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October 12, 2018

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

I. State Issues

a. Cannabis Legalization

Earlier this week the League, the New Jersey Urban Mayors Association and the New Jersey Conference of Mayors issued a coalition letter to the Governor and the State Legislature on the anticipated legalization of cannabis. The three organizations are working closely to assure that local governments are protected and provided the appropriate resources in the event that legislation is passed to legalize adult use marijuana. The Senate President has identified his objective to pass legislation by October 29. [Please review the letter](#) and regardless of your position of the issue, **please reach out to your State Legislators** and let them know your opinion. As stated in the letter, enforcement will fall mostly on municipal governments and your voice must be heard now.

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

b. OPRA & OPMA Bills

On Monday, the Senate Budget and Appropriations Committee will consider [S-106](#), which makes various changes to law addressing meetings of public bodies to provide public with greater access to meetings and information about meetings and [S-107](#), which makes certain access changes to open public records act; establishes State public finance

website and creates program for development of local websites; makes appropriation. We anticipate additional amendments will be made to these bills

We appreciate the strides the sponsors have taken to address issues through the proposed amendments, such as addressing both the privacy issues surrounding OPRA and the issue of commercial request for records. However, as discussed in more detail below, we still have major concerns with the bills and must continue to oppose S-106 and S-107.

1.Subcommittees (OPMA): The definition of subcommittees has been changed to “any subordinate committee of a public body, except the Legislature, regardless of label, that is formally created by that body, comprised of two or more members, but less than a quorum, of the public body, and recognized by the public body as a subcommittee thereof.” Subcommittees would be required to prepare at least quarterly reports of their meetings that must include; the number of meetings held since the last report, the names of members of the subcommittee, and a concise statement of the matters discussed. Every subcommittee must file at least one report with the public body. A subcommittee report is available for public access in the same manner as minutes of a meeting of the public body. If the subcommittee has given an oral report at a meeting of the public body then they are not required to submit the written report for that quarter. The public body must determine if a subcommittee meeting is open to the public. If the meeting is open to the public, adequate notice must be provided. **The purpose of subcommittees is to make recommendations to the governing body for the governing body to take action. Subcommittees are designed to digest and vet information informally. Subcommittees do not expend public funds nor make binding decisions. That power remains with the governing body. By their very nature, subcommittees are advisory, deliberative, and consultative. Just as advisory, deliberative and consultative material is exempted from the Open Public Records Act so should subcommittees remain not subject to the provisions of the Open Public Meetings Act.**

2.Prevaling Attorney Fees (OPMA & OPRA): The OPRA bill continues to mandate prevailing attorney fees for violation of OPRA, and the OPMA bill is changing prevailing attorney fees from permissive to mandatory. **The League strongly believes that the Courts and the Government Records Council need the flexibility to award reasonable attorney’s fees based on the given circumstances of a particular case.**

3.Exemption of the Legislature (OPMA & OPRA): Both bills continue to exempt the Legislature from many requirements of the Open Public Meetings Act and all of the requirements of the Open Public Records Act. **The League has strongly argued that in the interest of transparency and openness, the various exceptions in the Open Public Meetings Act and Open Public Records Act that apply to the legislature and the legislators should be removed. The rules that the legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials.**

We suggest you contact the members of the Senate Budget and Appropriations Committee to express your concerns with the legislation.

[Sarlo, Paul A.](#) - Chair
[Stack, Brian P.](#) - Vice-Chair
[Addiego, Dawn Marie](#)

[Bucco, Anthony R.](#)
[Cruz-Perez, Nilsa](#)
[Cunningham, Sandra B.](#)
[Diegnan, Patrick J.](#)
[Greenstein, Linda R.](#)
[O'Scanlon, Declan J.](#)
[Oroho, Steven V.](#)
[Ruiz, M. Teresa](#)
[Singleton, Troy](#)
[Thompson, Samuel D.](#)

Contact: Lori Buckelew, Senior Analyst, lbuckelew@njslom.org, 609-695-3481, x112.

c. League and Others Submit Comments Opposing SALT Regulations

Earlier this week, on behalf of our members the League submitted [comments](#) opposing proposed amendments to IRS regulations which would have eliminated the effectiveness of New Jersey's efforts to dampen the effects of the recent \$10,000 cap on State and Local Tax ("SALT") deductions.

Also submitting [comments](#) in opposition to the proposed SALT regulations was State Attorney General, Gurbir Grewal, joined by the Attorneys General of California, Connecticut, and New York. These comments continue the State's role in trying to avoid the harsh impact the SALT cap deduction would have on the Garden State.

A public hearing on these proposed amendments will take place on November 5, 2018, where it is anticipated they will be voted on for adoption. We will keep you updated on this matter as it continues to progress.

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

II. Federal Issue

a. Anti-Opioid Epidemic Bill Specifics

As reported last week, Congress has sent to the White House a major initiative, designed to provide new tools to combat the national opioid epidemic. Despite the rancor and polarization most issues seem to cause, this battle has been generated broad bi-partisan cooperation.

H.R. 6, the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act will advance treatment and recovery initiatives, improve prevention, protect communities, and bolster efforts to fight deadly illicit synthetic drugs like fentanyl.

The SUPPORT for Patients and Communities Act follows the passage of the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act last

Congress, the \$4 billion appropriated in 2018 the omnibus earlier this year to help combat the opioid crisis, as well as the \$6.7 billion included in the recent Defense-Labor-HHS appropriations package to boost programs that fight, treat, and stop substance abuse, and support access to mental health services. This is the most significant congressional effort against a single drug crisis in history.

Provisions in the **SUPPORT for Patients and Communities Act** will advance:

Treatment and Recovery

- Improve and expand access to treatment and recovery services
- Provide incentives for enhanced care, coordination, and innovation
- Establish comprehensive opioid recovery centers

Prevention

- Encourage non-addictive opioid alternatives to treat pain
- Improve data to identify and help at-risk patients and families
- Address high prescribing rates while enhancing prescription drug monitoring programs

Protecting Communities

- Give law enforcement tools to get dangerous drugs out of our communities
- Better intercept illicit opioids at international mail facilities
- Improve access to federal resources for local communities

Fighting Fentanyl

- Better tackle ever-changing synthetic drugs
- Crack down on foreign shipments of illicit drugs
- Provide grants for local communities to combat fentanyl

Among the provisions designed to assist local government efforts are:

Section 7002 - Expands grants for first responder training to include training on safety;
Section 7031 – Requires US Department of Health and Human Services (HHS) to develop recovery housing best practices, and indicators that could be used to identify ‘fraudulent’ recovery house operators;

Section 7102 - Requires HHS Secretary, in consultation with US Secretary of Education, to supply best practices, and provide grants, for prevention and recovery for youths and young adults;

Section 7134 – Authorizes US Secretary of Education to make grants to link educational institutions with mental health systems to provide trauma support;

Section 7151 – Reauthorizes the Building Communities of Recovery program to provide funding for long-term recovery support services, including peer support networks; and

Section 8092 – Amends the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the US Department of Justice (DOJ) opioid abuse grant program, through 2023.

Contact: Jon Moran, Senior Legislative Analyst, jmoran@njslom.org, 609-695-3481 x121.

III. League Conference

a. Unauthorized Hospitality Functions

The 103rd Annual League Conference will soon be upon us and we know you are looking forward to a productive and educational week.

Numerous exhibitors and groups have scheduled receptions and hospitality functions during the evening hours in Atlantic City. However each year there are a few commercial entities that schedule hospitality function such as brunches and lunches which conflict with the Conference programming. These unauthorized functions should not be confused with legitimate business luncheons sponsored by our affiliated associations and their members. The League urges you not to attend daytime hospitality functions offered by commercial firms.

Instead, plan your daytime activities so you can derive the greatest educational benefit from attending the League Conference. League Education sessions begin at 9:00 AM, break at noon when there are informative Exhibitor Learning Sessions, resume at 2:00 and finally adjourn at 5:15.

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 x116.

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 x125 or klawrence@njslom.org. Information is also available on the [League's website](#).

c. Don't Forget! CEU Tracking System Procedures for 103rd Annual NJLM Conference

Badge Scanners will be used to track CEU Credits and Attendance at the NJLM 103rd Annual Conference.

For Sessions that Have CEU credit Available:

- All Attendees looking to earn credit must scan-in and scan-out of these qualifying sessions* to earn their CEU credits.
- Attendees will claim their certificates after the conference via the League website www.njslom.org/confceu/

For more information or for a complete list of procedures please visit the [Conference](#).

[Website.](#)

* **Please note**, the procedures described above only apply to educational sessions. Business Meetings and Exhibitor Learning Sessions are **not** included in the scanning system.

IV. Also of Interest

a. NJ Homeowners Guide to Property Taxes

League affiliate the Association of Municipal Assessors of New Jersey collaborated with NJCPA, NJ Realtors, investors Foundation, and Rutgers to produce a "[Homeowners Guide To Property Taxes](#)". We have posted the guide for you to download and share with your residents. You can also order printed copies with your municipality's seal at the [NJCPA website](#).

b. Attorney General 21/21 Community Policing Project

The Attorney General has [asked the 21 County Prosecutors](#) to organize quarterly public events to discuss issues relevant to community policing in the 21st century (the "21/21 Community Policing Project"). The goal of the project is to strengthen relationships between law enforcement officers and the communities they serve – and to address areas of concern before conflicts arise. Starting in spring 2018, each of the County Prosecutors will be responsible for organizing one meeting each on the following topics:

- **Spring 2018** (Apr-Jun) – Investigations of Officer-Involved Shootings
- **Summer 2018** (Jun-Aug) – Opioids
- **Fall 2018** (Sep-Nov) – Immigration Enforcement
- **Winter 2018-19** (Dec-Feb) – Bias Crimes

The events will include presentations and/or discussions on the quarterly topic. For a listing of scheduled public events contact [your county prosecutor](#) or visit the [21/21 Community Policing Project site](#).

c. Brownfields Reuse Workshop

The NJ Brownfields Interagency Working Group is hosting an "Accelerate Land Reuse for Community Revitalization" workshop to address questions around legal liability, regulatory issues, funding resources, assessment/remediation, and community engagement to spur redevelopment of these properties.

Panels will feature NJEDA, IBank, NJDEP and USEPA. There will also be an opportunity to meet individually with panelists and over a dozen additional state and federal agencies during Office Hour Consultations. Lunch will be served.

The workshop is free but registration is required. **October 18th at the Kroc Center in Camden.** Come meet with the experts you need to move your redevelopment projects. Register today at the center for creative land recycling website.

[Register for the Camden workshop.](#)

For questions contact the center for creative land recycling at 646-712-0535.



New Jersey State League of Municipalities

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