# ASSEMBLY, No. 1186

# STATE OF NEW JERSEY

## 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**
**Assemblyman ANDREW ZWICKER**
**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**
**Assemblywoman CAROL A. MURPHY**
**District 7 (Burlington)**
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**District 36 (Bergen and Passaic)**

**SYNOPSIS**

Requires DCA to track natural disaster-related spending by State and local government.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.

**(Sponsorship Updated As Of: 1/3/2022)**

**AN ACT** requiring the Department of Community Affairs to track natural disaster-related spending, amending P.L.2007, c.53 and P.L.2007, c.63, and supplementing Title 52 of the Revised Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. (New section) The Commissioner of Community Affairs, in consultation with other State agencies and authorities as necessary, shall track natural disaster-related spending by counties, municipalities, local authorities, fire districts, school districts, and by the State. The commissioner shall provide a plain-language summary of the natural disaster-related spending on the State's Internet website, and shall update the summary on an annual basis at minimum.

a. The plain-language summary of natural disaster-related spending shall provide the public with information in summary form about the natural disaster-related spending of the State, and of the various units of local government. Within the summary, the commissioner shall organize natural disaster-related spending into the following categories, and may expand or refine each category as the commissioner deems appropriate:

(1) preparedness spending, consisting of measures intended to enhance the ability to mitigate against, respond to, and recover from a disaster, including pre-event contracting, public awareness or outreach campaigns, training, warning system installation, response and recovery planning, vital food and medical supply maintenance, emergency operation center management, and emergency personnel mobilization;

(2) mitigation spending, consisting of measures to reduce or eliminate the potential harmful consequences of disasters, including retrofitting buildings and infrastructure, buying out vulnerable property, establishing hazard-mitigation plans, building tornado safe rooms, implementing building safety codes, and any measure consistent with eligibility for funding consideration from the federal Hazard Mitigation Grant Program or any successor program;

(3) response spending, consisting of actions that address the immediate, direct results of a natural disaster, including the provision of search and rescue operations, emergency shelter and food provision, medical care, management of damaged utilities, the patrolling of looting-prone areas, and damage assessment; and

(4) recovery spending, consisting of short- and long-term activities designed to restore communities to normal or better conditions, including returning utility systems to operational

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined <u>thus</u> is new matter.**

standards; managing debris; reconstructing public infrastructure; providing redevelopment grants, loans, and legal assistance; and rebuilding communities.

b. Within each category of spending, the plain-language summary of natural disaster-related spending shall report where the funding originated for the various expenditures, and whether a reimbursement is anticipated. If spending originated with a different unit of government, such as the State or federal government, then the plain-language summary shall indicate which unit was the source.

c. The commissioner shall require local units, pursuant to section 39 of P.L.2007, c.63 (C.40A:5-48), and school districts, pursuant to section 2 of P.L.2007, c.53 (C.18A:22-8a), to summarize their natural disaster-related spending as a part of their user-friendly budget reporting. In accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and regulations to facilitate local unit and school district compliance with the user-friendly budget requirements established by this subsection.

2. Section 2 of P.L.2007, c.53 (C.18A:22-8a) is amended to read as follows:

2. a. The Commissioner of Education shall promulgate "user-friendly," plain language budget summary forms for the use of school districts. The commissioner shall also promulgate a procedure for the submission by each school district of the required budget summary form to the Department of Education following the approval of the budget.

b. <u>(1)</u> The plain language budget summary shall provide the public with information in summary form about the budget of the school district and shall include, in addition to an abbreviated version of the formal budget adopted by the school district, such statistical information as the commissioner determines to be useful for the public's understanding of the school district's fiscal matters and condition, and shall also include, but not be limited to, the following information for both the district's budget year and the prebudget year: all line items of appropriation aggregated by item type; the school tax rate; the equalized school tax rate; revenues by major category; the amount of available surplus; a description of unusual revenues or appropriations, with a description of the circumstances of the revenues or appropriations; and a list of shared service agreements in which the district is participating.

<u>(2) Natural disaster-related appropriations and revenues shall be summarized in accordance with the rules and regulations adopted pursuant to section 1 of P.L. , c. (C. ) (pending before the Legislature as this bill).</u>

c. The plain language budget summary shall be submitted to the Department of Education in such form as determined by the

commissioner, and, upon its receipt of the summary, the department shall make the summary available to the public through an Internet website maintained by the department in an easily accessible location. The information on the web site shall be presented as data that can be downloaded by the public for comparative purposes using commonly-used software.
(cf: P.L.2007, c.53, s.2)

3. Section 39 of P.L.2007, c.63 (C.40A:5-48) is amended to read as follows:

39. a. The Local Finance Board shall promulgate "user-friendly," plain language budget summary forms for the use of counties, municipalities, local authorities, and fire districts. The board shall also promulgate a procedure for the submission by each of these local government units of the required budget summary form to the Division of Local Government Services in the Department of Community Affairs following the adoption of the annual budget.

b. (1) The plain language budget summary shall provide the public with information in summary form about the budget of the local unit and shall include, in addition to an abbreviated version of the formal budget adopted by the local unit, such statistical information as the board determines to be useful for the public's understanding of the local unit's fiscal matters and condition, and shall also include, but shall not be limited to the following information, for both the local unit's current budget year and the previous budget year, as the Local Finance Board determines appropriate to the local unit: all line items of appropriation aggregated by service type; the property tax rate; the property tax collection rate; the assessed value and taxable value of all real property located in the local unit; the amount of bonded indebtedness of the local unit; revenues by major category; description of unusual revenues or appropriations, with a description of the circumstances of the revenues or appropriations; a list of shared service agreements in which the local unit is participating; and the number and amount of outstanding long-term tax exemptions and abatements, and the amount of revenue derived therefrom.

(2) Natural disaster-related appropriations and revenues shall be summarized in accordance with the rules and regulations adopted pursuant to section 1 of P.L. , c. (C. ) (pending before the Legislature as this bill).

c. The plain language budget summary shall be submitted to the division in such form as determined by the Local Finance Board, and, upon its receipt of the summary, the division shall make the summary available to the public through an Internet website maintained by the division. The information on the website shall be

presented as data that can be downloaded by the public for comparative purposes using commonly-used software.
(cf: P.L.2007, c.63, s.39)

4. This act shall take effect immediately.

STATEMENT

This bill requires the Department of Community Affairs ("DCA"), in consultation with other State agencies and authorities as necessary, to track natural disaster-related spending by counties, municipalities, local authorities, fire districts, school districts, and by the State. The bill requires DCA to provide a plain-language summary of the natural disaster-related spending on the State's Internet website, and update the summary on an annual basis.

The bill requires the natural disaster spending summary to provide the public with information on the natural disaster-related spending of the State, and of its various units of local government. The bill directs DCA to organize natural disaster-related spending into the following categories, and expand or refine each category as deemed appropriate:

(1) Preparedness spending, consisting of measures intended to enhance the ability to mitigate against, respond to, and recover from a disaster, including pre-event contracting, public awareness or outreach campaigns, training, warning system installation, response and recovery planning, vital food and medical supply maintenance, emergency operation center management, and emergency personnel on mobilization;

(2) Mitigation spending, consisting of measures to reduce or eliminate the potential harmful consequences of disasters, including retrofitting buildings and infrastructure, buying out vulnerable property, establishing hazard-mitigation plans, building tornado safe rooms, implementing building safety codes, and any measure consistent with eligibility for funding consideration from the federal Hazard Mitigation Grant Program;

(3) Response spending, consisting of actions that address the immediate, direct results of a natural disaster, including the provision of search and rescue operations, emergency shelter and food provision, medical care, management of damaged utilities, the patrolling of looting-prone areas, and damage assessment; and

(4) Recovery spending, consisting of short- and long-term activities designed to restore communities to normal or better conditions, including returning utility systems to operational standards; managing debris; reconstructing public

infrastructure; providing redevelopment grants, loans, and legal assistance; and rebuilding communities.

Within each category of spending, the bill directs the natural disaster spending summary to report where the funding originated for the various expenditures, and whether a reimbursement is anticipated. If spending originated with a different unit of government, such as the State or federal government, then the plain-language summary is required to indicate which unit was the source.

Finally, in order to facilitate the reporting of expenditures from the various entities of local government, the bill directs DCA to require local government units, including school districts, to summarize their natural disaster-related spending as a part of user-friendly budget reporting, which is already provided annually.