

ASSEMBLY CONCURRENT RESOLUTION No. 79

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1996

By Assemblyman DALTON

1 A CONCURRENT RESOLUTION proposing to amend Article VIII, Section I of
2 the Constitution of the State of New Jersey.

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

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

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10 PROPOSED AMENDMENT

11 Amend Article VIII, Section I, by the addition of a new paragraph 8 to
12 read as follows:

13 8. The Legislature may, from time to time, enact laws entitling a senior
14 citizen and resident of this State who is eligible for the Pharmaceutical
15 Assistance to the Aged and Disabled program pursuant to P.L. 1975, c. 194,
16 who has owned a dwelling house or condominium in this State for the previous
17 two years, and who is residing in a dwelling house or condominium owned by
18 him which is a constituent part of his real property, to continue to pay school
19 taxes on such real property in an amount no greater than the amount of district
20 school taxes levied on that real property in the year 1996, or if the senior
21 citizen and resident becomes eligible for the Pharmaceutical Assistance to the
22 Aged and Disabled program after 1996, in the year in which he becomes
23 eligible for the program, whichever is later. The State shall annually reimburse
24 each taxing district for the amount of tax revenue the taxing district would have
25 received on the real property of senior citizens and residents eligible for the
26 Pharmaceutical Assistance to the Aged and Disabled program, except that the
27 provisions of any law enacted pursuant thereto shall not be considered a
28 deduction or exemption within the provisions of paragraph 4 of this Section I
29 of Article VIII and laws enacted pursuant thereto.

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31 2. When this proposed amendment to the Constitution is finally agreed to
32 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted
33 to the people at the next general election occurring more than three months
34 after the final agreement and shall be published at least once in at least one
35 newspaper of each county designated by the President of the Senate, the

1 Speaker of the General Assembly and the Secretary of State, not less than
2 three months prior to the general election.

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

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

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

10 If you favor the proposition printed below make a cross (X), plus (+) or
11 check (T) in the square opposite the word 'Yes.' If you are opposed thereto
12 make a cross (X), plus (+) or check (T) in the square opposite the word 'No.'

13 In every municipality the following question:

1		SENIOR CITIZEN SCHOOL TAX FREEZE
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3		Should the amendment agreed to by the
4		Legislature, to add a new paragraph 8 to Section
5		I of Article VIII of the New Jersey Constitution
6		which authorizes the Legislature to enact laws for
7		senior citizens and residents of this State who are
8		eligible for the Pharmaceutical Assistance to the
9		Aged and Disabled (PAAD) program and who
10		have owned a dwelling house or condominium in
11		this State for the previous two years, to freeze the
12	YES	amount of school tax that person is obligated to
13		pay at the 1996 year level, or if the senior citizen
14		and resident becomes eligible for the PAAD
15		program after 1996, to freeze the amount of school
16		tax at the level of the year in which he becomes
17		eligible for the program, and provides for
18		reimbursement by the State to each taxing district
19		for the amount of property tax relief allowed, be
20		approved?
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23		INTERPRETIVE STATEMENT

1			This amendment authorizes the Legislature to freeze
2			the amount of school tax a senior citizen who is
3			eligible for the PAAD program is obligated to pay
4			at the 1996 year level; or if the senior citizen
5			becomes eligible after 1996, the amount of school
6			tax shall be frozen at the level of the year in which
7			he becomes eligible for the PAAD program. To be
8			eligible for PAAD benefits, a senior citizen must be
9			65 years of age and over and have an annual
10		NO	income of less than \$17,056 if single or, if married,
11			a combined income of less than \$20,913. The
12			PAAD program provides payment to pharmacies
13			for the cost of prescription drugs of eligible persons
14			which exceed a \$5.00 copayment. The
15			amendment provides that the State shall reimburse
16			each taxing district for the amount of property tax
17			relief allowed.
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STATEMENT

This amendment to the Constitution authorizes the Legislature to enact laws which freeze the amount of school tax a senior citizen who is eligible to receive benefits under the Pharmaceutical Assistance for the Aged and Disabled (PAAD) program is obligated to pay at the 1996 year level; or if the senior citizen becomes eligible for the PAAD program after 1996, the amount of school tax shall be frozen at the level of the year in which he becomes eligible for the program. The PAAD program provides payment to pharmacies for the cost of prescription drugs of eligible persons which exceed a \$5.00 copayment. The proposed Constitutional amendment further requires the State to reimburse each taxing district for the amount of property tax relief provided to eligible senior citizens.

Proposes an amendment to the Constitution to freeze school taxes for senior citizens eligible for PAAD program.