

January 14, 2016

Re: Governor Takes Action on Numerous Bills

Dear Mayor:

At the close of the 216th Legislative Session, Governor Christie took action on 70 bills on Monday. The Governor signed 50 bills into law, conditionally vetoed 11 bills and vetoed 9 bills. Below are the bills of interest to municipalities:

BILLS SIGNED INTO LAW:

[P.L. 2015, c. 177](#), exempts board of education and local government payments to entities under BPU jurisdiction from certain certification requirements. Specifically would allow bills of the following to be paid by the municipality or board of education without a claimant certification on their purchase order: telecommunications services provided by a telecommunications or basic cable company under the jurisdiction of the BPU; electric, gas, water or sewer utility service provided by a public utility (as defined in N.J.S.A. 48:2-13) regulated by the BPU and a service that is provided under a contract between a public utility (as defined in N.J.S.A. 48:2-13) and a governing body that is approved by the BPU under which the rates for service are controlled by the governing body pursuant to the terms of the contract. The League supported the passage of P.L. 2015, c. 177 which takes effect on March 11, 2016.

Contact: Lori Buckelew at lbuckelew@njslom.org or 609-695-3481 ext. 112.

[P.L. 2015, c. 178](#), permits a non-civil service municipality or county to adopt a resolution or ordinance, as appropriate, to permit hiring preference for veterans. In order to be eligible for preferential treatment when applying for employment with a county or municipality, the veteran must be at least equally qualified with all other candidates for the position. The League supported the passage of P.L. 2015, c. 178 which took effect on January 11, 2016.

Contact: Jon Moran at jmoran@njslom.org or 609-695-3481 ext. 120.

[P.L. 2015, c.180](#), requires the Division of Pensions and Benefits to provide prompt notification to any member or retiree of a State-administered retirement system, when the member or retiree submits a change to the designation of beneficiary for contributory and non-contributory group life insurance available to the member or retiree through the system, that there is on file a judgment, court order, decree, or other legal document for that member or retiree specifically designating the beneficiary of such life insurance. The notification requirement shall apply only when there is a valid judgment, court order, decree, or other legal document that has been filed with the division, pursuant to the division's determination to accept and honor such a judgment, court order, decree, or document and that has been reviewed, approved, or classified as qualified by the division. P.L. 2015, c. 180 took effect on January 11, 2016.

Contact: Ed Purcell at epurcell@njslom.org or 609-695-3481 ext. 137.

[P.L. 2015, c. 181](#) changes the polling hours for school board elections. For school board elections, not held at general election, the polls must be open from 4:00 p.m. to 8:00 p.m. and during any additional time which the school board may designate between the hours of 6:00 a.m. and 8:00 p.m. P.L. 2015, c. 181 takes effect on January 1, 2017.

Contact: Lori Buckelew at lbuckelew@njslom.org or 609-695-3481 ext. 112.

[P.L. 2015, c. 182](#), permits municipalities and municipal parking authorities by resolution to create Senior Citizen Priority Parking Program to provide senior citizens age 60 or older who reside in the municipality with reduced parking permit rates and program-restricted parking spaces within the municipality for a single automobile registered to the senior citizen. The application process, the cost for the issuance or renewal of permit, the number and location of parking spaces is determined by the municipality. An application fee may not be charged. The Commissioner of Transportation shall design and shall make available to municipalities that create a Senior Citizen Priority Parking Program signs that identify program-restricted parking spaces for the municipality to erect as appropriate. The League supported the passage of P.L. 2015, c. 182 which took effect on January 11, 2016.

Contact: Ed Purcell at epurcell@njslom.org or 609-695-3481 ext. 137.

[P.L. 2015, c. 188](#), authorizes mobile electronic waste destruction units to operate without DEP permit as long as the owner or operator of the mobile unit notifies the DEP, in writing, that the mobile unit is certified by the National Association for Information Destruction. The material generated from the destruction of electronic storage devices by the mobile unit shall be delivered for processing to a recycling center authorized to operate by the DEP pursuant N.J.S.A. 13:1E-99.34 or to an otherwise authorized recycler that operates in compliance with all applicable federal, state, and local laws, regulations, and ordinances. The League opposed the passage of P.L. 2015, c. 188 which took effect on January 11, 2016.

Contact: Mike Cerra at mcerra@njslom.org or 609-695-3481 ext. 120.

[P.L. 2015, c. 189](#) permits any municipality which has adopted or adopts an ordinance authorizing the establishment of a special improvement district pursuant N.J.S.A. 40:56-7, to designate all or any portion of that district, which contains primarily businesses providing retail goods and services, as a "downtown business improvement zone", notwithstanding that the designated zone is located within an urban enterprise zone. The League **supported** the passage of P.L. 2015, c. 189 which took effect on January 11, 2016.

Contact: Jon Moran at jmoran@njslom.org or 609-695-3481 ext. 121.

[P.L. 2015, c. 201](#) relocates the asphalt price and fuel price adjustment requirements from one section, N.J.S.A. 40A:11-13, to another section, N.J.S.A. 40A:11-16, of the Local Public Contracts Law. This move will clarify that the price adjustments for asphalt and fuel would apply to all bid specifications not just bid specifications for construction, alternation or repair of a building. While the League initially opposed the bill, it was amended to keep the threshold for

the price adjustment requirements at 1000 tons. P.L. 2015, c. 201 took effect on January 11, 2016.

Contact: Lori Buckelew at lbuckelew@njslom.org or 609-695-3481 ext. 112.

[P.L. 2015, c. 203](#), permits a municipality, which has experienced a flood, hurricane, superstorm, tornado or other natural disaster, from charging interest on delinquent property taxes in certain circumstances. Specifically, the Governor would have to declare a state of emergency less than 30 days prior to date in which property tax installment is payable and the governing body adopts a resolution providing that interest shall not be charged to a delinquent taxpayer if payment of the property tax installment is made on or before the first day of the next calendar month for which it became payable. The Municipal Clerk must notify Division of Local Government Services within 3 business days of the adoption of the resolution. The League supported, as amended, P.L. 2015, c. 203 which took effect on January 11, 2016.

Contact: Lori Buckelew at lbuckelew@njslom.org or 609-695-3481 ext. 112.

[P.L. 2015, c. 205](#), permits military personnel and veterans to present a valid military identification card, form DD-214 or similar document, or State driver's license or identification card indicating that the holder is a veteran of the United States Armed Forces in lieu of municipal beach tags to gain admission those municipal beaches or recreational grounds that provide free beach access to military personnel and veterans. P.L. 2015, c. 205 took effect on January 11, 2016. *Contact: Lori Buckelew at lbuckelew@njslom.org or 609-695-3481 ext. 112.*

[P.L. 2015, c. 207](#), permits transmittal of certain land use documents via e-mail. The law permits notice by e-mail, with a delivery confirmation, of some documents required to be provided under the Municipal Land Use Law. This option would apply to the notice to the municipal clerk of an adjoining municipality of all hearings on the adoption, revision or amendment of a development regulation involving property situated within 200 feet of the adjoining municipality, and to the county planning board of all hearings on the adoption, revision or amendment of any development regulation and the adoption, revision or amendment of the municipal capital improvement program or municipal official map. Proof that an e-mail was sent to the correct e-mail address within the required time frame will constitute a rebuttable presumption of confirmation that the e-mail was delivered. The League **supported, as amended**, P.L. 2015, c. 207, which took effect on January 11, 2016.

Contact: Ed Purcell at epurcell@njslom.org or 609-695-3481 ext. 137.

[P.L. 2015, c. 210](#), amends the law concerning county and municipal stream cleaning activities. Specifically, this law 1) amends the provisions of the current stream cleaning law that allow a county or municipality, or a designated agency thereof, to undertake certain stream cleaning projects that include sediment removal; 2) amends current law, which restricts municipalities from engaging in projects including sediment removal to stream beds less than 30 feet in width; and 3) applies if the stream corridor to be cleaned, cleared, or desnagged is located wholly within the jurisdictional boundaries of that municipality, or in the case of a project undertaken by a county, the procedure would be applicable if the stream corridor to be cleaned,

cleared, or desnagged is either located wholly within the jurisdictional boundaries of one municipality, or less than 500 feet in length if located within more than one municipality. The League **supported** P.L. 2015, c. 210, which took effect on January 11, 2016.

Contact: Mike Cerra at mcerra@njslom.org or 609-695-3481 ext. 120.

BILLS CONDITIONALLY VETOED:

S-2524/A-4067, The "Municipal Volunteer Property Tax Reduction Act"; permits certain municipal property owners to perform volunteer services in return for property tax vouchers. In his [conditional veto](#) message the Governor expressed his concern that the program links volunteerism to a “tangible, financial benefit for certain homeowners”; and he noted the potential for mismanagement and abuse, and lack of oversight. To address these concerns, the Governor’s conditional veto charges the State Treasurer and Community Affairs Commissioner to jointly undertake a study on a volunteer program, which would grant NJ residents a modest reduction in property taxes in exchange for providing volunteer services to a municipality in which they reside. The Treasurer and Commissioner will have one year to issue a joint report.

BILLS VETOED:

[S-264 / A-1347](#), the League **opposed** this bill, and had asked the Governor to veto the legislation, which would have imposed a new burden on our property taxpayers. If enacted, it would have created a rebuttable presumption that if, in the course of employment or volunteer service, a public safety worker is exposed to a carcinogen or pathogen, then any subsequent injury, disability, chronic or corollary illness or death is compensable under workers' compensation.

We thank all local officials who contacted their legislators and Governor Christie in opposition to S-264/A-1347. We are also grateful to the Municipal Excess Liability Joint Insurance Fund, headed by former Mayor David Grubb and represented by Paul Bent, with which we worked closely on this matter. Finally, we thank the Governor for his consideration of our concerns.

Contact: Jon Moran at jmoran@njslom.org or 609-695-3481 ext. 121.

[S-2867 / A-4248](#) Permits municipal land banking in conjunction with online property database development. The League **supported** this bill, which would have permitted municipalities to designate non-profit entities and redevelopment entities, including the municipality itself when it serves as its own redevelopment entity, to act as land bank entities on behalf of the municipality.

Contact: Mike Cerra at mcerra@njslom.org or 609-695-3481 ext. 120.

Sincerely,

Michael J. Darcy, CAE
Executive Director