

Township of West Milford
Passaic County, New Jersey

~ Resolution No. 2017 – 148 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY IN OPPOSITION TO SENATE BILL 3007 AND ASSEMBLY BILL 4590 WHICH BILLS WOULD ALLOW THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS TO PROVIDE GRANT FUNDING TO A COUNTY OR MUNICIPALITY THAT HAS HAD FEDERAL GRANT FUNDING DENIED OR REDUCED BASED ON ITS STATUS AS A SANCTUARY JURISDICTION

WHEREAS, on January 25, 2017, President Donald Trump did issue Executive Order No. 13768 which order, among other things, could result in denial or reduction of Federal aid to jurisdictions that fail to comply with federal immigration laws; and

WHEREAS, Section 9 of the order requires that the Attorney General of the United States and the Secretary of Homeland Security “ensure that jurisdictions that willfully refuse to comply with 8 U.S.C. 1373 (“sanctuary jurisdictions”) are not eligible to receive federal grants”; and

WHEREAS, on February 6, 2017 Senators Brian P. Stack, Sandra B. Cunningham and M. Teresa Ruiz introduced Senate Bill 3007 (S3007) in the New Jersey State Legislature; and

WHEREAS, on February 27, 2017 Assembly members Raj Mukherji, Annette Chaparro and Annette Quijano introduced Assembly Bill 4590 (A4590) in the New Jersey State Legislature; and

WHEREAS, S3007 and A4590 each contain text synopsisizing the bills as a law that “establishes program to reimburse local governments for federal grant funds lost due to “sanctuary jurisdiction” status”; and

WHEREAS, S3007 and A4590 each propose to legislate that the Commissioner of Community Affairs “shall establish a program to provide grant funding to a county or municipality that has had its federal grant funding denied or reduced based upon its status as a sanctuary jurisdiction”; and

WHEREAS, S3007 and A4590 each legislate that funds for these grant disbursements “shall be appropriated from the General Fund”; and

WHEREAS, the New Jersey Legislature did authorize the Office of Legislative Services to publish a legislative fiscal estimate for the New Jersey State Senate pertaining to Senate Bill No. 3007 dated February 16, 2017; and

WHEREAS, said fiscal estimate could not calculate the exact cost of a reimbursement program for sanctuary jurisdictions; and

WHEREAS, the payments from the General Fund for a reimbursement program would come from the General Fund which fund is financed with taxpayer money from the taxpayers of the State of New Jersey; and

WHEREAS, according to the U.S. Census Bureau, New Jersey local governments received approximately \$1 billion in intergovernmental revenue from the federal government in 2013; and

WHEREAS, the Office of Legislative Services, in the fiscal estimate, did note that “New Jersey local governments received approximately \$1 billion in intergovernmental revenue from the federal government in calendar year 2013. This amount approximates the maximum amount of federal funds that may be withheld from New Jersey local governments”; and

WHEREAS, the Office of Legislative Services did note in the fiscal estimate that the Executive Branch did not respond to their request for a fiscal note; and

WHEREAS, elected officials in the Township of West Milford are of the opinion that the general fund in the State of New Jersey is funded with taxpayer funds and the taxpayers of the State of New Jersey cannot sustain payments from the general fund that could exceed \$1 billion.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, in the County of Passaic, State of New Jersey does hereby oppose Senate Bill 3007 and Assembly Bill 4590 which bills were introduced in the New Jersey Legislature in the respective houses in February 2017; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of West Milford, in the County of Passaic, State of New Jersey objects to any State legislation which does not provide a comprehensive and substantiated fiscal analysis when said legislation will have a financial impact on taxpayers in the State of New Jersey; and

BE IT FURTHER RESOLVED, that this resolution shall be forwarded to the Governor of the State of New Jersey, Senator Joseph Pennacchio, Assemblyman Jay Webber, Assemblywoman Betty Lou DeCroce, the Senate and Assembly sponsors of the bills and the sixteen municipalities in Passaic County.

Adopted: April 19, 2017

Adopted this 19th day of April, 2017
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk