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July 27, 2018

Municipal Clerks: Please forward to your Mayor, Governing Body Members, and Department Heads.

- I. State Issues
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I. State Issues

a. Governor Signs Bill Revising Effective Dates of Certain Sections of Revised Animal Cruelty Law

Yesterday, Governor Murphy signed [A-4225](#) into law. A-4225 revises the effective dates of certain sections of the recently enacted reforms to the Animal Cruelty Laws ([P.L. 2017, C.331](#)). Specifically, Section 6 (which pertains to the appointment of certified animal control officers) and Section 32 (which pertains to county societies for the prevention of cruelty to animals) of P.L. 2017, c.331, will no longer become effective August 1, 2018 and now become effective February 1, 2019. In addition, Section 8 of P.L. 1997, c.247, (which outlines the authority of a certified animal control officer to enforce all animal cruelty laws, investigate and sign complaints, and make arrests) which was scheduled to be repealed on August 1, 2018, will now be repealed on February 1, 2019.

While the effective dates of the law changes have been adjusted it is important to note that no substantive changes have been made to recent reforms to the Animal Cruelty Law. You should review the change in the effective dates of these sections with your municipal attorney for further information on how it impacts your municipality.

Contact: Frank Marshall, Esq., League Staff Attorney, FMarshall@njlsom.org, 609-695-3481, ext. 137.

b. State AG to Issue Guidance on Charging Marijuana-Related Offenses in Municipal Court

On Tuesday, State Attorney General, Gurbir Grewal circulated a [letter to municipal prosecutors](#) regarding the appropriate use of prosecutorial discretion in marijuana-related offenses in municipal court. The letter was in response to Jersey City's recent efforts to make it their policy to no longer prosecute marijuana charges in municipal court. The Attorney General, citing his supervisory authority, rendered Jersey City's policy void and without legal effect. However, as a result of this back-and-forth and subsequent meeting between the two parties, the Attorney General determined that municipal prosecutors would benefit from additional guidance concerning the scope of their discretionary authority in regards to marijuana offenses.

The Attorney General has committed to convening a working group to further discuss this issue and plans on issuing guidance to municipal prosecutors via a statewide directive, before the end of August. In the interim, the Attorney General has instructed all municipal prosecutors to seek an adjournment until September 4, 2018, or later, on any matter involving a marijuana-related offense pending in municipal court. This instruction does not prevent local law enforcement from exercising their authority, with regards to violations of any State laws or local ordinances.

Contact: Frank Marshall, Esq., League Staff Attorney, FMarshall@njslom.org, 609-695-3481, ext. 137.

c. NJ Supreme Court Seeking Comment on Potential Dismissal of Older Municipal Court Charges

Late last week, the State Supreme Court issued a [notice](#) that it would be conducting hearings and seeking public feedback on a proposal to dismiss older, pending, minor municipal court matters. The notice comes on the heels of the recently released [Report on Municipal Courts](#), which included among others, a recommendation to develop a process for the dismissal of old municipal complaints.

As explained in the Court's notice, more serious matters would not be considered for dismissal, regardless of the age of the matter. These more serious matters include: indictable charges, disorderly persons charges, petty disorderly persons charges, and certain motor vehicle charges such as driving while intoxicated, drugs in motor vehicle, reckless driving, and passing a stopped school bus, just to name a few. A full list of the motor vehicle charges not included for potential dismissal is available within the Court's Notice.

The Court has appointed three Superior Court Assignment Judges to act as a three-judge panel and tasked them with conducting a series of hearings in the northern, central, and southern parts of the State with the goal of determining why minor municipal court complaints pending for more than 15 years should not be dismissed. Notice of the hearing dates will be provided to the League and others, as well as to individual municipalities to be affected by such an order. And, at least 60 days prior to the hearing dates, the Panel will make available a list of cases to potentially be dismissed within each municipality. All interested parties are able to participate in the hearings but must submit in writing their position prior to the public hearing dates.

At the conclusion of all the hearings, the Panel will issue a report to the Supreme Court that will include a recommendation for the general disposition of older, pending, minor municipal court matters. The report will also, if necessary, recommend a process and time frame to raise challenges to the dismissal of individual complaints against specific defendants.

You should review this matter with your municipal prosecutor and municipal court administrator for more information and the potential impact the dismissal of these complaints would have on your municipality. The League will keep our members updated on this matter and will alert you once hearings have been scheduled.

Contact: Frank Marshall, Esq., League Staff Attorney, FMarshall@njslom.org, 609-695-3481, ext. 137.

d. Assembly Committee Holds Hearing on Affordable Housing

On Wednesday in Trenton, the Assembly Housing and Community Development Committee held a hearing to receive testimony regarding the affordable housing needs of the State. Former League President and co-chair of the League's Affordable Housing Committee, Mayor Janice S. Mironov of East Windsor, provided testimony on behalf of the League. Several other stakeholders, including individual mayors from across the state, also presented testimony to the Committee.

Wednesday's hearing was the first of the five public hearings the Committee plans to hold on this topic. The remaining four hearings are to be scheduled before the end of the year and will be held throughout the state. The League will alert our members once the remaining hearings are scheduled.

Contact: Frank Marshall, Esq., League Staff Attorney, FMarshall@njslom.org, 609-695-3481, ext. 137.

e. Nomination Petitions Must Include Email Address

Effective immediately, petitions for nomination of a candidate for any state, county, school, or municipal elective public office must include a functioning email address for the candidate. [P.L. 2018, c. 66](#) was signed by Governor Murphy July 20.

Contact: Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609-695-3481, ext. 112.

II. Federal Issues

a. U.S. House Passes NFIP Extension

The House of Representatives has approved legislation to extend the life of the National Flood Insurance Program (NFIP) on a vote of 366-52. Senate Majority Leader Mitch McConnell forecast Senate approval of the four-month extension before the planned recess. Senator McConnell said that the Senate plans to use this time (the new deadline will be November 30) to work on a long-term extension.

Thanks to those of you who contacted your federal Representatives. Please thank your House Representative, as all 12 New Jersey House of Representatives supported this extension. Your advocacy assures that the NFIP will be funded, at least through the current Hurricane Season.

Contact: Jon Moran, Senior Legislative Analyst, jmoran@njslom.org, 609-695-3481, ext. 121.

b. House Transportation and Infrastructure Chair Unveils New Funding Framework

On Monday, House Transportation and Infrastructure Committee Chairman Bill Shuster released a substantial infrastructure funding proposal, which would include a significant increase in federal motor-fuels taxes to reinvigorate the federal Highway Trust Fund. The full [Chairman's Infrastructure Proposal](#) includes new federal investments designed to address both transportation and other infrastructure needs.

Chairman Shuster expressed his hopes that this release will spark discussions leading to action on this crucial national priority.

Contact: Jon Moran, Senior Legislative Analyst, jmoran@njslom.org, 609-695-3481, ext. 121.

III. League Conference

a. Unauthorized Hotel Reservation Services

Every year there are unauthorized firms soliciting housing and hotel reservations from attendees at the 103rd Annual League Conference. We assure you that the only firm authorized to handle our conference housing reservations is AC Central Reservations. This information is on the top of the official conference housing form sent to all municipal clerks and posted on our [website](#).

Using unauthorized reservation services creates real problems for you and the conference as a whole. You cannot be assured your credit card information is secure and your room reservation may not actually be made. Using unauthorized services means your room will not be part of the official conference housing block so you won't get emergency housing information (which happened in both 2011 and 2012), nor will there be adequate shuttle bus services to your hotel.

As always, the League is available to answer your questions on any aspect of the annual conference and we strive to make your participation both enjoyable and highly productive.

Contact: Michael J. Darcy, CAE, Executive Director, mdarcy@njslom.org, 609-695-3481, ext. 116.

b. Exhibits at the Annual Conference

Do you know a vendor that would be a good fit for the Annual Conference? If so, ask them about being an exhibitor or have them contact Kristin Lawrence, Exhibit Manager at 609-

695-3481, ext. 125 or klawrence@njslom.org. Information is also available on njslom.org/exhibit.

IV. Also of Interest

a. Governor's Conference on Housing and Economic Development.

The Governor's Conference on Housing and Economic Development will be held Oct.2-3 at Harrah's in Atlantic City. Governor Phil Murphy is the keynote speaker at the luncheon. The event will also feature a special plenary session in the morning with Lt. Governor Sheila Oliver, the Executive Director of the Housing Mortgage Finance Agency (HMFA) Chuck Richman, the CEO of the Economic Development Authority (EDA) Tim Sullivan, and the CEO of the New Jersey Redevelopment Authority (NJRA) Leslie Anderson. This session will be moderated by Professor Carl Van Horn of Rutgers University.

There will also be a series of tracks and sessions on related topics. **Early bird registration ends August 3.**

Information is available on the website at www.njhousingconference.com.

b. The League is Now Accepting Applications for the Innovation in Governance Program!

The New Jersey Department of Community Affairs (DCA) and the New Jersey League of Municipalities will again acknowledge and promote Innovation in Governance through our annual recognition program. This is a great opportunity to showcase innovative solutions to any problems that have cropped up – either suddenly or over time – in your municipality. It can also be an opportunity to let your peers in on innovations that prevented problems from even arising.

[Visit our awards page](#) to see previous years of impressive ideas created by our winning municipalities as well as the full invitation and application to this year's.

Contact: Ciara Bradley, Legislative Administrator, CBradley@njslom.org, 609-695-3481, ext. 128.

c. RWJ Foundation Survey

The Robert Wood Johnson Foundation and the Center for State Health Policy at Rutgers. RWJF are seeking input on policy recommendations that will improve the health of New Jerseyans. In their words, this is, "...a process for identifying a set of evidence-based, equity-promoting, and feasible policies that will lead to improved health and well-being across the state."

Please feel free to contribute your input via tiny.cc/njcoh. If you have any questions, please contact Jolene Chou, Senior Research Analyst at the Rutgers Center for State Health Policy at jchou@ifh.rutgers.edu.



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