

State of New Jersey  
Council on Local Mandates  
Trenton, New Jersey

In re Complaint Filed by the  
Franklin Twp. Board of Education  
Regarding P.L. 2020, Chapter 44

STATE OF NEW JERSEY  
COUNCIL ON LOCAL MANDATES  
COLM-0001-21  
CONSOLIDATED ACTIONS

In re Complaint Filed by the  
Gloucester City Board of Education  
Regarding P.L. 2020, Chapter 44

In re Complaint Filed by the  
Lower Twp. Elementary Board of  
Education Regarding P.L. 2020, Chapter 44

THIS MATTER coming before the Council On Local Mandates on Claimants' application for injunctive relief pending the outcome of their Complaint seeking to have the Council declare P.L. 2020, chapter 44 constitute an unfunded mandate; William Morlok, Esq. appearing for Complainants, Jaclyn Frey, Esq., Deputy Attorney General, appearing for the State of New Jersey; Leon Sokol, Esq., appearing as amicus curiae for Senate President Sweeney and Assembly Speaker Coughlin; Cynthia Jahn, Esq., appearing as amicus curiae for the New Jersey School Boards Association; Richard Friedman, Esq. appearing as amicus curiae for the Franklin Township Education Association; and Craig Long, Esq., appearing as amicus curiae for the New Jersey Education Association; and the Council having read and considered the briefs and other supporting documents filed herein, and having heard and considered the arguments of all counsel; and FOR GOOD CAUSE SHOWN;

It is on this 21st day of May, 2021. ORDERED that the application for injunctive relief be, and the same is hereby, DENIED for the reasons hereinafter set for in conclusory fashion.

The COLM unanimously finds and determines that:

1. Complainants have failed to demonstrate that the challenged law has created a significant financial hardship, providing no evidence by affidavit or certification of

- such financial hardship and leaving the COLM to speculate about the veracity of the allegations in the Complaint and in the brief and supporting papers filed herein.
2. The Financial Impact Statement of the Office of Legislative Services filed with the opposing papers demonstrates a cost-savings to the taxpayers and the school districts of the State of New Jersey.
  3. Claimants have failed to demonstrate that they are likely to prevail on their claims that the law in question constitutes an “unfunded mandate.”

IT IS FURTHER ORDERED that all Motions for Summary Judgment shall be filed no later than the 21st day of June, 2021. Amicus briefs shall be filed within fifteen days thereafter (July 6, 2021). Responses thereto shall be filed no later than the 12th day of July, 2021 with replies due no later than the 23rd day of July, 2021. Arguments on such Motions shall be heard by the Council on Local Mandates on the 1<sup>st</sup> day of September, 2021.

Council Member, Jack Tarditi, did not participate in this matter, having recused himself.

Council on Local Mandates

A handwritten signature in black ink, appearing to read "John A. Sweeney". The signature is stylized with large, overlapping loops and a long horizontal stroke at the end.

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John A. Sweeney, AJSC (Ret.)

Chair