

ASSEMBLY CONCURRENT RESOLUTION No. 88

STATE OF NEW JERSEY

INTRODUCED JUNE 20, 1996

By Assemblywoman MYERS, Assemblymen GREGG, Carroll,
Weingarten, O'Toole, Assemblywoman Bark, Assemblymen
Kramer, Garrett, Bodine, Assemblywoman J. Smith, Assemblymen
Bucco, Arnone, DeCroce, Assemblywoman Murphy and
Assemblyman Cottrell

1 A CONCURRENT RESOLUTION proposing to amend Article IV, Section VII
2 paragraph 11 of 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 PROPOSED AMENDMENT

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

11 Amend Article IV, Section VII, paragraph 11, to read as follows:

12 11. The provisions of this Constitution and of any law concerning
13 municipal corporations formed for local government, or concerning counties,
14 shall be liberally construed in their favor. The powers of counties and such
15 municipal corporations shall include not only those granted in express terms
16 but also those of necessary or fair implication, or incident to the powers
17 expressly conferred, or essential thereto, and not inconsistent with or
18 prohibited by this Constitution or by law. No municipality shall be required to
19 provide affordable housing for anyone not living or working within its borders.

20 (cf: Article IV, Section VII, paragraph 11, effective January 1, 1948)

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22 2. When this proposed amendment to the Constitution is finally agreed to
23 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted
24 to the people at the next general election occurring more than three months
25 after the final agreement and shall be published at least once in at least one
26 newspaper of each county designated by the President of the Senate, the
27 Speaker of the General

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 Assembly and the Secretary of State, not less than three months prior to the
 2 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:

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	YES	<p style="text-align: center;">MUNICIPAL OBLIGATION TO PROVIDE AFFORDABLE HOUSING</p> <p>Shall the Amendment to the State Constitution, providing that no municipality shall be required to provide affordable housing for anyone not living or working within its borders, be adopted?</p>
	NO	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>Approval of this amendment would relieve municipalities of the obligation to provide affordable housing for anyone not living or working within municipal borders.</p>

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STATEMENT

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31 This concurrent resolution proposes an amendment to the Constitution to
 32 relieve municipalities of the obligation to provide affordable housing for anyone
 33 not living or working within municipal borders.

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38 Proposes an amendment to the Constitution to limit municipal obligation to
 39 provide affordable housing.