

P.L. 2004, CHAPTER 85, *approved July 7, 2004*
Assembly, No. 97

1 **AN ACT** establishing a Property Tax Convention Task Force to study
2 property tax relief and the need for a constitutional convention to
3 review the property tax system and making an appropriation.
4

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

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8 1. The Legislature finds and declares that:

9 for more than a decade, the problem of high property taxes has been
10 among the most significant faced by the people of New Jersey;

11 property taxes are a primary funding source for local services,
12 including public schools, public works and public safety departments
13 and other institutions;

14 there is uniform agreement among governmental representatives
15 that there is a need to lessen the dependence of local governments on
16 property taxes, find alternative means to fund vital government
17 services, and assist local governments in identifying and maximizing all
18 potential fiscal efficiencies;

19 to that end, attempts have been made to mitigate the burden of
20 property taxes on the people through rebate programs, freezes and
21 other measures;

22 any such relief measures necessarily are limited by the fact that the
23 current property tax system, as required by the State Constitution, is
24 such that structural changes to it cannot be made without
25 constitutional amendment;

26 it is imperative that the State undertake a comprehensive review of
27 State and local funding responsibilities, including considering the
28 elimination of unnecessary State mandates, the maximization of shared
29 services, and the adoption of spending reforms, while ensuring that a
30 quality public education system and other public services are
31 maintained at appropriate levels;

32 in our State, the people have reserved to themselves the right to
33 alter or reform the State Constitution and therefore the people must
34 ultimately decide how the property tax system should be structured
35 through consideration of a constitutional change;

36 fundamental changes to the Constitution typically have been made
37 through a constitutional convention, which is convened upon the
38 approval of the voters;

39 due to the uniquely complex and controversial nature of this issue,
40 long-debated questions on how such a convention should be organized
41 and what issues should be addressed require careful consideration, and
42 will be integral to the success of the convention; and

43 the immediate convening of a task force of experts for the purpose

1 of making concrete recommendations by a date certain to determine
2 how to bring about all possible property tax relief within the current
3 system and how a constitutional convention to consider systemic
4 change should be composed is imperative to ensure that the long-
5 standing problem of property taxes is addressed in the most effective,
6 efficient and fair way possible.

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8 2. There is hereby established the Property Tax Convention Task
9 Force.

10 a. The task force shall consist of 15 members: nine members
11 appointed by the Governor; two members appointed by the Senate
12 President, one of whom shall be a member of the Senate and one of
13 whom shall be a member of the public; two members appointed by the
14 Speaker of the General Assembly, one of whom shall be a member of
15 the General Assembly and one of whom shall be a member of the
16 public; one member appointed by the Minority Leader of the Senate
17 who shall be a member of the Senate; and one member appointed by
18 the Minority Leader of the General Assembly who shall be a member
19 of the General Assembly. The members shall have substantial
20 expertise and experience in State and local government matters,
21 constitutional law, public finance or other related areas.

22 b. The Governor shall appoint the chair of the task force from
23 among its members.

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25 3. The duties of the task force shall be limited to the following:

26 a. Considering and developing recommendations regarding the
27 process of conducting a constitutional convention designed to change
28 the existing property tax system. Such recommendations shall include,
29 but not be limited to, the recommended method for the selection of
30 delegates to the convention, the appropriate scope of the convention's
31 inquiry and the method for consideration of the convention's
32 recommendations, and shall identify the specific issues or questions
33 that the convention should consider as well as the estimated costs of
34 the convention.

35 b. Holding hearings throughout the State for the purpose of
36 receiving input from members of the public on these issues.

37 c. Issuing a report by December 31, 2004 containing the task
38 force's recommendations for legislative and programmatic changes
39 and, if appropriate, a draft legislative proposal to implement the
40 convening of such a convention.

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42 4. The task force is authorized to call upon any department, office,
43 division or agency of this State to supply it with data and other
44 information or assistance that the task force deems necessary to
45 discharge its duties under this act. Each department, office, division
46 or agency of this State is hereby directed, to the extent not

1 inconsistent with law, to cooperate fully with the task force and to
2 furnish it with such information and assistance as is necessary to
3 accomplish the purposes of this act.

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5 5. The task force shall issue its report by December 31, 2004. The
6 deadline for this report shall not be extended. The report shall be
7 submitted to the Governor and the Legislature, who shall immediately
8 review the task force's report upon its receipt. Each house of the
9 Legislature shall consider the task force's report and legislative
10 proposal or proposals regarding the convening of a constitutional
11 convention within 60 days of receipt of the report.

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13 6. There is hereby appropriated the amount of \$250,000 from the
14 General Fund to the task force to effectuate the purposes of this act.

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16 7. This act shall take effect upon enactment into law of P.L. ,
17 c. (C.), P.L. , c. (C.) and P.L. , c. (C.) (now
18 pending before the Legislature as Senate Bill No. 1687 or Assembly
19 Bill No. 100 of 2004, Sente Bill No.1701 or Assembly Bill No. 99 of
20 2004, and Senate Bill No. 1702 or Assembly Bill No. 98 of 2004).

21 22 23 STATEMENT

24
25 This bill creates the Property Tax Convention Task Force. The
26 task force will consider and develop recommendations regarding a
27 constitutional convention designed to change the existing property tax
28 system. The task force will issue, by December 31, 2004, a report
29 containing its recommendations for legislative and other changes, and,
30 if appropriate, a draft legislative proposal to implement the convening
31 of such a convention.

32 The Property Tax Convention Task Force will consist of 15
33 members: nine members appointed by the Governor; two members
34 appointed by the Senate President, one of whom will be a member of
35 the Senate and one of whom will be a member of the public; two
36 members appointed by the Speaker of the General Assembly, one of
37 whom will be a member of the General Assembly and one of whom
38 will be a member of the public; one member appointed by the Minority
39 Leader of the Senate who will be a member of the Senate; and one
40 member appointed by the Minority Leader of the General Assembly
41 who will be a member of the General Assembly. The members will
42 have substantial expertise and experience in State and local
43 government matters, constitutional law, public finance or other related
44 areas.

45 The bill appropriates \$250,000 from the General Fund to effectuate
46 its purposes.

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3 Establishes Property Tax Convention Task Force; appropriates

4 \$250,000.