ASSEMBLY CONCURRENT RESOLUTION No. 213

STATE OF NEW JERSEY

213th LEGISLATURE

INTRODUCED JANUARY 13, 2009

Sponsored by:
Assemblyman SCOTT T. RUMANA
District 40 (Bergen, Essex and Passaic)
Assemblyman RICHARD A. MERKT
District 25 (Morris)

SYNOPSIS

Proposes constitutional amendment to prohibit the creation of new local taxing districts after January 1, 2010.

CURRENT VERSION OF TEXT

As introduced.

A CONCURRENT RESOLUTION proposing to amend Article IV, Section VII of the New Jersey Constitution.

BE IT RESOLVED *by the General Assembly of the State of New Jersey (the Senate concurring):*

1. The following proposed amendment to the Constitution of the State of New Jersey is hereby agreed to:

PROPOSED AMENDMENT

Amend Article IV, Section VII by adding a new paragraph 13 to read as follows:

13. After January 1, 2010, no county, municipality, or other taxing district shall be created by the Legislature, or by a county or municipality, or by voter referendum, unless the creation of that county, municipality, or other taxing district is the result of the consolidation or merger of two or more existing counties, municipalities or other taxing districts.

2. When this proposed amendment to the Constitution is finally agreed to pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than three months after the final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate, the Speaker of the General Assembly and the Secretary of State, not less than three months prior to the general election.

3. This proposed amendment to the Constitution shall be submitted to the people at that election in the following manner and form:

There shall be printed on each official ballot to be used at the general election, the following:

a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (X), plus (+), or check (✔) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✔) in the square opposite the word "No."

b. In every municipality the following question:

	YES	LIMITATION ON CREATION OF NEW COUNTIES, MUNICIPALITIES, AND OTHER TAXING DISTRICTS Do you approve the proposed amendment to the State Constitution that would prohibit, after January 1, 2010, the creation of any new county, municipality, or other taxing district by the Legislature, by a county or municipality, or by voter referendum; unless the creation of that county, municipality, or other taxing district is the result of the consolidation or merger of two or more existing counties, municipalities or other taxing districts?
	NO	INTERPRETIVE STATEMENT This proposed constitutional amendment would limit the creation of any new county, municipality or other taxing district, such as a school district, after January 1, 2010. The proposed amendment would prohibit the creation of any new county, municipality, or other taxing district unless it is the result of the consolidation or merger of two or more existing counties, municipalities, or other taxing districts.

STATEMENT

If approved by the voters of the State, this proposed amendment to the New Jersey Constitution would limit the creation of any new county, municipality, or other taxing district, such as a school district, after January 1, 2010.

The proposed amendment would prohibit the creation of any new county, municipality, or other taxing district by the Legislature, by a county or municipality, or by voter referendum, unless the creation of that county, municipality, or other taxing district is the result of the consolidation or merger of two or more existing counties, municipalities or other taxing districts.

It is the intent of the sponsor that the limitations proposed by this concurrent resolution will stop the growth of local government and its effect, through the property tax, on the pocketbooks of the State's residents. As of the date of introduction of this concurrent resolution, there are 566 municipalities, 21 counties, 617 school districts and 186 fire districts in New Jersey. Without a prohibition on the creation of new taxing districts, local government could

continue to grow, even as consolidation takes place, and cost the taxpayers of the State even more of their hard-earned dollars every year.