OF NEW JERSEY

ADOPTED MAY 10, 1979

Amend page 1, section 1, line 2, omit "all referenda", insert "any referendum"; omit "any", insert "a".

Amend page 1, section 1, line 4, after "purpose of", insert "requesting approval for".

Amend page 1, section 1, line 7, after "effect.", insert "The municipal budget proposing such increase shall be introduced and approved in the manner otherwise provided in N. J. S. 40A:4-5 at least 20 days prior to the date on which such referendum is to be held, and shall be published in the manner otherwise provided in N. J. S. 40A:4-6 at least 12 days prior to said referendum date.".

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

JANUARY 3, 1980

FOR FURTHER INFORMATION

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills:

S-685, sponsored by Senator Wynona Lipman (D-Essex), which authorizes the State Treasurer to issue rules and regulations to expand business opportunities for socially and economically disadvantaged contractors and vendors seeking to provide materials and services for state contracts.

The bill allows the State to provide the necessary technical assistance, information and knowledge to enable minority contractors and vendors to compete for contracts, but it would not necessarily establish a "quota" on contract awards.

Governor Byrne had conditionally vetoed the bill on December 3, 1979, recommending that the provision giving the Legislature veto power over the Treasurer's regulations be deleted.

The Legislature concurred with the Governor's recommendations.

S-3146, sponsored by Senator Brian Kennedy (R-Monmouth) which provides that all municipal referendums to request approval from the voters to increase the municipal budget above the five percent budget cap be held on the last Tuesday in February.

The municipality is required to introduce and approve the budget at least 20 days prior to the date of the referendum and to publish the budget at least 12 days prior to that date.

Under prior law, there was no specific required date on which these referendum votes had to be held. Consequently, the county boards of election were required to provide voting machines for different municipalities on a variety of days. By the establishment of a uniform date, the costs to county boards of elections will be reduced.

S-3445, also sponsored by Senator Lipman, which extends the life of the Commission to Study Sex Discrimination in the Statutes to January 12, 1982.

The Commission, created in July of 1978, was scheduled to expire on January 8, 1980, under the original legislation. The Commission issued its first report, concerning sex discrimination in the employment statutes, in October of 1979. In the next two years, the Commission intends to review other areas of the law.