

ASSEMBLY, No. 1356

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman STUHLTRAGER

1 AN ACT concerning State aid to certain municipalities and amending
2 P.L.1991, c.184 and supplementing P.L.1940, c.4 (C.54:30A-16 et
3 seq.).

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

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8 1. Section 25 of P.L.1991, c.184 (C.54:30A-24.3) is amended to
9 read as follows:

10 25. There shall be annually appropriated for apportionment and
11 payment to municipalities pursuant to section 9 of P.L.1940, c.4
12 (C.54:30A-24), section 2 of P.L.1980, c.10 (C.54:30A-24.1), sections
13 12 and 13 of P.L.1940, c.5 (C.54:30A-60 and C.54:30A-61), section
14 4 of P.L.1980, c.11 (C.54:30A-61.1) [and] section 19 of P.L.1991,
15 c.184 (C.54:30A-61.2) and section 4 of P.L. , c. (C.)
16 (pending before the Legislature as this bill), an amount not less
17 than[~~\$685,000,000~~] \$690,000,000, notwithstanding any other
18 provision of law to the contrary and notwithstanding the amount of
19 taxes paid by taxpayers pursuant to P.L.1940, c.4 (C.54:30A-16 et
20 seq.), P.L.1940, c.5 (C.54:30A-49 et seq.) and P.L.1991, c.184
21 (C.54:30A-18.6 et al.).
22 (cf: P.L.1991, c.184, s.25)

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24 2. Section 26 of P.L.1991, c.184, (C.54:30A-61.3) is amended to
25 read as follows:

26 26. There shall be annually appropriated for apportionment and
27 payment to municipalities pursuant to section 9 of P.L.1940, c.4
28 (C.54:30A-24), section 2 of P.L.1980, c.10 (C.54:30A-24.1), sections
29 12 and 13 of P.L.1940, c.5 (C.54:30A-60 and C.54:30A-61), section
30 4 of P.L.1980, c.11 (C.54:30A-61.1) [and] section 19 of P.L.1991,
31 c.184 (C.54:30A-61.2) and section 4 of P.L. , c. (C.)
32 (pending before the Legislature as this bill), an amount not less

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

Matter underlined thus is new matter.

1 than[\$685,000,000] \$690,000,000, notwithstanding any other
2 provision of law to the contrary and notwithstanding the amount of
3 taxes paid by taxpayers pursuant to P.L.1940, c.4 (C.54:30A-16 et
4 seq.), P.L.1940, c.5 (C.54:30A-49 et seq.) and P.L.1991, c.184
5 (C.54:30A-18.6 et al.).
6 (cf: P.L.1991, c.184, s.26)

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8 3. (New section) There is established in the Department of the
9 Treasury for the purpose of providing State aid to qualifying
10 municipalities a "Nuclear Impacted Municipal Tax Assistance Fund"
11 to be administered by the State Treasurer. The sum of \$5,000,000
12 shall annually be deposited into the fund from amounts appropriated
13 pursuant to sections 25 and 26 of P.L.1991, c.184 (C.54:30A-24.3 and
14 C.54:30A-61.3). All amounts deposited in the fund pursuant to law
15 shall be distributed to qualifying municipalities pursuant to section 4
16 of P.L. , c. (C.) (pending before the Legislature as this act).

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18 4. (New section) a. The State Treasurer shall, upon the warrant
19 of the State Comptroller, annually pay to each qualifying municipality,
20 on a per capita basis according to the most recent federal decennial
21 census, a share of amounts annually deposited in the "Nuclear
22 Impacted Municipal Tax Assistance Fund" and set aside for qualifying
23 municipalities. For the purposes of this section and section 3 of
24 P.L. , c. (C.) (pending before the Legislature as this act)
25 "qualifying municipality" means any municipality that is situate, in
26 whole or in part, within a 10-mile radius of the site of a
27 nuclear-powered electric generating facility containing at least three
28 nuclear reactors, but shall not include any municipality wherein is
29 located a nuclear-powered electric generating facility.

30 b. Amounts paid to a qualifying municipality pursuant to subsection
31 a. of this section shall be used solely and exclusively by the
32 municipality for the purposes of reducing the amount the municipality
33 is required to raise by local property tax levy for municipal purposes.
34 In the event that the amount paid to a municipality pursuant to
35 subsection a. of this section exceeds the amount required to be raised
36 by local property tax levy for municipal purposes, the balance of the
37 amount paid shall be used to reduce the amount the municipality is
38 required to raise by local property tax levy for county purposes,
39 notwithstanding the provisions of any law to the contrary. The
40 Director of the Division of Local Government Services in the
41 Department of Community Affairs shall certify that each qualifying
42 municipality has complied with this subsection. If the director finds
43 that the amount paid to a municipality pursuant to subsection a. of this
44 act is not used by the municipality solely and exclusively to reduce the
45 amount required to be raised by local property tax levy, the director
46 shall direct that the municipal governing body make corrections to its

1 budget.

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3 5. This act shall take effect immediately and shall be applicable to
4 the State fiscal year next following enactment.

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STATEMENT

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9 The purpose of this bill is to provide financial aid to certain
10 municipalities in Salem and Cumberland counties that are heavily
11 impacted by the Salem nuclear-powered electric generating facility.
12 The aid is provided by increasing the amount annually appropriated for
13 apportionment and payment to municipalities from total franchise and
14 gross receipts tax revenues by \$5 million and requiring that those
15 additional monies be deposited into a "Nuclear Impacted Municipal
16 Assistance Fund" for distribution, on a per capita basis, to qualifying
17 municipalities. The bill defines a qualifying municipality as any
18 municipality that is situate, in whole or in part, within a 10-mile radius
19 of the site of a nuclear-powered electric generating facility containing
20 at least three nuclear reactors, excluding any municipality containing
21 a nuclear-powered electric generating facility within its boundaries.
22 This bill does not increase franchise and gross receipts taxes.

23 The qualifying municipalities under this bill are Stow Creek and
24 Greenwich in Cumberland County, and Pennsville, Mannington, Salem,
25 Elsinboro, and Quinton in Salem County. These municipalities would
26 be required to use the assistance for the sole and exclusive purpose of
27 reducing the amount the municipality is required to raise by local
28 property tax levy for municipal and county purposes.

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33 Creates "Nuclear Impacted Municipal Assistance Fund" to provide aid
34 to municipalities surrounding Salem nuclear facility.