

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

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STATE HOUSE NEWS

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CRIMINAL JUSTICE REFORM

NJAC is pleased to report that Assemblyman Benjie Wimberly (*D-34*) has proposed for introduction **ASSEMBLY, No. 3491** on behalf of the Association. In summary, this legislation would establish the “County Government Criminal Justice Reform Administration Fund.” The intent of this important and timely initiative for all 21 counties is to help offset the costs associated with implementing and administering Criminal Justice Reform by modestly increasing certain criminal and civil court fees for individuals and businesses, and dedicating the increases to county governing bodies struggling to make ends meet. The measure would distribute these monies to county governing bodies for salaries and wages, health and pension benefits, operation and maintenance expenses, court security enhancements, court facility improvements, and other capital expenses related to implementing and administering criminal justice reform. Importantly, the bill would also contain a waiver provision for those having a difficult time making ends meet, and of which would address a source of contention for legislators in Essex, Hudson, and Union counties. *Please note that this legislation is a work in progress, and may include prisoner re-entry programs as a permissible expense, and may also add jail wardens to the list of county professionals charged implementing and administering Criminal Justice Reform.*

We’re expecting to secure a sponsor in the Senate shortly, and will need a strong grassroots effort from our counties to get the measure to the finish line. With this mind, NJAC is encouraging all 21 counties to pass the resolution on the following page that urges the Governor and State Legislature to enact A-3491. It would also be very helpful our county officials to meet with their legislative delegations to discuss the importance of passing this legislation that should generate approximately \$21.0 million, and with securing a budget appropriation of \$21.0 million or \$1.0 million per county, as implementing Criminal Justice Reform will cost county governments approximately \$40.0 million. Please note that the Office of Legislative Services concluded in its 2014 fiscal analysis of Criminal Justice Reform that county governments should recognize a long-term cost savings of approximately \$45.0 million from a reduced prison population and operating expenses. We’re not sure at what point counties will begin realizing these cost savings, and in the meantime, need relief from State leaders.

A RESOLUTION urging Governor Christ Christie and the New Jersey State Legislature to dedicate a funding mechanism for county governing bodies to offset the costs associated with implementing and administering Criminal Justice Reform by passing and enacting **ASSEMBLY, No. 3421** (*Wimberley D-35*), which would establish the “County Government Criminal Justice Reform Administration Fund.”

WHEREAS, county governments across the State will play a significant role in implementing and administering Criminal Justice Reform with five pilot counties set to begin in July of 2016 and the remaining counties in January of 2017; and,

WHEREAS, county governments are committed to effectively implementing and administering the new law as good public policy, and as a means for reducing the inmate population and long-term operating expenses at county jails; and,

WHEREAS, county governments face substantial costs associated with implementing the reforms that will impact the delivery of other critical services and the use of valuable property taxpayer dollars; and,

WHEREAS, despite laudable efforts to streamline services and stabilize budgets, county governments do not maintain sufficient financial resources to provide for additional salaries and wages, health and pension benefits, operation and maintenance expenses, court security enhancements, court security improvements, and other capital expenses, required for implementing and administering Criminal Justice Reform; and,

WHEREAS, a continuous source of funding is necessary to assist county governments with executing this important and timely initiative, and it is entirely fitting and appropriate for those citizens who use the courts to share in the cost associated with implementing and administering Criminal Justice Reform.

NOW, THEREFORE, BE IT RESOLVED that the New Jersey Association of Counties does in fact hereby urge Governor Chris Christie and the New Jersey State Legislature to pass and enact **ASSEMBLY, No. 3421** (*Wimberley D-Passaic*), which would establish the “County Government Criminal Justice Reform Administration Fund.”

BE IT FURTHER RESOLVED that certified copies of this Resolution are forwarded to the Governor of the State of New Jersey Chris Christie, the President of the New Jersey State Senate Steve Sweeney, the Speaker of the General Assembly Vincent Prieto, and the clerks of the board of chosen freeholders in all twenty-one counties in the State of New Jersey.

ELECTRONIC FUND TRANSFER PAYMENTS

NJAC is also pleased to announce that senators Loretta Weinberg (*D-37*) and Steven Oroho (*R-24*) have proposed for introduced **SENATE, No. 2033** on behalf of the Association as one of our top legislative priorities.

In summary, this legislation would authorize counties, municipalities, and school districts to pay their bills by using electronic fund technologies such as wire transfers, electronic fund transfers (EFT), and Automated Clearing House (ACH) payments. As you may recall, Governor Christie pocket vetoed similar legislation last session as it contained language that would have required that the State to use prepaid debit cards under certain circumstances. S-2033 does not contain such language, and would only authorize local governing bodies to use a wide range of contemporary payments options that would streamline the bill paying process and save valuable local property taxpayer dollars. The benefits of using these modern payment alternatives include: reduced printing and processing costs, enhanced security, increased productivity, and improved cash management. Under current law, counties, municipalities, school districts, and other local units must make payments by issuing antiquated paper checks, and are prohibited from using more modern payment options. We're optimistic that we'll soon secure bipartisan sponsorship in the General Assembly as well.

911 FEES

NJAC recently submitted comments to the Federal Communications Commission (FCC) concerning the State of New Jersey's nearly decade long diversion of funds from the 911 System and Emergency Response Trust Fund Account. As has been well documented, the State collects in excess of \$100.0 million annually in telecommunication user surcharges, itemized on consumer bills as "911 System/Emergency Response Fees," and of which fund the 911 Trust Fund. During and prior to 2009, counties received grant funding through the 911 Trust Fund that allowed counties to finance 911 system and equipment upgrades, the consolidation of countywide Public Safety Answering Points (PSAPs), and the State mandated county 911 coordinator position.

Although the vast majority of 911 service requests in the State continue to be handled by county and municipal PSAPs, the State has not allocated funding to the local PSAP operators since 2009. Due to this lack of funding, counties operating PSAPs have become self-reliant in improving, maintaining, and operating their 911 systems. In fact, in its 6th annual report to congress on the matter, the FCC noted that New Jersey diverts 89% of its collected fees to non-eligible expenses under the Federal NET911 Act of 2008. In its comments, NJAC urged the FCC to recognize this inequitable public safety funding diversion and take action to ensure 911 Trust Fund revenues are spent solely on eligible expenses. Doing so will help to ensure that local PSAPs have the funding necessary to continue to provide residents with effective, efficient, and current 911 systems as intended.

CLASS 3 POLICE OFFICERS

On March 14th, the Senate passed by a vote of 38-0 **SENATE, No. 86** (*Bucco R-25/Sweeney D-3*), which would establish a new category of Class 3 special law enforcement officers under the Special Law Enforcement Officers Act. Class 3 officers would be comprised of retired law enforcement officers, who would be authorized to provide security in the State's public schools, nonpublic schools, and county colleges. Under current law, Class 1 special law enforcement officers are authorized to perform routine traffic detail, spectator control, and similar duties. They may also issue summonses for disorderly person offenses, but are not authorized to carry a firearm while on duty. Class 2 special law enforcement officers are empowered to exercise full police powers and perform the duties of a permanent, regularly appointed full-time police officer. They are authorized to carry a firearm.

Class 3 officers would also be authorized to respond to offenses or emergencies off school grounds occurring in the officer's presence while traveling to a school or college, but they may not be dispatched to any other assignment off school or college property. They would be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer while providing this security. Class 3 law enforcement officers would not be authorized to carry a firearm while off duty under the bill. Importantly, Class 3 special law enforcement officers would not be subject to the 20 hour per week limit currently applicable to Class 1 and Class 2 special law enforcement officers, and would not be eligible for pension or health care benefits NJ supports this legislation as it will allow our county colleges and county vocational-technical schools to provide enhanced security while saving valuable taxpayer dollars. S-86 is currently in the Assembly Education Committee with its companion version **ASSEMBLY, No. A-1244** (*Bucco R-Morris/Ciattarelli R-16*) awaiting consideration.

ELECTRONIC PROCUREMENT

Both the General Assembly and Senate took action on **ASSEMBLY, No 2220** (*Benson D-14/Webber R-26*) and **SENATE, No. 1729** (*Whelan D-2/Oroho R-24*) earlier this month to make the measures identical. In summary, this legislation would authorize local governing bodies subject to the "Local Public Contracts Law" and "Public School Contracts Law" to use electronic procurement technologies for such purposes as authorized by the local governing body. The measure would authorize local units, joint purchasing units, or cooperative pricing systems to use electronic procurement practices for the following purposes: to purchase electric generation service, electric related service, gas supply service, or gas related service, for use at its facilities so long as the purchase otherwise complies with the provisions of the "Electric Discount and Energy Competition Act"; for the sale of surplus personal property under certain circumstances; and, for the sale of real property that would otherwise comply with the sale and lease provisions of the "Local Lands and Buildings Law."

Contracts awarded for the administration of electronic procurement practices would be subject to the requirements of the "Local Public Contracts Law," and the "Public School Contracts Law." The bill would also require the Director of the Division of Local Government Services in the Department of Community Affairs, in consultation with other State government entities, to promulgate rules and regulations to effectuate the provisions of the bill. NJAC supports this legislation as it would modernize the procurement process saving valuable time, money, and resources. A-2220 is on 2nd Reading in the General Assembly, and S-1729 is in the Senate Budget and Appropriations Committee awaiting consideration.

ANNUAL CELEBRATION OF COUNTY GOVERNMENT

NJAC's 66th annual celebration of county government is approaching fast, so make sure to check out our website at www.njac.org for registration details, hosting opportunities, and the action-packed schedule of events. We're expecting to host an outstanding event this year with the 5th annual county vocational-technical school cook-off challenge, our first county college Acapella sing-off, an insightful reporters roundtable, over two-dozen professional development workshops approved for continuing education credits, our county service and freeholder of the year awards, and the unique opportunity to network with community and business leaders from across the State.

STATE HOUSE TRIVIA

Did you know that Benjamin Franklin first proposed Daylight Savings Time in 1784?

"Perfection is not attainable, but if we chase perfection we can catch excellence." - Vince Lombardi