



RETAILER

September 2006

In This Issue

Page 2

- Important NJ Tax Changes

Page 3

- Uniformity Clause
- Annual Meeting
- Minimum Wage Increase
- NJRMA in the News

Page 4

- Top 100 Retailer List

Insert

- New Laws
- Loss Prevention Conference

NJRMA Scores a Major Victory in Superior Court

What do the State of Maryland, the City of Chicago, and Lawrence Township, New Jersey, have in common? You guessed it. All three have witnessed successful challenges to a living wage and mandated healthcare law.

Lawrence Township is a community of 30,000 bordering our state capitol. Earlier this year, the "Lawrence Living Wage Coalition" collected over 1,000 signatures on a petition to place a public question on the General Election ballot in November. Voter approval of this question would enact an ordinance requiring every large retailer in the township to pay an hourly wage rate of \$11.08 and a benefit rate of \$3.50 per hour. The proposal defines a "large retailer" as one whose parent company grosses over \$1 billion in annual revenues and operates a store larger than 100,000 square feet.

Fortunately, on the advice of the Township Attorney, the Lawrence Township Council tabled putting the public question on the ballot, questioning the legality of the ordinance if enacted. The Township then filed a declaratory judgment complaint in New Jersey Superior Court to determine if indeed the ordinance would be legal.

That's when NJRMA stepped in. NJRMA retained the services of Jim Burns and Angelo Genova (of the law firm Genova, Burns & Vernoia) and filed a "motion to intervene" to ensure that the interests of New Jersey retailers were well represented in the case. The Living Wage Coalition was represented by lawyers from the Brennan Center for Justice at NYU's School of Law.

On August 30, Superior Court Judge Linda Feinberg heard the case and issued a strongly worded declaratory judgment in NJRMA's favor. Judge Feinberg based her decision on the fact that New Jersey State Law preempts the proposed ordinance.

While NJRMA is quite pleased with the court decision, our fight is not over. The Lawrence Living Wage Coalition has announced its intention to appeal the decision to the State Appellate Division. Stay tuned.

**NJ Retail Merchants
Assn.
& NJ Food Council**

**Northeast Retail
Loss Prevention
Conference & Exhibition**

**October 25, 2006
8 am - 5 pm
The Forge Inn
Woodbridge NJ**

- See insert -