

OPINION: SWEENEY ON MURPHY'S GUN LEGISLATION — WHAT'S THE HURRY?

CARL GOLDEN | APRIL 2, 2018

The Senate president may want time for negotiation and compromise, but he runs the risk of being seen as blocking progress on the emotionally charged issue of gun control



Carl Golden

For Gov. Phil Murphy, a promise to sign into law a package of six bills to tighten New Jersey's regulations on gun purchases and ownership was an easy call.

It was also the correct call.

It was a decision not reached under duress or pressure, nor was it a kneejerk reaction to the "March for Our Lives" protests across the country.

Tightening the state's already strict firearms laws was a major component of Murphy's campaign last year, part of his criticism of Gov. Chris Christie, who vetoed the bills in an effort to curry political favor for his ill-considered candidacy for the Republican presidential nomination.

Murphy is certainly not a last-minute convert to stronger gun control measures, and his signature on the legislation would not only fulfill a campaign promise but is in line with the expressed desires of a majority of New Jerseyans.

Whether Murphy will get the chance to scribble his name across the bottom of the bills and attract a fair amount of national attention for taking a leadership role in dealing with a high-profile issue, however, has become slightly problematic.

Sweeney silent thus far

Standing in the way — at least for the moment — is, not surprisingly, Senate President Steve Sweeney (D-Gloucester), who has yet to weigh in on any of the bills in the package.

While the Assembly — with bipartisan support — approved the bills, none has been posted for consideration in the Senate and, in point of fact, two have no sponsors in the upper house.

With dictatorial control over the flow of legislation to the floor for consideration, Sweeney holds a strong hand, indeed, over the governor's agenda.

He has already broken with Murphy over tax policy, school aid and budget priorities in what is increasingly seen as the Senate President's assertion of equal dominance in the governing process.

A decision by Sweeney to slow walk the gun control legislation fits his established pattern of expressing reservations rather than outright opposition, forcing negotiations and potential compromise with the governor's office.

Sweeney, it seems, does not view the legislation with the same sense of urgency as does Murphy and, in the opinion of some observers, is reluctant to hand the governor a major legislative victory this early in the administration.

Legislative leadership

It is yet another test of Murphy's ability to deal effectively with legislative leadership, to cajole and persuade those who disagree with him to come around to his point of view.

It is clear, though, that the disagreements are politically based rather than policy-based, posing a vastly different set of negotiating positions and requiring the kind of deal making that generally results in a satisfactory outcome.

Given the politically charged environment and the emotions surrounding the issue of gun control – played out against the background of last month's killings of 17 students and faculty at a high school in Parkland, FL – Sweeney must tread carefully to avoid accusations that he is blocking sensible measures to curb gun violence in favor of advancing his own political agenda.

He's said little about the substance of the legislation or whether he is concerned over the arguments presented by gun-rights advocates are sufficiently valid to delay, amend, or defeat any of the bills.

Organizations representing gun owners have consistently contended that New Jersey already imposes a regulatory process far more strict than most other states and that additional steps punish the law-abiding while accomplishing little in the way of enhanced public safety.

They hurt their own case, however, with dark warnings that government is bent on denying the constitutional right to firearms ownership. The Second Amendment remains alive and well, reinforced by a U.S. Supreme Court ruling that it grants the right to keep and bear arms to its citizens while, at the same time, preserving the rights of states to enact regulations as they see fit.

It is the essence of representative government. Claiming that additional restrictions will lead to the repeal of the amendment is without rational basis.

The package approved by the Assembly addresses the mental health issue as it relates to gun ownership; extends background checks for buyers; bans certain types of ammunition; imposes a higher test for obtaining a permit to carry a concealed weapon; and reduces the permissible capacity of rifle magazines. All enjoy reasonably broad public support in virtually every poll taken, even among gun owners.

Murphy believes he is on the right side of the issue and a majority of the citizenry agrees with him. In a poll last September, for instance, 96 percent of voters supported background checks for firearms purchasers. (Stockton University's Polling Institute is currently conducting a survey on this issue.)

While not yet on shaky ground, Sweeney must exercise delicate and insightful judgment as he moves forward. This is not an inside-baseball dispute over a line item in the budget; rather, it involves a far more visceral impact easily and horrifyingly understood by the public.

Carl Golden served as press secretary for Republican Gov. Thomas Kean for eight years and as communications director for Republican Gov. Christie Whitman for three years. He is currently a senior contributing analyst with the William J. Hughes Center for Public Policy at Stockton University.

