

# DEPARTMENT OF LAW AND PUBLIC SAFETY

Budget Pages..... C-5 to C-6; C-13; C-21 to C-22; D-247  
to D-278; H-5; H-12 to H-14

**The data presented in this Office of Legislative Services Budget Analysis reflect 12-month fiscal years beginning on July 1 and ending on June 30 of the subsequent year.**

## Fiscal Summary (\$000)

	Expended FY 2021	Adjusted Appropriation FY 2022	Recommended FY 2023	Percentage Change 2022-23
State Budgeted	\$853,738	\$788,567	\$752,438	(4.6%)
Federal Funds	759,418	244,213	250,216	2.5%
<u>All Other Funds</u>	<u>216,768</u>	<u>231,173</u>	<u>243,792</u>	<u>5.5%</u>
Grand Total	\$1,829,924	\$1,263,953	\$1,246,446	(1.4%)

## Personnel Summary - Positions By Funding Source

	Actual FY 2021	Revised FY 2022	Funded FY 2023	Percentage Change 2022-23
State	5,556	5,719	6,006	5.0%
Federal	71	79	114	44.3%
<u>Other Funds</u>	<u>1,909</u>	<u>1,995</u>	<u>2,186</u>	<u>9.6%</u>
Total Positions	7,536	7,793	8,306	6.6%

FY 2021 (as of December) and revised FY 2022 (as of January) personnel data reflect actual payroll counts. FY 2023 data reflect the number of positions funded.

Link to Website: <https://www.njleg.state.nj.us/budget-finance/governors-budget>

## Highlights

### Division of State Police

- The FY 2023 recommended appropriations for the Division of State Police from all sources total \$624.5 million, \$9.1 million below FY 2022. In addition, the FY 2023 Governor's Budget provides for the transfer of an additional \$40.3 million to the division out of the New Jersey Emergency Medical Service Helicopter Response Program and vehicle rental surcharge revenue, both budgeted in other departments.
- The Governor recommends a net reduction of \$25.5 million in State funds appropriations for State Police operations. Four components produce the net decrease: 1) a \$33.5 million reduction attributed to a shift of State Police salaries and wages expenditures to unexpended appropriation balances by State professional boards and advisory boards; 2) a \$2.7 million reduction reflecting the elimination of one-time funding for a State Police radio system upgrade; 3) a \$4.5 million increase for State Police salaries and wages to pay for the 164th recruit class; and 4) a \$6.3 million for new police vehicles.
- The Governor's FY 2023 Budget funds 4,124 positions at the Division of State Police in FY 2023, which is 48 positions more than the 4,076 positions funded in FY 2022.
- The FY 2023 Governor's Budget provides \$4.5 million toward the 164th Division of State Police trooper recruit class. The FY 2023 Budget in Brief indicates that FY 2023 will commence with 3,004 troopers and end with 3,059 troopers. The 164th State Police trooper recruit class is anticipated to commence in fiscal year 2023 and graduate in FY 2024. In addition, the 163rd State Police trooper recruit class, which commenced in March of 2022 with 200 recruits, is anticipated to graduate in early FY 2023.
- The Governor's FY 2023 Budget anticipates \$30.5 million in revenues from motor vehicle registration surcharges that are dedicated to the New Jersey Emergency Medical Services Helicopter Response Fund. Of that total, \$27.0 million would be allocated to the Division of State Police with up to \$5.0 million allocated for division salaries, \$3.0 million for division vehicles, and \$2.0 million for division equipment.
- The Governor's FY 2023 Budget continues the use of up to \$13.3 million in anticipated vehicle rental surcharge revenue for Division of State Police salaries.
- The FY 2023 Governor's Budget recommends maintaining the Expungement Unit's budget year appropriation at the FY 2022 level of \$13 million. The Administration has placed \$3 million in State Police Expungement Unit surplus on the lapse list with the intention of returning the funds to the General Fund at year-end.

### Division of Criminal Justice

- The Direct State Services appropriation for the Division of Criminal Justice is recommended to decrease by a net \$1.7 million from \$44 million in FY 2022 to \$42.3 million in FY 2023. The completion of the development of software that would make law enforcement forfeiture actions more transparent would account for \$2.6 million of that reduction, offset by increases in division salaries and wages and State funds to match federal Medicaid fraud grants.

## Highlights (Cont'd)

### New Jersey Racing Commission

- The FY 2023 Governor's Budget continues an appropriation of \$15 million for Horse Racing Purse subsidies, the fifth of five annual installments: FY 2022, \$15 million; FY 2021, \$15 million; FY 2020, \$20 million; and FY 2019, \$20 million. In 2019, the Governor committed to provide \$100 million over five years to support horse racing in New Jersey pursuant to P.L.2019, c.36. Under the law, the Thoroughbred and Standardbred industries split the funds evenly. Monmouth Park receives the entire Thoroughbred share to supplement overnight purses. The Standardbred share is allocated as follows: 60 percent to the Meadowlands for overnight purses; 16 percent to Freehold for overnight purses; 12 percent to the New Jersey Sire Stakes purses; six percent to purse bonuses for New Jersey sired horses; and six percent for breeders' awards.

### Juvenile Justice Commission

- The Governor's FY 2023 Budget provides \$138.4 million for the operations of the Juvenile Justice Commission: Direct State Services (\$113.4 million) and Grants-in-Aid (\$25 million). According to the Governor's Budget, the Juvenile Justice Commission's appropriation is \$3.3 million higher than in FY 2022 resulting from an increase in certain salaries pursuant to P.L.2021, c.406. The commission's residential and transitional programs are projected to serve an average daily population of 82 juveniles (daily per capita cost, \$1,021) and the commission's institutional facilities are projected to support an average daily population of 95 juveniles (daily per capita cost, \$1,666). The active parole caseload is anticipated to remain level at 133 in FY 2023 after declining from 183 in FY 2021 to 133 in FY 2022.
- The Restorative and Transformative Justice for Youths and Communities Pilot program (P.L.2021, c.196) is reflected in the budget with a \$4.2 million supplemental appropriation in FY 2022 and a recommended appropriation of \$4.2 million in FY 2023. Established within the Juvenile Justice Commission, the two-year pilot program is intended to reduce initial and repeat youth involvement with the youth justice system. An \$8.4 million appropriation over two years funds the implementation of the restorative justice hubs and community-based wraparound services program in four pilot cities: Camden, Newark, Paterson, and Trenton.
- The FY 2023 Governor's Budget continues to recommend using \$750,000 out of the off-budget, special revenue Workforce Development Partnership Fund to continue supporting the cost of administering and operating a new Heating/Ventilation/Air Conditioning/Refrigeration Career Education Program within the Juvenile Justice Commission.

### Office of Homeland Security and Preparedness

- The Governor's FY 2023 Budget provides \$16.9 million for the operations of the Office of Homeland Security and Preparedness: \$14.1 million in Direct State Services; and an unchanged \$2.8 million in Grants-in-Aid for the New Jersey Nonprofit Security Grant

**Highlights (Cont'd)**

Program that awards grants to eligible nonprofit organizations for the purpose of preparing against terrorist attacks, threats, domestic extremism, or other violent acts.

- The Governor’s FY 2023 Budget continues to appropriate \$8.9 million for the Office of Homeland Security and Preparedness from Domestic Security vehicle rental surcharge revenues pursuant to budget language. P.L.2002, c.54 established a \$5.00 per day fee on certain motor vehicle rentals, \$2 out of the \$5 fee is to be deposited in a dedicated New Jersey Domestic Security Account and to be available to support medical emergency disaster preparedness for bioterrorism, security coverage at nuclear power facilities, State Police salaries related to State-wide security services and counter-terrorism programs.

**Division of Consumer Affairs**

- The Governor’s FY 2023 Budget recommends an appropriation of \$9.4 million to offset the lost revenue from the waived fees for health care professionals. This is part of the Governor’s proposed a “one-year fee holiday.”
- The Governor recommends increasing from \$8.5 million to \$38.5 million the amount the Attorney General may reallocate from State professional boards, advisory boards, and committees’ unexpended appropriation balances to other departmental purposes. These funds may be used to pay for various expenditures in other divisions within the department. The additional \$30.0 million would be used for State Police salaries and wages.

**Background Paper**

State Professional Boards – Reallocation of Excess Resources ..... p.17

**Fiscal and Personnel Summary**

**AGENCY FUNDING BY SOURCE OF FUNDS (\$000)**

	Expended FY 2021	Adj. Approp. FY 2022	Recom. FY 2023	Percentage Change	
				2021-23	2022-23
<b>General Fund</b>					
Direct State Services	\$772,785	\$668,879	\$649,079	(16.0%)	(3.0%)
Grants-In-Aid	15,050	38,135	38,135	153.4%	0.0%
State Aid	0	0	0	---	---
Capital Construction	1,682	0	0	(100.0%)	---
Debt Service	0	0	0	---	---
<b>Sub-Total</b>	<b>\$789,517</b>	<b>\$707,014</b>	<b>\$687,214</b>	<b>(13.0%)</b>	<b>(2.8%)</b>
<b>Property Tax Relief Fund</b>					
Direct State Services	\$0	\$0	\$0	---	---
Grants-In-Aid	0	0	0	---	---
State Aid	4,496	5,000	5,000	11.2%	0.0%
<b>Sub-Total</b>	<b>\$4,496</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>11.2%</b>	<b>0.0%</b>
<b>Gubernatorial Elections Fund</b>	<b>\$10,563</b>	<b>\$21,480</b>	<b>\$0</b>	<b>(100.0%)</b>	<b>(100.0%)</b>
<b>Casino Revenue Fund</b>	<b>\$92</b>	<b>\$92</b>	<b>\$92</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Casino Control Fund</b>	<b>\$49,070</b>	<b>\$54,981</b>	<b>\$60,132</b>	<b>22.5%</b>	<b>9.4%</b>
<b>State Total</b>	<b>\$853,738</b>	<b>\$788,567</b>	<b>\$752,438</b>	<b>(11.9%)</b>	<b>(4.6%)</b>
<b>Federal Funds</b>	<b>\$759,418</b>	<b>\$244,213</b>	<b>\$250,216</b>	<b>(67.1%)</b>	<b>2.5%</b>
<b>Other Funds</b>	<b>\$216,768</b>	<b>\$231,173</b>	<b>\$243,792</b>	<b>12.5%</b>	<b>5.5%</b>
<b>Grand Total</b>	<b>\$1,829,924</b>	<b>\$1,263,953</b>	<b>\$1,246,446</b>	<b>(31.9%)</b>	<b>(1.4%)</b>

**PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE**

	Actual FY 2021	Revised FY 2022	Funded FY 2023	Percentage Change	
				2021-23	2022-23
State	5,556	5,719	6,006	8.1%	5.0%
Federal	71	79	114	60.6%	44.3%
All Other	1,909	1,995	2,186	14.5%	9.6%
<b>Total Positions</b>	<b>7,536</b>	<b>7,793</b>	<b>8,306</b>	<b>10.2%</b>	<b>6.6%</b>

FY 2021 (as of December) and revised FY 2022 (as of January) personnel data reflect actual payroll counts. FY 2023 data reflect the number of positions funded.

**AFFIRMATIVE ACTION DATA**

Total Minority Percentage	26.8%	26.0%	N/A	---	---
---------------------------	-------	-------	-----	-----	-----

**Significant Changes/New Programs (\$000)**

**LAW ENFORCEMENT**

**Division of State Police**

General Fund, Direct State Services State Police Operations				Budget Page: D-255	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$324,046	\$426,099	\$359,505	\$334,055	(\$25,450)	(7.1%)

The FY 2023 Governor’s Budget recommends a net reduction of \$25.5 million in State funds appropriations for State Police operations. Four components produce the net reduction:

- A \$33.5 million reduction attributed to a shift of State Police salaries and wages expenditures to unexpended appropriation balances by State professional boards and advisory boards;
- A \$2.7 million reduction reflecting the elimination of one-time funding for a State Police radio system upgrade;
- A \$4.5 million increase for State Police salaries and wages to pay for the 164th recruit class, which is anticipated to begin its training in FY 2023 and graduate in FY 2024; and
- A \$6.3 million increase to purchase new police vehicles.

General Fund, Direct State Services Radio System Upgrade				Budget Page: D-256	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$0	\$0	\$2,720	\$0	(\$2,720)	(100.0%)

The FY 2023 Governor’s Budget recommends reducing this appropriation to zero to reflect the nonrecurrence of one-time costs due to the upcoming completion of the State Police radio system upgrade to the P25 public safety communications network. No additional State funds are anticipated to be needed for this project in the budget year. In addition, the Executive intends to return to the General Fund the \$2.7 million appropriated for this purpose in FY 2022 because the expenditures will be shifted to federal funds. The P25 is the most current public safety communications standard available that enables interoperability among various jurisdictions from local to county to State and federal.

To fund this project, the State transferred \$62.7 million of its Coronavirus Relief Fund allocation under the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 to the Division of State Police. As of March 2022, \$62.6 million has been expended for these purposes. The department indicated that full implementation of the new system would entail decommissioning the current system, integrating the encryption of the new system in phases, and installing the remaining two P25 radios needed by Division of State Police in two of its Augusta helicopters.

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

The Federal Communications Commission narrow-banding mandate requires all public safety entities using land mobile radio systems operating in the 150-512 MHz radio bands to transition from using 25 kHz efficiency technology to at least 12.5 kHz efficiency technology.

<b>General Fund, Direct State Services Additions, Improvements, and Equipment</b>				<b>Budget Page: D-256</b>	
<b>FY 2020 Expended</b>	<b>FY 2021 Expended</b>	<b>FY 2022 Adj. Approp.</b>	<b>FY 2023 Recomm.</b>	<b>Change FY 2022 – FY 2023</b>	
<b>\$4,204</b>	<b>\$4,559</b>	<b>\$3,968</b>	<b>\$7,718</b>	<b>\$3,750</b>	<b>94.5%</b>

The FY 2023 Governor’s Budget recommends appropriations totaling \$6.25 million for the purchase of new vehicles by the State Police. To accomplish this the Administration recommends the appropriation of \$3.75 million from this equipment account and \$2.5 million from the New Jersey Emergency Medical Service Helicopter Response fund in accordance with language, which authorizes the use of those funds for the purchase of State Police vehicles.

<b>All Other Funds State Police Operations</b>				<b>Budget Page:D-257</b>	
<b>FY 2020 Expended</b>	<b>FY 2021 Expended</b>	<b>FY 2022 Adj. Approp.</b>	<b>FY 2023 Recomm.</b>	<b>Change FY 2022 – FY 2023</b>	
<b>\$134,489</b>	<b>\$147,644</b>	<b>\$134,665</b>	<b>\$151,010</b>	<b>\$16,345</b>	<b>12.1%</b>

The FY 2023 recommended Governor’s Budget anticipates an increase in three of the dedicated revenue sources that support the operations of the Division of State Police. These revenues are used to reimburse the State Police for the cost of services they provide to other agencies. The three revenue sources anticipated to increase in FY 2023 are:

- non-criminal records checks (\$3.543 million),
- South Jersey Transportation Authority (\$1.244 million), and
- The New Jersey Turnpike Authority (\$11.558 million).

Other dedicated revenue sources allocated to the Division of State Police included in the totals above are unchanged. The South Jersey Transportation Authority and the Turnpike Authority, including the Garden State Parkway, provide reimbursements to the State Police for patrolling those roadways.

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

**Division of Gaming Enforcement**

Casino Control Fund, Direct State Services Gaming Enforcement				Budget Page: D-255	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$45,159	\$49,070	\$54,981	\$60,132	\$5,151	9.4%

The recommended FY 2023 appropriation of \$60.1 million for the Division of Gaming Enforcement is an increase of \$5.1 million from \$55.0 million in FY 2022. The entire increase would occur in the Personal Services appropriation reflecting the creation of 17 new positions and an increase in fringe benefits that are charged to the Casino Control Fund.

**Division of Criminal Justice**

Federal Funds Criminal Justice				Budget Page: D-257	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$93,230	\$30,837	\$49,155	\$52,057	\$2,902	5.9%

The FY 2023 Governor’s Budget recommends an increase of \$2.9 million in federal funds for the Medicaid Fraud Unit in the Office of the Insurance Fraud Prosecutor, which serves as the anti-insurance fraud agency for the State. The Medicaid Fraud Unit investigates and prosecutes Medicaid provider fraud and patient abuse or neglect.

According to the National Conference of State Legislators, “All 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands are required to have Medicaid Fraud Control Units to investigate and prosecute Medicaid provider fraud and abuse or neglect of Medicaid enrollees in facilities or non-institutional settings.” The 2021 annual Office of the Inspector General Medicaid Fraud Units report released on March 15<sup>th</sup>, 2022 indicated recoveries were obtained in 2021 totaling \$1.7 billion recovered and 1,105 convictions with a return on investment of \$5.36 for every dollar spent.”

Medicaid, which was created in 1965, operated with few controls against fraud and without any specific state or federal law enforcement agencies responsible for monitoring criminal activity within the program. In 1977, legislation was passed which provided each state with the opportunity and resources to establish a Medicaid Fraud Control Unit to investigate and prosecute provider fraud and resident abuse. Permanent federal funding was provided in 1980, allowing the federal government to ensure each unit's activities are devoted exclusively to investigating and prosecuting provider fraud, resident abuse, and fraud in the administration of the Medicaid program.



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

All Other Funds Criminal Justice				Budget Page: D-257	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$19,256	\$15,297	\$19,567	\$16,866	(\$2,701)	(13.8%)

The FY 2023 recommended budget anticipates reductions in two dedicated revenue sources that support the Division of Criminal Justice. First, dedicated revenues from the Safe and Secure Neighborhoods Program are anticipated to decline by \$2.5 million, from \$5.5 million to \$3 million and second, revenues from the Law Enforcement Officers Training and Equipment Fund are anticipated to decline by \$200,000, from \$600,000 to \$400,000.

**SPECIAL LAW ENFORCEMENT ACTIVITIES**

**Elections Law Enforcement**

Gubernatorial Elections Fund, Grants-In-Aid, Elections Law Enforcement				Budget Page: D-262	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$0	\$10,563	\$21,480	\$0	(\$21,480)	(100.0%)

The FY 2021 Appropriations Act increased Gubernatorial Elections Fund appropriations by \$21.480 million and funding was continued at that level in FY 2022 for public financing costs associated with the 2020 gubernatorial general election pursuant to N.J.S.A.19:44A-30, and included two language provisions assuring adequate funding for candidates and administrative costs.

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

The recommended appropriation is reduced to zero because the election cycle is completed, and related language provisions are deleted. In addition, the Administration has placed \$1.9 million in Gubernatorial Elections Fund surplus funding on the lapse list with the intention of returning the funds to the General Fund at year-end.

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

**JUVENILE SERVICES**

General Fund, Direct State Services Juvenile Justice Commission: Operations				Budget Page: D-266	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$100,349	\$106,267	\$110,054	\$113,354	\$3,300	3.0%

The FY 2023 Direct State Services budget for the Juvenile Justice Commission is recommended to be funded at \$113.4 million, an increase of \$3.3 million over the fiscal 2022 adjusted appropriation of \$110 million. The growth provides for planned salary increases for Senior Juvenile Justice Corrections Officers, Juvenile Corrections Officer Recruits, and Juvenile Parole Officers, pursuant to P.L.2021, c.406, which established a minimum salary for corrections officers and provided planned adjustments to the step increments in the salary scale. The number of funded positions for commission staffing across all programs is anticipated to increase by 30 employees.

General Fund, Grants-In-Aid Restorative and Transformative Justice for Youths and Communities Pilot Program				Budget Page: D-266	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$0	\$0	\$4,200	\$4,200	\$0	0.0%

This FY 2023 recommended appropriation reflects legislation (P.L.2021, c.196) signed into law establishing a two-year pilot program within the Juvenile Justice Commission to reduce initial and repeat youth involvement with the youth justice system. An \$8.4 million appropriation, over two years, was provided to assist the implementation of the restorative justice hubs and community based wraparound services program in four pilot cities: Camden, Newark, Paterson, and Trenton.

According to the Attorney General’s Office, the restorative justice hubs will be physical spaces within the community for youth and families with an array of social support services such as employment assistance and mentoring, mental health services, substance abuse treatment and recovery, education and housing support, and financial literacy and life skills. The restorative justice hubs will serve both at-risk and court-involved youth in the community and those discharged from a juvenile justice facility.

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

**CENTRAL PLANNING, DIRECTION, AND MANAGEMENT**

**Administration and Support Services**

<b>General Fund, Direct State Services</b>				<b>Budget Page: D-269</b>	
<b>Online Licensure for Mental Health Professionals</b>					
<b>FY 2020 Expended</b>	<b>FY 2021 Expended</b>	<b>FY 2022 Adj. Approp.</b>	<b>FY 2023 Recomm.</b>	<b>Change FY 2022 – FY 2023</b>	
<b>\$784</b>	<b>\$216</b>	<b>\$500</b>	<b>\$0</b>	<b>(\$500)</b>	<b>(100.0%)</b>

The FY 2023 Governor’s Budget recommends the elimination of funding for the Online Licensure for Mental Health Professionals. This initiative was first funded in FY 2019 out of the \$100 million appropriation for Expanded Addiction Initiatives initially in the Department of Health but later moved to the Department of Human Services. The appropriation was to be used to develop, support, and expand programs and services that the Commissioner of Health, the Commissioner of Human Services, and the Commissioner of Children and Families determined to be most effective in addressing the statewide public health crisis associated with substance use disorders, including opioid use disorder.

<b>All Other Funds</b>				<b>Budget Page: D-269</b>	
<b>Administration and Support Services</b>					
<b>FY 2020 Expended</b>	<b>FY 2021 Expended</b>	<b>FY 2022 Adj. Approp.</b>	<b>FY 2023 Recomm.</b>	<b>Change FY 2022 – FY 2023</b>	
<b>\$1,281</b>	<b>\$2,775</b>	<b>\$5,000</b>	<b>\$2,500</b>	<b>(\$2,500)</b>	<b>(50.0%)</b>

The FY 2023 Governor’s Budget anticipates a reduction in dedicated revenues that support the Office of the Attorney General administration and support services of \$2 million in revenues from the Forfeiture program and \$500,000 in the State Forensic Laboratory Fund program.

**Significant Changes/New Programs (\$000) (Cont'd)****GENERAL GOVERNMENT SERVICES****Division of Law**

<b>General Fund, Direct State Services</b>				<b>Budget Page: D-271</b>	
<b>Legal Services (Gross)</b>					
<b>FY 2020 Expended</b>	<b>FY 2021 Expended</b>	<b>FY 2022 Adj. Approp.</b>	<b>FY 2023 Recomm.</b>	<b>Change FY 2022 – FY 2023</b>	
<b>\$91,567</b>	<b>\$98,650</b>	<b>\$104,554</b>	<b>\$108,179</b>	<b>\$3,625</b>	<b>3.5%</b>
<b>Less: Legal Services (Income Deduction)</b>				<b>Budget Page: D-271</b>	
<b>(\$62,770)</b>	<b>(\$78,205)</b>	<b>(\$83,320)</b>	<b>(\$93,203)</b>	<b>(\$9,883)</b>	<b>11.9%</b>
<b>TOTAL State Appropriation</b>				<b>Budget Page: D-271</b>	
<b>\$28,797</b>	<b>\$20,445</b>	<b>\$21,234</b>	<b>\$14,976</b>	<b>(\$6,258)</b>	<b>(29.5%)</b>

The Division of Law derives a majority of its operating support from reimbursements it receives for legal services that it provides to other State agencies. The "Less" line in the table above reflects these reimbursements. The division's total budgeted spending authority is recommended to increase by \$3.6 million in FY 2023. But because billings to State agencies are anticipated to grow by \$9.9 million, the proposed FY 2023 State appropriation for the division decreases by \$6.3 million to \$15.0 million.

Additional payments by the Department of Children and Families are the main contributor to the anticipated \$9.9 million increase in FY 2023 cost reimbursements. Notably, the Governor recommends that the appropriation in the Department of Children and Families to reimburse the Division of Law for representing children under the purview of the Division of Child Protection and Permanency in court proceedings be increased from no more than \$15.0 million in FY 2022 to no more than \$25.0 million in FY 2023. According to the Office of Management and Budget (OMB), the increase is requested, in part, because in recent years the Division of Law's expenditures for this responsibility have routinely exceeded the amount appropriated for this purpose in the Department of Children and Families with the Division of Law absorbing excess expenditures. According to the OMB, some \$5.0 million in additional Department of Children and Families reimbursements are budgeted in the Division of Law, rather than \$10.0 million.

The increase in reimbursements to the Division of Law would be partially offset by the net effect of an additional reduction in the recommended appropriation attributable to the non-recurrence of \$2.7 million in one-time costs in FY 2022 for the purchase and installation of a new client billing system and increased salaries and wages expenditures reflecting higher salaries to address salary compression and the annualization of the costs of FY 2022 position growth.

As in previous years, budget language allows the original funding level for the division to increase if direct-billed services exceed original estimates and through supplemental appropriations if the division incurs extraordinary costs related to litigation and other legal services that are not direct billed to other agencies. These latter costs are to be funded first by any revenue recovered through such litigation or other actions.

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

**PROTECTION OF CITIZENS' RIGHTS**

**State Professional Boards**

General Fund, Direct State Services Health Care Professions Fee Waiver				Budget Page: D-275	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$0	\$0	\$0	\$9,442	\$9,442	100.0%

The Governor’s FY 2023 Budget recommends an appropriation of \$9.4 million to offset the lost revenue from the waived fees for an estimated 130,000 health care professionals (nurses, home health aides, etc.).

**Division on Civil Rights**

General Fund, Direct State Services Protection of Civil Rights				Budget Page: D-275	
FY 2020 Expended	FY 2021 Expended	FY 2022 Adj. Approp.	FY 2023 Recomm.	Change FY 2022 – FY 2023	
\$4,849	\$5,640	\$6,152	\$7,140	\$988	16.1%

The appropriation for Division of Civil Rights operating expenses is recommended to increase by a cumulative \$988,000. Three components make up the total growth:

- a \$500,000 increase for the purchase of legal services;
- a \$300,000 increase for software maintenance expenses for the New Jersey Bias Investigation Access System (NJBIAS), which is an electronic case management system that is accessible to complainants and respondents; and
- a \$188,000 increase for five additional full-time State-funded positions; the total salary cost of the five positions is \$375,000, which is reduced by 50 percent in anticipated delayed hire savings in FY 2023.

## Significant Language Changes

### New Jersey Emergency Medical Service Helicopter Response Act Increased Allocations for Division of State Police Vehicles

Revision

2022 Handbook: p. B-146  
2023 Budget: p. D-259

Notwithstanding the provisions of any law or regulation to the contrary, receipts and available balances pursuant to the New Jersey Emergency Medical Service Helicopter Response Act under subsection a. of section 1 of P.L.1992, c.87 (C.39:3-8.2), not to exceed ~~\$2,600,000~~ \$3,000,000 are appropriated for State Police vehicles, subject to the approval of the Director of the Division of Budget and Accounting.

#### Explanation

*This revision would increase the amount appropriated from the New Jersey Emergency Medical Service Helicopter Response Program account to the Division of State Police for the purchase of vehicles by \$400,000.*

*A \$3 motor vehicle registration surcharge is dedicated to the New Jersey Emergency Medical Service Helicopter Response Program Fund. The FY 2023 Governor’s Budget recommends revenues of \$30.5 million for the fund in the budget year, the same amount as FY 2022.*

### Election Law Enforcement (GEF)

#### Public Financing of 2020 Elections – Candidates’ Funds and Administrative Costs

Deletion

2022 Handbook: p. B-148  
2023 Budget: p. N/A

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

~~Of the amount hereinabove appropriated for the Election Law Enforcement Gubernatorial Elections Fund, an amount not to exceed \$480,000 may be used to offset the administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.~~

#### Explanation

*This language provisions are functionally obsolete because the 2020 election cycle is over. The FY 2021 Appropriations Act increased Gubernatorial Elections Fund appropriations for public financing costs associated with the 2020 gubernatorial*

EXPLANATION: FY 2022 language not recommended for FY 2023 denoted by strikethrough. Recommended FY 2023 language that did not appear in FY 2022 denoted by underlining.

**Significant Language Changes (Cont'd)**

*general election and included two language provisions assuring adequate funding for candidates and administrative costs.*

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

**Community-Based Violence Intervention Program – Expands Grants and Administrative Costs**

<b>Revision</b>	<b>2022 Handbook: p. B-152</b>
	<b>2023 Budget: p. D-270</b>

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Community-Based Violence Intervention shall be used to develop violence-intervention programming and provide grants to municipalities ~~and~~, individuals and nonprofit organizations impacted by higher than average rates of violence, pursuant to a competitive process administered by the Office of the Attorney General, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for the Community-Based Violence Intervention Program, an amount not to exceed five percent of the funds may be used to offset the administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

**Explanation**

*In FY 2021, the Community-Based Violence Intervention Program was announced along with a \$10 million grant program to employ violence intervention strategies that provide alternatives to violence and embody a community-based public safety model. This language provision expands the use of State Grants-In-Aid to include nonprofits and provides five percent of the grants be used toward the administration of the program.*

*The purpose of the Community-Based Violence Intervention Program is to support nonprofit community service providers toward initiatives including street outreach and mentoring, trauma-informed programs with cognitive behavioral therapy, and integration of local social service providers to connect people to social and economic services.*

EXPLANATION: FY 2022 language not recommended for FY 2023 denoted by strikethrough. Recommended FY 2023 language that did not appear in FY 2022 denoted by underlining.

## Significant Language Changes (Cont'd)

### Capital for Homeland Security Critical Infrastructure

Deletion

2022 Handbook: p. B-152  
2023 Budget: p. N/A

~~The unexpended balance at the end of the preceding fiscal year in the Capital for Homeland Security Critical Infrastructure account is appropriated and such amounts may be transferred to other departments and State agencies for any State and/or local homeland security purpose, subject to the approval of the Director of the Division of Budget and Accounting.~~

#### Explanation

*This language provision is functionally obsolete because all funds have been expended. Funding of \$15 million for the Capital for Homeland Security Critical Infrastructure program was initiated in FY 2007 to meet regional, county-wide, and Statewide homeland security needs, such as interoperable communications, tools for intelligence sharing, and enhanced infrastructure protection. Associated budget language allowed for the transfer of amounts appropriated to other departments for security purposes. From FY 2007 through FY 2010 a total of \$45.750 million was appropriated for the program. Commencing in FY 2011 the language was changed to permit the carry forward of unexpended balances into the next fiscal years.*

### State Professional Boards – Reallocation of Excess Resources

Revision

2022 Handbook: p. B-161  
2023 Budget: p. D-277

Notwithstanding the provisions of section 2 of P.L.1974, c.46 (C.45:1-3.2) or any law or regulation to the contrary, an amount not to exceed ~~\$8,500,000~~ \$38,500,000, subject to the approval of the Attorney General, is hereby appropriated from the unexpended balances of the several State professional boards, advisory boards, and committees located in the Department of Law and Public Safety which are not otherwise required to be expended for the purposes of such professional boards, advisory boards, and committees to pay for the costs and expenses of the various divisions within the Department of Law and Public Safety as determined by the Attorney General, subject to the approval of the Director of the Division of Budget and Accounting.

#### Explanation

*This revision would increase from \$8.5 million to \$38.5 million the amount the Attorney General may reallocate from State professional boards, advisory boards, and committees' unexpended appropriation balances to other departmental purposes. These funds may be used to pay for various expenditures in other divisions within the department.*

EXPLANATION: FY 2022 language not recommended for FY 2023 denoted by strikethrough.  
Recommended FY 2023 language that did not appear in FY 2022 denoted by underlining.

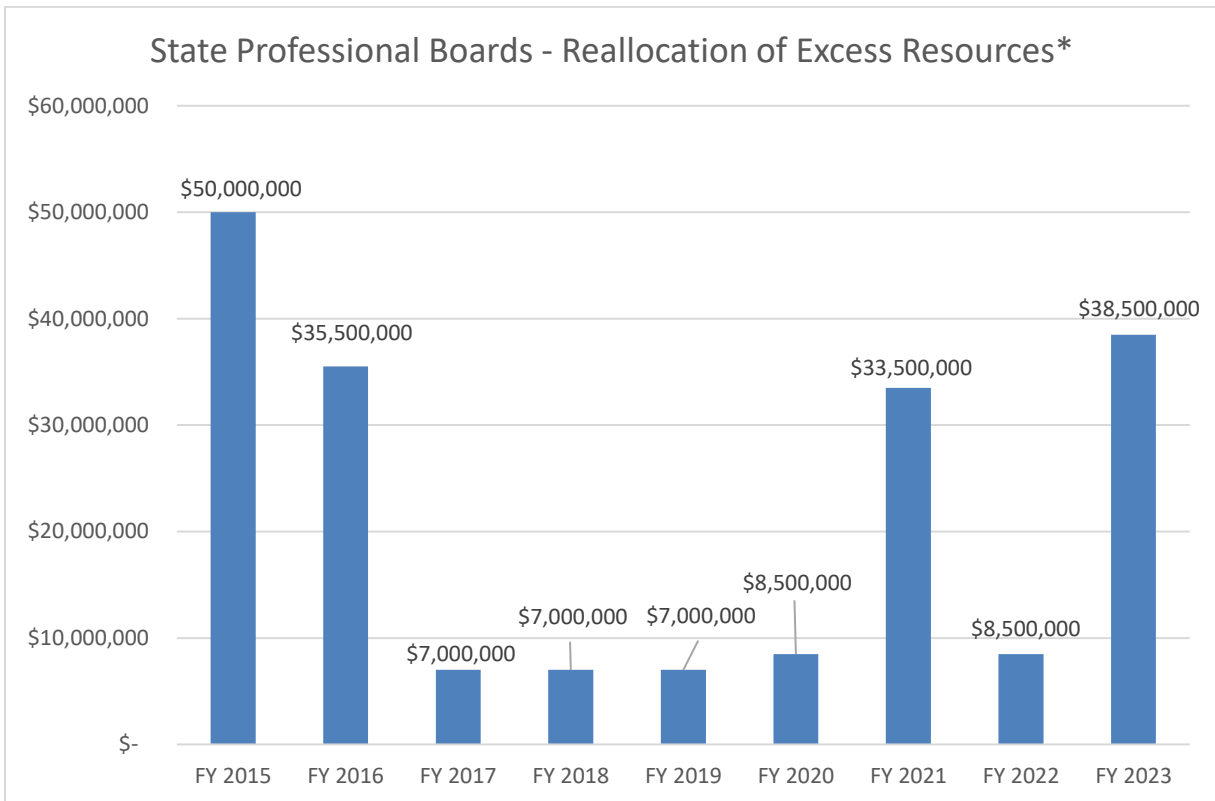


## Background Paper: State Professional Boards – Reallocation of Excess Resources

Budget Pages.... D-277

Since FY 2015, annual budgets of the Department of Law and Public Safety have included budget language permitting the Attorney General to reallocate from State professional boards, advisory boards, and committees’ unexpended appropriation balances for other departmental purposes. These funds may be used to pay for various expenditures in other divisions within the department.

The FY 2023 Governor’s Budget recommends language that would increase the budget year reallocation by \$30 million, from \$8.5 million to \$38.5 million, to pay for the costs of and expenses of various divisions within the department.



\*Source: FY 2015-2022 Appropriation Handbooks and FY 2023 Recommended Governor’s Budget.