

SENATE BILL NO. 4513

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I herewith return Senate Bill No. 4513 without my approval.

This bill would allow a municipality that has established an arts and culture trust fund to deposit amounts raised by an annual levy for open space, recreation, and historic preservation in the municipality's general fund. Current law authorizes the governing body of a county or municipality to submit to voters a proposition authorizing the imposition of an annual levy dedicated to the acquisition, development, and maintenance of lands for recreation, conservation, and historic purposes. The authority provided by the bill to divert open space, recreation, and historic preservation funding would only be in effect for fiscal year 2027.

According to the Department of Community Affairs, Jersey City is the only municipality that has both an annual levy for open space, recreation, and historic preservation and an arts and culture trust fund. In 2016, Jersey City voters approved a referendum to establish a Municipal Open Space, Recreation and Historic Preservation Trust Fund to be funded at a rate not to exceed \$0.02 per \$100 of assessed valuation of each annual tax levy. The referendum's language stated that the funds raised from the levy would be used exclusively for the acquisition, development, and maintenance of lands for recreation, conservation, and historic purposes.

The plain language of the ballot question that was submitted to Jersey City's voters clearly dedicated to recreation, conservation, and historic purposes the revenues that this bill now seeks to divert to the City's general fund. The voters assented to an additional tax levy on the condition that the funds

raised from the levy be used exclusively for the purposes set forth in the referendum. The will of the City's voters should not be set aside in the manner proposed in the bill.

Accordingly, I herewith return Senate Bill No. 4513 without my approval.

[seal]

Respectfully,
/s/ Mikie Sherrill
Governor

Attest:

/s/ Timothy P. Lydon
Chief Counsel to the Governor