

**KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
RESOLUTION 2017-21**

**RESOLUTION REQUESTING REVISION OF THE STATUTORILY ASSIGNED BASE YEAR FOR THE ALCOHOL
EDUCATION, REHABILITATION, AND ENFORCEMENT FUND BY THE NEW JERSEY STATE LEGISLATURE**

WHEREAS, the Alcohol Education, Rehabilitation and Enforcement Fund (N.J.S.A. 26:2B-35(b)(3), Chapter 531, Laws of 1983) was established for the purpose of assisting municipal courts in their efforts to process Driving While Intoxicated (DWI) matters; and

WHEREAS, this fund is allocated to municipalities to pay for costs related to DWI cases including compensation to municipal court judges, municipal prosecutors, and other municipal court personnel, as well as to pay for any other items needed to manage or process DWI cases; and

WHEREAS, a significant number of NJ municipalities, including Knowlton Township, do not receive compensation from the Municipal Court Alcohol Education Rehabilitation and Enforcement Fund because they are eligible *only if* the number of DWI arrests made in the municipality during the previous year was greater than the number of DWI arrests made in the municipality during the statutorily assigned base year; and

WHEREAS, the statutorily assigned base year is 1983; and

WHEREAS, in 1983 the purchase of alcohol by persons under the age of 21 was legal and may have contributed to DWI statistics that are higher than they are now*; and

WHEREAS, in 1983 DWIs in Knowlton Township numbered 77; and

WHEREAS, in 2015 DWIs in Knowlton Township numbered 33, and thus last year Knowlton did not receive any DWI funds; and

WHEREAS, Knowlton Township has not met the threshold of 77 or received compensation from the fund for many years; and

WHEREAS, Knowlton Township is still required to hold the trials for DWI cases, which are time-consuming and require scheduling extra court sessions to meet the time limits for trials imposed by the Administrative Office of Courts; and

WHEREAS, a single extra court session for Knowlton Township currently costs approximately \$2,000; and

WHEREAS, the disparity in DWI reimbursement disproportionately affects Warren County, with 70 % of the towns in Warren County, NJ, not receiving any funds in 2015, though they were still obligated to pay for processing DWI cases in their municipalities; and

WHEREAS, of the 565 municipalities in the State of New Jersey, 52% did not receive any DWI funds in 2015 but were still obligated to pay for processing DWI cases in their municipalities; and

WHEREAS, the NJ Legislature has not revised the statutory base year in 33 years; and

WHEREAS, the average of several years, rather than a single year of DWI tickets, should be used to achieve a more equitable base figure for each municipality.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Knowlton hereby requests that the New Jersey Legislature revise the Municipal Court Alcohol Education Rehabilitation and Enforcement Fund's formula to include DWI arrest data that is both more recent and an average of several years' statistics for each municipality.

BE IT FURTHER RESOLVED that the Township Committee of Knowlton requests the assistance of the Warren County Freeholders, the NJ League of Municipalities, and the representatives of the 24th Legislative District, Senator Steven Oroho, Assemblywoman Gail Phoebus, and Assemblyman Parker Space, to support this issue.

January 9, 2017

Motion: Committeeman Farber

Second: Committeewoman Shipps

Committee Polled: Cuntala-- yes , Farber -- yes , Shipps-- yes , Van Horn-- yes , Starrs— yes

Kristin Shipps, Acting Clerk

*The National Minimum Drinking Age Act of 1984 (23 U.S.C. § 158) was passed on July 17, 1984, and outlawed the purchase of alcoholic beverages by those under the age of 21.