

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

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STATE HOUSE NEWS

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MAYBE SOME PROGRESS ON THE DIVERSION OF 911 FEES

On May 27th, senators Michael Testa (R-1), Anthony Bucco (R-25), and Declan O'Scanlon (R-13) along with Assemblyman John DiMaio (R-23) introduced budget resolutions in both houses that would partially end the State's long-standing diversion of 911 fees and provide \$21.0 in funding to County 911 Centers in the Fiscal Year 2023 State Budget with a \$1.0 million grant made available for each county to maintain, upgrade, or regionalize its 911 system. NJAC commends the sponsors for their support and leadership in introducing the budget resolutions that would begin to restore critical 911 funding to county 911 centers; and, is urging legislative leadership on both sides of the aisle and Governor Murphy to support this reasonable change to the proposed Fiscal Year 2023 State Budget.

NJAC also applauds Assemblyman Bill Spearman (D-5) for his steadfast leadership on this issue as Chairman of the Assembly Law and Public Safety Committee and sponsor of **A-587 (Spearman)**, which would permit funds from the "911 System and Emergency Response Trust Fund Account (Fund)" to be appropriated for the purposes of paying certain costs incurred by counties and municipalities for the provision and maintenance of 911 emergency services and to further require the funds to be distributed on a prioritized basis to county, regionalized, or centralized public safety answering points. On May 2nd, NJAC President Teri O'Connor and Monmouth County Sheriff Shaun Golden testified before the Committee in support of A-587 as the bill would provide an important and timely mechanism to restore critical Fund dollars as the State has failed to provide any support to counties or municipalities for this purpose since 2009.

In addition to laying the groundwork for an imminent public safety crisis, the State's long-standing diversion of 911 fees has imposed an inequitable system of double taxation on residents already burdened with paying the highest property tax bill in the land. With this mind, NJAC is also urging members of congress to adopt the "Report and Recommendations" of the "Ending 911 Fee Diversion Now Strike Force (911 Strike Force) established by the Federal Communications Commission (FCC) as the State continues to reign as the worst offender of diverting 911 fees in the entire nation and is the only State in the nation that does not invest 911 fees into county and municipal 911 centers. You may review the "Report and Recommendations" of the 911 Strike Force in its entirety at www.fcc.gov.

As previously reported, county governments alone spent an estimated \$175.0 million over the past several years on capital improvements for facility upgrades, telephone systems, computer aided dispatch, location mapping technology, voice recording technology, data analytics, and Next Generation 911 upgrades. Counties also spend an estimated \$100.0 million per year on general operating expenses for salaries, staff training, system maintenance, and network security. Although the clear intent of the 2004 law that imposed a monthly telecommunication surcharge of .90 cents on every telephone line in the State was to build a cutting edge and fully funded 911 system with revenues collected from the surcharge, administrations on both sides of the aisle have instead diverted 90% of this funding to pay for general operating expenses in the Department of Law and Public Safety to the tune of \$1.5 billion.

The Legislature is in the process of considering the \$21.0 million budget resolution as a component of the Fiscal Year 2023 State Budget that the Legislature must pass, and the Governor must sign into law, by Midnight on July 1st. A-587 has been Second Referenced to the Assembly Oversight, Reform, and Federal Relations Committee for consideration with the companion version **S-75** (*Corrado R-40/Cruz-Perez D-5*) currently in the Senate Law and Public Safety Committee awaiting consideration.

SPENDING CAPS ON BOARDS OF ELECTIONS

On May 16th, the Assembly Appropriations Committee amended **A-3823** (*Sumter D-35*) to, in part, exempt from gross income taxation, the compensation for election workers for work performed on election day or during the early voting period. NJAC opposed the measure as introduced as it would have removed the staff salaries for county boards of elections from the 2.0% cap on expenditure increases as required under P.L. 2015, c.249 and very much appreciates Assemblywoman Sumter for making the changes to the bill.

As previously reported, during the 2014/2015 Legislative Session, NJAC worked with the Legislature on a package of county governance reform bills, which established important and timely resources that empowered county governments to manage property taxpayer dollars in a more effective and efficient manner. Prior to Chapter 249, boards of county commissioners struggled with the fact that State statutes placed impractical restrictions on the ability of boards of county commissioners to control operations by granting independent autonomous State and county entities with broad decision-making authority that limited the capacity of boards of county commissioners to effectively plan and manage fiscal operations. In fact, these entities had the authority to make policy and budgetary decisions without input or guidance from boards of county commissioners despite being funded entirely, or in part, by local property taxpayer dollars. Chapter 249 now holds accountable these independent autonomous agencies, such as county boards of elections, to the similar 2.0% spending cap imposed on boards of county commissioners, municipalities, and school districts. Chapter 249 also provides the flexibility to exceed the 2.0% cap by resolution as adopted by boards of county commissioners accordingly. The General Assembly passed A-3823 by a vote of 78-0 on June 20th and the recently introduced companion version in the Senate **S-2867** (*Cyran D-20/Lagana D-36*) is currently in the Senate Budget and Appropriations Committee awaiting consideration.

ELECTION REIMBURSEMENT

On June 23rd, NJAC noted its support before the Assembly State and Local Government Committee for **A-2915/S-2527** (*Dancer R-12/Frieman D-16*)(*Diegnan D-18/Thompson R-12*), which would require the State to pay for to the costs incurred to conduct a new election if the State is at fault for errors during the initial election that requires the holding of a new election.

In summary, this legislation would require that if an election is invalidated by a judge of the Superior Court and the judge determines that the State is at fault for errors having occurred in that election, the State must reimburse the county or municipality, as appropriate, in which the election was held for the costs incurred by the county or municipality to conduct a new election. The bill would further provide that a county or municipality must be reimbursed upon the application for reimbursement by the governing body to the Secretary of State and with approval of the application by the Director of the Division of Budget and Accounting in the Department of the Treasury. NJAC commends the sponsors for their leadership in introducing this legislation in response to a recent decision by the Superior Court, which invalidated the election for a seat on the Town Council in Old Bridge due to an error in the Statewide Voter Registration System (SVRS) maintained by the Division of Elections. As the Division is ultimately responsible for the mishap, the State of New Jersey should be required to pay for conducting a new election. Both houses are expected to pass the measure before the Legislature breaks for its summer recess but it's unclear if Governor Murphy will sign the bill into law.

BID THRESHOLD INCREASE

Earlier this month, Senator Paul Sarlo (*D-36*) and Assemblyman Clinton Calabrese (*D-36*) introduced **S-2620** and **A-4262**, which would increase the bid threshold under certain circumstances.

In general, the legislation would allow all local governments to award contracts of up to \$50,000 without public advertising for bids if the local governing body does not employ a State certified purchasing agent and up to \$100,000 if the local governing body employs a State certified purchasing agent. For counties and cities of the first class, the measure would authorize the award of contracts of up to \$75,000 without public advertising for bids if the county does not employ a State certified purchasing agent and up to \$150,000 if the county does in fact employ a State certified purchasing agent. The legislation would apply similarly to school districts. Although NJAC could certainly support the measure as introduced, the bill may also provide the opportunity to recommend changes to increase and equalize the pay-to-play and prevailing wage thresholds as one of our top legislative priorities. S-2620 is currently in the Senate Community and Urban Affairs Committee awaiting consideration and A-4262 is currently in the Assembly Law and Public Safety Committee.

STATEWIDE BEHAVIORAL HEALTH CRISIS SYSTEM

On June 16th the Senate passed **S-311** (*Vitale D-19/Gopal D-11*), which would establish a comprehensive statewide behavioral health crisis system of care.

In addition to establishing a new behavioral health crisis system of care, this legislation would implement a 988 behavioral health crisis hotline and would further create mobile crisis response teams to provide services specific to individuals experiencing a behavioral health crisis. In summary, the measure would require the Commissioner of the Department of Human Services (DHS) to procure the services of one or more crisis hotline centers to provide crisis intervention services and crisis care coordination to individuals accessing the 988 suicide prevention and behavioral health crisis hotline 24 hours per day, seven days per week. The bill would require the crisis hotline centers to receive 988 calls and provide services such as: requesting the dispatch of mobile crisis teams; coordinating crisis care responses and interventions; referring callers to crisis stabilization services; and, providing, or facilitating and coordinating, the provision of appropriate follow-up services.

The measure would also require DHS to establish a comprehensive mobile behavioral health crisis response system that would: be capable of providing behavioral health crisis response services throughout the State 24 hours per day, seven days per week; respond to behavioral health crisis dispatch requests using mobile crisis response teams and other appropriate resources and services; provide behavioral health crisis stabilization services, including, but not limited to, referrals to appropriate behavioral health services providers for additional care following resolution of the immediate behavioral health crisis; and, offer follow-up services for people who contact a crisis response center to ensure continuity of care and provide additional referrals and services as may be appropriate to the person's ongoing treatment needs. The bill requires that mobile crisis response teams must be community based and may incorporate the use of emergency medical technicians and other health care providers; law enforcement personnel who have completed training in behavioral crisis response, and other professionals as may be necessary.

With respect to the costs associated with implementing the legislation, the Office of Legislative Services (OLS) estimates that DHS would incur an indeterminate amount of additional annual expenditures, but that such costs *"could be offset to a certain extent by an increase in State revenues."* To potentially offset costs more directly, the bill would also require DHS to seek out and apply for all federal aid that could be utilized to support the behavioral health crisis system of care and would mandate that health insurers in the State provide comprehensive coverage for behavioral health crisis intervention services. In preparing its fiscal estimate and with respect to local governing bodies, OLS assumed that *"insurance reimbursements for services from health insurers would not be sufficient to support a Statewide network of mobile crisis response teams ... and conclude that local governments would require additional revenue streams, which may be provided from local, federal, and State sources, to support the operational expenses of mobile crisis teams, particularly in regard to start-up costs involving training and infrastructure which are often not billable to Medicaid, and rarely to private*

insurance, because they do not define them as services.” NJAC is in the process of reviewing the most recent version of the legislation and its potential impact on operations and will weigh-in accordingly if necessary. The Assembly Appropriations Committee favorably reported the companion version **A-2036** (*Benson D-14/Verrelli D-15*) on June 16th and is expected to vote on the legislation at one of its upcoming sessions

UPCOMING NJAC EVENTS: Make sure to mark your calendars for NJAC's virtual workshop set for 10:00 a.m. on July 6th where the Association is pleased to present "Revitalizing New Jersey's Infrastructure through the I-Bank." This event is free for public officials and stay tuned for additional details.

TOP 13 GREATEST BREAKUP SONGS OF ALL TIME

13. Stranded at the Drive-In *by John Travolta in Grease*
12. Just a Friend *by Biz Markie*
11. It's too Late *by Carol King*
10. Go Your Own Way *by Fleetwood Mac*
9. The Rain *by Orange Juice Jones*
8. End of the Road *by Boyz to Men*
7. Love Stinks *by the Jgeils Band*
6. 50 Ways to Leave your Lover *by Paul Simon*
5. You've Lost that Lovin' Feeling *by the Righteous Brothers*
4. Neither One of Us *by Gladys Knight & The Pips*
3. Are you Lonesome Tonight *by Elvis*
2. Breaking Up is Hard to Do (Slow Version) *by Neil Sedaka*
1. Kiss and Say Goodbye *by the Manhattans*

“A perfect summer day is when the sun is shining, the breeze is blowing, the birds are singing, and the lawn mower is broken.” James Dent