

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie signs 9 bills into law, including measure to improve fire safety at New Jersey colleges,"
NewJerseyNewsroom.com, 1-27-11.

LAW/KR

P.L.2011, CHAPTER 7, *approved January 25, 2011*

Assembly, No. 2844

1 **AN ACT** concerning the online posting of municipal and county
2 adopted budgets and amending N.J.S.40A:4-10 and P.L.1966,
3 c.293.

4

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

7

8 1. N.J.S.40A:4-10 is amended to read as follows:

9 40A:4-10. No budget or amendment thereof shall be adopted
10 unless the director shall have previously certified his approval
11 thereof. Final adoption shall be by resolution adopted by a majority
12 of the full membership of the governing body, and may be by title
13 where the procedures required by N.J.S.40A:4-8 and N.J.S.40A:4-9
14 or section 12 of P.L.1995, c.259 (C.40A:4-6.1), as applicable, have
15 been followed.

16 The budget shall be adopted in the case of a county not later than
17 February 25, and in the case of a municipality not later than March
18 20 of the calendar fiscal year or September 20 of the State fiscal
19 year, except that the governing body may adopt the budget at any
20 time within 10 days after the director shall have certified his
21 approval thereof and returned the same, if such certification shall be
22 later than the date of the advertised hearing.

23 If, in the case of a municipality which operates on the State fiscal
24 year, the governing body fails to adopt the budget within the
25 permitted time, the chief financial officer of the local unit shall so
26 notify the director the next working day after the expiration of the
27 permitted time.

28 Copies of the budget, as adopted, in such form and in such
29 quantity as determined by the Local Finance Board, shall be
30 transmitted to the director, and made available in print for public
31 inspection at the local library, within three days after adoption.

32 Upon adoption, the budget shall constitute an appropriation for
33 the purposes stated therein and an authorization of the amount to be
34 raised by taxation for the purposes of the local unit.

35 The adopted budget shall be provided for public inspection on
36 the local unit's website, if one exists, or, if one does not exist, the
37 budget shall be provided for public inspection on the website of the
38 Department of Community Affairs, and made available online and
39 in print as required by this section in a "user-friendly" summary
40 format using plain language. In addition to the current year adopted
41 budget, the local unit's adopted budgets of the immediately
42 preceding three budget years also shall be provided for public

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 thus is new matter.

1 inspection on the local unit's website, if one exists, or, if one does
2 not exist, those budgets also shall be provided for public inspection
3 on the website of the Department of Community Affairs. Any
4 adopted budget posted online pursuant to this section shall remain
5 posted online for the duration of the local budget year. The Local
6 Finance Board shall promulgate a "user-friendly," plain language
7 summary format for use by local units for this purpose pursuant to
8 section 39 of P.L.2007, c.63 (C.40A:5-48).

9 (P.L.2007, c.63, s.38)

10
11 2. Section 9 of P.L.1966, c.293 (C.52:27D-9) is amended to
12 read as follows:

13 9. The department shall, in addition to other powers and duties
14 invested in it by this act, or by any other law:

15 (a) Assist in the coordination of State and Federal activities
16 relating to local government;

17 (b) Advise and inform the Governor on the affairs and problems
18 of local government and make recommendations to the Governor
19 for proposed legislation pertaining thereto;

20 (c) Encourage cooperative action by local governments,
21 including joint service agreements, regional compacts and other
22 forms of regional cooperation;

23 (d) Assist local government in the solution of its problems, to
24 strengthen local self-government;

25 (e) Study the entire field of local government in New Jersey;

26 (f) Collect, collate, publish and disseminate information
27 necessary for the effective operation of the department and useful
28 to local government;

29 (g) Maintain an inventory of data and information and act as a
30 clearing house and referral agency for information on State and
31 Federal services and programs;

32 (h) Stimulate local programs through publicity, education,
33 guidance and technical assistance concerning Federal and State
34 programs;

35 (i) Convene meetings of municipal, county or other local
36 officials to discuss ways of cooperating to provide service more
37 efficiently and economically; **[and]**

38 (j) Maintain and make available on request a list of persons
39 qualified to mediate or arbitrate disputes between local units of
40 government arising from joint service projects or other cooperative
41 activities, and further to prescribe rates of compensation for all such
42 mediation, factfinding or arbitration services; and

43 (k) Post on the department's website the annual budget and
44 three immediately preceding adopted budgets of any municipality or
45 county that does not maintain its own website pursuant to the
46 requirements of N.J.S.40A:4-10.

47 (cf: P.L.1973, c.208, s.10)

1 3. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill would require the Department of Community Affairs to
7 post on its website the budget of any municipality or county that
8 does not maintain its own website. The bill also requires that in
9 addition to the current year adopted budget, the local unit's adopted
10 budgets of the immediately preceding three budget years also shall
11 be provided for public inspection on the local unit's website, if one
12 exists, or, if one does not exist, those budgets also shall be provided
13 for public inspection on the website of the Department of
14 Community Affairs. Any adopted budget posted online must
15 remain posted online for the duration of the local budget year.

16 N.J.S.40A:4-10 was amended by P.L.2007, c.63 to require that
17 the adopted budget of a county or of a municipality shall be
18 provided for public inspection on the local unit's website, if one
19 exists. This amendment was adopted in furtherance of making the
20 local budget process transparent for local property taxpayers.
21 However, in the case of a municipality or county that does not
22 maintain a website, a local taxpayer seeking to inspect either the
23 county or municipal budget, or both, would have to travel to the
24 local library to use the printed copy that N.J.S.40A:4-10 requires
25 counties and municipalities to make available there. Such travel
26 may be inconvenient or impossible for some taxpayers, and thereby
27 deprive these persons of an opportunity to examine the adopted
28 local spending plan, or plans, that their property taxes support.

29 It is the intent of the sponsor that the Department of Community
30 Affairs, which pursuant to the "Local Budget Law," N.J.S.40A:4-1
31 et seq., has the statutory obligation to review and approve county
32 and municipal budgets, can and should facilitate the transparency of
33 the local budget process by providing an on-line forum for the
34 posting of the current budget, and three immediately preceding
35 budgets, of any municipality or county that does not have its own
36 website, so that any taxpayer with access to the Internet can review
37 these local budgets on line at any time.

38

39

40

41

42 Requires DCA to post on its website the current adopted budget
43 of any county or municipality that does not maintain its own
44 website; also requires posting of three immediately preceding
45 adopted budgets.

ASSEMBLY, No. 2844

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED JUNE 10, 2010

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Assemblyman MATTHEW W. MILAM

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman NELSON T. ALBANO

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

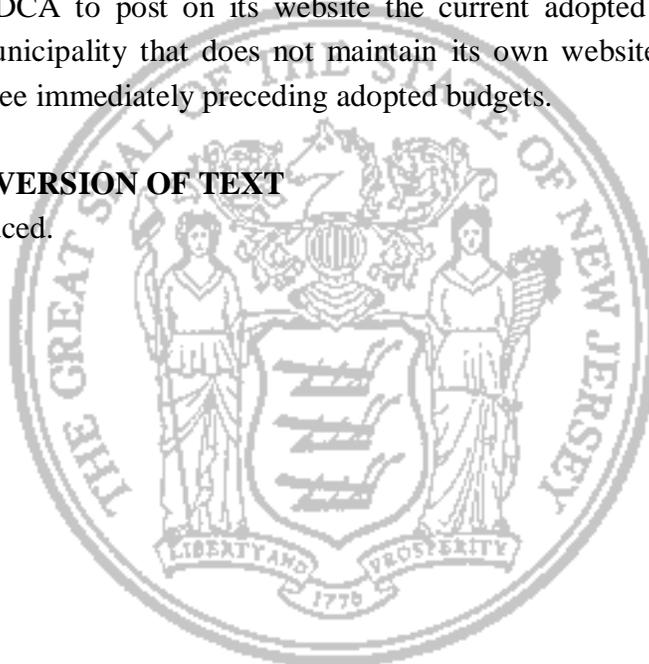
Senators Madden, Beach and Stack

SYNOPSIS

Requires DCA to post on its website the current adopted budget of any county or municipality that does not maintain its own website; also requires posting of three immediately preceding adopted budgets.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/14/2010)

A2844 LAMPITT, MORIARTY

2

1 AN ACT concerning the online posting of municipal and county
2 adopted budgets and amending N.J.S.40A:4-10 and P.L.1966,
3 c.293.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. N.J.S.40A:4-10 is amended to read as follows:

9 40A:4-10. No budget or amendment thereof shall be adopted
10 unless the director shall have previously certified his approval
11 thereof. Final adoption shall be by resolution adopted by a majority
12 of the full membership of the governing body, and may be by title
13 where the procedures required by N.J.S.40A:4-8 and N.J.S.40A:4-9
14 or section 12 of P.L.1995, c.259 (C.40A:4-6.1), as applicable, have
15 been followed.

16 The budget shall be adopted in the case of a county not later than
17 February 25, and in the case of a municipality not later than March
18 20 of the calendar fiscal year or September 20 of the State fiscal
19 year, except that the governing body may adopt the budget at any
20 time within 10 days after the director shall have certified his
21 approval thereof and returned the same, if such certification shall be
22 later than the date of the advertised hearing.

23 If, in the case of a municipality which operates on the State fiscal
24 year, the governing body fails to adopt the budget within the
25 permitted time, the chief financial officer of the local unit shall so
26 notify the director the next working day after the expiration of the
27 permitted time.

28 Copies of the budget, as adopted, in such form and in such
29 quantity as determined by the Local Finance Board, shall be
30 transmitted to the director, and made available in print for public
31 inspection at the local library, within three days after adoption.

32 Upon adoption, the budget shall constitute an appropriation for
33 the purposes stated therein and an authorization of the amount to be
34 raised by taxation for the purposes of the local unit.

35 The adopted budget shall be provided for public inspection on
36 the local unit's website, if one exists, or, if one does not exist, the
37 budget shall be provided for public inspection on the website of the
38 Department of Community Affairs, and made available online and
39 in print as required by this section in a "user-friendly" summary
40 format using plain language. In addition to the current year adopted
41 budget, the local unit's adopted budgets of the immediately
42 preceding three budget years also shall be provided for public
43 inspection on the local unit's website, if one exists, or, if one does
44 not exist, those budgets also shall be provided for public inspection
45 on the website of the Department of Community Affairs. Any

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 thus is new matter.

1 adopted budget posted online pursuant to this section shall remain
2 posted online for the duration of the local budget year. The Local
3 Finance Board shall promulgate a "user-friendly," plain language
4 summary format for use by local units for this purpose pursuant to
5 section 39 of P.L.2007, c.63 (C.40A:5-48).

6 (P.L.2007, c.63, s.38)

7

8 2. Section 9 of P.L.1966, c.293 (C.52:27D-9) is amended to
9 read as follows:

10 9. The department shall, in addition to other powers and duties
11 invested in it by this act, or by any other law:

12 (a) Assist in the coordination of State and Federal activities
13 relating to local government;

14 (b) Advise and inform the Governor on the affairs and problems
15 of local government and make recommendations to the Governor
16 for proposed legislation pertaining thereto;

17 (c) Encourage cooperative action by local governments,
18 including joint service agreements, regional compacts and other
19 forms of regional cooperation;

20 (d) Assist local government in the solution of its problems, to
21 strengthen local self-government;

22 (e) Study the entire field of local government in New Jersey;

23 (f) Collect, collate, publish and disseminate information
24 necessary for the effective operation of the department and useful
25 to local government;

26 (g) Maintain an inventory of data and information and act as a
27 clearing house and referral agency for information on State and
28 Federal services and programs;

29 (h) Stimulate local programs through publicity, education,
30 guidance and technical assistance concerning Federal and State
31 programs;

32 (i) Convene meetings of municipal, county or other local
33 officials to discuss ways of cooperating to provide service more
34 efficiently and economically; **[and]**

35 (j) Maintain and make available on request a list of persons
36 qualified to mediate or arbitrate disputes between local units of
37 government arising from joint service projects or other cooperative
38 activities, and further to prescribe rates of compensation for all such
39 mediation, factfinding or arbitration services; and

40 (k) Post on the department's website the annual budget and
41 three immediately preceding adopted budgets of any municipality or
42 county that does not maintain its own website pursuant to the
43 requirements of N.J.S.40A:4-10.

44 (cf: P.L.1973, c.208, s.10)

45

46 3. This act shall take effect immediately.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

This bill would require the Department of Community Affairs to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that in addition to the current year adopted budget, the local unit's adopted budgets of the immediately preceding three budget years also shall be provided for public inspection on the local unit's website, if one exists, or, if one does not exist, those budgets also shall be provided for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online must remain posted online for the duration of the local budget year.

N.J.S.40A:4-10 was amended by P.L.2007, c.63 to require that the adopted budget of a county or of a municipality shall be provided for public inspection on the local unit's website, if one exists. This amendment was adopted in furtherance of making the local budget process transparent for local property taxpayers. However, in the case of a municipality or county that does not maintain a website, a local taxpayer seeking to inspect either the county or municipal budget, or both, would have to travel to the local library to use the printed copy that N.J.S.40A:4-10 requires counties and municipalities to make available there. Such travel may be inconvenient or impossible for some taxpayers, and thereby deprive these persons of an opportunity to examine the adopted local spending plan, or plans, that their property taxes support.

It is the intent of the sponsor that the Department of Community Affairs, which pursuant to the "Local Budget Law," N.J.S.40A:4-1 et seq., has the statutory obligation to review and approve county and municipal budgets, can and should facilitate the transparency of the local budget process by providing an on-line forum for the posting of the current budget, and three immediately preceding budgets, of any municipality or county that does not have its own website, so that any taxpayer with access to the Internet can review these local budgets on line at any time.

ASSEMBLY REGULATORY OVERSIGHT AND GAMING
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2844

STATE OF NEW JERSEY

DATED: SEPTEMBER 20, 2010

The Assembly Regulatory Oversight and Gaming Committee reports favorably Assembly Bill No. 2844.

This bill would require the Department of Community Affairs to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that in addition to the current year adopted budget, the local unit's adopted budgets of the immediately preceding three budget years also shall be provided for public inspection on the local unit's website, if one exists, or, if one does not exist, those budgets also shall be provided for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online must remain posted online for the duration of the local budget year.

N.J.S.40A:4-10 was amended by P.L.2007, c.63 to require that the adopted budget of a county or of a municipality shall be provided for public inspection on the local unit's website, if one exists. This amendment was adopted in furtherance of making the local budget process transparent for local property taxpayers. However, in the case of a municipality or county that does not maintain a website, a local taxpayer seeking to inspect either the county or municipal budget, or both, would have to travel to the local library to use the printed copy that N.J.S.40A:4-10 requires counties and municipalities to make available there. Such travel may be inconvenient or impossible for some taxpayers, and thereby deprive these persons of an opportunity to examine the adopted local spending plan, or plans, that their property taxes support.

It is the intent of the sponsor that the Department of Community Affairs, which pursuant to the "Local Budget Law," N.J.S.40A:4-1 et seq., has the statutory obligation to review and approve county and municipal budgets, can and should facilitate the transparency of the local budget process by providing an on-line forum for the posting of the current budget, and three immediately preceding budgets, of any municipality or county that does not have its own website, so that any taxpayer with access to the Internet can review these local budgets on line at any time.

This bill is identical to Senate, No. 2022 of 2010.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 2844
STATE OF NEW JERSEY
214th LEGISLATURE

DATED: OCTOBER 6, 2010

SUMMARY

Synopsis: Requires DCA to post on its website the current adopted budget of any county or municipality that does not maintain its own website; also requires posting of three immediately preceding adopted budgets.

Type of Impact: Potential increase in State costs.

Agencies Affected: Department of Community Affairs

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate Potential Increase – See comments below		
Local Cost	Indeterminate Potential Increase – See comments below		

- The Office of Legislative Services (OLS) has determined that the enactment of Assembly Bill No. 2844 of 2010 would result in an indeterminate potential increase in State and local government costs.
- To the extent that either the Department of Community Affairs (DCA) or a local unit has to hire additional personnel or increase its information technology capacity in order to provide for the posting of certain county and municipal budgets, that entity may incur additional expenses.

BILL DESCRIPTION

Assembly Bill No. 2844 of 2010 would require the DCA to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that in addition to the current year’s adopted budget, the local unit’s adopted budgets of the immediately preceding three budget years shall be provided for public inspection on the local unit’s website, if one exists, or if one does not exist, those budgets shall be provided for public inspection on the website of the DCA. Any adopted budget posted online must remain posted online for the duration of the local budget year and for the subsequent three years.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS has determined that the enactment of Assembly Bill No. 2844 of 2010 would result in an indeterminate potential increase in State and local government costs. To the extent that either the DCA or a local unit has to hire additional personnel or increase its information technology to capacity in order to provide for the posting of certain county and municipal budgets, that entity may incur additional expenses. Detailed information on local government expenditures associated with the posting of county and municipal budgets on official websites is not available. The OLS notes that the Division of Local Government Services currently posts a limited amount of local government fiscal information on its website for each municipality and county.

Section: Local Government

*Analyst: Scott A. Brodsky
Associate Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2844

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2010

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 2844.

This bill would require the Department of Community Affairs to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that, in addition to the current year adopted budget, the local unit's adopted budgets of the immediately preceding three budget years also shall be available for public inspection on the local unit's website, if one exists, or, if one does not exist, those budgets also shall be available for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online must remain posted online for the duration of the local budget year.

Current law requires that the adopted budget of a county or of a municipality shall be provided for public inspection on the local unit's website, if one exists. However, in the case of a municipality or county that does not maintain a website, a local taxpayer seeking to inspect either the county or municipal budget, or both, would have to travel to the local library to use the printed copy that N.J.S.40A:4-10 requires counties and municipalities to make available there. Such travel may be inconvenient or impossible for some taxpayers, and thereby deprive these persons of an opportunity to examine the adopted local spending plan, or plans, that their property taxes support.

This bill is identical to Senate Bill No. 2022, as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) has determined that the enactment of this bill will result in an indeterminate potential increase in State and local government costs. To the extent that the Department of Community Affairs has to hire additional personnel or increase its information technology capacity in order to provide for the posting of certain county and municipal budgets, it may incur additional expenses. Some local units may have to post additional budget documents on their websites in order to comply with the requirements of the bill. The OLS projects a potential, but likely minimal, increase

in costs in these instances. Detailed information on local government expenditures associated with the posting of county and municipal budgets on official websites is not available. The OLS notes that the Division of Local Government Services currently posts a limited amount of local government fiscal information on its website for each municipality and county.

CORRECTED COPY
LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 2844
STATE OF NEW JERSEY
214th LEGISLATURE

DATED: JANUARY 6, 2011

SUMMARY

- Synopsis:** Requires DCA to post on its website the current adopted budget of any county or municipality that does not maintain its own website; also requires posting of three immediately preceding adopted budgets.
- Type of Impact:** Potential increase in State and local expenditures.
- Agencies Affected:** Department of Community Affairs; counties and municipalities

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate Potential Increase – See comments below		
Local Cost	Indeterminate Potential Increase, Likely Minimal, (Year 1 Only) – See comments below		

- The Office of Legislative Services (OLS) has determined that the enactment of Assembly Bill No. 2844 would result in an indeterminate potential increase in State and local government costs. The OLS notes that local governments would experience an increase in costs only in the first year following the enactment of the bill.
- To the extent that the Department of Community Affairs additional personnel or increase its information technology capacity in order to provide for the posting of certain county and municipal budgets, it may incur additional expenses.
- Some local units may have to post additional budget documents on their websites in order to comply with the mandates of Assembly Bill No. 2844. The OLS projects a potential, but likely minimal, increase in costs in these instances.

BILL DESCRIPTION

Assembly Bill No. 2844 of 2010 would require the Department of Community Affairs to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that in addition to the current year’s adopted budget, the local unit’s

adopted budgets of the immediately preceding three budget years shall be provided for public inspection on the local unit's website, if one exists, or if one does not exist, those budgets shall be provided for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online must remain posted online for the duration of the local budget year and for the subsequent three years.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS has determined that the enactment of Assembly Bill No. 2844 would result in an indeterminate potential increase in State and local government costs. To the extent that the Department of Community Affairs has to hire additional personnel or increase its information technology to capacity in order to provide for the posting of certain county and municipal budgets, it may incur additional expenses. Some local units may have to post additional budget documents on their websites in order to comply with the mandates of Assembly Bill No. 2844. The OLS projects a potential, but likely minimal, increase in costs in these instances. Detailed information on local government expenditures associated with the posting of county and municipal budgets on official websites is not available. The OLS notes that the Division of Local Government Services currently posts a limited amount of local government fiscal information on its website for each municipality and county.

Section: Local Government

*Analyst: Scott A. Brodsky
Associate Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2022

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED JUNE 3, 2010

Sponsored by:

Senator FRED H. MADDEN, JR.
District 4 (Camden and Gloucester)
Senator LINDA R. GREENSTEIN
District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senators Beach and Stack

SYNOPSIS

Requires DCA to post on its website the current adopted budget of any county or municipality that does not maintain its own website; also requires posting of three immediately preceding adopted budgets.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/14/2010)

1 AN ACT concerning the online posting of municipal and county
2 adopted budgets and amending N.J.S.40A:4-10 and P.L.1966,
3 c.293.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. N.J.S.40A:4-10 is amended to read as follows:
9 40A:4-10. No budget or amendment thereof shall be adopted
10 unless the director shall have previously certified his approval
11 thereof. Final adoption shall be by resolution adopted by a majority
12 of the full membership of the governing body, and may be by title
13 where the procedures required by N.J.S.40A:4-8 and N.J.S.40A:4-9
14 or section 12 of P.L.1995, c.259 (C.40A:4-6.1), as applicable, have
15 been followed.

16 The budget shall be adopted in the case of a county not later than
17 February 25, and in the case of a municipality not later than March
18 20 of the calendar fiscal year or September 20 of the State fiscal
19 year, except that the governing body may adopt the budget at any
20 time within 10 days after the director shall have certified his
21 approval thereof and returned the same, if such certification shall be
22 later than the date of the advertised hearing.

23 If, in the case of a municipality which operates on the State fiscal
24 year, the governing body fails to adopt the budget within the
25 permitted time, the chief financial officer of the local unit shall so
26 notify the director the next working day after the expiration of the
27 permitted time.

28 Copies of the budget, as adopted, in such form and in such
29 quantity as determined by the Local Finance Board, shall be
30 transmitted to the director, and made available in print for public
31 inspection at the local library, within three days after adoption.

32 Upon adoption, the budget shall constitute an appropriation for
33 the purposes stated therein and an authorization of the amount to be
34 raised by taxation for the purposes of the local unit.

35 The adopted budget shall be provided for public inspection on
36 the local unit's website, if one exists, or, if one does not exist, the
37 budget shall be provided for public inspection on the website of the
38 Department of Community Affairs, and made available online and
39 in print as required by this section in a "user-friendly" summary
40 format using plain language. In addition to the current year adopted
41 budget, the local unit's adopted budgets of the immediately
42 preceding three budget years also shall be provided for public
43 inspection on the local unit's website, if one exists, or, if one does
44 not exist, those budgets also shall be provided for public inspection
45 on the website of the Department of Community Affairs. Any

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 thus is new matter.

1 adopted budget posted online pursuant to this section shall remain
2 posted online for the duration of the local budget year. The Local
3 Finance Board shall promulgate a "user-friendly," plain language
4 summary format for use by local units for this purpose pursuant to
5 section 39 of P.L.2007, c.63 (C.40A:5-48).

6 (cf: P.L.2007, c.63, s.38)

7
8 2. Section 9 of P.L.1966, c.293 (C.52:27D-9) is amended to read
9 as follows:

10 9. The department shall, in addition to other powers and duties
11 invested in it by this act, or by any other law:

12 (a) Assist in the coordination of State and Federal activities
13 relating to local government;

14 (b) Advise and inform the Governor on the affairs and problems
15 of local government and make recommendations to the Governor
16 for proposed legislation pertaining thereto;

17 (c) Encourage cooperative action by local governments,
18 including joint service agreements, regional compacts and other
19 forms of regional cooperation;

20 (d) Assist local government in the solution of its problems, to
21 strengthen local self-government;

22 (e) Study the entire field of local government in New Jersey;

23 (f) Collect, collate, publish and disseminate information
24 necessary for the effective operation of the department and useful
25 to local government;

26 (g) Maintain an inventory of data and information and act as a
27 clearing house and referral agency for information on State and
28 Federal services and programs;

29 (h) Stimulate local programs through publicity, education,
30 guidance and technical assistance concerning Federal and State
31 programs;

32 (i) Convene meetings of municipal, county or other local
33 officials to discuss ways of cooperating to provide service more
34 efficiently and economically; **[and]**

35 (j) Maintain and make available on request a list of persons
36 qualified to mediate or arbitrate disputes between local units of
37 government arising from joint service projects or other cooperative
38 activities, and further to prescribe rates of compensation for all such
39 mediation, factfinding or arbitration services; and

40 (k) Post on the department's website the annual budget and three
41 immediately preceding adopted budgets of any municipality or
42 county that does not maintain its own website pursuant to the
43 requirements of N.J.S.40A:4-10.

44 (cf: P.L.1973, c.208, s.10)

45

46 3. This act shall take effect immediately.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

This bill would require the Department of Community Affairs to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that in addition to the current year adopted budget, the local unit’s adopted budgets of the immediately preceding three budget years also shall be provided for public inspection on the local unit’s website, if one exists, or, if one does not exist, those budgets also shall be provided for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online must remain posted online for the duration of the local budget year.

N.J.S.40A:4-10 was amended by P.L.2007, c.63 to require that the adopted budget of a county or of a municipality shall be provided for public inspection on the local unit's website, if one exists. This amendment was adopted in furtherance of making the local budget process transparent for local property taxpayers. However, in the case of a municipality or county that does not maintain a website, a local taxpayer seeking to inspect either the county or municipal budget, or both, would have to travel to the local library to use the printed copy that N.J.S.40A:4-10 requires counties and municipalities to make available there. Such travel may be inconvenient or impossible for some taxpayers, and thereby deprive these persons of an opportunity to examine the adopted local spending plan, or plans, that their property taxes support.

It is the intent of the sponsor that the Department of Community Affairs, which pursuant to the “Local Budget Law,” N.J.S.40A:4-1 et seq., has the statutory obligation to review and approve county and municipal budgets, can and should facilitate the transparency of the local budget process by providing an on-line forum for the posting of the current budget, and three immediately preceding budgets, of any municipality or county that does not have its own website, so that any taxpayer with access to the Internet can review these local budgets on line at any time.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2022

STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 2010

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 2022.

This bill would require the Department of Community Affairs to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that, in addition to the current year adopted budget, the local unit's adopted budgets of the immediately preceding three budget years also shall be available for public inspection on the local unit's website, if one exists, or, if one does not exist, those budgets also shall be available for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online must remain posted online for the duration of the local budget year.

Current law requires that the adopted budget of a county or of a municipality shall be provided for public inspection on the local unit's website, if one exists. However, in the case of a municipality or county that does not maintain a website, a local taxpayer seeking to inspect either the county or municipal budget, or both, would have to travel to the local library to use the printed copy that N.J.S.40A:4-10 requires counties and municipalities to make available there. Such travel may be inconvenient or impossible for some taxpayers, and thereby deprive these persons of an opportunity to examine the adopted local spending plan, or plans, that their property taxes support.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2022

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2010

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2022.

This bill would require the Department of Community Affairs to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that, in addition to the current year adopted budget, the local unit's adopted budgets of the immediately preceding three budget years also shall be available for public inspection on the local unit's website, if one exists, or, if one does not exist, those budgets also shall be available for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online must remain posted online for the duration of the local budget year.

Current law requires that the adopted budget of a county or of a municipality shall be provided for public inspection on the local unit's website, if one exists. However, in the case of a municipality or county that does not maintain a website, a local taxpayer seeking to inspect either the county or municipal budget, or both, would have to travel to the local library to use the printed copy that N.J.S.40A:4-10 requires counties and municipalities to make available there. Such travel may be inconvenient or impossible for some taxpayers, and thereby deprive these persons of an opportunity to examine the adopted local spending plan, or plans, that their property taxes support.

This bill is identical to Assembly Bill No. 2844, as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) has determined that the enactment of this bill will result in an indeterminate potential increase in State and local government costs. To the extent that the Department of Community Affairs has to hire additional personnel or increase its information technology capacity in order to provide for the posting of certain county and municipal budgets, it may incur additional expenses. Some local units may have to post additional budget documents on their websites in order to comply with the requirements of the bill. The OLS projects a potential, but likely minimal, increase in costs in these instances. Detailed information on local government expenditures associated with the posting of county and municipal

budgets on official websites is not available. The OLS notes that the Division of Local Government Services currently posts a limited amount of local government fiscal information on its website for each municipality and county.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2022
STATE OF NEW JERSEY
214th LEGISLATURE

DATED: JANUARY 5, 2011

SUMMARY

Synopsis: Requires DCA to post on its website the current adopted budget of any county or municipality that does not maintain its own website; also requires posting of three immediately preceding budgets.

Type of Impact: Potential State and local expenditure increases.

Agencies Affected: Department of Community Affairs; counties and municipalities

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate Potential Increase – See comments below		
Local Cost	Indeterminate Potential Increase, Likely Minimal, (Year 1 Only) – See comments below		

- The Office of Legislative Services (OLS) has determined that the enactment of Senate Bill No. 2022 of 2010 would result in an indeterminate potential increase in State and local government costs. The OLS notes that local governments would experience an increase in costs only in the first year following the enactment of the bill.
- To the extent that the Department of Community Affairs (DCA) has to hire additional personnel or increase its information technology capacity in order to provide for the posting of certain county and municipal budgets, it may incur additional expenses.
- Some local units may have to post additional budget documents on their websites in order to comply with the mandates of Senate Bill No. 2022. The OLS projects a potential, but likely minimal, increase in costs in these instances.

BILL DESCRIPTION

Senate Bill No. 2022 of 2010 would require the DCA to post on its website the budget of any municipality or county that does not maintain its own website. The bill also requires that in addition to the current year’s adopted budget, the local unit’s adopted budgets of the immediately



preceding three budget years shall be provided for public inspection on the local unit's website, if one exists, or if one does not exist, those budgets shall be provided for public inspection on the website of the DCA. Any adopted budget posted online must remain posted online for the duration of the local budget year and for the subsequent three years.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS has determined that the enactment of Senate Bill No. 2022 of 2010 would result in an indeterminate potential increase in State and local government costs. To the extent that the DCA has to hire additional personnel or increase its information technology capacity in order to provide for the posting of certain county and municipal budgets, it may incur additional expenses. Some local units may have to post additional budget documents on their websites in order to comply with the mandates of Senate Bill No. 2022. The OLS projects a potential, but likely minimal, increase in costs in these instances. Detailed information on local government expenditures associated with the posting of county and municipal budgets on official websites is not available. The OLS notes that the Division of Local Government Services currently posts a limited amount of local government fiscal information on its website for each municipality and county.

Section: Local Government

*Analyst: Scott A. Brodsky
Associate Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).