

40:52-7

LEGISLATIVE HISTORY CHECKLIST
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(Municipal licensing fees--
increase)

JSA: 40:52-7

AWS OF: 1994 **CHAPTER:** 46

BILL NO: S277

SPONSOR(S): Ciesla

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** ---
SENATE: Natural Resources

AMENDED DURING PASSAGE: Yes **Amendments during passage**
Firest reprint enacted **denoted by superscript numbers**

DATE OF PASSAGE: **ASSEMBLY:** May 9, 1994
SENATE: March 31, 1994

DATE OF APPROVAL: June 23, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]

SENATE, No. 277

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Senators CIESLA and Cafiero

1 AN ACT concerning additional assessments on certain municipal
2 licensing fees and amending P.L.1982, c.68.

3

4 BE IT ENACTED *by the Senate and General Assembly of the*
5 *State of New Jersey:*

6 1. Section 1 of P.L.1982, c.68 (C.40:52-7) is amended to read
7 as follows:

8 1. The governing body of any municipality is authorized to
9 enact an ordinance or ordinances imposing an additional
10 assessment to any fee imposed upon a license issued by the
11 municipality pursuant to P.L.1959, c.109 (C.5:8-100 et seq.),
12 R.S.40:52-1 or R.S.33:1-19. The additional assessment shall be
13 imposed at the rate as shall be determined by the governing body
14 and set forth in the ordinance. In no event shall the total amount
15 of the additional assessment imposed on any one license¹, or
16 combination of licenses issued by the municipality pursuant to
17 P.L.1959, c.109 (C.5:8-100 et seq.), R.S.40:52-1 or R.S.33:1-19
18 and held by one person¹ exceed ~~[\$50.00]~~ \$200.

19 (cf: P.L.1987, c.412, s.1)

20 2. Section 5 of P.L.1982, c.68 (C.40:54C-3) is amended to read
21 as follows:

22 5. The commission shall have exclusive authority to disburse
23 all revenues allocated to the fund established pursuant to section
24 2 of this act. It shall spend moneys from the fund in the manner
25 it deems advisable for the purpose of publicizing and otherwise
26 promoting the municipality it serves in order to attract tourism;
27 however, at least 50 percent of the revenues from the fund shall
28 be disbursed for advertising outside of the municipality to attract
29 tourists into the municipality. The purpose of this act shall be
30 considered a public purpose.

31 (cf: P.L.1982, c.68, s.5)

32 3. This act shall take effect immediately.

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37 Increases maximum additional assessment which municipal
38 governing body may impose on certain licenses and specifies use
39 of portion of assessment.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SNT committee amendments adopted February 24, 1994.

SENATE, No. 277
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Senator CIESLA

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3

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14 and set forth in the ordinance. In no event shall the total amount
15 of the additional assessment imposed on any one license, or
16 combination of licenses issued by the municipality pursuant to
17 P.L.1959, c.109 (C.5:8-100 et seq.), R.S.40:52-1 or R.S.33:1-19
18 and held by one person exceed ~~[\$50.00]~~ \$200.

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20 2. Section 5 of P.L.1982, c.68 (C.40:54C-3) is amended to read
21 as follows:

22 5. The commission shall have exclusive authority to disburse
23 all revenues allocated to the fund established pursuant to section
24 2 of this act. It shall spend moneys from the fund in the manner
25 it deems advisable for the purpose of publicizing and otherwise
26 promoting the municipality it serves in order to attract tourism;
27 however, at least 50 percent of the revenues from the fund shall
28 be disbursed for advertising outside of the municipality to attract
29 tourists into the municipality. The purpose of this act shall be
30 considered a public purpose.

31 (cf: P.L.1982, c.68, s.5)

32 3. This act shall take effect immediately.

33

34

35

STATEMENT

36

37 The bill increases the maximum additional assessment which
38 may be imposed by a municipality on certain licensed enterprises
39 from an amount not to exceed \$50 to an amount not to exceed
40 \$200. The bill also provides that at least 50 percent of all monies
41 raised from the additional assessment shall be used for
42 destination advertising outside the municipality to attract
43 tourism into that municipality.

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

Matter underlined thus is new matter.

SENATE NATURAL RESOURCES, TRADE
AND ECONOMIC DEVELOPMENT COMMITTEE

STATEMENT TO

SENATE, No. 277

with committee amendments

STATE OF NEW JERSEY

DATED FEBRUARY 24, 1994

The Senate Natural Resources, Trade and Economic Development Committee favorably reports Senate Bill No. 277 with committee amendments.

The bill, as amended, increases the maximum additional assessment which may be imposed by a municipality on certain licensed enterprises from an amount not to exceed \$50 to an amount not to exceed \$200. The bill also provides that at least 50 percent of all monies raised from the additional assessment shall be used for destination advertising outside the municipality to attract tourism into that municipality.

The committee amendment removes language which would have capped the amount of additional assessments for tourist development on multiple mercantile licenses held by one person. Under current law, a person holding five licenses in a municipality with a \$50 assessment would pay \$250. The language in the original bill would have limited the total assessment paid by that person to \$200, even if the municipality raised the amount of the tourist development assessment. Since the intent of the legislation is to maximize the funds available to a municipality's tourist development commission, the amendment removes the cap language from the bill thereby requiring the assessment to be paid on every license, regardless of the number of licenses held by one licensee.

This bill was prefiled for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

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OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

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Release: IMMEDIATE
JUNE 24, 1994

Gov. Christie Whitman yesterday signed legislation to permit municipalities to impose an additional assessment upon certain businesses to assist in tourism promotion.

The bill, S-277, was sponsored by Sen. Andrew Ciesla, R-Monmouth. The Assembly version, A-850, was sponsored by Assemblywoman Virginia Haines and Assemblyman David Wolfe, both R-Ocean.

Existing law permits municipalities to impose a \$50 assessment on licensed businesses and the bill signed yesterday increases the permissible limit to \$200. Licensed enterprises subject to the assessment include liquor distributors, amusement game operators, hotel and motel owners, theater owners and used car dealers.

The legislation requires that half of the funds raised by the additional assessment be used for tourism advertising in the region. Currently, five municipalities impose the assessment.

Other bills signed by the Governor yesterday include:

A-226, sponsored by Assemblymen Wayne Bryant, D-Camden, and Paul Kramer, R-Mercer, and S-337, sponsored by Sen. Donald DiFrancesco, R-Union, to extend immunity from liability to public employees.

A-519, sponsored by Assemblymen Gerald Zecker, R-Passaic, and John Gaffney, R-Atlantic, and Sen. Gerald Cardinale, R-Bergen, to allow insurance exchanges whose member syndicates include Subchapter S corporations to become surplus lines insurers in New Jersey.
