

# SENATE, No. 458

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## STATE OF NEW JERSEY 214th LEGISLATURE

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PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Senator BOB SMITH**

**District 17 (Middlesex and Somerset)**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**SYNOPSIS**

Requires holding of binding Statewide referendum by county on whether responsibility for certain municipal functions should be assumed by county government; repeals various sections of law concerning transfer or termination of employees of terminated local health agency.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the transfer of certain municipal  
2 responsibilities to the counties, subject to voter approval,  
3 supplementing chapter 9 of Title 40A of the New Jersey Statutes  
4 and repealing various parts of statutory law.

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6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

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9 1. a. The Commissioner of Community Affairs, in conjunction  
10 with the Director of the Division of Taxation in the Department of  
11 the Treasury, shall prepare a comprehensive master plan to phase  
12 out, over the course of two years, local property tax assessment and  
13 collection services, local animal control services and local public  
14 health services, and to establish county-wide property tax  
15 assessment and collection services, animal control services and  
16 public health services for each county. The plan shall establish the  
17 structure for the provision of each service by the county and shall  
18 detail the following information for each county: the means by  
19 which the consolidation of these functions shall be effectuated, the  
20 initial costs of the countywide consolidation of these functions, and  
21 the long-range cost savings to be realized through the consolidation  
22 of these functions by the voters pursuant to sections 2 and 3 of this  
23 act; and such other provisions as the commissioner or the director  
24 deem necessary. The plan shall be completed within 90 days  
25 following the date of enactment of this act.

26 b. Notwithstanding any provision of law to the contrary, upon  
27 the approval of the voters of any county of the transfer of the  
28 assessment and collection of real property taxes, animal control  
29 services, and public health services from municipalities to the  
30 county, the transfer of these municipal functions to the counties  
31 approving such a transfer would be effectuated in accordance with  
32 the master plan developed by the Commissioner of Community  
33 Affairs, in conjunction with the Director of the Division of Taxation  
34 in the Department of the Treasury, pursuant to subsection a. of this  
35 section.

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37 2. This act shall be submitted to the people for their approval or  
38 rejection at the next general election to be held not less than 70 days  
39 following the date of its enactment.

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41 3. This voter referendum shall be submitted to the people in the  
42 following manner and form:

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

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

47 If you favor the proposition printed below make a cross (X), plus  
48 (+), or check (✓) in the square opposite the word "Yes." If you are

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1 opposed thereto make a cross (X), plus (+) or check (✓) in the  
 2 square opposite the word "No."

3 b. In every municipality the following question:  
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|  |     | AUTHORIZATION FOR THE TRANSFER OF THE RESPONSIBILITY FOR THE ASSESSMENT AND COLLECTION OF REAL PROPERTY TAXES, ANIMAL CONTROL SERVICES AND PUBLIC HEALTH SERVICES FROM MUNICIPALITIES TO THE COUNTY   |
|  | YES | Shall P.L. , c. (pending before the Legislature as this bill) providing for the transfer of the responsibility for the assessment and collection of real property taxes, animal control services, and public health services, from the municipalities to the county in accordance with a master plan developed by the Commissioner of Community Affairs, in conjunction with the Director of the Division of Taxation in the Department of the Treasury, be approved and become operative?                      |
|  |     | INTERPRETIVE STATEMENT  |
|  | NO  | Voter approval of this question would result in the transfer of the responsibility for the assessment and collection of real property taxes, animal control services, and public health services, from municipalities to the county. The transfer of these governmental functions to the county would be established in accordance with a master plan to be developed by the Commissioner of Community Affairs, in conjunction with the Director of the Division of Taxation in the Department of the Treasury. |

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 6 4. The following sections are repealed:  
 7 Section 6 of P.L.1970, c.60 (C.26:3-94);  
 8 Section 16 of P.L.1975, c.329 (C.26:3A2-16);  
 9 Section 17 of P.L.1975, c. 329 (C.26:3A2-17); and  
 10 Section 18 of P.L.1975, c. 329, (C.26:3A2-18).

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 12 5. Sections 2 and 3 of this act shall take effect immediately and  
 13 sections 1 and 4 shall take effect immediately upon voter approval  
 14 of this act at the general election.

STATEMENT

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This bill requires the Commissioner of Community Affairs, in conjunction with the Director of the Division of Taxation in the Department of the Treasury, to prepare a comprehensive master plan to phase out, over the course of two years, municipal property tax assessment and collection services, municipal animal control services, and municipal public health services, and to establish county-wide property tax assessment and collection services, animal control services and public health services for each county. The plan shall establish the structure for the provision of each service by the county and shall detail the following information for each county: the means by which the consolidation of these functions shall be effectuated, the initial costs of the countywide consolidation of these functions, and the long-range cost savings to be realized through the consolidation of these functions by the voters pursuant this act; and such other provisions as the commissioner deems necessary. The plan shall be completed within 90 days following the date of enactment of this act.

This act shall be submitted to the people for their approval or rejection at the next general election to be held 70 or more days following the date of its enactment.

Notwithstanding any provision of law to the contrary, upon the approval of the voters of any county of the transfer of the assessment and collection of real property taxes, animal control services, and public health services from municipalities to the county, the transfer of these municipal functions to the counties approving such a transfer would be effectuated in accordance with the master plan developed by the Commissioner of Community Affairs, in conjunction with the Director of the Division of Taxation in the Department of the Treasury.

Finally, the bill repeals various sections of law concerning the transfer or termination of employees of a terminated local health agency.