



ANALYSIS OF THE NEW JERSEY BUDGET

**DEPARTMENT
OF LAW AND
PUBLIC SAFETY**

FISCAL YEAR

2018-2019

NEW JERSEY STATE LEGISLATURE

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

Paul A. Sarlo (D), 36th District (Parts of Bergen and Passaic), *Chair*
Brian P. Stack (D), 33rd District (Part of Hudson), *Vice-Chair*
Dawn Marie Addiego (R), 8th District (Parts of Atlantic, Burlington and Camden)
Anthony R. Bucco (R), 25th District (Parts of Morris and Somerset)
Nilsa Cruz-Perez (D), 5th District (Parts of Camden and Gloucester)
Sandra B. Cunningham (D), 31st District (Part of Hudson)
Patrick J. Diegnan Jr. (D), 18th District (Part of Middlesex)
Linda R. Greenstein (D), 14th District (Parts of Mercer and Middlesex)
Declan O'Scanlon, Jr. (R), 13th District (Part of Monmouth)
Steven V. Oroho (R), 24th District (All of Sussex, and parts of Morris and Warren)
M. Teresa Ruiz (D), 29th District (Part of Essex)
Troy Singleton (D), 7th District (Part of Burlington)
Samuel D. Thompson (R), 12th District (Parts of Burlington, Middlesex, Monmouth and Ocean)

GENERAL ASSEMBLY BUDGET COMMITTEE

Elizabeth Pintor Marin (D), 29th District (Part of Essex), *Chair*
John J. Burzichelli (D), 3rd District (All of Salem, parts of Cumberland and Gloucester), *Vice-Chair*
Daniel R. Benson (D), 14th District (Parts of Mercer and Middlesex)
Robert D. Clifton (R), 12th District (Parts of Burlington, Middlesex, Monmouth and Ocean)
John DiMaio (R), 23rd District (Parts of Hunterdon, Somerset and Warren)
Gordon M. Johnson (D), 37th District (Part of Bergen)
Patricia Egan Jones (D), 5th District (Parts of Camden and Gloucester)
John F. McKeon (D), 27th District (Parts of Essex and Morris)
Raj Mukherji (D), 33rd District (Part of Hudson)
Nancy F. Munoz (R), 21st District (Parts of Morris, Somerset and Union)
Carol A. Murphy (D), 7th District (Part of Burlington)
Edward H. Thomson (R), 30th District (Parts of Monmouth and Ocean)
Benjie E. Wimberly (D), 35th District (Parts of Bergen and Passaic)

OFFICE OF LEGISLATIVE SERVICES

Frank W. Haines III, *Legislative Budget and Finance Officer*
Thomas Koenig, *Assistant Legislative Budget and Finance Officer*

Marvin W. Jiggetts, *Director, Central Staff*
Anne M. Stefane, *Section Chief, Law and Public Safety Section*

This report was prepared by the Law and Public Safety Section of the Office of Legislative Services under the direction of the Legislative Budget and Finance Officer. The primary author was Kristin B. Santos.

Questions or comments may be directed to the OLS Law and Public Safety Section (Tel. 609-847-3870) or the Legislative Budget and Finance Office (Tel. 609-847-3105).

DEPARTMENT OF LAW AND PUBLIC SAFETY

Budget Pages..... C-5 to C-6; C-13; C-20 to C-21; C-25;
C-26; C-27; D-245 to D-278

Fiscal Summary (\$000)

| | Expended FY 2017 | Adjusted Appropriation FY 2018 | Recommended FY 2019 | Percent Change 2018-19 |
|----------------|---------------------|--------------------------------------|------------------------|------------------------------|
| State Budgeted | \$671,221 | \$620,117 | \$588,287 | (5.1%) |
| Federal Funds | \$248,350 | \$222,100 | \$209,969 | (5.5%) |
| <u>Other</u> | <u>\$222,661</u> | <u>\$211,984</u> | <u>\$219,843</u> | <u>3.7%</u> |
| Grand Total | \$1,142,232 | \$1,054,201 | \$1,018,099 | (3.4%) |

Personnel Summary - Positions By Funding Source

| | Actual FY 2017 | Revised FY 2018 | Funded FY 2019 | Percent Change 2018-19 |
|-----------------|-------------------|--------------------|-------------------|------------------------------|
| State | 5,341 | 5,405 | 5,451 | .9% |
| Federal | 93 | 95 | 98 | 3.2% |
| <u>Other</u> | <u>2,063</u> | <u>2,040</u> | <u>2,074</u> | <u>1.7%</u> |
| Total Positions | 7,497 | 7,540 | 7,623 | 1.1% |

FY 2017 (as of December) and revised FY 2018 (as of January) personnel data reflect actual payroll counts. FY 2019 data reflect the number of positions funded.

Link to Website: <http://www.njleg.state.nj.us/legislativepub/finance.asp>

Highlights

Law Enforcement

Division of State Police

- FY 2019 recommended appropriations for the Division of State Police (DSP) from all State sources total \$474.6 million, \$4.9 million above FY 2018. State budgeted appropriations of \$314.9 million are \$1.9 million below FY 2018.
- The Governor's FY 2019 budget anticipates an increase of \$3.7 million in the New Jersey DNA Forensic Laboratory Fund from motor vehicle fines. The New Jersey DNA Forensic Laboratory is currently funded by a \$2.00 surcharge added to all motor vehicle fines pursuant to N.J.S.A.39:5-41. Similar to last year, the budget assumes enactment of legislation to increase the surcharge by \$1.00.
- The FY 2019 budget indicates an anticipation of \$30.639 million in revenues from the New Jersey Emergency Medical Services Helicopter Response Program Fund (p. C-14). According to the department, the total FY 2019 revenue of \$30.639 million will be augmented by \$4.26 million in FY 2018 balances. The total \$34.9 million will be allocated as follows:
 - Division of State Police Equipment (RMS/CAD) - \$1.2 million
 - Department of Health MedEvac Operations - \$2.5 million
 - Division of State Police Recruit Class 159 - \$4 million
 - Division of State Police Salaries - \$5.4 million
 - Division of State Police MedEvac operations - \$11 million
 - Division of State Police Vehicles - \$10.8m
- The FY 2019 budget continues to provide \$13.305 million to the DSP from vehicle rental surcharge revenue from the Department of the Treasury to support DSP Operations. A total of \$25.2 million in vehicle rental surcharge revenue is recommended to be allocated as follows: an amount not to exceed \$278,000 to support the Agro-Terrorism program within the Department of Agriculture (p. D-21); an amount not to exceed \$13.305 million for State Police salaries related to statewide security services (p. D-259); an amount not to exceed \$8.9 million for the Office of Homeland Security and Preparedness (p. D-270); and an amount not to exceed \$4.722 million for the Medical Emergency Disaster Preparedness for Bioterrorism program (p. D-156). The total authorized allocations (\$27.2 million) exceed the estimated revenue, so actual allocations may be lower than projected.
- The Governor's FY 2019 budget anticipates an increase of \$9.692 million in revenue in the DSP from fingerprinting fees. To achieve this revenue increase, the enactment of legislation will be required to increase the fee on certain non-criminal background checks from the current fee of \$30. A proposal to increase FY 2018 revenue by \$3.5 million through a \$15 increase in this fee was not approved in the 2016-2017 session.

Highlights (Cont'd)

Division of State Police (Cont'd)

- The FY 2019 Governor's Budget includes funding of \$4 million for the training of the 159th State Police recruit class, which is provided from the New Jersey Emergency Medical Services Helicopter Response Program Fund.

According to the department's responses from the FY 2018 budget process, the 158th State Police recruit class began in January of 2018 and will graduate in July of 2018. According to budget detail, the 158th class is expected to graduate 130 members (p. D-255). The 159th State Police recruit class is anticipated to start in January of 2019 with 200 recruits and graduate in June of 2019.

The total DSP positions are projected to increase by 33 positions in 2019, from 3,586 to 3,619 (p. D-255).

- The 9-1-1 System and Emergency Response Trust Fund account offsets a portion of the General Fund expenditures in support of various emergency response efforts, such as the operating budget of the DSP (p. H-5). The FY 2019 budget includes an increase of \$13 million in revenue, anticipating legislative approval of a bill extending the \$0.90 per month telephone assessment fee to pre-paid cellular phones. Under current law, all landline and monthly cellular telephone subscribers pay the assessment, but users of cellular pre-paid telephones do not.

Division of Criminal Justice and Division of Gaming Enforcement

- Recommended FY 2019 appropriations for the Division of Criminal Justice (\$31.693 million) and the Division of Gaming Enforcement (\$42.53 million) are unchanged from FY 2018.

Office of the State Medical Examiner

- The Budget increases appropriations for the Office of the State Medical Examiner (SME) by \$500,000, to \$938,000. This recommended increase provides funding for personnel and equipment. The SME also anticipates \$11.75 million in support from the counties served by regional offices, the same as in FY 2018. The SME recently received a transfer of \$520,000 to augment FY 2018 funding for equipment purchases.
- The Legislature unanimously approved "The Revised State Medical Examiner Act" (Senate Bill No. 976 of 2018). This bill, which establishes the Office of the Chief State Medical Examiner in, but not of, the Department of Health to replace the Office of the State Medical Examiner in the Department of Law and Public Safety, awaits the Governor's action after final passage on April 12, 2018.

Highlights (Cont'd)

Special Law Enforcement

Election Law Enforcement

- The FY 2019 budget recommends the elimination of the \$19.68 million in Grants-In-Aid from the Gubernatorial Elections Fund, pursuant to N.J.S.A.19:44A-30, which supported public financing of the 2018 gubernatorial general election cycle (p. D-263).

Since 1977, New Jersey gubernatorial primary and general election candidates can qualify for a public funding program, whereby candidates who raise a minimum amount of money are dispensed tax-generated funds, controlled by the state election law enforcement commission, in direct proportion to campaign donations given from the public.

Juvenile Services

Juvenile Justice Commission

- The FY 2019 budget provides \$122.079 million for the operations of the Juvenile Justice Commission (JJC) (\$105.480 million) and the commission's grant programs (\$16.599 million). The commission's residential programs are projected to serve 362 juveniles, the same as in FY 2018; however, the JJC estimates it will transfer 20 juveniles from the New Jersey Training School for Boys to various community programs. The active parole caseload is projected to remain steady at 180 juveniles (p. D-265).

Central Planning, Direction and Management

Office of Homeland Security and Preparedness

- The Governor's 2019 budget recommends funding of \$9.478 million for the administration and operating costs for the Office of Homeland Security and Preparedness (OHSP), which includes the Division of Cybersecurity transferred from the Office of Information Technology in 2017. The budget continues to appropriate \$8.9 million for the OHSP from vehicle rental surcharge revenues.
- However, the budget recommends elimination of funding for the New Jersey Nonprofit Security Grant Pilot Program, in the Office of Homeland Security and Preparedness Grants-in-Aid funding. This program was created by P.L.2017, c.246 to provide funding over a three-year period, through maximum annual grants of \$10,000, to eligible nonprofit organizations for the purpose of hiring permanent or temporary security personnel in order to reduce vulnerability to threats, attacks, and other violent acts.

Fiscal and Personnel Summary**AGENCY FUNDING BY SOURCE OF FUNDS (\$000)**

| | Expended FY 2017 | Adj. Approp. FY 2018 | Recom. FY 2019 | Percent Change | |
|-------------------------------------|---------------------|----------------------------|--------------------|------------------|------------------|
| | | | | 2017-19 | 2018-19 |
| General Fund | | | | | |
| Direct State Services | \$604,611 | \$537,451 | \$526,301 | (13.0%) | (2.1%) |
| Grants-In-Aid | \$16,220 | \$18,364 | \$17,364 | 7.1% | (5.4%) |
| State Aid | \$78 | \$0 | \$0 | (100.0%) | |
| Capital Construction | \$653 | \$0 | \$0 | (100.0%) | |
| Debt Service | 0 | \$0 | \$0 | | |
| Sub-Total | \$621,562 | \$555,815 | \$543,665 | (12.5%) | (2.2%) |
| Property Tax Relief Fund | | | | | |
| Direct State Services | \$0 | \$0 | \$0 | | |
| Grants-In-Aid | \$0 | \$0 | \$0 | | |
| State Aid | \$2,000 | \$2,000 | \$2,000 | 0.0% | 0.0% |
| Sub-Total | \$2,000 | \$2,000 | \$2,000 | 0.0% | 0.0% |
| Gubernatorial Elections Fund | \$6,662 | \$19,680 | \$0 | (100.0%) | (100.0%) |
| Casino Revenue Fund | \$92 | \$92 | \$92 | 0.0% | 0.0% |
| Casino Control Fund | \$40,905 | \$42,530 | \$42,530 | 4.0% | 0.0% |
| State Total | \$671,221 | \$620,117 | \$588,287 | (12.4%) | (5.1%) |
| Federal Funds | \$248,350 | \$222,100 | \$209,969 | (15.5%) | (5.5%) |
| Other Funds | \$222,661 | \$211,984 | \$219,843 | (1.3%) | 3.7% |
| Grand Total | \$1,142,232 | \$1,054,201 | \$1,018,099 | (10.9%) | (3.4%) |

PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

| | Actual FY 2017 | Revised FY 2018 | Funded FY 2019 | Percent Change | |
|------------------------|-------------------|--------------------|-------------------|----------------|-------------|
| | | | | 2017-19 | 2018-19 |
| State | 5,341 | 5,405 | 5,451 | 2.1% | 0.9% |
| Federal | 93 | 95 | 98 | 5.4% | 3.2% |
| All Other | 2,063 | 2,040 | 2,074 | 0.5% | 1.7% |
| Total Positions | 7,497 | 7,540 | 7,623 | 1.7% | 1.1% |

FY 2017 (as of December) and revised FY 2018 (as of January) personnel data reflect actual payroll counts. FY 2019 data reflect the number of positions funded.

AFFIRMATIVE ACTION DATA

| | | | | | |
|------------------------|-------|-------|-----|-----|-----|
| Total Minority Percent | 30.3% | 31.6% | N/A | --- | --- |
|------------------------|-------|-------|-----|-----|-----|

Significant Changes/New Programs (\$000)

| <u>Budget Item</u> | <u>Adj. Approp.</u> <u>FY 2018</u> | <u>Recomm.</u> <u>FY 2019</u> | <u>Dollar</u> <u>Change</u> | <u>Percent</u> <u>Change</u> | <u>Budget</u> <u>Page</u> |
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|

LAW ENFORCEMENT**Direct State Services**

| | | | | | |
|------------------------------------|------------------|------------------|------------------|---------------|--------------|
| State Police Operations | \$282,278 | \$280,378 | (\$1,900) | (.7%) | D-256 |
|------------------------------------|------------------|------------------|------------------|---------------|--------------|

The FY 2019 budget recommends a net decrease of \$1.9 million in Division of State Police Direct State Services funding. This decrease is the result of shifting costs from general resources to dedicated funds: New Jersey Emergency Medical Service Helicopter Response Act surcharges, Domestic Security vehicle rental surcharges, and a proposed increase in motor vehicle violation surcharges dedicated to the "New Jersey Forensic DNA Laboratory Fund." Of this total decrease, \$900,000 reduces Division of State Police personal services appropriations. The remaining \$1 million reduction, to the appropriation for State Police DNA Laboratory Enhancement, is explained below.

Special Purpose:**State Police DNA**

| | | | | | |
|-----------------------------------|--------------|--------------|------------------|-----------------|--------------|
| Laboratory Enhancement | \$650 | \$650 | (\$1,000) | (60.6%) | D-256 |
|-----------------------------------|--------------|--------------|------------------|-----------------|--------------|

This recommended decrease in the DNA Laboratory Enhancement appropriation discontinues a supplemental appropriation of \$1 million expected to be approved in FY 2018. This supplemental appropriation is in the absence of legislative approval of a \$1.00 increase in motor vehicle violation surcharges dedicated to the "New Jersey Forensic DNA Laboratory Fund." This reduction anticipates that the surcharge increase will be approved and will increase dedicated revenue by about \$3.7 million. The "New Jersey DNA Forensic Laboratory Fund" currently receives revenue from a \$2.00 surcharge added to all motor vehicle fines pursuant to N.J.S.A.39:5-41.

State Medical

| | | | | | |
|-----------------|--------------|--------------|---------------|---------------|--------------|
| Examiner | \$438 | \$938 | \$ 500 | 114.2% | D-256 |
|-----------------|--------------|--------------|---------------|---------------|--------------|

The FY 2019 budget proposes to increase appropriations for the State Medical Examiner by \$500,000. Of this recommended increase, \$250,000 is allocated for personal services and \$250,000 is allocated for improvements and equipment. The budget is projected to fund 67 positions, one fewer than the FY 2018 budget was projected to fund but four more than were filled in January 2018.

The OLS notes that on April 2, 2018 the Office of Management and Budget approved a transfer of \$520,000 to the State Medical Examiner for the purchase of equipment related to required investigatory laboratory testing. These funds were shifted as permitted by budget language from consumer fraud fines and penalties collected by the Division of Consumer Affairs and credited to the Consumer Fraud Education Fund pursuant to P.L. 1999, c.129 (C.56:8-14.2 et seq.).

Significant Changes/New Programs (\$000) (Cont'd)

| <u>Budget Item</u> | <u>Adj. Approp.</u> <u>FY 2018</u> | <u>Recomm.</u> <u>FY 2019</u> | <u>Dollar</u> <u>Change</u> | <u>Percent</u> <u>Change</u> | <u>Budget</u> <u>Page</u> |
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|

The Office of the State Medical Examiner oversees the State Toxicology Laboratory and the Northern Regional Medical Examiner Office in Newark, N.J. (serving Essex, Hudson, Passaic, and Somerset counties), and the Southern Regional Medical Examiner Office in Woodbine, N.J. (serving Atlantic, Cape May, and Cumberland counties). The office has been the subject of criticism for poor performance, in response to which the Legislature unanimously approved “The Revised State Medical Examiner Act” (Senate Bill No. 976 of 2018). This bill, which establishes the Office of the Chief State Medical Examiner in, but not of, the Department of Health to replace the Office of the State Medical Examiner in the Department of Law and Public Safety, awaits the Governor’s action after final passage on April 12, 2018.

Division of Criminal Justice

| | | | | |
|-----------------|-----------------|-------------------|-----------------|--------------|
| \$83,292 | \$68,512 | (\$14,780) | (17.7%) | D-257 |
|-----------------|-----------------|-------------------|-----------------|--------------|

The anticipated reduction of \$14.8 million in the Division of Criminal Justice reflects projected decreases in multiple federal grants. The change in projected funding for the Victim Assistance Grant (\$12.7 million), the largest of the anticipated decreases, explains most of the reduction.

The State has in recent years received awards in increased amounts under the federal Victim Assistance Grant: \$63 million in FFY 2016; \$54 million in FFY 2015; and \$12.4 million in FFY 2014. The federal grants are not required to be expended all in one year. In this case, the FFY 2016 Victims of Crime Act (VOCA) grants closure date is scheduled for September 20, 2019, the FFY 2015 VOCA grants closure date is scheduled for December 31, 2018, and the FFY 2014 VOCA grants closure date was scheduled for December 31, 2017. Despite the change in Victim Assistance Grants from FY 2018 to FY 2019, the availability of funding to grantees should not differ significantly.

All Other Funds

State Police Operations

| | | | | |
|------------------|------------------|-----------------|-------------|--------------|
| \$105,907 | \$112,871 | \$ 6,964 | 6.6% | D-257 |
|------------------|------------------|-----------------|-------------|--------------|

The FY 2019 recommended budget anticipates an increase in two dedicated revenues that support the Division of State Police: the “New Jersey DNA Forensic Laboratory Fund” (\$3.7 million) and New Jersey Turnpike Authority reimbursements (\$3.54 million).

The Governor’s FY 2019 budget anticipates an increase of \$3.7 million in the “New Jersey DNA Forensic Laboratory Fund” from motor vehicle fines. The New Jersey DNA Forensic Laboratory is currently funded by a \$2.00 surcharge added to all motor vehicle fines pursuant to N.J.S.A.39:5-41. The budget assumes enactment of legislation to increase the surcharge by \$1.00.

Significant Changes/New Programs (\$000) (Cont'd)

| <u>Budget Item</u> | <u>Adj. Approp.</u> <u>FY 2018</u> | <u>Recomm.</u> <u>FY 2019</u> | <u>Dollar</u> <u>Change</u> | <u>Percent</u> <u>Change</u> | <u>Budget</u> <u>Page</u> |
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|

The Turnpike Authority, including the Garden State Parkway, provides reimbursements to the Division of State Police for the patrol of those roadways. In FY 2019, the budget anticipates higher reimbursement amounts.

SPECIAL LAW ENFORCEMENT ACTIVITIES**Grants-in-Aid**

| | | | | | |
|--------------------------------------------------------------------------|-----------------|------------|-------------------|------------------|--------------|
| Election Law Enforcement Gubernatorial Elections Fund | \$19,680 | \$0 | (\$19,680) | (100.0%) | D-263 |
|--------------------------------------------------------------------------|-----------------|------------|-------------------|------------------|--------------|

The FY 2019 budget recommends a decrease of \$19.7 million in Grants-In-Aid from the Gubernatorial Elections Fund, pursuant to N.J.S.A.19:44A-30, which in FY 2018 supported public financing of the 2018 gubernatorial primary and general election cycle. With this election cycle complete, this funding is no longer required.

Federal Funds

| | | | | | |
|---------------------------------------------|-----------------|-----------------|-----------------|-------------|--------------|
| Office of Highway Traffic Safety | \$35,530 | \$38,390 | \$ 2,860 | 8.0% | D-263 |
|---------------------------------------------|-----------------|-----------------|-----------------|-------------|--------------|

The Office of Highway Traffic Safety is projected to receive federal funding increases in multiple federal grants. The largest of the anticipated federal fund increases is in the Distracted Driving Incentive Grant program, which at \$5 million is up \$2.3 million (85 percent). The office has received awards of \$2.7 million for federal fiscal year (FFY) 2017 and \$1.8 million from FFY 2016, and will be spending those funds over the remainder of FY 2018 and also FY 2019. The remaining increases are anticipated in the following: Pedestrian Safety Grant (+\$250,000), a 16.7 percent increase; Non-Motorized Safety Grant (+\$160,000) an 11.9 percent increase; and Federal Highway Administration Program Management Grant (+\$150,000), a 600 percent increase.

The State of New Jersey applies for Federal Highway Administration and National Highway Traffic Safety Administration (NHTSA) grants to support motor vehicle and highway safety. By participating in these initiatives, the State works to prevent motor vehicle accidents and reduce the number of lives lost and the cost associated with those accidents.

Significant Changes/New Programs (\$000) (Cont'd)

| <u>Budget Item</u> | <u>Adj. Approp. FY 2018</u> | <u>Recomm. FY 2019</u> | <u>Dollar Change</u> | <u>Percent Change</u> | <u>Budget Page</u> |
|--------------------|---------------------------------|----------------------------|--------------------------|---------------------------|------------------------|
|--------------------|---------------------------------|----------------------------|--------------------------|---------------------------|------------------------|

All Other Funds

| | | | | | |
|----------------------------------------------|----------------|----------------|------------------|-----------------|--------------|
| Regulation of Alcoholic Beverages | \$9,881 | \$8,631 | (\$1,250) | (12.7%) | D-263 |
|----------------------------------------------|----------------|----------------|------------------|-----------------|--------------|

The FY 2019 recommended budget anticipates a decrease in revenue of \$1.25 million attributed to the regulation of alcoholic beverages. The decrease in revenue is the result of the department’s expectation that remittance of a fine imposed in May of 2017 by the Division of Alcoholic Beverage Control on Hunterdon Brewing Company LLC, a wholesale licensee, for trade practice violations will be completed in FY 2018. The \$1.750 million fine is to be remitted in \$500,000 installments beginning in FY 2017 and at least annually thereafter with the final \$250,000 waivable if no further violations were committed. The division retains all fee and penalty revenue above \$4.199 million for its operating budget.

JUVENILE SERVICES (JUVENILE JUSTICE COMMISSION)

Federal Funds

| | | | | | |
|----------------------------------------|--------------|------------|-----------------|------------------|--------------|
| Juvenile Community Programs | \$990 | \$0 | (\$ 990) | (100.0%) | D-267 |
|----------------------------------------|--------------|------------|-----------------|------------------|--------------|

According to a footnote in the budget (p. D-267), the reason for this decrease in federal funds for juvenile community programs, which consists of funding for the Elementary and Secondary Education Act (ESEA) Title I, Part D, Individuals with Disabilities Education Act (IDEA), and Juvenile Mentoring Program, is that in FY 2019 the grants will be budgeted centrally in the Department of Education.

The Elementary and Secondary Education Act (ESEA) Title I, Part D, also known as The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent or At Risk, provided financial support to Juvenile Justice Commission (JJC) programs to assist residents to successfully transition from institutionalization to further schooling or employment, and to keep them from returning to correctional facilities, through a support system to ensure their continued education.

Individuals with Disabilities Education Act (IDEA) grants guarantee that youth with disabilities within correctional facilities have access to an appropriate public education. To ensure the availability of education, IDEA specifies procedures to identify youth with disabilities, address their needs, and design individualized supports and services to help them meet academic and behavioral expectations. In addition, IDEA requires youth to be educated in the least restrictive environment. For youth with disabilities in correctional facilities, this means that, to the extent possible, they are to be educated with those who are not disabled.

Juvenile Mentoring Program grants support one-to-one mentoring programs for youth at risk of educational failure, dropping out of school, or involvement in delinquent activities, including gangs and drug abuse.

Significant Changes/New Programs (\$000) (Cont'd)

| <u>Budget Item</u> | <u>Adj. Approp.</u> <u>FY 2018</u> | <u>Recomm.</u> <u>FY 2019</u> | <u>Dollar</u> <u>Change</u> | <u>Percent</u> <u>Change</u> | <u>Budget</u> <u>Page</u> |
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|

All Other Funds**Administration and
Support Services**

| | | | | | |
|--|----------------|-----------------|-----------------|--------------|--------------|
| | \$9,518 | \$11,191 | \$ 1,673 | 17.6% | D-267 |
|--|----------------|-----------------|-----------------|--------------|--------------|

In FY 2019, the budget anticipates a \$1.673 million increase in State Facilities Education Act (SFEA) revenue (p. C-13), which accounts for the entire increase in JJC All Other Funds accounts are appropriated under Administration and Support Services.

SFEA consists of funds reallocated to the JJC from local school districts to provide educational services to juveniles while under JJC care. The juvenile detention alternatives program has led to significant reductions in the average daily population of juvenile offenders.

The department indicates that while the number of juveniles receiving educational services is expected to remain constant, the per pupil amount is being increased in FY 2019.

CENTRAL PLANNING, DIRECTION, AND MANAGEMENT**Grants-in-Aid****Homeland Security
and Preparedness**

| | | | | | |
|--|----------------|------------|------------------|------------------|--------------|
| | \$1,000 | \$0 | (\$1,000) | (100.0%) | D-269 |
|--|----------------|------------|------------------|------------------|--------------|

The Governor's 2019 budget recommends elimination of funding for the New Jersey Nonprofit Security Grant Pilot Program, in the Office of Homeland Security and Preparedness Grants-in-Aid funding.

The "New Jersey Nonprofit Security Grant Pilot Program" was established by P.L.2017, c.246 in the Office of Homeland Security and Preparedness. The program is intended to provide funding over a three-year period to eligible nonprofit organizations for the purpose of hiring permanent or temporary security personnel in order reduce vulnerability to threats, attacks, and other violent acts. The statute does not establish a total annual funding level for the program. It sets a maximum grant award per application for the program of \$10,000. Applicants are permitted to apply in each of the three years of the pilot program. A public notice for this funding was released on March 5, 2018, and awards are expected to be announced in June 2018.

The program differs from the United States Department of Homeland Security's Nonprofit Security Grant Program (NSGP), which provides support for target hardening and other physical security enhancements to eligible nonprofit organizations that are determined to be high risk. However, the NSGP specifically provides that the funding may not be used to expand existing security personnel or to hire temporary security personnel during times of heightened risk.

Significant Changes/New Programs (\$000) (Cont'd)

| <u>Budget Item</u> | <u>Adj. Approp.</u> <u>FY 2018</u> | <u>Recomm.</u> <u>FY 2019</u> | <u>Dollar</u> <u>Change</u> | <u>Percent</u> <u>Change</u> | <u>Budget</u> <u>Page</u> |
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|

Federal Funds

| | | | | | |
|-----------------------------------------------|-----------------|-----------------|-----------------|----------------|--------------|
| Homeland Security and Preparedness | \$33,149 | \$32,632 | (\$ 517) | (1.6%) | D-270 |
|-----------------------------------------------|-----------------|-----------------|-----------------|----------------|--------------|

The Governor's recommended FY 2019 budget reflects an anticipated \$500,000 (-2.4 percent) decrease in the Urban Area Security Initiative Grant (UASI) Nonprofit Security Grant Program. This grant specifically provides support to eligible nonprofit organizations located in an UASI region for target hardening and other physical security enhancements, but not for personnel-type services like security guards. The Jersey City/Newark UASI includes Jersey City and Newark, as well as the counties of Bergen, Essex, Hudson, Middlesex, Morris, Passaic, and Union.

Federal funding to support homeland security programs is projected to total \$32.6 million for FY 2019 as follows: UASI Grant, \$20.034 million, UASI Nonprofit Security Grant Program, \$4.261 million, and Homeland Security Grant Program, \$8.337 million.

GENERAL GOVERNMENT SERVICES**Direct State Services**

| | | | | | |
|-----------------------------------|-----------------|-----------------|-------------------|-----------------|--------------|
| Legal Services Total | \$82,633 | \$79,751 | (\$2,882) | (3.5%) | D-272 |
| Less Income Deductions | \$56,099 | \$63,217 | \$ 7,118 | 12.7% | D-272 |
| State Appropriation | \$26,534 | \$16,534 | (\$10,000) | (37.7%) | D-272 |

The Division of Law derives a majority of its operating support from reimbursements it receives for legal services provided to other State agencies. Total costs of the Division of Law are projected to decrease by 3.5 percent. As the result of anticipated negotiated billing rates or allocation of services, direct billings to State agencies are estimated to be \$7.1 million (12.7 percent) higher than in FY 2018, resulting in a decrease of \$10 million in the State appropriation to support the division.

As in previous years, budget language allows the original funding level for the division to increase if direct-billed services exceed original estimates, and through supplemental appropriations if the division incurs extraordinary costs related to litigation and other legal services that are not direct-billed to other agencies. These latter costs are to be funded first by any revenue recovered through such litigation or other actions. Supplemental appropriations were approved in FY 2015-FY 2017 inclusive and are projected on the amount of \$10 million in FY 2018.

Significant Changes/New Programs (\$000) (Cont'd)

| <u>Budget Item</u> | <u>Adj. Approp.</u> <u>FY 2018</u> | <u>Recomm.</u> <u>FY 2019</u> | <u>Dollar</u> <u>Change</u> | <u>Percent</u> <u>Change</u> | <u>Budget</u> <u>Page</u> |
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|
|--------------------|---------------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------|

PROTECTION OF CITIZENS' RIGHTS**Direct State Services**

| | | | | | |
|-------------------------------------------------|------------|--------------|---------------|--|--------------|
| Prescription Drug Monitoring Program | \$0 | \$500 | \$ 500 | | D-275 |
|-------------------------------------------------|------------|--------------|---------------|--|--------------|

The Governor's 2019 budget recommends a \$500,000 appropriation for the Prescription Drug Monitoring Program (PMP) within the Division of Consumer Affairs.

The PMP was established pursuant to N.J.S.A.45:1-45 et seq., and supports a statewide database that collects prescription data on Controlled Dangerous Substances and Human Growth Hormone dispensed in outpatient settings in New Jersey, and by out-of-State pharmacies dispensing into New Jersey. The Budget in Brief indicates the funding is for "continuation" of the program in the interests of halting abuse of controlled dangerous substances and human growth hormone prescription drugs. No other specifics were provided on the purposes for which the additional funds will be used.

| | | | | | |
|-------------------------------------------------------------------------------------|--------------|------------|-----------------|------------------|--------------|
| Board of Nursing- Home Health Aide Application Backlog Reduction | \$250 | \$0 | (\$ 250) | (100.0%) | D-276 |
|-------------------------------------------------------------------------------------|--------------|------------|-----------------|------------------|--------------|

Added in FY 2018 at the Legislature's initiative, this appropriation was linked to FY 2018 language directing the Board of Nursing to allocate the funds specifically for processing the home health aide applications in light of a backlog of pending applications. The budget eliminates both the appropriation and the related language. It is not clear whether this use of funds as directed in FY 2018 has eliminated the processing backlog or if additional funding is required.

Federal Funds

| | | | | | |
|-------------------------------------------------|----------------|----------------|-----------------|----------------|--------------|
| Victims of Crime Compensation Office | \$3,400 | \$3,200 | (\$ 200) | (5.9%) | D-276 |
|-------------------------------------------------|----------------|----------------|-----------------|----------------|--------------|

This projected decline in federal funds comprises a decrease of \$200,000 in the Victim Compensation Award Grant (also see p. C-21). The Office for Victims of Crime, in the U.S. Department of Justice (DOJ), administers the Crime Victim Compensation formula grant program to help pay for expenses resulting from crimes involving violence or abuse. The program's funding is derived from federal criminal fines and penalties. These awards assist victims in their various needs, such as psychological counseling, loss of support or earnings, hospital, physician and physical therapy, and nursing care. The FFY 2017 grant award, the latest received by the Victims of Crime Compensation Office, is \$2.445 million, so the amounts projected for State FY 2018 and State FY 2019 from the corresponding subsequent federal fiscal years would be an increase over that amount.

Significant Language Changes

MedEvac Funds - Increased Allocation for State Police Salaries

Revision

2018 Handbook: p. B-129
2019 Budget: p. D-259

Notwithstanding the provisions of any law or regulation to the contrary, receipts and available balances collected pursuant to the New Jersey Emergency Medical Service Helicopter Response Act, subsection a. of section 1 of P.L.1992, c.87 (C.39:3-8.2), not to exceed ~~\$2,500,000~~ 6,300,000, are appropriated for State Police salaries, subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

This language permits the department to use \$6,300,000 in FY 2019 funding from the New Jersey Emergency Medical Service Helicopter Response Act for Division of State Police salaries. This is a \$3.8 million increase from the prior budget year.

The “New Jersey Emergency Medical Service Helicopter Response Act” (C.39:3-8.2) dedicates a \$3 motor vehicle registration surcharge toward the New Jersey Emergency Medical Service Helicopter Response Program Fund and \$1 toward the funding of new State Police trooper classes.. This language continues the practice of expanding the use of these funds beyond their statutorily prescribed purposes.

According to the department, the total FY 2019 revenue of \$30.64 million will be augmented by \$4.26 million in FY 2018 balances. The total \$34.9 million will be allocated as follows:

*Division of State Police Equipment (RMS/CAD) - \$1.2 million
Department of Health MedEvac Operations - \$2.5 million
Division of State Police Recruit Class 159 - \$4 million
Division of State Police Salaries - \$5.4 million
Division of State Police MedEvac operations - \$11 million
Division of State Police Vehicles - \$10.8m*

MedEvac Funds - Allocation for State Police Equipment

Addition

2018 Handbook: p. N/A
2019 Budget: p. D-259

Notwithstanding the provisions of any law or regulation to the contrary, receipts and available balances pursuant to the New Jersey Emergency Medical Service Helicopter Response Act under subsection a. of section 1 of P.L.1992, c.87 (C.39:3-8.2), not to exceed \$1,200,000 are appropriated for State Police equipment, subject to the approval of the Director of the Division of Budget and Accounting.

EXPLANATION: FY 2018 language not recommended for FY 2019 denoted by strikethrough.
Recommended FY 2019 language that did not appear in FY 2018 denoted by underlining.

Significant Language Changes (Cont'd)

Explanation

This language permits the department to use \$1.2 million in FY 2019 funding from the New Jersey Emergency Medical Service Helicopter Response Act for Division of State Police equipment. According to the department, this funding will be expended on the first line-of-credit payment to upgrade outdated computer aided dispatch equipment.

The "New Jersey Emergency Medical Service Helicopter Response Act" section 1 of P.L.1992, c.87 (C.39:3-8.2) dedicates a \$3 motor vehicle registration surcharge toward the New Jersey Emergency Medical Service Helicopter Response Program Fund. This language continues the practice of expanding the use of these funds beyond their statutorily prescribed purposes.

Public Financing of 2017 Elections – Candidates' Funds and Administrative Costs

Deletion

2018 Handbook: p. B-131
2019 Budget: p. N/A

~~Of the amount hereinabove appropriated for the Election Law Enforcement Gubernatorial Elections Fund, an amount not to exceed \$1,080,000 may be used for administrative purposes, subject to the approval of the Director of the Division of Budget and Accounting.~~

~~There are appropriated from the Gubernatorial Elections Fund such amounts as may be required for payments to persons qualifying for additional public funds pursuant to section 5 of P.L.1974, c.26 (C.19:44A-30); provided, however, that should the amount available in the Gubernatorial Elections Fund be insufficient to support such an appropriation, there are appropriated from the General Fund to the Gubernatorial Elections Fund such amounts as may be required.~~

Explanation

The FY 2018 Appropriations Act increased Gubernatorial Elections Fund appropriations for public financing costs associated with the 2017 Gubernatorial general election pursuant to N.J.S.A.19:44A-30, and included two language provisions assuring adequate funding for candidates and administrative costs.

A corresponding increase was also provided in the Election Law Enforcement's administrative funding. According to the Office of Management and Budget, these funds were used for the Ballot Statement Program, which reimburses counties for the printing and distribution of ballots.

The funding is discontinued in FY 2019 since the election cycle is completed, and related language provisions are deleted.

EXPLANATION: FY 2018 language not recommended for FY 2019 denoted by strikethrough.
Recommended FY 2019 language that did not appear in FY 2018 denoted by underlining.

Significant Language Changes (Cont'd)

New Jersey Nonprofit Security Grant Pilot Program

Deletion

2018 Handbook: p.B-135

2019 Budget: p. N/A

~~The amount hereinabove appropriated for New Jersey Nonprofit Security Grant Pilot Program shall be allocated by the Office of Homeland Security and Preparedness to provide grants to eligible nonprofit organizations for the purpose of hiring permanent or temporary security personnel or acquisition of equipment in order to reduce vulnerability to threats, attacks, and other violent acts. Preference for grants shall be accorded to eligible nonprofit organizations in locations not eligible for funding pursuant to the Urban Area Security Initiative (UASI), Pub.L.107-296 (6 U.S.C. s.603).~~

Explanation

The Governor's 2019 budget recommends elimination of funding for the New Jersey Nonprofit Security Grant Pilot Program, a \$1 million decrease, in the Office of Homeland Security and Preparedness Grants-in-Aid funding. The deletion of this language corresponds with the elimination of the funds (p. D-269).

The New Jersey "Nonprofit Security Grant Pilot Program" was established by P.L.2017, c.246 in the Office of Homeland Security and Preparedness. The program is intended to provide funding over a three-year period to eligible nonprofit organizations for the purpose of hiring permanent or temporary security personnel in order reduce vulnerability to threats, attacks, and other violent acts. The statute does not establish a total annual funding level for the program. It sets a maximum grant award for the program of \$10,000 per application. Applicants are permitted to apply in each of the three years of the pilot program. A public notice for this funding was released on March 5, 2018 and awards are expected to be announced in June 2018.

The United States Department of Homeland Security's Nonprofit Security Grant Program (NSGP) provides funding to New Jersey to support target hardening and other physical security enhancements to eligible nonprofit organizations that are determined to be high risk. However, the NSGP specifically provides that the funding may not be used to expand existing security personnel or to hire temporary security personnel during times of heightened risk. Eligible nonprofit organizations that receive funds from this program may also receive grants under the pilot program.

EXPLANATION: FY 2018 language not recommended for FY 2019 denoted by strikethrough.
Recommended FY 2019 language that did not appear in FY 2018 denoted by underlining.

Significant Language Changes (Cont'd)

Board of Nursing Home Health Aide Application - Backlog Reduction

Deletion

2018 Handbook: p. B-144
2019 Budget: p. N/A

~~The amount hereinabove appropriated for Board of Nursing Home Health Aide Application Backlog Reduction shall be expended by the board during the fiscal year, for the cost of staff assigned to processing home health aide applications, additional supplemental staff, and/or expenses necessary to process home health aide applications.~~

Explanation

Added by the Legislature, this FY 2018 language directed the Board of Nursing to allocate a \$250,000 appropriation specifically to process home health aide applications in light of a backlog of pending applications. The budget eliminates the \$250,000 appropriation earmarked for application processing (p. D-276), and this related language. It is not clear whether this use of funds as directed in FY 2018 has eliminated the processing backlog or if additional funding is required.

Victims of Crime Compensation Office Restitution Payments

Addition

2018 Handbook: p. N/A
2019 Budget: p. D-277

Notwithstanding the provisions of any law or regulation to the contrary and consistent with P.L.2015, c.55, restitution payments collected by the Department of Corrections owed to victims of crimes who have not been located by the Department and who have not come forward to claim such payments for a period of two years from when the Department attempts to locate them shall be transferred to the Victims of Crime Compensation Office and are appropriated to satisfy claims pursuant to the provisions of the Criminal Injuries Compensation Act, P.L.1971, c.317.

Explanation

This new language allows the budgetary transactions necessary to implement P.L.2015, c.55, which transfers to the Victims of Crime Compensation Office any restitution payments collected by the Department of Corrections (DOC) where the victim cannot be located and has not come forward to claim the payment for two years. Restitution payments ordered by a court from persons sentenced to a State correctional facility are collected by the DOC. The monies are collected for deposit in the "CREST" (criminal restitution) account. Previously, when the DOC could not find a victim who is owed the restitution payment, the payment remained in the CREST account indefinitely. The law now requires these funds to be used to compensate other victims of crime rather than remaining idle indefinitely.

EXPLANATION: FY 2018 language not recommended for FY 2019 denoted by strikethrough.
Recommended FY 2019 language that did not appear in FY 2018 denoted by underlining.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services provides nonpartisan assistance to the State Legislature in the areas of legal, fiscal, research, bill drafting, committee staffing and administrative services. It operates under the jurisdiction of the Legislative Services Commission, a bipartisan body consisting of eight members of each House. The Executive Director supervises and directs the Office of Legislative Services.

The Legislative Budget and Finance Officer is the chief fiscal officer for the Legislature. The Legislative Budget and Finance Officer collects and presents fiscal information for the Legislature; serves as Secretary to the Joint Budget Oversight Committee; attends upon the Appropriations Committees during review of the Governor's Budget recommendations; reports on such matters as the committees or Legislature may direct; administers the fiscal note process and has statutory responsibilities for the review of appropriations transfers and other State fiscal transactions.

The Office of Legislative Services Central Staff provides a variety of legal, fiscal, research and administrative services to individual legislators, legislative officers, legislative committees and commissions, and partisan staff. The central staff is organized under the Central Management Unit into ten subject area sections. Each section, under a section chief, includes legal, fiscal, and research staff for the standing reference committees of the Legislature and, upon request, to special commissions created by the Legislature. The central staff assists the Legislative Budget and Finance Officer in providing services to the Appropriations Committees during the budget review process.

Individuals wishing information and committee schedules on the FY 2019 budget are encouraged to contact:

**Legislative Budget and Finance Office
State House Annex
Room 140 PO Box 068
Trenton, NJ 08625
(609) 847-3105 • Fax (609) 777-2442**