

August 26, 2016

Re: Weekly Policy Update

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Dear Mayor:

I. Assembly Bill Will Protect Municipalities from Increased Transportation Project Costs

On Thursday, August 18, Assemblywoman Elizabeth Maher Muoio announced that she was ready to introduce legislation, which would protect local governments from any increased costs resulting from the State's stop-work order on any transportation infrastructure projects funded by the Transportation Trust Fund (TTF).

As indicated in [Assemblywoman Maher Muoio's Press Release](#), this proposal would “require the Department of Transportation (DOT) to consider shutdown related delay damages realized by local governing entities on transportation projects supported through the local aid program to be compensable delays. As such, these delay damages would be paid by the State DOT rather than by property taxes raised at the local level.”

The legislation cannot be formally introduced, and given a bill number, until the Assembly is in session. According to a schedule posted by Speaker Prieto this past Tuesday, that would be on Thursday, September 8.

We thank the Assemblywoman for her attention to this liability, and for her consideration of the impact of the mandated work stoppage on local property taxpayers. We will advise you of the bill number and of the Committee to which it will have been referred, as soon as that information

is available. At that time, we would urge you to contact your State Legislators, asking for their support.

Contacts: Mike Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120;
or
Jon Moran, Sr. Legislative Analyst, jmoran@njslom.org, 609-695-3481 x121.

II. Possible Progress in Congress on Tax Fairness

We are happy to be able to report the possibility for some progress in Washington on an issue of tax fairness. For too long, merchants selling goods on the internet have enjoyed a competitive advantage over those who maintain a physical presence in our municipalities. Goods sold on the internet have always been subject to State sales taxes. But, for too long, sellers were not responsible for the collection of those revenues. The buyers were supposed to self-report their purchases and remit the sales taxes. It would be naïve to believe that they, invariably, did so. As a result, more and more business has been diverted away from our Main Street merchants.

Brick-and-mortar businesses are vital to the life of New Jersey municipalities. They pay property taxes, reducing the burden on our residents. They provide employment to our neighbors. They support local charities and community events. They sponsor local sports and recreation programs.

Now, thanks in large part to the efforts of the National League of Cities (NLC), legislation may get its day in the House. In a meeting with NLC, the Wisconsin League of Municipalities, and Wisconsin local elected officials, House Speaker Paul Ryan indicated that he had asked House Judiciary Chairman Bob Goodlatte to get an e-fairness bill through Committee and to the House floor for a vote this year. Unlike their Senate counterparts, who passed the Marketplace Fairness Act once before in 2013 (69-27), the issue has never been put to a vote in the House.

Chairman Goodlatte is working to introduce a new legislative proposal, which could be considered as early as September in the House. This is good news; however, outstanding issues remain that we'll be focused on as the process moves forward.

Congressional leaders are divided over whether destination or origin sourcing should be used to enforce the sales tax collection. We support the destination approach, which was included in the Senate "Marketplace Fairness Act". Chairman Goodlatte has previously proposed a different approach – origin based, which would require the seller to collect the sales tax based on the seller's jurisdiction. Speaker Ryan has not indicated a preference, and it is unclear which approach will be reflected in any new House legislation.

Also, the House will need to move quickly on this. Congress returns for a short working session with a full agenda in September, before adjourning for the November elections.

While the legislative details and the process are still shaping up, it's clear that we'll need your help in the coming weeks to get an e-fairness bill through the House. In terms of prospects for

Senate action on e-fairness, earlier this year, Majority Leader Mitch McConnell promised a vote on the legislation in 2016. So, getting a vote and passage in the House is crucial to our goal.

Please contact your Congresswoman or Congressman, urging support for favorable and timely action on this tax fairness initiative. Also, urge your Representative to support the destination – or point of consumption – enforcement alternative.

Contacts: Mike Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481; or Jon Moran, Sr. Legislative Analyst, jmoran@njslom.org, 609-695-3481 x121.

III. Legislation Would Permit Waiving of Water and Sewer Fees for Deployed Military Personnel

A-3534, which permits authorities and local units operating water supply or sewerage facilities to waive, reduce, or defer sewerage and water service fees for deployed military personnel. Specifically, A-3534 permits a municipality or county authority, sewerage authority or a local unit operating a county or municipal sewerage facility or water supply facility to reduce, defer interest fee, or abate the fees, rents or other charges for the primary residences owned by an enlisted member of the United States Armed Forces. The reduction without interest, total abatement or deferment would be in effect during the period of time in which the person is deployed for active service during wartime.

The League **supports** A-3534 as it provides local units with an option to provide assistance to their active military residents while meeting the needs of their community. The bill, sponsored by Assemblymen Bucco, Singleton and Webber awaits consideration by the full Assembly. The Senate companion sponsored by Senators Bucco and Van Drew, S-2086, awaits consideration by the Senate Community and Urban Affairs Committee.

Please contact your State Legislatures and urge them to support the swift passage of A-3534/S2086.

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

IV. New Advocacy Tools for Local Officials

[As mentioned in our August 19 Friday recap letter](#), the League is rolling out some new tools and initiatives for our advocacy efforts. Please [click here](#) for more on our VoterVoice service. We would suggest registering with that service to assist the League in future legislative efforts. We anticipate launching our first legislative campaign after Labor Day.

And please [click here](#) to read the League's new legislative blog, "The Town Crier."

Contact: Mike Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120.

V. REAL, Race Equity and Leadership

REAL, Race Equity and Leadership, is the National League of Cities effort to equip its membership with the capacity to respond to racial tensions in their communities and address the historical, systemic and structural barriers that further inequity and racism in our nation's municipalities. See more details [at our July 20 letter](#).

Contact: Michael J. Darcy, CAE, Executive Director, mdarcy@njslom.org, 609-695-3481, x116.

VI. Apply for the 2016 Governor's Environmental Excellence Awards

Applications are being accepted for New Jersey's premier awards program for recognizing outstanding environmental performance, programs and projects throughout the state. These awards recognize significant contributions to environmental protection in New Jersey.

Nominations can be submitted for nine different categories. Full details are at www.nj.gov/dep/eeawards. The **submission deadline is September 28**.

The Governor's Environmental Excellence Awards Program is sponsored by the New Jersey Department of Environmental Protection, the New Jersey Environmental Infrastructure Trust and the New Jersey Corporation for Advanced Technology, in partnership with the New Jersey State League of Municipalities.

Questions about the awards program can be forwarded to NJDEP employee Tanya Oznovich by calling (609) 984-9802 or emailing Tanya.Oznovich@dep.nj.gov.

Contact: Michael J. Darcy, CAE, Executive Director, mdarcy@njslom.org, 609-695-3481, x116.

VII. Pre-Registration for 101st NJLM Conference Opened August 1

Pre-registration for the NJLM Conference opened on Monday, August 1, by paper and online formats. The form and online registration links are located on our website, www.njslom.org.

Click on the tab "Conference," select "Conference 2016" and click on the "Register Now" button to access your municipal pre-registration form or non-municipal registration form.

REMINDER: Pre-registration ends October 1, 2016. After October 1, 2016, all new registrations must be completed onsite in Atlantic City.

Contacts: Marie Johnson, Financial Administrator, mjohnson@njslom.org, 609-695-3481 x113;
or

Johniffer Harris, Assistant Financial Administrator, jharris@njslom.org, 609-695-3481, x119.

VIII. New for 2016 – The League is going mobile!

Starting October 5th you can download the new official conference app. Access a fully searchable session schedule, interactive map of the exhibit floor, a thorough listing of exhibitors, and up-to-date event information. Don't miss important sessions, speakers or exhibits – create a personalized schedule before you arrive at the Convention Center to maximize your experience! Download day is October 5 at www.njslom.org/2016conf/app

IX. First Responder Interoperable Communications

We are sharing a request from the Department of Homeland Security and Preparedness for your municipality to participate in a survey related to the Nationwide Public Safety Broadband Network (NPSBN). Please remind your Fire Chief and Police Chief or Public Safety Director to complete the survey they received, so that your municipal needs are included in planning the next generation public safety communications network.

If there are any problems with the survey, or if your public safety officials have any questions, please contact Scott Kloss from the JerseyNet Team by email at: Scott.Kloss@northhighland.com or by telephone at (609) 588-2463.

You are invited to visit <https://www.surveymonkey.com/r/NJSLIGP> for more information on the project. NPSBN requests that your officials respond to the survey within 30 days.

Contact: Michael J. Darcy, CAE, Executive Director, mdarcy@njslom.org , 609-695-3481, x116.

X. Innovation in Government Award Nominations Sought

The New Jersey Department of Community Affairs and the New Jersey League of Municipalities will again acknowledge and promote Innovation in Governance through our annual recognition program. It gives you the chance to congratulate your public professionals and employees for a job well done. And it can help to demonstrate to your constituents the appreciation that other local officials, throughout New Jersey, have for your creativity and leadership. See how to nominate your program [by clicking here](#).

Contact: Ciara Bradley, Legislative Administrator, cbradley@njslom.org , 609-695-3481, x128.

XI. Application for Mayors Wellness Campaign New Jersey Healthy Town Designation

The New Jersey Health Care Quality Institute's Mayors Wellness Campaign supports mayors' efforts to make their towns *Healthy Towns*. The "*Healthy Town*" designation recognizes communities in which mayors have made healthy lifestyles a top priority and are actively engaging all the members of their community. Each year, the Mayors Wellness Campaign awards two *Healthy Town* designations, and two *Healthy Town to Watch* designations. The 2016 Healthy Town application is [now available here](#)

*Join the New Jersey Health Care Quality Institute for their Open House on September 29th
To register, click **here** or contact Amanda Melillo at amelillo@njhcqi.org

Contact: Deborah Levine, MPH, Director of Community Health, dlevine@njhcqi.org, 609-4525980.

Sincerely,

Michael J. Darcy, CAE Executive
Director