

SENATE CONCURRENT RESOLUTION No. 34

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator BASSANO

1 **A CONCURRENT RESOLUTION** proposing an amendment to Article VIII,
2 Section III of the Constitution of the State of New Jersey.

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

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

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10 **PROPOSED AMENDMENT**

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12 Amend Article VIII, Section III of the Constitution by adding thereto a
13 paragraph 4 as follows:

14 4. The application and use of privately-owned land for permanent
15 conservation, recreation and open space uses is in the public interest. The
16 Legislature may enact general laws under which municipalities may adopt
17 ordinances to grant exemptions from property taxation on privately-owned
18 property kept for these uses. These exemptions shall be granted only on
19 privately-owned property with respect to which all unrealized and unexpended
20 rights to development or use other than conservation, recreation or open space
21 have been dedicated, for a specified period of time, to the municipality in
22 which the property is located by covenant, deed restriction, or other
23 instrument and for which public access to the property has been provided.

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

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

35 There shall be printed on each official ballot to be used at the general

1 election, the following:

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

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

8 b. In every municipality the following question:

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10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	YES	<p style="text-align: center;">PROPERTY TAX EXEMPTIONS ON CERTAIN DEDICATED PRIVATELY-OWNED PROPERTY</p> <p>Shall the amendment adding a new paragraph 4 to Article VIII, Section III of the Constitution, agreed to by the Legislature and authorizing the Legislature to enact general laws under which municipalities may grant property tax exemptions on privately-owned property that is dedicated, for a specified period of time, to the municipality for conservation, recreation and open space uses and for which public access has been provided, be adopted?</p>
25 26 27 28 29 30 31 32 33 34	NO	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This amendment to the Constitution, agreed to by the Legislature, would authorize the Legislature to enact general laws under which municipalities may grant property tax exemptions on privately-owned property that is dedicated, for a specified period of time, to the municipality for conservation, recreation and open space uses and for which public access has been provided</p>

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STATEMENT

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39 This Senate concurrent resolution proposes an amendment to Article
40 VIII, Section III of the State Constitution to permit the Legislature to enact
41 laws allowing municipalities to provide property tax exemptions for
42 privately-owned property that is dedicated to municipalities for

1 conservation, recreation or open space uses.

2 This amendment to the Constitution, if approved by the voters, would
3 add a paragraph to Article VIII, Section III thereof. That article and
4 section contain paragraphs concerning tax exemptions in blighted areas, the
5 prohibition of giving or loaning money or credit to private agencies and the
6 prohibition of appropriations or land donations to private agencies. The
7 new paragraph would permit municipalities, upon enactment of State law,
8 to adopt ordinances granting property tax exemptions to privately-owned
9 property for which all unrealized and unexpended rights to development or
10 use other than conservation, recreation or open space use have been
11 dedicated, for a specific time period, to the municipality and for which
12 public access is provided.

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17 Proposes constitutional amendment to permit property tax exemptions for
18 certain privately-owned land dedicated for conservation, recreation or open
19 space uses.