

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1343

STATE OF NEW JERSEY

DATED: JUNE 24, 1996

The Senate Community Affairs Committee reports without recommendation Senate, No. 1343.

This bill would relieve counties and municipalities of certain State mandates in order to save costs and allow for a reduction in local taxes. Specifically, sections 1 and 2 of the bill would permit a municipality to stagger the expiration of pet licenses. This would ease administration since renewals would not occur simultaneously.

Section 3 of the bill would require the Department of State to investigate methods of reducing mandatory election costs in municipalities with populations of 500 persons or less. The bill would require that the department report its findings to the Governor and the Legislature approximately six months after the bill's enactment.

Sections 4 and 5 would permit ordinances and health codes adopted by a local board of health to be published in summary form, both before the public hearing and after adoption, in order to reduce the costs of publication.

Section 6 would permit a municipality or county to impose parking restrictions, designate no passing zones, paint road striping and pavement markings on self-contained streets under municipal or county jurisdiction, as appropriate, without approval of the Commissioner of Transportation. R.S.39:4-8 would be amended to permit a municipality or county to act by ordinance or resolution, as appropriate, to effect the traffic control measure, with a copy of the ordinance or resolution transmitted to the Commissioner of Transportation along with an engineer's certification. The commissioner would have ninety days to review the ordinance or resolution and invalidate it if its provisions: (1) are inconsistent with the Manual on Uniform Traffic Control Devices for Streets or Highways; (2) are inconsistent with accepted engineering standards; (3) are not based on the results of an accurate traffic and engineering survey; or (4) place an undue traffic burden or impact on streets in an adjoining municipality or negatively affect the flow of traffic on the State highway system.

Section 7 would permit ordinances to be published by title and summary. Section 8 would permit a nine-member planning board in any municipality to exercise the powers of a zoning board of

adjustment if so provided by ordinance and approved by the voters by referendum. This option is currently available under section 16 of P.L.1975, c.291 (C.40:55D-25) to municipalities with a population of 10,000 persons or less. This section also would provide a mechanism for separating a combined board.

Section 9 would allow a local unit to bond for the amount of any contribution that it makes as a sending municipality under a regional contribution agreement pursuant to section 12 of P.L.1985, c.222 (C.52:27D-312). This provision is intended to encourage regional contribution agreements thereby enhancing low and moderate income housing within the State.

Section 10 would amend N.J.S.40A:4-19 to increase the permissible amount of temporary county and municipal budgets from 25% of the previous year's total appropriations to 26.25% of those appropriations, representing the proportional part of a 5% cap increase, in years when a county or municipality increases its tax levy or budget, as appropriate. This provision would allow counties and municipalities greater flexibility in the time period before they adopt their annual budget.

Sections 11 and 12 would authorize a local unit to establish a dedicated fund into which it may deposit refunds from a joint insurance fund. These deposits would be retained to protect against a future situation where claims payable by the joint insurance fund would exceed contributions paid into the joint insurance fund by the local unit. Maintenance of such a revolving fund would allow a local unit to have assets readily available to make additional contributions into the joint insurance fund as needed without resorting to raising monies.

Section 13 would permit the Local Finance Board to adopt rules requiring certain municipalities to have their budgets reviewed every third year, instead of every year, by the Director of the Division of Local Government Services in the Department of Community Affairs. The governing body and the chief financial officer would be required to certify to the director that the municipality is in compliance with the statutory and regulatory budget procedures. The director would have the authority to require any municipality to comply immediately with the State budget law if the director finds that this exemption from annual State review impairs the fiscal integrity or solvency of a municipality.

Section 14 would increase from five to ten dollars the amount a municipal governing body may by resolution preauthorize a tax collector to process in the cases of property tax refunds or cancellations of refunds or delinquencies.

Sections 15 through 17 would permit municipalities to appoint police officers as adult crossing guards. Such appointees would not have to be trained specially in traffic control. They may, at the discretion of the chief of police, wear their regular police uniform.

Sections 18 and 19 would amend sections 3 and 15, respectively,

of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-3 and 40A:11-15), to extend the period of normal local public contracts from twelve months to twenty-four months, with the exception of contracts for professional services.

Section 20 would amend section 24 of the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-324), to clarify that the Affordable Housing Management Service of the Department of Community Affairs, as well as any other entity which provides certain services to municipalities and developers that are providing affordable housing under that act, may not require an exclusive contract to service all of the eligible housing units of the municipality. This would include any entity whose services include the determining of occupant eligibility, the marketing of units, and the determining of maximum resale prices or rents. Thus, in a municipality with an appropriate administrative agency, the municipality might seek to maximize cost efficiency by servicing a portion of the eligible units itself or contracting with another provider.

Section 21 would permit the dog census to be conducted either every year or every other year, as the governing body directs.