

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

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STATE HOUSE NEWS

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DIRECT DEPOSIT LEGISLATION

On August 9th, the Senate State Government, Wagering, Tourism, and Historic Preservation Committee considered Legislation that would require direct deposit for all State employee compensation on or after July 1, 2014; and, would authorize counties, municipalities, and school districts to pay its employees by direct deposit at the governing body's discretion at that time as well. This Legislation would also authorize governing bodies to grant exemptions under certain circumstances and as determined by the governing body.

During the Committee hearing at which NJAC testified in support of the bill, Senator Barbara Buono (*D-Middlesex*) and Senator Sam Thompson (*R-Monmouth*) raised concerns about the Legislation's impact on public employees. More specifically, Senator Buono seemed concerned about bank fees employees without an existing account would be required to pay, while Senator Thompson appeared concerned about the accessibility of making W-2 forms available online for employees that may not have access to a computer.

As a result of these concerns, Chairman Jim Whelan (*D-Atlantic*) tabled the bill because it did not have enough votes to move through Committee. Please note that committee member Senator Dawn Addiego (*R-Burlington*) supported the Legislation and committee member Senator Shirley Turner (*D-Mercer*) was absent. Fortunately, both issues may be readily addressed as employees without bank accounts pay significantly higher fees to cash checks at check cashing bodegas than by opening and using an account at a banking institution or credit union. Additionally, employees may readily access online W-2 forms at home or in county libraries and kiosks located in county buildings.

Since the hearing, we've already reached out to the sponsors, committee members, and partisan staff to make sure that the Committee has a second opportunity to consider the bill at its next meeting in September. With this in mind, please take a moment to reach out to your Senator to let him or her know of your support of this important and timely initiative. Even more critical at this

point is contacting members of the Senate State Government Committee. For your convenience, their contact information is provided below.

Chairman Jim Whelan (*D - Atlantic County*)
(609) 383 - 1388
SenWhelan@njleg.org

Vice-Chair Shirley Turner (*D - Mercer County*)
(609) 530 - 3277
SenTurner@njleg.org

Senator Barbara Buono (*D - Middlesex County*)
(732) 205 - 1372
SenBuono@njleg.org

Senator Samuel Thompson (*R - Monmouth*)
(732) 607 - 7580
SenThompson@njleg.org

Senator Dawn Addiego (*R - Burlington*)
(609) 654 - 1468
SenAddiego@njleg.org

The bill numbers are **SENATE, NO. 2090** (*Gordon D-Bergen*) and **ASSEMBLY, NO. 720** (*Ramos D - Hudson*). It would also help to contact Senator Robert Gordon at (201) 703 - 9779 or SenGordon@njleg.org. NJAC spoke with his office last week and the Senator is committed to moving the bill as is Assembly Ruben Ramos (*D-Hudson*), who has championed the measure on our behalf from the very beginning.

MARKETING RECYCLABLE MATERIALS

On August 29th, NJAC is meeting with Senate President Stephen Sweeney to discuss **SENATE, NO. 1717**, which would eliminate the exception for local public contracts involving the marketing of recyclable materials from public advertising for bids and bidding requirements under the "Local Public Contracts Law" for contracts that exceed the bid threshold.

Although the Senate passed this measure in June, several of our members have since noted that the bill may inadvertently eliminate an important revenue stream for counties that provide recycling services on behalf of constituent municipalities. We believe these counties include: Atlantic, Burlington, Cape May, Cumberland, Middlesex, Morris, Ocean, and Somerset. Under current law,

which has worked successfully for over 25 years, the above-noted counties may solicit and secure the highest prices for their recyclable materials as commodities or hold onto to them until market conditions improve. S-1717 would appear to eliminate this important flexibility and a significant source of revenue for local governments struggling to makes ends meet.

Despite our concerns with this legislation, NJAC commends the Senate President for his continuing efforts to promote openness and transparency in local government; and, looks forward to working with him on a bill that preserves the legislation's original intent, but makes its implementation more practical for local governments.

STATUTE OF LIMITATIONS FOR SEXUAL ABUSE

On August 20th, the Senate will vote on **SENATE, NO. 1651** (*Vitale D-Middlesex/Scutari D-Union*), which would remove the statute of limitations in civil actions for sexual abuse and expands the liability of public entities under certain circumstances.

NJAC certainly commends the sponsors for their efforts to provide unfortunate victims of sexual abuse with as many remedies as possible against the individuals and entities responsible for committing these heinous crimes. However, section 4. of the bill appears to subject local governing bodies and taxpayers to defend potential claims that may be decades old; and, seems to predetermine a local governing body's liability as a matter of course. With this in mind, NJAC respectfully requests that the Senate consider the following changes:

4. Notwithstanding any other provision of law to the contrary, including but not limited to the "New Jersey Tort Claims Act," N.J.S. 59:1-1 et seq., a public entity ^{NJAC}[is] may be^{NJAC} liable in an action for damages brought under the provisions...."

The proposed language would serve to preserve the legislation's original intent and make its implementation more practical for local governing bodies and taxpayers struggling to make ends meet. Please note that NJAC would also support an amendment to this legislation that would extend the statute of limitations period for filing such actions against public entities.

VETERAN ID CARDS

On August 7th Governor Chris Christie signed into law **SENATE, NO. 323** (*Whelan D - Atlantic/Oroho R - Sussex*) at P.L. 2012, c.30. In summary, this new law

permits county clerks and registers of deeds and mortgages to create identification cards for veterans under certain circumstances.

COUNTY OPERATED NURSING HOMES

As counties that still operate nursing homes begin preparing for managed care, it's critical that we take some time to strategize on potential next steps. With this in mind, please let us know if you would like to attend our "County Operated Nursing Home Strategy Session" scheduled for 10:00 a.m. on August 29th in our office located at 150 West State Street in Trenton. Although we'll make sure to provide a more formal agenda as we get closer to the meeting date, some topics of discussion will include:

- NJAC establishing an affiliate association for county operated nursing homes
- NJAC or some other entity serving as the lead agent for negotiating rates with providers when managed care phases in during July of 2013
- Other cost saving measures and additional revenue streams

Please note that NJAC plans to discuss with its Board of Directors at its next meeting the possibility of establishing an affiliate association as noted above. The primary purpose of this Association would be to provide advocacy on behalf of county owned and operated nursing homes. While organizations such as Leading Age New Jersey and the Health Care Association of New Jersey provide similar advocacy, their membership is mostly comprised of non-profit and private-pay facilities respectively.

TRANSPORTATION TRUST FUND REGULATIONS

Special thanks to NJAC Transportation Consultants Mike Barrett and Dick Lane, and to the New Jersey Association of County Engineers, for taking the time over the past several weeks to meet with the New Jersey Department of Transportation (DOT). DOT invited NJAC to participate in a working group designed to develop new regulations for local aid allocations that must replace the existing ones set to expire on October 19, 2013 and pursuant to the State's Capital Transportation Program that runs through 2017. NJAC plans to submit the working groups' draft recommendations to our Board of Directors for review as soon as they become available.

"Great leaders are almost always great simplifiers, who can cut through argument, debate, and doubt to offer a solution everybody can understand." General Colin Powell