

ANALYSIS OF THE NEW JERSEY
FISCAL YEAR 1998 - 1999 BUDGET



DEPARTMENT OF LAW AND PUBLIC SAFETY

PREPARED BY
OFFICE OF LEGISLATIVE SERVICES
NEW JERSEY LEGISLATURE
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NEW JERSEY STATE LEGISLATURE

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DEPARTMENT OF LAW AND PUBLIC SAFETY

Budget Pages..... D-209 to D-237, E-29 to E-30,
F-15 to F-16, G-11 to G-12, I-9
to I-10, I-13 to I-14, I-22.

Fiscal Summary (\$000)

	Expended FY 1997	Adjusted. Appropriation FY 1998	Recommended FY 1999	Percent Change 1998-99
State Budgeted	\$386,424	\$376,042	\$385,096	2.4%
Federal Funds	52,749	109,045	91,319	(16.3)%
<u>Other</u>	<u>93,081</u>	<u>127,428</u>	<u>136,858</u>	<u>7.4%</u>
Grand Total	\$532,254	\$612,515	\$613,273	0.1%

Personnel Summary - Positions By Funding Source

	Actual FY 1997	Revised FY 1998	Funded FY 1999	Percent Change 1998-99
State	5,764	5,849	5,974	2.1%
Federal	148	144	141	(2.1)%
<u>Other</u>	<u>1,371</u>	<u>1,494</u>	<u>1,652</u>	<u>10.6%</u>
Total Positions	7,283	7,487	7,767	3.7%

FY 1997 and revised FY 1998 personnel data reflect actual payroll counts. FY 1999 data reflect the number of positions funded.

Introduction

The Department of Law and Public Safety, under the supervision of the Attorney General, is responsible for statewide law enforcement and the prosecution of criminals. The department also provides legal services for State government, administers marine traffic laws, ensures compliance with national voter registration requirements and enforces public protection laws in consumer affairs, civil rights, gaming, alcoholic beverages, racing and combative sports. The following agencies are located in, but not of, the Department of Law and Public Safety: the Juvenile Justice Commission, the Election Law Enforcement Commission, the Executive Commission on Ethical Standards and the Victims of Crime Compensation Board.

The Juvenile Justice Commission, created in 1995, administers juvenile programs that were formerly located in the Departments of Corrections, Human Services and Law and Public Safety. The commission is responsible for providing residential and community programs dedicated to the treatment and rehabilitation of juvenile offenders. The commission also administers grant programs.

Key Points

- ! The Governor's budget recommends an overall increase of \$9.1 million, or 2.4 percent, for the Department of Law and Public Safety State funded budget, from an adjusted appropriation of \$376.0 million in FY 1998 to a recommended \$385.1 million in FY 1999. The department's FY 1999 direct state services appropriation of \$317 million would increase by \$7.1 million, or 2.3 percent, from its FY 1998 adjusted appropriation of \$309.9 million. The department's FY 1999 capital budget would increase by \$13.6 million, from \$4.1 million in FY 1998 to \$17.7 million in FY 1999, a 332 percent increase. Conversely, federal funds for the department are anticipated to decline by \$17.7 million, from \$109 million in FY 1998 to \$91.3 million in FY 1999, a 16 percent reduction. No funding is recommended for the Gubernatorial Elections Fund in FY 1999 since funding is required only during a gubernatorial primary or election year. These changes are discussed in more detail below.
- ! The Governor's budget recommends \$2.7 million in new funding for the training and salaries of the 118th State Police Class, which is tentatively scheduled to begin in May, 1998. Eighty troopers are expected to graduate by October, 1998. The 117th State Police Class graduated in October, 1997.
- ! Funding for a new \$15 million Fleet Renewal Management Program is recommended in the Department of the Treasury, of which \$8.1 million is reserved for the purchase of new marked and unmarked State Police vehicles, according to information contained in the Governor's Budget in Brief. The budget also recommends \$5.4 million in the State Police budget for purchasing vehicles, the same amount appropriated in fiscal 1998. The combined appropriations would allow the State Police to purchase approximately 550 new vehicles. Recommended budget language would eliminate a provision that presently authorizes receipts in excess of those anticipated from increased fees for noncriminal record checks to be used for the purchase of State Police vehicles. The Governor's budget also recommends funding of \$2.7 million for vehicle maintenance in the Division of State Police, an increase of \$1.5 million.
- ! An appropriation of \$2.2 million is recommended for phase one of a three-phase National Crime Information Center (NCIC) 2000 data processing project. The project would link the State Police, State agencies and local police departments with advanced, computerized law enforcement technology operated by the Federal Bureau of Investigation (FBI). Fiscal 1999 funding would upgrade the current NCIC system and provide infrastructure to make it compatible with the FBI's NCIC 2000 system by July, 1999. The second and third phases, which would require between \$7.8 and \$15.8 million in continuation funding, would re-program the computer systems of State agencies and divisions that currently have NCIC access and also supply 520 municipalities with NCIC 2000 workstations.
- ! The Governor's budget includes funding to train and hire 60 new correctional officers to staff the two Juvenile Justice Commission (JJC) correctional facilities and nine senior youth workers for community residential programs. The \$4 million cost for the positions does not represent an increase over the JJC's FY 1998 adjusted appropriation. Included in the Commission's FY 1998 adjusted appropriation is a \$4 million supplemental appropriation recommended to fund overtime costs incurred as a result of increases in correctional officer posts due to public safety concerns and for community programs staffing. As a result of providing additional permanent staff, that level of overtime costs in FY 1998 should not be incurred again in FY 1999.

Key Points

- ! The Governor's budget recommends \$17.6 million, a \$5.2 million increase, in the Juvenile Justice Commission's (JJC) Juvenile Community Programs account funded in the All Other Funds category. These funds, which are shown "below the line" as a payment from the Department of Education, would support educational programs for juvenile offenders pursuant to The State Facilities Education Act (SFEA), P.L. 1979, c. 207. Under the act, FY 1999 is the first year JJC would be responsible for paying full educational costs of State-sentenced juvenile offenders in county detention centers, \$6,000 per juvenile at a total incremental cost of \$2.5 million. The JJC would also provide 50 percent of the cost of educating county juvenile offenders, \$3,000 per juvenile at a total incremental cost of \$2.7 million. In addition, the JJC will be responsible for assisting county detention centers in educational programming and monitoring expenditures in FY 1999.
- ! The Governor's budget recommends a new appropriation of \$1 million for the Election Law Enforcement Commission (ELEC), for data processing enhancements that would establish an electronic filing program to allow candidates to file information with ELEC electronically. ELEC's overall appropriation would increase by only \$370,000 due to a reduction of \$630,000 provided in FY 1998 for gubernatorial election staffing.
- ! The Governor's budget recommends assigning the Division of Election Management and Coordination, formerly the Statewide Voter Registration and Election Coordination Agency in the Division of Elections in the Department of State, to the department. The division would ensure that the State remains in compliance with the reporting requirements of the National Voter Registration Act of 1993. The recommended budget would fund the agency at \$289,000, a \$10,000 reduction from its FY 1998 adjusted appropriation.
- ! The budget recommends a 27 percent decrease in the department's State Aid appropriation from \$4.9 million to \$3.6 million. This reduction represents the elimination of 13 special purpose appropriations for local law enforcement projects added to the FY 1998 Appropriations Act by the Legislature. The Governor's budget recommends State Aid for the Safe and Secure Communities Program to remain at the FY 1998 level of \$3.6 million. Including criminal penalty receipts and reappropriated funds, a total of approximately \$14 million will be available to the program.
- ! The recommended budget indicates the department's federal funding would decline from \$109 million in FY 1998 to \$91.3 million in FY 1999, a 16 percent decrease. Of the reduction, \$7 million reflects the discontinuation of one-time funding from a federal legal settlement that was received by the Victim and Witness Advocacy Program. However, the \$13 million apparent decrease in Violence Against Women Act funding, from \$18 million in FY 1998 to \$5 million in FY 1999, reflects an overstatement in FY 1998 of anticipated revenue from that source. Revenue for that program in FY 1998 is expected to be between \$4 and \$5 million.
- ! The recommended budget anticipates federal funding for the Victims of Crime Compensation Board (VCCB) would increase from \$1,600,000 in FY 1998 to \$2,200,000 in FY 1999, a 37 percent increase. According to the board, this increase is attributable to an increase in budget authority that will allow the VCCB to carry forward unspent federal funding in FY 1998.
- ! An increase in capital funding of \$13.6 million is recommended for the department, from \$4.1 million in FY 1998 to \$17.7 in FY 1999. A large portion of the recommended funds,

Key Points

\$12.4 million, would be used for preservation and fire/safety projects at various Juvenile Justice Commission (JJC) sites and for infrastructure improvements toward a new 144 bed JJC facility in Bordentown. The remaining amount, \$5.3 million, would be used for State Police capital needs, including the acquisition of a Computer Aided Dispatch/Records Management System (CAD/RMS), a Radio System Equipment project and various preservation projects at State Police facilities.

<u>BACKGROUND PAPERS</u>	<u>PAGES</u>
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Program Description and Overview

The Department of Law and Public Safety, under the supervision of the Attorney General, is responsible for statewide law enforcement, emergency response services and the prosecution of criminals. The department also provides legal services for State government, administers marine traffic laws and enforces public protection laws in consumer affairs, civil rights, gaming, alcoholic beverages, racing, election campaigns, and combative sports.

The following agencies are located in, but not of, the Department of Law and Public Safety for administrative purposes:

- ! The Election Law Enforcement Commission (ELEC) monitors the reporting of campaign contributions and expenditures and lobbyists' financial disclosures. ELEC also administers the State's gubernatorial election public financing law.
- ! The Executive Commission on Ethical Standards (ECES) issues advisory opinions interpreting the New Jersey conflicts of interest law for State officers and employees and enforces the financial disclosure law.
- ! The Juvenile Justice Commission (JJC) provides custody, care and treatment to juvenile offenders in State institutions and community programs.
- ! The Victims of Crime Compensation Board (VCCB) assists crime victims through compensation for medical expenses and loss of earnings as well as providing a victim counseling service.

The department's traditional responsibilities have undergone change in response to legislative mandates and executive initiatives in recent years. In FY 1996, the Division of Motor Vehicles (DMV) was transferred from the department to the Department of Transportation to consolidate and improve the effectiveness of motor vehicle related programs required to implement the Federal Clean Air Act. In the same year, the New Jersey Cemetery Board was transferred from the Department of Banking to the Division of Consumer Affairs in the Department of Law and Public Safety.

In FY 1999, the Governor's budget recommends the transfer of the Division of Elections in the Department of State to the Department of Law and Public Safety, where it would be renamed Election Management and Coordination (EMC). EMC would ensure that the State remains in compliance with the reporting requirements of the National Voter Registration Act of 1993. The recommended budget would fund the agency at \$289,000, a \$10,000 reduction from its FY 1998 adjusted appropriation.

Pursuant to P.L.1997, c.19, the Alcoholic Beverage Control (ABC) Enforcement Bureau inspectors, members of the State Capitol police and marine police officers in the Bureau of Marine Law Enforcement were merged into the Division of State Police. In April, 1997, 138 of the 158 officers and inspectors eligible to transfer to the State Police passed a physical training test and, as a result, were certified as troopers under the 116th(A) State Police class.

In October, 1997, the 117th State Police class graduated 112 troopers to replace troopers who have retired or resigned in recent years. The Governor's budget recommends a \$1.8 million appropriation for the training of the 118th State Police Class in FY 1999. This class is expected to get under way by May, 1998 and graduate 80 troopers by December, 1998.

Program Description and Overview

Overall crime rates decreased in New Jersey in the first half of 1997, based on six-month statistics released by the State Police in December. The Safe and Secure Communities program (P.L. 1993, c. 220) provides funding to municipalities with crime rates exceeding 70 percent of the statewide average for salaries of police officers and other law enforcement personnel engaged in community policing activities and for law enforcement equipment. In FY 1998, the program provided funding to 170 municipalities for the salaries of 356 police officers and 17 non-police personnel. The Governor recommends a state aid appropriation of \$3.6 million in FY 1999 for the Safe and Secure Communities program, the same amount provided in FY 1998.

While overall crime rates have recently declined, New Jersey reported 947 hate crimes in 1996, second only to California in the total number of hate crimes reported nationwide, according to FBI statistics. The Office of Bias Crime and Community Relations in the Division of Criminal Justice helps ensure compliance with New Jersey's stringent laws against hate crimes. In addition, the Division on Civil Rights received a \$600,000 budget increase in FY 1998 for an additional 12 staff to investigate complaints dealing with New Jersey's Law Against Discrimination and to reduce its case backlog. Evaluation data (page D-233) indicate the division will collect \$2.9 million in monetary awards in FY 1998, a \$300,000 increase over FY 1997. The budget recommends the division be funded in FY 1999 at \$4.5 million, the same level as FY 1998.

The department has assumed a major role in the implementation of the Community Notification Law ("Megan's Law"). The Office of Attorney General, in consultation with a special 12-member council and professionals in the fields of mental health and law enforcement, provides county prosecutors with information used to determine the level of risk posed by sex offenders in New Jersey. The Attorney General has also been required to defend the constitutionality of this law since it was enacted in 1994. The law also requires the State Police to maintain a statewide registry of sex offenders.

The Division of Law provides legal counsel to all officers, department, agencies and instrumentalities of State government. The division represents the State in all claims brought against the State and its employees for personal injury, property damage and contract claims, as well as prosecuting all claims for property damage on behalf of the State. Of the division's \$46.8 million budget, \$32.2 million is derived from reimbursements provided by other State agencies or public authorities for legal services that the division furnishes.

Statewide traffic fatalities declined from 809 in 1996 to 782 in 1997, according to statistics from the Division of Highway Traffic Safety. The Attorney General has attributed this decrease, in part, to the success of the "Aggressive Driver-Enforcement" program in which six counties participated. Funding was provided by a \$450,000 grant from the National Highway Traffic Safety Administration. This program, which was a cooperative effort of the State Police, the Division of Highway Traffic Safety and municipal police, involved increased patrolling and the use of a telephone hotline to report aggressive drivers to the police.

P.L.1997, c.415 increases the speed limit to 65 mph on 400 miles of State highways beginning in May, 1998. The law also doubles fines for speeding in the areas where the speed limit is increased. Eighteen months after the law is in effect, the Commissioner of Transportation, in consultation with the Attorney General and the State authorities, is required to present a study to the Governor and Legislature determining the overall impact of the law and whether the speed limit on public highways should increase, decrease or remain the same.

Program Description and Overview

The Governor's budget recommends \$1,500,000, the same level as the FY 1998 adjusted appropriation, for the Health Insurance Fraud Investigation Unit in the Division of Criminal Justice. These funds would be used to coordinate civil and criminal health care fraud enforcement between the Departments of Law and Public Safety, Human Services and Banking and Insurance to increase the number of health care fraud prosecutions.

The State Medical Examiner's Office (SME) provides oversight and operational support for county medical examinations, including toxicology services to the 21 counties. Prior to FY 1997, the State also provided and funded postmortem and forensic services to Essex, Passaic, Somerset, and Hudson counties and toxicology services to all 21 counties. After State funding was recommended for elimination in FY 1997 for these services, the counties agreed to reimburse the SME to provide them. In FY 1999, an appropriation of \$5.4 million for the SME is recommended, the same amount as the FY 1998 adjusted appropriation. Of the total, \$5.2 million is from county reimbursements and \$205,000 is a direct state services appropriation.

Pursuant to P.L.1995, c. 284, the Juvenile Justice Commission (JJC), was placed in, but not of the Department of Law and Public Safety to administer and better coordinate a variety of juvenile custody, care and treatment programs that were formerly located within the department and in the Departments of Corrections and Human Services. The JJC is responsible for approximately 1,400 juvenile offenders and the operation of 29 facilities: three secure institutions housing offenders under the age of 19, a "boot camp" for nonviolent juvenile offenders, one detention center, and eight nonresidential and 16 residential non-secure rehabilitation facilities for juveniles adjudicated delinquent.

P.L. 1995, c.330 established the boot camp for nonviolent juvenile offenders under supervision of the JJC. The program includes military discipline, physical work and substance abuse prevention and education. Juveniles in the program dress in military-style uniforms and live in barracks similar to military facilities. The Governor's budget recommends an appropriation of \$3.9 million for the operation of the boot camp, the same level as in FY 1998. P.L.1995, c.330 required the JJC to submit a written report to the Legislature and the Governor by February, 1998, describing the implementation and operation of the boot camp, including any recommendations for changes to improve the program.

In May, 1997, the State opened Valentine Hall in Bordentown, a facility exclusively for female juvenile offenders committed to the JJC's Female Secure Care Program. The facility, which cost approximately \$1.3 million to renovate, has a capacity of 35 and is estimated to have an average daily population of 23 in FY 1999. The program includes group and individual therapy and classes in cosmetology, career awareness, women's issues, crafts, health, general academics, physical education, parenting and computers. The Governor's budget recommends funding the Female Secure Care Program at \$2.8 million, the same level as FY 1998.

In December, 1997, the New Jersey Supreme Court ruled that the Juvenile Justice Commission (JJC) must comply with its own administrative rule (N.J.A.C. 10:19-4.2), which limited the number of days State-sentenced juvenile offenders could be detained in county facilities following the final disposition of their cases. In January, the JJC amended this rule on an emergency basis to extend the deadline for the removal of State-sentenced juveniles from three days to 45 days, while providing a per diem rate to counties of \$58.50 for State-sentenced juveniles detained in a county facility after 15 days. According to the department, these payments, if necessary, would come from a grants-in-aid account for the Purchase of Services for Juvenile Offenders (page E-29) that is recommended to be funded at \$1.3 million, the same level as FY 1998.

Program Description and Overview

The Racing Commission oversees licensing, drug testing and parimutuel betting to ensure the integrity of thoroughbred and harness racing at the State's five racetracks. The Governor's FY 1998 budget shifted the appropriation for the racing commission to off-budget revenues generated from the regulation of the racing industry. P.L.1997, c. 29, directs that, in FY 1998 and thereafter, 50 percent of unclaimed parimutuel ticket revenue be appropriated to the Racing Commission. In January, 1998, a Racing Industry Study Commission recommended that the State provide \$25 million annually to augment racetrack purses and revenues.

In the early period of casino gambling in this State, the growth of the Division of Gaming Enforcement, the agency which enforces casino laws, paralleled that of the gaming industry. However, the division's FY 1996 appropriation was reduced by \$5.1 million and its staff reduced commensurately in response to P.L. 1995, c.18. This act reduced State regulatory involvement in the business activities of casinos and eliminated duplicative functions of the division and the Casino Control Commission. The division's budget is funded by industry assessments through the Casino Control Fund. Although budget evaluation data indicates the division's staff and activity level will increase in FY 1999, an increase in its \$32.3 million budget is not recommended.

The Division of Consumer Affairs protects the rights of the consumer, provides uniform enforcement of public protection laws and oversees the operation of the State Professional Boards. Legislation enacted in recent years has increased the number of regulated professions to include real estate appraisers, home inspectors, home improvement contractors, locksmiths, burglar, fire alarm and electronic security system providers and nutritionists. The costs associated with regulating these professions are borne by the licensees through fees.

The Victims of Crime Compensation Board (VCCB), an agency in but not of the department, provides compensation to victims or their dependents for personal injury or death resulting from violent crimes. According to news reports, U.S. Department of Justice statistics indicate that in 1996 victims of crime in New Jersey had to wait an average of 73 weeks after filing a claim to receive a settlement from the VCCB. The Attorney General testified during his renomination hearing before the Senate Judiciary Committee that improvements, such as technological advances and internal audits, have been made to expedite the VCCB grant process. Recommended budget language would allow the VCCB to use up to \$1,100,000 of receipts in excess of the amount anticipated for board operational costs. The Governor's budget recommends a \$5.23 million appropriation for the VCCB in FY 1999, the same level as FY 1998.

FY 1999 funding is not required for the Gubernatorial Elections Fund, which received an FY 1998 appropriation of \$10.4 million to provide public financing to qualifying candidates in the FY 1998 gubernatorial general election. Campaign cost adjustments made in 1997 raised the general-election public funding maximum to \$4.6 million per candidate pursuant to P.L.1980, c.74 (C.19:44A-7.1b). The Governor does recommend a new appropriation of \$1 million for the Election Law Enforcement Commission (ELEC) to develop a computerized system that would allow candidates to file information with ELEC on-line. This appropriation would also allow ELEC to purchase scanning and imaging technology to read candidate reports into its computer system and to create a search engine to allow Internet access to its campaign contribution and filing information.

The department expects to receive federal funding of \$91.3 million in FY 1999, a 16 percent decrease from its FY 1998 level of \$109 million, according to the Governor's budget. A major part of this apparent decrease represents an overstatement of anticipated FY 1998 revenues rather than an actual reduction in funding. Federal grants are received by the Divisions of Criminal Justice,

Program Description and Overview

State Police and Highway Traffic Safety and include funding under the Edward Byrne Memorial Formula grant, Federal Emergency Management Assistance, National Highway Traffic Safety Administration/Federal Highway Administration grants and Violence Against Women Act federal funding.

The Governor recommends an increase in capital funding of \$13.6 million for the department, from \$4.1 million in FY 1998 to \$17.7 million in FY 1999. Of the total, \$12.4 million would be used to address preventive repairs, rehabilitation and system replacement needs at Juvenile Justice Commission facilities (JJC). These projects include upgrading heating and cooling, plumbing and electrical systems in the juvenile institutions, water main and sewer installations and upgrades, fire safety projects at various JJC sites and infrastructure improvements for a new 144-bed facility in Bordentown. Recommended funding would also provide for a statewide master plan to assess site, buildings and utility services and identify required facility improvements and program needs, with associated costs. An advisory committee that studied the future of the New Jersey Training School in Monroe Township recommended that it remain open with a reduced population and that another facility to house violent juvenile offenders be built elsewhere, after completion of the master plan.

The remaining amount of recommended capital funding for the department, \$5.3 million, would be used for State Police capital needs. Recommended capital funding would replace emergency generators at patrol stations, provide for the acquisition of a computer aided dispatch/records management system to facilitate the sharing and retrieval of law enforcement information, and replace State Police mobile and portable radios. Funding is also provided for various other preservation projects at State Police facilities.

In summary, the Governor's budget recommendations will provide funding for the Department of Law and Public Safety to continue to fulfill its traditional mission in FY 1999. The budget would also provide the department with responsibility over election management, increased funding for the training of State troopers to cover attrition and funding for data processing enhancements at the Election Law Enforcement Commission. The Juvenile Justice Commission anticipates completing a master plan that will address its long-term needs concerning the housing of juvenile offenders. And public policy will continue to dictate the department's role in implementing Megan's Law, enforcing civil rights and preserving the future of the racing industry.

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Fiscal and Personnel Summary

AGENCY FUNDING BY SOURCE OF FUNDS (\$000)

	Expended FY 1997	Adj. Approp. FY 1998	Recom. FY 1999	Percent Change	
				1997-99	1998-99
<u>General Fund</u>					
Direct State Services	\$331,874	\$309,869	\$316,953	-4.5%	2.3%
Grants - In - Aid	7,182	14,433	14,474	101.5%	0.3%
State Aid	3,075	4,948	3,600	17.1%	-27.2%
Capital Construction	7,332	4,053	17,726	141.8%	337.4%
Debt Service	0	0	0	0.0%	0.0%
Sub-Total	\$349,463	\$333,303	\$352,753	0.9%	5.8%
<u>Property Tax Relief Fund</u>					
Direct State Services	\$0	\$0	\$0	0.0%	0.0%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Sub-Total	\$0	\$0	\$0	0.0%	0.0%
<u>Casino Revenue Fund</u>	\$87	\$92	\$92	5.7%	0.0%
<u>Casino Control Fund</u>	\$29,876	\$32,251	\$32,251	8.0%	0.0%
<u>Gubernatorial Elections Fund</u>	\$6,998	\$10,396	\$0	-100.0%	-100.0%
State Total	\$386,424	\$376,042	\$385,096	-0.3%	2.4%
<u>Federal Funds</u>	\$52,749	\$109,045	\$91,319	73.1%	-16.3%
<u>Other Funds</u>	\$93,081	\$127,428	\$136,858	47.0%	7.4%
Grand Total	\$532,254	\$612,515	\$613,273	15.2%	0.1%

PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

	Actual FY 1997	Revised FY 1998	Funded FY 1999	Percent Change	
				1997-99	1998-99
State	5,764	5,849	5,974	3.6%	2.1%
Federal	148	144	141	-4.7%	-2.1%
All Other	1,371	1,494	1,652	20.5%	10.6%
Total Positions	7,283	7,487	7,767	6.6%	3.8%

FY 1997 and revised FY 1998 personnel data reflect actual payroll counts. FY 1999 data reflect the number of positions funded.

AFFIRMATIVE ACTION DATA

Total Minority Percent	23.6%	23.2%	22.9%	----	----
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 1998</u>	<u>Recom.</u> <u>FY 1999</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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DIRECT STATE SERVICES**LAW ENFORCEMENT**

Personal Services	\$155,262	\$157,062	\$1,800	1.2%	D-215
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This recommended increase would fund a portion of the salaries of an estimated 80 troopers who are expected to graduate from the 118th State Police recruit class in October, 1998. The remainder of their salaries would be funded by attrition savings; an average of 80 troopers retire per year. This increase would be in addition to the recommended \$1.8 million appropriation for the training of the class. Recommended FY 1999 funding would allow the class to graduate six months earlier than would have occurred if the additional funding was not provided.

Services Other Than

Personal	\$4,969	\$5,293	\$324	6.5%	D-215
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This increase would bring FY 1999 funding for services provided by the Office of Telecommunications and Information System (OTIS) to the Division of State Police up to the projected FY 1998 expenditure level.

Maintenance and Fixed

Charges	\$3,768	\$5,268	\$1,500	39.8%	D-215
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This increase is for the Division of State Police's vehicle maintenance account. These funds are used by the division for parts, engine overhauls, towing and wrecker services, windshield and accident repairs and other related repair costs. In FY 1998, the department's second quarter spending plan indicates it intends to transfer approximately \$104,000 from this account to fund security at Drumthwacket, the Governor's mansion, and to reimburse outside counsel for lawsuits brought against the State Police. The department's FY 1999 budget request indicates it is anticipated that the \$1.5 million increase in this account will be available to cover shortfalls in other State Police accounts.

State Police Recruit

Training	\$900	\$1,800	\$900	100.0%	D-215
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This increase would fully fund the 118th State Police recruit class, which is expected to begin training in May, 1998 and graduate 80 troopers in October, 1998. In FY 1998, the division expended the \$900,000 appropriation from this account in addition to \$900,000 of reappropriated monies to fund the expenses of the 117th State Police Class, which graduated in October, 1997. In prior fiscal years, indirect cost recoveries, which the State Police receive from the State authorities to cover costs associated with the provision of police services, had been designated to fund State Police recruit classes. Recommended FY 1999 funding would allow the class to graduate six months earlier than would have occurred if the additional funding was not provided.

Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 1998</u>	<u>Recom.</u> <u>FY 1999</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
N.C.I.C. 2000 Project	\$0	\$2,200	\$2,200	—	D-215

This appropriation is recommended for phase one of a three-phase National Crime Information Center (NCIC) 2000 data processing project. The project would link the State Police, State agencies and local police departments with advanced, computerized law enforcement technology operated by the Federal Bureau of Investigation (FBI). Fiscal 1999 funding would upgrade the entire NCIC system and provide infrastructure to make it compatible with the FBI's NCIC 2000 system by July, 1999. The second and third phases, which would require funding totalling between \$7.8 and \$15.8 million, would reprogram the computer systems of State agencies that currently have NCIC access and also supply 520 municipalities with NCIC 2000 workstations.

SPECIAL LAW ENFORCEMENT

Gubernatorial Public Finance Program	\$630	\$0	(\$630)	(100.0)%	D-220
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This decrease represents the elimination of funding provided in FY 1998 for ensuring compliance with the gubernatorial public finance law. These funds were primarily used in FY 1998 for administrative expenses, including the salaries of temporary employees who review submissions by candidates for State funding and also to ensure conformity with the intent of the public finance law regarding how the money is spent.

Election Law Enforcement Data Processing Enhancements

	\$0	\$1,000	\$1,000	—	D-220
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This new appropriation is recommended for the Election Law Enforcement Commission (ELEC) to develop a computerized system that would allow candidates to file information with ELEC on-line. This appropriation would also allow ELEC to purchase scanning and imaging technology to read candidate reports into its computer system and to create a search engine to allow Internet access to its campaign contribution and filing information.

FEDERAL FUNDS**LAW ENFORCEMENT**

Emergency Services	\$5,772	\$7,152	\$1,380	23.9%	D-215
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The additional federal funds are related to disaster relief prevention and emergency management grants. These grants reflect a trend toward providing federal funding for the prevention and mitigation of disasters rather than solely for disaster assistance. According to the Division of State

Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 1998</u>	<u>Recom.</u> <u>FY 1999</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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Police, New Jersey has had six federally-declared disasters in the past four years compared to none in the five years prior to 1994.

Criminal Justice	\$59,655	\$39,524	(\$20,131)	33.8%	D-215
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Of this decrease, \$7 million reflects the discontinuation of one-time funding from a federal legal settlement that was received by the Victim and Witness Advocacy Program. However, the apparent remaining \$13 million of this decrease is not an actual reduction. The FY 1998 anticipated revenue in this account was overestimated by \$13 million.

Marine Police Operations	\$1,520	\$1,800	\$280	18.4%	D-215
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The recommended funding reflects an estimated increase in federal grants for boating safety. These grants are determined by a formula which includes State funding for boating programs, the number of boaters and the number of boats registered in the State. The funds are used for the purchase of boats and equipment and for boating safety activities.

SPECIAL LAW ENFORCEMENT

Office of Highway Traffic Safety	\$5,407	\$5,633	\$226	4.2%	D-220
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This increase is mainly attributable to this agency's federal Selective Enforcement grant which provides funding for State and local police enforcement activities.

JUVENILE SERVICES

Juvenile Community Programs	\$1,730	\$1,514	(\$216)	(12.5)%	D-224
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This decrease primarily reflects the elimination of federal funding in the department for the Elizabeth and Union Day Care centers and for the Americorps Program.

NEW JERSEY TRAINING SCHOOL FOR BOYS

Education Programs	\$252	\$146	(\$106)	(42.1)%	D-226
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JUVENILE MEDIUM SECURITY CENTER

Education Programs	\$201	\$37	(\$164)	(81.6)%	D-228
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 1998</u>	<u>Recom. FY 1999</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
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The decreases in the two education accounts noted above reflect decreases in federal funding related to educating physically abused juveniles. The Juvenile Justice Commission plans to compensate for these reductions with State funding from the State Facilities Education Act (SFEA).

PROTECTION OF CITIZENS' RIGHTS

Victims of Crime Compensation Board	\$1,600	\$2,200	\$600	37.5%	D-235
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Funding for this account represents an increase in budget authority that will allow the VCCB to spend federal funds carried forward from FY 1998.

ALL OTHER FUNDS

LAW ENFORCEMENT

Patrol Activities and Crime Control	\$49,056	\$50,160	\$1,104	2.3%	D-216
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This recommended appropriation reflects an anticipated increase in reimbursements to the State Police for services provided to the New Jersey Turnpike Authority in FY 1999.

SPECIAL LAW ENFORCEMENT

Regulation of Racing Activities	\$10,525	\$10,922	\$397	3.8%	D-221
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This increase mainly represents revenues the Racing Commission anticipates from thoroughbred breeder award events in FY 1999. Revenues generated by the events are allotted to the Thoroughbred Breeder's Association to increase purses for the events. In FY 1998, the Racing Commission was shifted from General Fund appropriations to off-budget revenues generated from the regulation of the racing industry.

JUVENILE SERVICES

Juvenile Community Programs	\$12,321	\$17,551	\$5,230	42.5%	D-224
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NEW JERSEY TRAINING SCHOOL FOR BOYS

Education Programs	\$5,098	\$5,643	\$545	10.7%	D-226
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 1998</u>	<u>Recom. FY 1999</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
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JUVENILE MEDIUM SECURITY CENTER

Education Programs	\$2,396	\$2,678	\$282	11.8%	D-228
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The increases in the three above accounts reflect anticipated payments from the Department of Education that would support educational programs for juvenile offenders pursuant to The State Facilities Education Act (SFEA), P.L.1979, c. 207. FY 1999 is the first year JJC would be responsible for paying full educational costs of State-sentenced juvenile offenders in county detention centers. It will cost \$6,000 per juvenile at a total incremental cost of \$2.5 million for community programs in the Juvenile Services account. The JJC would also provide 50 percent of the cost of educating county juvenile offenders, \$3,000 per juvenile at a total incremental cost of \$2.7 million in the same account. The increases for the New Jersey Training School and the Juvenile Medium Security Center also represent SFEA funding for additional educational programming. In addition, the JJC will provide technical assistance and monitoring for county detention centers in FY 1999.

PROTECTION OF CITIZENS' RIGHTS

Operation of State Professional Boards	\$7,109	\$9,150	\$2,041	28.7%	D-235
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This increase represents an expected increase in overall expenditures for the State professional boards in FY 1999 due to higher costs as a result of new mandates and increased responsibilities for the operation of the boards, including the licensing of new professions and inflationary adjustments. In FY 1999, the boards are expected to hire approximately 85 additional staff, according to the department. The professional boards are fully self-supported from licensing fees.

GRANTS-IN-AID

JUVENILE SERVICES

Cost of Living Adjustment - Alternatives to Juvenile Incarceration Programs	\$0	\$18	\$18	—	E-29
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Deferred Cost of Living Adjustment - Alternatives to Juvenile Incarceration	\$0	\$23	\$23	—	E-29
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The above increases represent cost of living adjustments for the Alternatives to Juvenile Incarceration programs, where funding is provided primarily for private residential, special educational and psychological treatment services for juvenile offenders.

Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 1998</u>	<u>Recom. FY 1999</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
<u>STATE AID</u>					
LAW ENFORCEMENT					
Cliffside Park--Law and Public Safety	\$300	\$0	(\$300)	(100.0)%	F-15
Little Ferry--Law and Public Safety	\$50	\$0	(\$50)	(100.0)%	F-15
South Hackensack--Law and Public Safety	\$75	\$0	(\$75)	(100.0)%	F-15
Garfield--Law and Public Safety	\$75	\$0	(\$75)	(100.0)%	F-15
Ridgefield--Law and Public Safety	\$75	\$0	(\$75)	(100.0)%	F-15
Paramus--Law and Public Safety	\$100	\$0	(\$100)	(100.0)%	F-15
Penns Grove--Law and Public Safety	\$50	\$0	(\$50)	(100.0)%	F-16
Nutley, Public Safety Personnel and Equipment	\$348	\$0	(\$348)	(100.0)%	F-16
East Rutherford Regional Shooting Range	\$55	\$0	(\$55)	(100.0)%	F-16
Rutherford Regional Shooting Range	\$55	\$0	(\$55)	(100.0)%	F-16
Carlstadt Regional Shooting Range	\$55	\$0	(\$55)	(100.0)%	F-16

Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 1998</u>	<u>Recom. FY 1999</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
Moonachie Regional Shooting Range	\$55	\$0	(\$55)	(100.0)%	F-16
Woodbridge Regional Shooting Range	\$55	\$0	(\$55)	(100.0)%	F-16

The Governor's budget does not recommend FY 1999 funding for the 13 state aid appropriations enumerated above which were added to the FY 1998 Appropriations Act by the Legislature. Total FY 1998 funding for these projects is \$1,348,000.

CAPITAL CONSTRUCTION**LAW ENFORCEMENT**

Boiler Replacements	\$221	\$0	(\$221)	(100.0)%	G-11
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The FY 1998 appropriation was sufficient to complete this project.

Buildings #2 and #6 Renovations	\$0	\$210	\$210	—	G-11
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This appropriation would allow the State Police to continue renovation of these buildings, a project which was begun with a FY 1995 capital appropriation.

Computer Aided Dispatch and Records Management System	\$0	\$2,414	\$2,414	—	G-11
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This new appropriation would fund the first year of a proposed three-year project to allow for the expansion of the Computer Aided Dispatch-Records Management System to include the entire Division of State Police. This system funding would replace obsolete computers with equipment capable of expanding State Police records management to all of its sections.

Critical Repairs/Rehabilitation, Division wide	\$390	\$661	\$271	69.5%	G-11
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This increase would provide for the continuing repair and upgrading of mechanical systems in Division of State Police buildings, including heating, air conditioning, plumbing, electrical and sewer system repairs and improvements.

Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 1998</u>	<u>Recom. FY 1999</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
Emergency Generator Replacements	\$53	\$600	\$547	1032.1%	G-11

This increase would complete the emergency generator replacement project and provide for the purchase and installations of the generators. In the event of a power outage, the emergency generators power State Police transmitting radio equipment. The FY 1998 appropriation was utilized for a design study to specify the generator replacements at seven State Police patrol stations.

Roof Replacement, Various Facilities	\$185	\$382	\$197	106.5%	G-11
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This increase would be part of a continuing project by the Division of State Police to repair and replace the division's roofing systems and bring them under warranty coverage so that operating costs can be reduced. Patrol stations, garages and the records storage area at division headquarters will receive roof repairs and replacements.

Sea Girt Training Center, Plumbing Renovations	\$129	\$0	(\$129)	(100.0)%	G-11
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This FY 1998 appropriation was sufficient to complete this project.

State Police Radio Replacements	\$0	\$1,000	\$1,000	—	G-11
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This recommended new appropriation would support the first year of a three-year project to replace the Division of State Police's mobile and portable radios used in the patrol vehicles and the installation of Marine Facility communication consoles. FY 1999 funding would provide for replacement of one-third of the on-line radios.

JUVENILE SERVICES

Critical Repairs, Juvenile Facilities	\$1,000	\$500	(\$500)	(50.0)%	G-11
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This appropriation would be used to upgrade heating and cooling, plumbing and electrical systems in Juvenile Justice Commission facilities.

Develop Master Plan, Site, Buildings and Utility Systems	\$0	\$378	\$378	—	G-11
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 1998</u>	<u>Recom.</u> <u>FY 1999</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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This new appropriation would provide for the assessment of existing infrastructure and resources at three Juvenile Justice Commission facilities: the Johnstone Training Center, Juvenile Medium Security Facility and New Jersey Training School for Boys. The assessment would address site, buildings and utility services. The master plan would also identify required facility improvements and program needs, with associated costs. A phased implementation program with a seven-year budget schedule would be developed in the plan. An advisory committee that studied the future of the New Jersey Training School in Monroe Township recommended that it remain open with a reduced population and that another facility to house violent juvenile offenders be built elsewhere, after completion of a master plan.

Electrical Service Upgrade - NJTSB	\$0	\$2,380	\$2,380	—	G-11
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This new appropriation would upgrade the underground electrical distribution system at the New Jersey Training School for Boys in Jamesburg. The existing distribution system is in poor condition, according to the Juvenile Justice Commission (JJC), and cannot meet future electrical demand at the facility.

Facility Renovations, Juvenile Residential Centers	\$0	\$500	\$500	—	G-12
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This new appropriation would fund critical repairs and replacements necessary at various juvenile group centers, including improvements necessary for compliance with the American Disabilities Act (ADA).

Fire, Health and Safety Projects, Various Sites	\$1,500	\$1,000	(\$500)	(33.3)%	G-12
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This appropriation would fund improvements and repairs necessary for fire safety code compliance at Juvenile Justice Commission (JJC) facilities. Projects include sprinkler systems, emergency doors and fire alarm systems.

Infrastructure Improvement for 144 Bed Facility, Bordentown	\$0	\$3,586	\$3,586	—	G-12
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This new appropriation would allow the upgrading of site utilities, including electrical heating distribution systems, and provide for site preparation, geotechnical analysis and environmental evaluation during the design and construction phases of a new 144-bed facility, which would house juveniles relocated from the New Jersey Training School for Boys in Jamesburg to the Juvenile Medium Security Facility in Bordentown.

Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 1998</u>	<u>Recom.</u> <u>FY 1999</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
Install Video Monitoring System, Statewide	\$0	\$250	\$250	—	G-12

This new appropriation would be used for the purchase and installation of equipment for a camera and video/audio tape recorder system to monitor juveniles inside secure areas. The system would include cameras, condenser microphones, pre-amp mix, a video cassette recorder and monitors.

NJTSB Stabilization Repairs	—	\$2,325	\$2,325	—	G-12
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This new appropriation would be used for improvements to ensure compliance with code requirements at the New Jersey Training School for Boys, including electrical, heating and septic system improvements and repairs.

Replace Windows and HVAC, Bordentown	\$0	\$540	\$540	—	G-12
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This appropriation would fund the replacement and repair of windows at the Juvenile Justice Commission's (JJC) Bordentown campus and the installation of a new heating and ventilation system.

Upgrade Telecommunication System, Statewide	\$0	\$500	\$500	—	G-12
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This new appropriation would fund the replacement of an existing telephone system which, according to the Juvenile Justice Commission, is over 20 years old and does not have the capacity to handle the North America Area Code system. The project would include installation of an underground cable system and fiber optical feeds.

GUBERNATORIAL ELECTIONS FUND

Election Law Enforcement	\$10,396	\$0	(\$10,396)	(100.0)%	I-22
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No funding is recommended for the Gubernatorial Elections Fund in FY 1999 since funding is required only during a gubernatorial primary or election year. In FY 1998, the fund provided partial public financing to qualified candidates for Governor.

Language Provisions

1998 Appropriations Handbook

p. B-143

The unexpended balance as of June 30, 1997 in the Noncriminal Record Checks account, together with any receipts in excess of the amount anticipated, is appropriated to defray the costs of this activity and for the purchase and equipping of new or replacement State Police vehicles, subject to the approval of the Director of the Division of Budget and Accounting.

1999 Budget Recommendations

p. D-217

The unexpended balance as of June 30, 1998 in the Noncriminal Record Checks account, together with any receipts in excess of the amount anticipated, is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

This language is omitted because the Governor's budget recommends funding for a new Fleet Renewal Management Program in the Department of Treasury that, together with funding available in the State Police budget to purchase vehicles, is expected to be sufficient to fund the purchase of new State Police vehicles. P.L.1994, c.60 doubled the fees for conducting noncriminal record checks and dedicated the additional receipts for the purchase and equipping of State Police vehicles.

1998 Appropriations Handbook

p. B-144

The unexpended balance as of June 30, 1997 in the State Police Recruit Training account is appropriated for the same purposes, subject to the approval of the Director of the Division of Budget and Accounting.

1999 Budget Recommendations

No comparable language.

Explanation

This language was used to carry forward the balance of the State Police Recruit Training account appropriated in FY 1997 into FY 1998 to fund the continuing expenses of the 117th State Police recruit class, which graduated in October, 1997. The Governor's budget recommends \$1.8 million in funding for the State Police Recruit Training account in FY 1999 (page D-215), which is expected to be sufficient to fund the training of the 118th State Police recruit class.

Language Provisions

1998 Appropriations Handbook

p. B-146

From the receipts derived from uncashed pari-mutuel winning tickets, the regulation, supervision, licensing, and enforcement of all New Jersey Racing Commission activities and functions and any unexpended balance as of June 30, 1997, such sums as may be required are appropriated for the purpose of offsetting the costs of the administration and operation of the New Jersey Racing Commission, subject to the approval of the Director of the Division of Budget and Accounting.

1999 Budget Recommendations

p. D-221

From the receipts derived from uncashed pari-mutuel winning tickets, the regulation, supervision, licensing, and enforcement of all New Jersey Racing Commission activities and functions, such sums as may be required are appropriated for the purpose of offsetting the costs of the administration and operation of the New Jersey Racing Commission, subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

This language is omitted because no carry forward balances are anticipated in FY 1999, according to the department. P.L.1997, c.29 appropriated a portion of Casino Simulcasting Special Fund monies for the New Jersey Racing Commission in FY 1997 to provide for the commission's operation until the end of the fiscal year. The FY 1998 language authorized the commission to carry forward the unexpended balance of the monies received from the Casino Simulcasting Special Fund to offset costs associated with administering the commission.

1998 Appropriations Handbook

p. B-146

Of the receipts derived from the regulation, supervision, and licensing of all State Athletic Control Board activities and functions and the unexpended balance as of June 30, 1997, an amount is appropriated for the purpose of offsetting the costs of the administration and operation of the State Athletic Control Board, subject to the approval of the Director of the Division of Budget and Accounting.

1999 Budget Recommendations

p. D-221

Of the receipts derived from the regulation, supervision, and licensing of all State Athletic Control Board activities and functions, an amount is appropriated for the purpose of offsetting the costs of the administration and operation of the State Athletic Control Board, subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

Since FY 1996, the State Athletic Control Board (SACB), which regulates the combative sports industry, has been supported off-budget by athletic control board receipts which are dedicated for the administration of the board. This language was omitted because a recommended General Fund Provision (page I-23) provides for the appropriation of unexpended balances of dedicated funds, according to the Office of Management and Budget.

Language Provisions

1998 Appropriations Handbook

p. B-184

Receipts derived from the examination of voting machines by the Secretary of State and the unexpended balance as of June 30, 1997 of those receipts are appropriated for the costs of making such examinations.

1999 Budget Recommendations

p. D-221

Receipts derived from the examination of voting machines by Election Management and Coordination and the unexpended balance as of June 30, 1998 of those receipts are appropriated for the costs of making such examinations.

Explanation

The Governor's budget recommends the transfer of the Division of Elections in the Department of State to the Department of Law and Public Safety, where it would be renamed Election Management and Coordination. The division would ensure that the State remains in compliance with the reporting requirements of the National Voter Registration Act of 1993, including the examination of voting machines. This language change reflects this recommended organizational change.

1998 Appropriations Handbook

p. B-184

The unexpended balance as of June 30, 1997 in the National Voter Registration--Act Implementation account is appropriated for the same purpose.

1999 Budget Recommendations

No comparable language.

Explanation

This language is omitted because the funding available in the National Voter Registration Act (NVRA) Implementation account was almost entirely expended in FY 1997. State funding of \$4 million was appropriated in FY 1995 to help the State meet the implementation schedule of the NVRA. The Division of Elections in the Department of State used this funding to coordinate State agencies in the registration solicitation process, to develop training programs in the State agencies participating in the program and to develop a statewide database system linking all 21 counties with the division. The Governor's budget recommends the Division of Elections be transferred to the Department of Law and Public Safety and renamed Election Management and Coordination.

Language Provisions

1998 Appropriations Handbook

1999 Budget Recommendations

p. B-148

The unexpended balance as of June 30, 1997 in the Juvenile Justice Initiatives account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

No comparable language.

Explanation

This language is omitted because no carry forward balances are anticipated in FY 1999. Prior to FY 1999, funds in the Juvenile Justice Initiatives account were used for services related to juvenile sex offenders and the aftercare program for paroled juvenile offenders. The FY 1999 recommended Juvenile Justice Initiatives appropriation would be used for services related to juvenile sex offenders.



1998 Appropriations Handbook

1999 Budget Recommendations

p. B-154

In addition to the \$27,087,000 attributable to Reimbursements from Other Sources and the corresponding additional amount associated with employee fringe benefit costs, there are appropriated such sums as may be received or receivable from any State agency, instrumentality or public authority for direct or indirect costs of legal services furnished thereto and attributable to a change in or the addition of a client agency agreement, subject to the approval of the Director of the Division of Budget and Accounting.

p. D-231

The same language except that the amount of Reimbursements from Other Sources is increased to \$32,166,000.

Explanation

The Division of Law derives a significant portion of its operating support from reimbursements it receives for services provided to other State agencies. The Governor's budget (page D-231) estimates these reimbursements at \$32,166,000 in FY 1999. In FY 1997, division expenditures that were reimbursed from other agencies totaled \$33,131,000.

Language Provisions

1998 Appropriations Handbook

p. B-169

Receipts derived from assessments under section 2 of P.L.1979, c. 396 (C.2C:43-3.1) in excess of the amount anticipated and the unexpended balance as of June 30, 1996 are appropriated for payment of claims of victims of violent crimes pursuant to P.L.1971, c. 317 (C.52:4B-1 et. seq.) and additional board operating costs up to \$1,250,000, subject to the approval of the Director of the Division of Budget and Accounting.

1999 Budget Recommendations

p. D-236

The same language except the amount of penalty receipts which may be used by the Victims of Crime Compensation Board (VCCB) for operating costs is reduced to \$1,100,000.

Explanation

This reduction reflects the amount of one-time funding necessary in FY 1998 for the Victims of Crime Compensation Board (VCCB) for improvements in office automation, including upgrading its computer network, purchasing software and charges for services provided by the Office of Telecommunications and Information System (OTIS). In addition, the FY 1999 recommended language continues to appropriate excess receipts and to carry forward the balance of those receipts remaining at the end of FY 1998 to pay claims to victims of violent crimes.

1998 Appropriations Handbook

p. C-27

A portion of the total amount appropriated in the Purchase of Services for Juvenile Offenders account is available for costs of additional State facilities for juvenile offender and other programs to provide services for juvenile offenders, as determined to be appropriate by the Juvenile Justice Commission, subject to the approval of the Director of the Division of Budget and Accounting. The commission shall conduct a study of the feasibility of closing the New Jersey Training School for Boys in Monroe Township and present its findings and conclusions to the Legislature not later than December 31, 1997.

1999 Budget Recommendations

p. E-30

A portion of the total amount appropriated in the Purchase of Services for Juvenile Offenders account is available for costs of additional State facilities for juvenile offender and other programs to provide services for juvenile offenders, as determined to be appropriate by the Juvenile Justice Commission, subject to the approval of the Director of the Division of Budget and Accounting.

Language Provisions

Explanation

The underlined language in FY 1998 is omitted as the Advisory Committee to Study the Future of the New Jersey Training School for Boys in Monroe Township submitted its report to the Juvenile Justice Commission in December, 1997.

1998 Appropriations Handbook

1999 Budget Recommendations

p. C-27

Of the amount hereinabove for Purchase of Services for Juvenile Offenders, an amount not to exceed \$50,000 shall be allocated for the establishment of an historic monument and museum for the alumni association of the Edward R. Johnstone Training and Research Center.

No comparable language.

Explanation

This language, added to the FY 1998 Appropriations Act by the Legislature, is omitted because the funding for a historic monument and museum for the Juvenile Justice Commission's (JJC) Johnstone campus was a one-time expense in FY 1998. However, according to the department, the JJC has not established the monument or museum to date.

Discussion Points

1. The Governor's budget recommends \$2.7 million for the training and salaries of the 118th State Police Class, which is expected to graduate approximately 80 troopers in October, 1998. In prior fiscal years, indirect cost recoveries which the State Police receive from the State authorities to cover administrative costs associated with the provision of police services had been designated to fund State Police recruit classes. The 118th class is not expected to increase the overall trooper complement because an average of 80 troopers retire per year, according to the Office of Management and Budget. State Police Superintendent Carl Williams has been quoted as saying the State Police are presently short 100 to 120 troopers for highway patrol and that he may not have sufficient troopers to fully enforce P.L. 1997, c.415, which increases the speed limit to 65 mph on 400 miles of State highways. According to news reports, the National Highway Traffic Safety Administration estimated that traffic deaths increased nine percent on interstate highways in the 32 states that increased speed limits in 1996.

! *Questions:* Will the State Police have adequate manpower to fully enforce the 65 mph speed limit and to carry out its mandated responsibilities in FY 1999? Please provide details on any additional resources that will be deployed on speed limit enforcement or the aggressive driver program. How is the division planning to use indirect cost recoveries from the State authorities?

2. The Governor's budget recommends funding for a new \$15 million Fleet Renewal Management Program in the Department of Treasury, \$14 million of which would allow for the lease or purchase of 1,200 State vehicles. The Budget in Brief indicates that the program will allocate \$8.1 million to the Division of State Police. The budget also recommends an appropriation of \$5.4 million in the State Police budget to purchase vehicles, the same amount appropriated in fiscal 1998. The combined appropriation level of \$13.5 million would allow the State Police to purchase approximately 550 new vehicles.

! *Questions:* Please describe the Fleet Renewal Management Program and how the acquisition of State Police vehicles under this program will differ from the traditional purchasing process. What is the current size of the State Police vehicle fleet and how many of these vehicles have traveled 100,000 miles? What is the approximate cost of a completely equipped State Police car?

3. The Governor's budget recommends approximately \$1 million for the State Police to conduct noncriminal record checks, the same level as FY 1998. Budget language (page D-217) would also appropriate receipts exceeding the anticipated \$1 million (page C-11) and unexpended balances. However, the recommended language omits a FY 1998 provision that also appropriates these funds for the administration of the program and for the purchase and equipping of State Police vehicles as authorized by the provisions of P.L.1994, c.60. That law also doubled fees for criminal records checks. In FY 1997, \$450,000 from this account was lapsed to the General Fund.

! *Questions:* How much revenue is projected from noncriminal record checks in FY 1998? What is the projected cost of operating this program for FY 1998? Please provide information detailing the use of Noncriminal Record Checks revenues since FY 1994. How much money will be spent for State Police vehicles and how much is projected to lapse to the General Fund in FY 1998? Please provide a budget of the costs necessary to administer the Noncriminal Record Checks program in FY 1999. Why is language to ensure compliance with P.L.1994, c.60 not recommended in the FY 1999 budget?

Discussion Points

4. An appropriation of \$2.2 million is recommended for phase one of a three-phase National Crime Information Center (NCIC) 2000 data processing project. The project would link the State Police, State agencies and local police departments with advanced, computerized law enforcement technology operated by the Federal Bureau of Investigation (FBI). Fiscal 1999 funding would upgrade the entire NCIC system and provide infrastructure to make it compatible with the FBI's NCIC 2000 system by July, 1999. The second and third phases, which would require funding totalling between \$7.8 and \$15.8 million, would reprogram the computer systems of State agencies that currently have NCIC access and also supply 520 municipalities with NCIC 2000 workstations.

! *Questions:* Please describe the key features of the NCIC project and any economic or other benefits the State and local governments may expect from it. Will federal funding also be provided for this project in each three phases? What will be the status of the NCIC project if continuation funding is not appropriated in FY 2000? Will municipalities be responsible for purchasing their own data processing equipment? Please specify the State agencies and municipalities that presently have access to NCIC and are expected to qualify for upgraded technology in phases two and three of the project.

5. Evaluation data in the Governor's budget (page D-212) estimates that approximately 93,000 commercial vehicles will be weighed by the State Police in FY 1999, a 24 percent increase over the revised FY 1998 total of 75,150 and a 387 percent increase above the FY 1997 total of 19,095. The data also projects increases greater than 25 percent in FY 1999 in the number of summonses issued for overweight vehicles and commercial vehicles taken out of service. However, position data (page D-214) show no increase in FY 1999 positions for State Police patrol activities. Recommended budget language (page D-217) would appropriate receipts in the Commercial Vehicle Enforcement Fund to offset expenses associated with performing commercial truck safety and emission inspections.

! *Questions:* Please explain the efforts that will be undertaken by the State Police to achieve the increased commercial vehicle enforcement indicated by these estimates. Will this increase be achieved without increasing the number of troopers on road patrol?

6. P.L.1996, c.114 requires the Office of Victim-Witness Advocacy in the Division of Criminal Justice to establish standard protocols for the provision of information and services to victims of sexual assault and to make these protocols available to victims upon request. As of October, 1997, the division was working with the Office of Victim-Witness Advocacy in developing protocols for victims of sexual assault. In order to qualify for a \$50,000 grant under the Violence Against Women Act (VAWA), the office was required to establish the protocols by a federal deadline of December 31, 1997.

! *Questions:* Were the statewide sexual assault protocols completed on time? Does the FY 1999 budget anticipate the receipt of this federal grant?

7. According to the Division of Highway Traffic Safety, traffic fatalities have declined from 809 in 1996 to 782 in 1997. The Attorney General has attributed this decrease, in part, to the success of the "Aggressive Driver-Aggressive Enforcement" program in which six counties participated through a \$450,000 grant from the National Highway Traffic Safety Administration. This program involved increased patrolling and the use of a telephone hotline to report aggressive drivers to the police. The program was discontinued in December, 1997 due to a lack of federal funding.

Discussion Points

! *Questions:* Is any statistical information available to indicate the success of this program? If federal funding is unavailable, should the State provide funding to continue this program? Should this program be expanded to other counties?

8. The Governor's FY 1999 budget recommends an appropriation of \$2,982,000 for the Election Law Enforcement Commission (ELEC). This amount includes a new appropriation of \$1 million "to make all campaign finance reports available on-line," according to the Governor in her FY 1999 Budget Message. In recently published remarks relating to the recommended \$1 million appropriation, ELEC officials stated that they hope to have reports filed for the 1999 legislative races available on-line before election day and then for the gubernatorial elections in 2001. To help accomplish this, an additional \$500,000 was provided in the FY 1998 Appropriations Act to purchase computer scanning and imaging equipment and to hire eight additional employees, three of whom will be directly involved in making campaign finance reports available electronically. In addition, ELEC is reportedly planning to permit, then eventually require, candidates and committees to file their campaign finance information electronically.

! *Questions:* What must ELEC do, in terms of upgrading computer software and hardware, to carry out the Governor's directive to make campaign finance reports available on-line? Has ELEC identified and estimated the annual cost of the technology and personnel it will need to keep such campaign finance information updated or of extending electronic disclosure to include all public elections?

9. An advisory committee that studied the future of the New Jersey Training School in Monroe Township recommended that it remain open with a reduced population and that another facility to house violent juvenile offenders be built elsewhere, after completion of a master plan. The Governor's budget recommends capital funding of \$378,000 for the development of a statewide master plan for the Juvenile Justice Commission (JJC). Capital funding of \$3.6 million is also recommended for a new 144-bed secure juvenile facility at Bordentown.

! *Questions:* Please provide information on the cost and objective of the statewide master plan. When would the proposed plan be completed? Would the proposed 144-bed facility in Bordentown significantly reduce projected overcrowding at JJC sites?

10. In December, 1997, the New Jersey Supreme Court ruled that the Juvenile Justice Commission (JJC) must comply with its own administrative rule (N.J.A.C. 10:19-4.2), which limited the number of days State-sentenced juvenile offenders could be detained in county facilities following the final disposition of their cases. In January, the JJC amended this rule on an emergency basis to extend the deadline for the removal of State-sentenced juveniles from three days to 45 days, while providing a per diem rate to counties of \$58.50 for State-sentenced juveniles detained in a county facility after 15 days. According to the department, these payments, if necessary, would come from a grants-in-aid account for Juvenile Community Programs that is recommended to be funded at \$14.21 million, roughly a \$40,000 increase from the FY 1998 level.

! *Questions:* How many State-sentenced juveniles are presently being detained at county facilities? Does the recommended \$40,000 increase in Juvenile Community Programs represent funding for county per diem payments? How many days of per diem payments are projected in FY 1998? How will the JJC reimburse counties if payments exceed the amount available in the Juvenile Community Programs account?

Discussion Points

11. P.L. 1995, c.330 established a boot camp for juvenile offenders under supervision of the Juvenile Justice Commission (JJC). The Governor's budget recommends an appropriation of \$3.9 million for the operation of the boot camp, the same level as in FY 1998. P.L.1995, c.330 required the JJC to submit a written report to the Legislature and the Governor by February, 1998, describing the implementation and operation of the boot camp, including any recommendations for changes to improve the program.

! *Questions:* What is the status of the boot camp evaluation? Does the department anticipate that the evaluation will suggest changes in FY 1999 funding levels? How many offenders have completed the boot camp to date? How many have failed to complete the program or have been arrested for offenses after completing the program? Please compare the experience of the boot camp in terms of recidivism and cost with that of traditional JJC programs.

12. The Governor recommends that the Juvenile Justice Commission (JJC) receive a total of \$12.5 million in FY 1999 capital funding. Of this amount, \$1 million would be provided for fire, health and safety projects at various JJC facilities. In FY 1998, the JJC received a \$1.5 million capital appropriation for fire safety projects. However, the JJC "reprioritized" its capital appropriations and balances in FY 1998 and identified fire safety funding appropriated in FY 1998 as being available for other capital projects.

! *Questions:* Will the fire safety needs for which \$1.5 million was appropriated in FY 1998 be met? If the recommended \$1 million is appropriated for fire, health and safety projects in FY 1999, what is the time table for committing the funds for the various projects?

13. The Governor's budget includes \$4 million to hire and train 60 correctional officers, who would be assigned to two Juvenile Justice Commission (JJC) facilities and nine senior youth workers for community residential programs. However, this amount does not represent an increase over the JJC's FY 1998 adjusted appropriation because it is offset by a proposed \$4 million FY 1998 supplemental appropriation recommended to fund overtime costs resulting from increases in correctional officer posts due to public safety concerns and community programs staffing.

! *Questions:* How many of the 60 correctional officers hired, if any, are expected to be transfers from the Department of Corrections? Including the pending supplemental of \$4 million for overtime in the current year, what amounts are budgeted for overtime coverage in FY 1998? In FY 1999? Will a supplemental appropriation be necessary for JJC overtime in FY 1999 and, if so, what amount will be needed?

14. The Victims of Crime Compensation Board (VCCB), an agency in but not of the department, provides compensation to victims or their dependents for personal injury or death resulting from violent crimes. Budget language (page D-236) would allow the VCCB to retain any criminal penalty receipts in excess of the amount anticipated in the General Fund for victim awards and an amount not to exceed \$1.1 million for program administration. The Governor's budget anticipates an increase in VCCB General Fund revenues in FY 1999 of \$280,000, from \$3,500,000 to \$3,780,000 (page C-11). However, P.L.1997, c.396 places a 10 percent surcharge on commissary sales in State and county correctional facilities to be deposited in a VCCB account. The fiscal estimate for Senate Bill 2082 (SCS), now P.L.1997, c.396, projects the VCCB could receive \$1 million per year under the provisions of this law.

Discussion Points

! *Questions:* What impact will the increase in the General Fund's share of VCCB penalty revenues have on crime victim compensation grants? How much additional revenues from the surcharge on commissary sales be available to the VCCB? In what VCCB account will the additional funds be deposited? What portion of the additional funds will be used for program administration?

15. In June 1997, the attorneys general of 40 states, including New Jersey, reached a proposed \$368 billion settlement with the tobacco industry to be paid over 25 years as compensation for medical costs paid in connection with smoking related illnesses. Since July, 1997, the states of Mississippi, Florida and Texas have negotiated their own settlements with the industry for \$3.4 billion, \$11.3 billion and \$15.3 billion, respectively. In February, the Texas Attorney General and Legislature reached an agreement to allow most of the tobacco proceeds to be deposited in that State's General Fund, including \$880 million for Texas' current fiscal year. Texas reached a settlement less than 22 months after initially bringing action. New Jersey brought action against the tobacco industry in April, 1996, and the case has been assigned to a Superior Court judge in Middlesex County.

! *Questions:* What is the current status of New Jersey's action against the tobacco industry? How much money is the State seeking from the industry? What have been the costs and attorneys' fees that the Office of Attorney General has experienced related to this litigation to date? How will the State pay for the expenses of private counsel used by the State?

16. A State audit of the Division of State Police found that fees collected by the State Police for private detective and firearms licenses totalled \$500,000 per fiscal year, compared to a \$1.2 million cost to administer these licensing programs. The audit noted that fees for these two licensing functions were last adjusted in 1971 and 1966, respectively, and recommended the department "initiate legislative action" to increase these fees.

! *Questions:* Please enumerate any other fee-based programs administered by the department which fail to generate sufficient revenues to defray administrative costs. Does the department plan to request legislation increasing private detective license and firearms fees?

17. Currently the State Police furnish police protection to approximately 76 municipalities which do not have a municipal police force. During the FY 1997 budget review process, the department indicated that a computer aided dispatch system was being implemented that would give the Division of State Police the capability to assess a series of specific workload indicators for each municipality covered by the State Police in FY 1997.

! *Questions:* Is this dispatch system operational? If so, can the division estimate the individual cost of providing police services to the each of the 76 municipalities? Please provide a current list of municipalities receiving State Police services and the cost, by municipality, of providing this service.

Background Paper: The Safe and Secure Communities Program

Budget Pages.... D-216, F-15

Background of Safe & Secure

The Governor's budget recommends a state aid appropriation of \$3.6 million in FY 1999 for the Safe and Secure Communities program, the same amount provided in FY 1998. The program was created pursuant to P.L.1993, c.220 to provide funding to municipalities with crime rates exceeding 70 percent of the statewide average for salaries of police officers and other law enforcement personnel engaged in community policing activities and for law enforcement equipment. The act provides that eligible municipalities may receive a grant of up to \$200,000 for salaries and up to \$50,000 for equipment.

In 1994, the Department of Law and Public Safety evaluated and ranked grant applications submitted by municipalities and forwarded recommendations to the Safe and Secure Communities Selection Panel that selected 371 eligible grant recipients based on factors including their ability to provide policing in a community-oriented manner through an emphasis on the use of foot patrols, interaction between police and residents and community participation in crime prevention. In FY 1994, 168 municipal police departments received personnel grants, 184 received equipment grants and eight major cities received both personnel and equipment grants. Eleven municipalities that were eligible to receive personnel grants declined them. A total of 371 officers were hired. Unlike the personnel grants, the equipment grants were awarded only once and were not renewed.

Other significant features of the program:

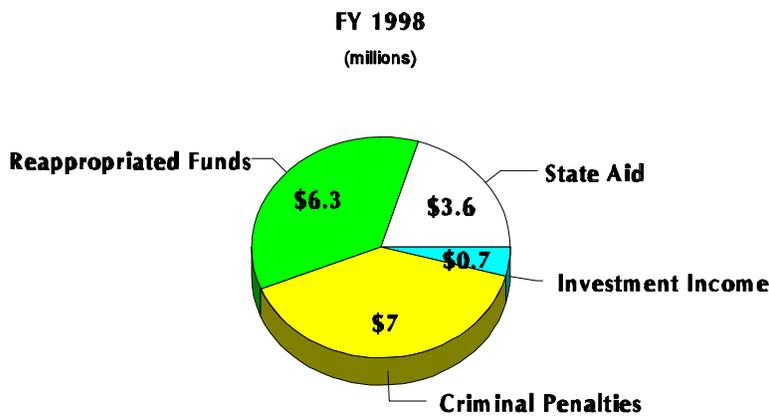
- Although the findings and declaration clause of the act maintained that the Safe and Secure Communities Program would combine "State, federal and local resources to rapidly place 2,000 additional police officers in communities throughout the State," grants were initially awarded to support and equip 371 police officers during the first year of the program (FY 1994) due to a lack of sufficient funding;
- The program presently provides funding to 170 municipalities for the salaries of 356 police officers and 17 non-police personnel, such as dispatchers, secretaries and civilians engaged in community policing activities;
- To help offset program costs, the act imposes an additional penalty on certain crimes and offenses and establishes the "Safe Neighborhoods Services Fund" as the repository of the penalties, State appropriations and other monies provided to carry out the purposes of the act;
- Municipalities that participate in the program are responsible for paying the full cost of the fringe benefits of personnel hired as a match for their State grants;
- Although the act envisioned that available federal funds would be combined with State funding, grants awarded under the Safe and Secure Program do not include federal funding. The Community Oriented Policing Services (COPS) program and the Local Law Enforcement Block Grants under the Department of Justice are the main sources of federal funding available for local police hiring;
- Since 1995, Safe and Secure grants to municipalities have been made only for salaries and

Background Paper: The Safe and Secure Communities Program

not for the purchase of law enforcement equipment, as permitted by the act;

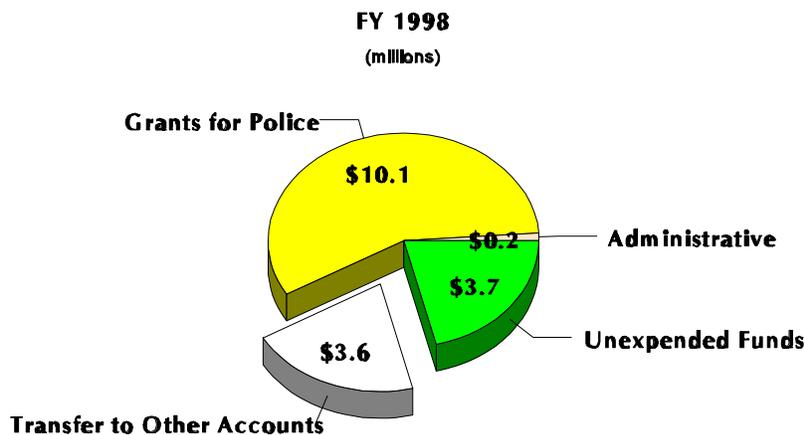
- Since FY 1994, 17 municipalities that were initially eligible to receive personnel grants no longer participate in the program, including 11 municipalities that were eligible but opted not to accept the grants from the start of the program. Certain municipalities have declined grants due to their inability to pay police officers' fringe benefit costs. While the act does not prohibit municipalities that drop out of the program from re-applying for active status again, no municipality that has dropped out to date has re-entered the program, according to the department;
- The act expressly limits continuation grants to the municipalities that were originally eligible to receive grants during the first two fiscal years of the program. Therefore, only the 371 municipalities that were eligible for grants in fiscal years 1994 and 1995 are eligible to receive grants today.

Where does Safe and Secure funding come from?



In FY 1998, an estimated \$17.6 million is available to the program. This amount includes an appropriation of \$3.6 million, \$6.3 million in reappropriated funds and \$7.7 million in criminal penalty receipts and investment income. Estimated FY 1998 program expenditures for grant commitments and administrative costs are \$10.3 million. Thus a surplus of \$7.3 million is projected for the program's fund.

Where does Safe and Secure funding go?



Since criminal penalty receipts together with the appropriations provided have exceeded the amount needed to fund grants and to administer the program, excess Safe and Secure funds are anticipated to be used for other purposes by being transferred to other accounts in FY 1998.

Background Paper: The Safe and Secure Communities Program

FY 1998 and recommended FY 1999 Appropriations Act language provides that, notwithstanding the provisions of the act, the \$3.6 million Safe and Secure Community State Aid appropriation may be used "for police officers and other law enforcement personnel salaries." (Appropriations Handbook, page B-143; Budget page D-216). Based on this provision, the department's second quarter spending plan indicates a planned transfer of \$600,000 of the Safe and Secure appropriation to expand a Statewide organized crime initiative of the Division of Criminal Justice, on the basis that personnel of this program are law enforcement personnel.

Additional FY 1998 and recommended FY 1999 language authorizes the department to appropriate excess receipts of up to \$3,000,000 from "licenses, permits, fines, penalties, and fees collected" for criminal Justice purposes. (Appropriations Handbook, page B-144; Budget page D-217). Based on this provision, the department's second quarter spending plan also indicates the transfer of excess receipts of \$3 million from the Safe and Secure Program to the Division of Criminal Justice to cover salary deficits.

Summary

The program established by the Safe and Secure Communities Act received insufficient funding in its initial years to provide the number of local police officers originally envisioned. In recent years, program resources have grown, mainly a result of an increase in dedicated penalty revenues. However, the language of the act that limits continuation grants to the municipalities that were originally eligible to receive grants has prevented any appreciable expansion of the program. Consequently, the department, with legislative approval, has sought to redirect a portion of the program's funding to uses not specifically related to promoting community policing, the purpose of the act. A number of options that might be considered include (1) amending the law or providing Appropriations Act language to expand support for community policing at the local level or (2) reducing available funding for the program to the current level of expenditure.

Background Paper: State-Sentenced, County-Detained Juvenile Offenders

Budget Pages.... E-29 to E-30

In December, 1997, the New Jersey Supreme Court ruled that the Juvenile Justice Commission (JJC) must comply with its own administrative rule (N.J.A.C. 10:19-4.2), which limited to three the number of days State-sentenced juvenile offenders could be detained in county facilities. The ruling came in a case against the JJC brought by Camden and Hudson Counties, where the facilities were not being reimbursed for detaining State-sentenced juveniles and incidents between them and county detainees were occurring.

The JJC responded in February to the court decision by amending the rule on an emergency basis to extend the deadline for the removal of State-sentenced juveniles from three days to 45 days, while providing for a per diem payment to counties of \$58.50 after 15 days. The JJC adopted the rule permanently in April. The Department of Corrections (DOC), which operated the State's juvenile correctional facilities prior to the formation of the JJC in 1995, had paid the counties at a per diem rate for State-sentenced juveniles after the third day. However, the JJC had not been providing this reimbursement.

The New Jersey Juvenile Detention Association and certain county detention centers have expressed dissatisfaction with the new rule. These centers maintain that State-sentenced offenders place a disproportionate financial burden on them that is not sufficiently offset by a \$58.50 per diem rate, the same amount that the State reimburses counties for housing State-sentenced adult prisoners. They assert that it costs more to detain juvenile offenders than adult prisoners because of regulatory requirements concerning supervision and other services. In addition, the housing of State-sentenced juveniles, typically guilty of violent offenses, with nonviolent offenders has led to assaults and other problems at the county detention centers.

At the time the emergency rule became effective, 92 State-sentenced juveniles were housed in county detention centers. However, in February and March, the average stay of a State-sentenced juvenile statewide was 15 days, according to the JJC. The Governor's recommended FY 1999 budget contains no specific funding for reimbursement to the counties for housing these juveniles. According to the department, reimbursements would come from a grants-in-aid account for the Purchase of Services for Juvenile Offenders (page E-29). A FY 1999 appropriation of \$1.3 million is recommended for this account, the same level as FY 1998. Recommended budget language (page E-30) would authorize the use of these funds for JJC facilities and other programs to provide services for juvenile offenders (page E-30).

Whether this appropriation will be sufficient will depend on the number of days of per diem reimbursements which will be required under the new JJC administrative rule and the other purposes for which the funds in this account will be used. In FY 1998, approximately \$300,000 of these funds were used for the purchase of beds and for educational services for the Straight and Narrow program, a transitional living center for juveniles based in Newark. The remaining funds are expected to lapse to the general fund, according to the department, even though FY 1998 Appropriations Act language authorizes the use of these funds for JJC facilities and other programs, similar to the FY 1999 recommended language noted above. The committee may wish to discuss with the JJC the estimate of projected per diem reimbursements by county in FY 1999, projected expenditures from the Purchase of Services for Juvenile Offenders account in FY 1999 and an explanation of why a balance of \$1 million of the \$1.3 million appropriation is held in budget authority reserve, and presumably will lapse from this account in FY 1998.

Background Paper: Juvenile Justice Commission Capital Needs

Budget Pages.... D-221 to D-228, G-11 to G-12

In December, an advisory committee established by the Governor recommended that the New Jersey Training School in Monroe Township (NJTSB) remain open but that its population be reduced and that the Juvenile Justice Commission (JJC) build another facility to house violent juveniles elsewhere, after completion of a master plan. The committee was appointed in response to public safety concerns expressed by local residents and legislators after escapes from the crowded facility, the JJC's largest.

A report by the National Council on Crime and Delinquency prepared for the advisory committee also projected the growth in the population requiring JJC services. The report estimated that by 2007, the number of juvenile offenders placed under JJC custody, which includes committed juveniles and juveniles on probation, will increase 13 percent, from an estimated 2,400 in 1997 to 2,712 in 2007, an average annual increase of 1.23%. Recent experience suggests this estimate may be conservative. From 1995 to 1996, the number of juvenile commitments increased by 3.3%, from 1,496 to 1,545, according to the Department of Law and Public Safety.

Population increases of the magnitude projected could exacerbate present overcrowding at JJC facilities. As the table below indicates, most facilities are operating at or above their capacity levels:

	FY 97 Actual	FY 98 Revised	FY 99 Budget Estimate
SECURE JUVENILE FACILITIES:			
Training School for Boys-Jamesburg			
Design Capacity	404	404	404
Average daily population	470	486	486
Juvenile Medium Security Center			
Design Capacity	112	128	128
Average daily population	110	131	131
Female program-Johnstone			
Design Capacity	16	35	35
Average daily population	15	23	23
NON-SECURE JUVENILE FACILITIES:			
Boot Camp			
Design Capacity	84	84	84
Average daily population	69	89	89
Juvenile Community Programs			
Design Capacity	680	692	692
Average daily population	775	700	700

To address public safety concerns and overcrowding at NJTSB and other JJC facilities, the advisory committee recommended that a new juvenile secure-care facility be constructed, outside of Monroe Township. The committee estimated that construction of a new, 550-bed facility in a

Background Paper: Juvenile Justice Commission Capital Needs

new location would cost \$63 million, exclusive of land. It noted that parcels of State-owned land in Burlington, Hunterdon, Mercer, Monmouth, and Somerset Counties may be of sufficient size to accommodate a new secure-care facility. However, the committee recommended deferring final selection of a site for the new facility until the JJC completes a statewide master plan.

The Governor's FY 1999 budget recommends a capital appropriation of \$378,000 for such a plan. The plan would assess facility sites, buildings and utility services and identify required facility improvements and program needs.

Although completion of the master plan is not expected until next year, capital funding recommended by the Governor's budget, along with recent initiatives by the JJC, may serve to reduce overcrowding at JJC facilities. For instance, the recommended budget would provide capital funding for infrastructure improvements for a new 144-bed medium security facility for males in Bordentown. The appropriation for this project would allow the upgrading of site utilities, including electrical heating distribution systems, and provide for site preparation, geotechnical analysis and environmental evaluation during the design and construction phases of the new facility. In addition, the JJC plans to convert the Hayes and laundry buildings on its Johnstone campus in Bordentown to a 48-bed reception unit and to add a 28-bed intake unit for the juvenile boot camp in Tabernacle in FY 1999. This \$3 million project is currently in the design development phase and construction bids are expected to be solicited in May, 1998.

The JJC also plans to expedite the intake of juvenile offenders. The JJC has initiated a mobile classification unit which allows JJC staff to attend court proceedings and determine whether a juvenile offender would be best placed in community programs rather than at secure facilities based on the background of the juvenile and the nature of the offense. The mobile unit has reduced backlog at the NJTSB intake unit, where juveniles spend approximately two weeks being interviewed, evaluated and classified.

The JJC has also adopted procedures for the transfer of offenders from JJC facilities to the Department of Corrections (DOC) facilities once they reach age 18. Pursuant to N.J.A.C. 13:91-1.1 et seq., a delinquent offender 18 or older may be transferred to DOC facilities if she or he is disruptive, criminally sophisticated or an impediment to JJC programming and services.

In addition to constructing bed space for an increased juvenile offender population, the JJC requires capital funding to maintain its existing facilities. The advisory committee report indicated that NJTSB, like other JJC facilities inherited by the commission from the DOC in 1995, has pressing infrastructure needs. The electrical supply and distribution systems were found inadequate, life-safety and code deficiencies existed and several of the facility's buildings required substantial renovations. To address some of these needs, the Governor's FY 1999 budget also recommends approximately \$8.5 million capital funding for preventive repairs, rehabilitation and system replacement needs at JJC facilities. The capital projects include upgrading heating and cooling, plumbing and electrical systems, the installation of water mains and sewers and fire safety projects at various JJC sites.

In conclusion, the statewide master plan is expected to document the JJC's long-term capital and facility needs, while the FY 1999 recommended capital appropriation would provide for infrastructure improvements and initial steps to increase bed space. Moreover, recent JJC initiatives funded by direct state services appropriations, such as the mobile classification unit, are also expected to help address overcrowding at its facilities.

Background Paper: Noncriminal Background Checks

Budget Pages.... D-215, D-217

The Governor's budget recommends an appropriation of approximately \$1 million for the State Police to conduct noncriminal record checks in FY 1999, the same level as FY 1998. Recommended budget language (page D-217) would allow the program to retain any criminal penalty receipts in excess of \$1 million, the amount anticipated in the General Fund from fingerprint fees (page C-11).

P.L.1985, c.69 (C. 53:1-20.5 et seq.) established the Criminal History Record Information Fund to be the repository of moneys paid to the State Police for processing fingerprints and conducting name searches of persons requiring background checks for licensing or employment purposes. Recent legislation imposed background check requirements on a number of occupations, including nurse aides and personal care assistants (P.L.1997, c.284); housing authority employees (P.L.1997, c.265); and locksmiths, burglar and fire alarm licensees (P.L.1997, c.305).

Presently, the State Police imposes a \$25 fee for processing fingerprint identification checks and \$15 for name search checks. (An additional \$24 fee is imposed for FBI background checks). P.L.1994, c.60 doubled the fees for conducting the background checks and dedicated the additional funds to the purchase of State Police vehicles. Language added to the FY 1996 Appropriations Act (P.L.1995, c.164) recognized the legislative intent of P.L.1994, c.60. It appropriated excess noncriminal record check receipts for the administration of the program and for the purchase and equipping of new or replacement State Police vehicles. This language also was included in the FY 1997 and FY 1998 Appropriation Acts (Appropriations Handbook, page B-143). According to the Department of Law and Public Safety, the State Police were able to purchase approximately 630 vehicles in FY 1996 with \$1.6 million in noncriminal record check receipts pursuant to this language and \$9.5 million from other sources.

However, since FY 1996 noncriminal record check receipts in excess of the program's operational costs have not been used for the purchase of State Police vehicles as intended in the legislation. In FY 1997, a total of \$5.3 million was available in the Criminal History Record Information Fund. Of this total, \$4 million was expended to administer the program; \$200,000 was encumbered for data processing expenses; \$650,000 was reappropriated to FY 1998; and \$450,000 was lapsed to the General Fund, instead of remaining in the dedicated Criminal History and Record Information Fund.

In FY 1998, the State Police vehicle purchase account was credited with \$1 million from the background checks fund pursuant to FY 1998 budget language (Appropriations Handbook, page B-143). However, the department is currently seeking to transfer \$1.66 million from the State Police vehicle purchase account to cover division costs for printing, supplies, software, computer maintenance and for services provided by the Office of Telecommunications and Information System (OTIS).

As noted above, the recommended FY 1999 language would omit the provision that appropriates background check excess receipts for purchasing and equipping State Police vehicles. According to the Office of Management and Budget (OMB), this language has been omitted from the recommended budget because sufficient funding for State Police vehicles is included in the department's budget and in a new Fleet Renewal Management Program in the Department of Treasury budget. The Budget in Brief (page 85) indicates that the combined budgetary resources of \$13.5 million would allow the State Police to purchase approximately 550 new vehicles in FY

Background Paper: Noncriminal Background Checks

1999.

The recommended budget's omission of language allowing excess noncriminal record check receipts to be used for State Police vehicles is not in keeping with legislative intent as expressed in P.L.1994, c.60. This law was enacted in response to what was perceived as a critical need for State Police vehicles. The committee may wish to discuss with the department whether such a need continues; whether noncriminal background check fees should be used for the purchase of State Police vehicles in FY 1999, thereby allowing for a commensurate reduction in the appropriation for State Police vehicle purchases; or whether noncriminal background check fees should be reduced.

Background Paper: Bringing "Digital Sunshine" to New Jersey: ELEC and the Electronic Exchange of Campaign Finance Information

Budget Page.... D-220

The FY 1999 budget recommends a new special purpose appropriation of \$1 million for the Election Law Enforcement Commission (ELEC) for data processing enhancements. Governor Whitman said, in her budget address, that this appropriation would be used by ELEC "to make all campaign finance reports available on-line. Interested citizens shouldn't have to wait weeks to receive this information, when we can put it at their fingertips." This appropriation would spur efforts already under way at ELEC to expand public access to campaign finance information in a manner that a number of other states have done.

In addition to this special purpose appropriation, the Governor's FY 1999 budget recommends that ELEC receive \$1,982,000 to carry out its statutory responsibilities of monitoring election spending and contributions and managing the Gubernatorial Public Finance Program.

The trend in computerizing campaign finance information for easier public access, known informally as "digital sunshine," consists of three basic elements: 1) establishing a database for the filing, storage, and retrieval of campaign finance reports; 2) transmitting campaign finance information from the filer's computer to the disclosure agency's computer system via modem or computer diskette, known as electronic filing; and 3) making campaign finance information readily available to the public over the Internet. The first element is already common at many state disclosure agencies. In these states, including New Jersey, "hard copy" reports are keyed into computers by agency staff and available to the public in a computerized format only months after the election. This information for past New Jersey State and local elections is available on computer tape or disks from ELEC for a nominal fee. It is the second and third elements that ELEC plans to provide within the next few years.

ELEC has been laying the groundwork for full computerization for the past several years, although it has used computers to some extent during the 25 years of its existence. It began by sharing time on the Department of Treasury computer system. In 1985, ELEC established an in-house computer system. In FY 1997, ELEC requested and received an appropriation of \$155,000 to design computer software and set up a pilot project for the 1997 gubernatorial general election that would permit qualified candidates to file their disclosure reports on diskettes.

During 1997, ELEC established a webpage at the Department of Law and Public Safety's Internet site (www.state.nj.us/LPS/elec), where it offered information about the commission, filing procedures for candidates and committees, and publications, reports and newsletters. It also installed a flashfax system that allows copies of commission documents, forms and advisory opinions to be requested and provided by fax.

ELEC's operating budget was increased by \$500,000 in FY1998. These funds were used for a design study and the purchase of computer scanning and imaging equipment needed to make electronic copies from the hard copy campaign reports filed by candidates and political committees so that these reports can be posted on the Internet. These funds, which are also recommended for FY 1999, will be used in part to complete the purchase of requisite scanning equipment and software. The remainder will fund eight new full-time positions required to place campaign finance information on-line.

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ELEC plans to use the \$1 million special purpose appropriation recommended for data processing enhancements in FY 1999 to finish acquiring the hardware and developing the software and procedures needed to have campaign finance reports filed for the 1999 legislative races available on-line before election day and then to add reports for the gubernatorial primary and general elections in 2001. The commission also plans to have operational by the 1999 elections a searchable database on the Internet to allow the media and the public to review the contributions made to a candidate or committee and an electronic filing system for voluntary use by candidates and committees.

ELEC's Internet site presently includes campaign financing and lobbying statistics for all elections from 1983 to 1995. It also has a webpage link to the Center for Analysis of Public Issues (CAPI) in Princeton, that enables a user to search information provided by ELEC for contributors to the gubernatorial campaigns and to candidates and committees from 1993 through 1997.

To date, the federal government and 30 states, including New Jersey, have mandatory or voluntary electronic filing and on-line disclosure systems in operation or development. The Federal Elections Commission has an Internet site (www.fec.gov) that enables users to review contributions made to candidates for federal office and offers electronic filing for candidates and committees. In California, legislation has recently been enacted that requires Internet disclosure by statewide candidates and ballot measure committees that raised or spent \$100,000 or more during the 1998 general election. The legislation also phases-in mandatory electronic filing by all statewide and legislative candidates raising or spending \$50,000 or more during the 1999-2000 election cycle and by all other entities that file with the Secretary of State. It also requires the Secretary of State to put on-line all last-minute contributions and independent expenditure reports.

Since 1997, North Carolina has required candidates for statewide office, political parties, and PACs that raise more than \$5,000 to file reports electronically. The state's Board of Elections posts on the Internet all campaign finance reports and all large, last-minute contributions within 48 hours of receipt of the report. In New York, a new law requires all candidates for statewide, legislative and judicial office who plan to spend more than \$1,000 to file reports electronically after July 1999.

A number of bills have been introduced in the Legislature to assist ELEC's efforts to improve public access to its information. Senate, No. 240 would establish the Public Access Enhancement Fund from fines assessed by ELEC to give ELEC a dedicated funding source to acquire the technology and hire the staff necessary to give the public timely access to campaign finance reports. Senate, No. 605 (same as Assembly, No. 1374) would appropriate \$890,000 to ELEC for the full computerization of reports, electronic filing and greater public access. Senate, No. 747, in addition to other items, would provide for the continuing computerization of ELEC and would appropriate \$1.4 million for that purpose. Assembly, No. 1695 (similar to Senate, No. 747) mandates the continuing computerization of ELEC and appropriates \$1.4 million for that purpose. To date, none of these bills have been reported from committee.

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