

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5753

STATE OF NEW JERSEY

DATED: JUNE 16, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5753.

This bill requires the Commissioner of Corrections (commissioner) to develop a request for proposal for the purpose of determining eligibility for participation in a project to evaluate and make recommendations for: the closure and consolidation of State correctional facilities; the repair of existing infrastructure at State correctional facilities as well as cost-effective alternatives to any necessary repairs; the reduction, reassignment, or both, of staff at State correctional facilities; changes in the provision of benefits, including, but not limited to, overtime pay to staff at State correctional facilities; the adoption of energy efficiency measures at State correctional facilities; and the adoption of other efficiency measures to reduce operational costs at State correctional facilities.

The bill requires the commissioner to establish guidelines for its approval of an application to participate in the project. Upon developing a request for proposal, the commissioner is to issue the request for proposal in a form and manner determined by the commissioner. The commissioner may approve more than one application for participation in the project, provided that the total number of approved applications collectively achieve the purposes of the project. The commissioner is to oversee, coordinate, and provide assistance to the project.

The bill requires the request for proposal to require applicants intending to participate in the project to submit to the commissioner certain information as described in the bill. The request for proposal is to give preference to applicants that are nonprofit organizations and that have demonstrated expertise in the development of prison downsizing strategies.

Upon the commissioner's approval of an application to participate in the project, the commissioner is to require the approved applicant to enter into an agreement with the commissioner that is to contain certain information as described in the bill.

The bill requires the commissioner to report, within 18 months of the effective date of the bill, to the Governor and the Legislature, on the results of the establishment of the project and post a copy of that report on the Department of Correction's Internet website.

The bill authorizes the commissioner to seek and accept gifts, donations, grants, or loans from private or public sources for any purposes of this act, including, but not limited to, any federal funding to be provided for the purposes of the project, except that the commissioner is not to accept a gift, donation, grant, or loan that is subject to conditions that are inconsistent with any other law of this State.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates a one-time expenditure for the purposes of developing a Request for Proposal (RFP) by the Department of Corrections (DOC) as required by this bill. The cost would be largely be driven by the additional administrative work and time to develop a proposal to determine eligibility for participation in a wide array of projects, including but not limited to, the closure and consolidation of State correctional facilities; the repair of existing infrastructure at State correctional facilities; and overtime pay to staff at State correctional facilities. It is unclear if the development of an RFP would result in overtime hours worked by certain staff members at the DOC. The OLS does not have sufficient information to determine the exact expense to the State.