

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

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STATE HOUSE NEWS

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COUNTY GOVERNMENT WORKS

Assemblyman Robert Auth (*R-Bergen*) recently introduced legislation that would dissolve county government and require the State and municipalities to perform the functions of the State's only true regional form of government. Although we commend the Assemblyman for putting forth a proposal to reduce the State's multiple layers of bureaucracy and overwhelming property tax burden, this legislation does not take into consideration the fact that neither the State nor its 565 municipalities have the resources available or subject matter expertise to provide the essential services delivered by county government on a daily basis. Some of these critical services include: administering the State's social service programs; maintaining and operating the county jails, court and juvenile detention facilities, expansive park systems, and virtually every bridge in the State; funding the county colleges, county vocational-technical schools, and offices of the county prosecutor; managing elections and vital statistics; probating wills; promoting economic development and job growth; providing transportation services for the aged and disabled; regulating consumer affairs; handling solid waste and recycling activities; and, much more.

Moreover, as municipalities continue to struggle with the 2.0% property tax cap, a declining ratable base, and a seemingly never-ending barrage of unfunded State mandates, towns across New Jersey are looking to county government for leadership and relief. In addition to delivering the scope of services highlighted above, county government has evolved over the past decade into providing traditional municipal functions at a significant cost savings for local property taxpayers while enhancing the level of service provided. Some of these former municipal functions include: cooperative purchasing, 911 dispatch, animal control, public health, tax assessor, electronic waste recycling, public works, wastewater management, vehicle maintenance, EMS, police, and much more. In fact, Burlington and Gloucester counties alone will save their property taxpayers approximately \$50.0 million in 2015 by delivering many of these time-honored municipal services at the regional level. These substantial savings and creativity in governing in a cost-effective manner is a story being told in all 21 counties across the State.

The statement contained in this legislation cites Rhode Island and Connecticut as states that do not have county government, but fails to mention that Rhode Island eliminated county government in 1842 and has only 35 municipalities that essentially function as counties. Connecticut eliminated county government in 1959 as the State exercised significant administrative control over county functions at the time, but has since created planning regions to fill the void. County government plays a limited role in Massachusetts, but as is the case in Connecticut, State leaders are re-considering the importance of a regional form of government. According to a 2014 study conducted by the “Tax Policy Center,” these states also have the unfortunate distinction of joining New Jersey in the top ten of states with the highest property tax burdens in the nation. The remaining 46 states maintain strong forms of county government that effectively respond to specific local needs and lower property tax obligations as a result. Although New Jersey may in fact have too many layers of bureaucracy, counties must continue to play a vital and growing role in relieving residents and businesses of the highest property tax liability in the land.

NJAC’S LEGISLATIVE INITIATIVES AND PRIORITIES 2016/17 SESSION

At its meeting on September 25th, NJAC’s board of directors will consider adopting the following legislative initiatives and priorities as goals and objectives for the 2016/17 legislative session set to begin in January. NJAC’s long-term priorities should provide solutions for long-standing issues that negatively impact county functions and operations. County officials throughout the State made the recommendations listed below subject to the following criteria: Recommendations should offer viable solutions for long-standing issues that negatively impact county functions and operations; and, Recommendations should benefit counties throughout the State and enjoy bi-partisan support.

1. Increasing Local Aid Allocations under the Transportation Trust Fund.
2. Mitigating the costs associated with providing courthouse security imposed by the Administrative Office of the Courts.
3. Establishing a dedicated source of grant funding for counties to use as seed monies for shared services and regionalization.
4. Providing counties with their fair share of taxes collected from administering 911 dispatch services.
5. Requiring all non-governing body entities funded with county taxpayer dollars to comply with the 2% property tax cap levy and all budgetary procedures and requirements of the county.

NJAC's short-term legislative initiatives should help county governments deliver services more effectively and efficiently while enhancing the level of service provided. Recommendations should be realistic and achievable within the two year legislative cycle; Recommendations should be specific and tangible, so that we may accurately quantify any potential cost savings or other benefits; and, Recommendations should benefit counties throughout the State and enjoy bi-partisan support.

1. Authorizing counties to share county tax administrators.
2. Requiring municipalities to notify counties of financial agreements for long term tax abatements awarded to redevelopment entities.
3. Equalizing the pay-to-play threshold of \$17,500.00 with the bid threshold of \$40,000.00.
4. Prohibiting commercial entities from using the Open Public Records Act for businesses purposes.
5. Authorizing sheriffs to hire Class Two police officers to provide court house security.

Please note that this list is subject to the board's approval and matters may be added or deleted accordingly.

LEGISLATIVE RECAP 2014/15 SESSION

With the support of NJAC's board of directors; all 21 counties; our partners in Trenton such as the New Jersey State League of Municipalities, the New Jersey School Boards Association, the New Jersey State Chamber of Commerce, and others; and, our county affiliate groups that represent county administrators, finance officers, jail wardens, purchasing officials, welfare directors, engineers, planners, adjusters, counsels, human resource directors, road supervisors, public information officers, improvement authorities, clerks of the board, nursing homes, constitutional officers, and others, NJAC successfully advocated for the following issues during the 2014/15 legislative session.

- Extending the 2.0% cap on interest arbitration awards that maintained a level playing field in negotiations with collective bargaining units.
- Protecting \$25.0 million in Local Bridges Futures Needs funding initially frozen by the Department of Transportation.
- Phasing out the termination of \$30.0 million in funding for peer grouping instead of eliminating the monies as originally planned by the State.
- Making pre-adjudicated inmates housed in county jails eligible for health benefits saving counties \$20.0 million each year.
- Authorizing counties to establish mosquito control reserve funds as a means to stabilize the budgeting process and enhance fiscal planning.

As the 2014/15 legislative session comes to a close, NJAC is optimistic that the Legislature will also pass our priorities to increase Local Aid Allocations under the Transportation Trust Fund and to authorize all local governing bodies to pay their bills through Electronic Fund Transfers. During the 2014/15 legislative session, NJAC published position statements and testified at legislative committee hearings on paid sick leave, open public meetings and records, privatization contracts, transportation funding, 911 dispatch fees, electronic waste recycling, realty transfer fees, nursing homes, pension and health benefits, state of emergencies, money market funds, environmental infrastructure trust financing, prescription medication in county jails, county improvement authority financing, early voting, bed bugs, electronic procurement, county planning boards, solitary confinement, transportation services for the aged and disabled, and several other matters.

NJAC also conducted research and analysis on a wide range of issues that included county budget and tax rate data, salaries and job descriptions, state psychiatric billing practices, special county counsel rates of pay, solitary confinement, welfare agencies and boards of social services, health benefits, purchasing, engineering, planning, golf courses, economic development, board recordings, bank fees, transportation funding, utility construction on county roads, snow days, shooting ranges, realty transfer fees, performance test measures, employee training, drug treatment, essential employee classifications, debt service, superintendent of elections, consent agendas, 911 dispatch, and county clerk of the board operations.

COURT SECURITY PLAN 2015

As previously reported, NJAC is in the process of reviewing the “Administrative Determinations by the Supreme Court on the Report and Recommendations of the Statewide Judiciary Security Committee” issued April 21, 2015 to ascertain the Report’s impact on county resources, and whether the Report imposes an unfunded mandate on local governing bodies struggling to make ends meet.

NJAC will also consider filing a complaint with the State Council on Local Mandates established in 1996 pursuant to a constitutional amendment. The Council is responsible for resolving disputes on whether a law, rule, or regulation adopted after 1996 constitutes an unfunded mandate. In general, an unfunded mandate upon boards of education, municipalities, and counties is a law, rule, or regulation that does not authorize resources, other than the property tax, to offset additional direct expenditures required to implement said law, rule or regulation. Please note that the following categories of laws, rules, or regulations are not considered unfunded mandates: (1) those which are required

to comply with federal laws or rules or to meet eligibility standards for federal entitlements; (2) those which are imposed on both government and non-government entities in the same or substantially similar circumstance; (3) those which repeal, revise, or ease an existing requirement or mandate or which reapportion the costs of activities between boards of education, counties, and municipalities; (4) those which stem from failure to comply with previously enacted laws or rules or regulations issued pursuant to a law; and, (5) those which implement provisions of the Constitution.

Upon initial review, NJAC is concerned that the Report will likely require counties to expend additional resources to implement its recommendations that would, in part, require an audit of all vicinage ancillary facilities, prohibit probation reporting in unsecured ancillary facilities, and require the presence of a uniformed/armed sheriff's officer at all civil commitment hearings. NJAC's board of directors will discuss this matter in more detail as an agenda item at its next meeting on September 25th as NJAC has standing to file complaint with the State Council on Local Mandates pursuant to a 2010 law.

TRANSPORTATION SERVICES FOR THE AGED AND DISABLED

NJAC supports **SENATE, NO 3106/ASSEMBLY, NO. 4607** (*Ruiz D-29/Cunningham D-31*)(*Pintor-Marin D-29/Schaer D-36*), which would in part, make a \$6.0 million supplemental appropriation from the General Fund to the Senior Citizens and Disabled Residents Transportation Assistance Program (SCDRTAP) in State fiscal year 2016 to make the total support for the program \$24,264,000.00.

NJAC supports this vital initiative spearheaded by the New Jersey Council on Special Transportation (NJ-COST) as critical SCDRTAP funding once again stands to lose vital monies dedicated from the ailing Casino Revenue Fund. In fact, funding from the Casino Revenue Fund for SCDRTAP has decreased by nearly 51% or \$19.0 million since 2008 as gaming revenues that support the Fund have steadily declined since that time. As a result, the State's most vulnerable residents, which include senior citizens, persons with disabilities, veterans, dialysis patients, and many others, have lost over 2.7 million rides provided primarily by the 21 county coordinated transportation systems. These community transportation and paratransit services include rides for medical appointments, hemodialysis, chemotherapy, radiation treatment, physical and mental therapies, employment and education opportunities, nutrition sites, veteran services, recreational activities, and a host of other needs.

As demand for these vital services has grown exponentially and county governments continue to struggle with making ends meet, NJAC joins NJ COST in urging State leaders to find new sources of revenue that will help counties

provide essential transportation services for aged and disabled. Some potential long-term solutions may include: a mandatory fare policy for all rides provided by services subsidized with casino revenue funds, authorize the New Jersey Department of Health and Senior Services to permit fares, donations, or copays for transportation services, and encourage transportation agencies to use discounted rail and bus passes for public transportation systems. S-3106/A-4607 is currently on the Governor's Desk awaiting his signature, and we're encouraging county officials across the State to urge the Governor to sign the measure into law.

UPCOMING NJAC EVENTS

Don't miss NJAC's Summit on Bail Reform and Prisoner Re-entry scheduled for 9:30 a.m. on December 18th at the historic Trenton Country Club in Trenton. Please visit our website at www.njac.org for additional details about this important and timely event.

STATE HOUSE TRIVIA

Did you know that fall begins with the autumnal equinox in late September if you live in the northern hemisphere, but begins in late March if you live in the southern hemisphere?

"Keep your face always toward the sunshine and shadows will fall behind you." Walt Whitman