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REPORTS: Yes

HEARINGS: No

NEWSPAPER ARTICLES: Yes

974.90 Committee meeting of Joint Legislative Committee on Government Consolidation and Shared Services:
M966 Assembly bill no. 4, Senate bill no. 42, Assembly bill no. 8, Senate bill no. 49, Assembly bill no. 9, Senate bill no. 46,
2006n Assembly bill no. 10, Senate bill no. 47, Assembly bill no. 11, Senate bill no. 2374, Assembly bill no. 12, Senate bill
no. 45, Assembly bill no. 13, Senate bill no. 48, Assembly bill no. 14, Senate bill no. 39, Assembly bill no. 15, Senate
bill no. 38, Assembly concurrent resolution no. 5, Senate concurrent resolution no. 123. December 7, 2006

974.90 Final report of Special Session Joint Legislative Committee on Government Consolidation and Shared Services.
M966 December 1, 2006
2006p

974.90 Executive summary [of final report of Special Session Joint Legislative Committee on Government Consolidation and
M966 Shared Services]. By the New Jersey Legislature. Joint Legislative Committee on Government Consolidation and
2006q Shared Services

RWH 4-23-08

P.L. 2007, CHAPTER 56, *approved March 16, 2007*
Senate, No. 45 (*First Reprint*)

1 AN ACT concerning the Department of the Treasury, supplementing
2 Title 52 of the Revised Statutes and amending P.L.2005, c.46
3 and P.L.1989, c.3.

4

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

7

8 1. (New section) a. There is established in the Department of
9 the Treasury a Division of Risk Management.

10 b. All of the functions, powers and duties of the Bureau of Risk
11 Management within the Division of Purchase and Property in the
12 Department of the Treasury are hereby transferred to the Division
13 of Risk Management. Unless otherwise specified in the act, this
14 transfer shall be subject to the provisions of the "State Agency
15 Transfer Act," P.L.1971, c.375 (C. 52:14D-1 et seq.).

16 c. Whenever any statute, rule, regulation, order, contract, tariff,
17 document, reorganization plan, judicial or administrative
18 proceeding concerning risk management refers to the Bureau of
19 Risk Management, the reference shall mean and refer to the
20 Division of Risk Management.

21

22 2. (New section) The division shall be under the immediate
23 supervision of a director who shall administer the work of the
24 division under the direction and supervision of the State Treasurer.
25 The director shall be appointed by the Governor, with the advice
26 and consent of the Senate, and shall serve at the pleasure of the
27 Governor. The Director of the Division of Risk Management shall
28 receive such salary as shall be determined by the Treasurer within
29 the limits of available appropriations. Notwithstanding the
30 supervision and direction of the director by the State Treasurer, the
31 director shall report directly to the Governor on all activities and
32 responsibilities of the division as specified in this act.

33

34 3. (New section) The ¹**[**division shall function as an in-house
35 insurance company for the State of New Jersey, and as such, its¹**]**
36 mission ¹**of the division**¹ shall be to implement a well-coordinated
37 strategy to identify and respond to the needs of the various

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate amendments adopted in accordance with Governor's recommendations February 5, 2007.

1 departments and agencies of State Government in this regard.
2 Specifically, the division shall:

3 a. Procure ~~'[appropriate]'~~ insurance coverage ~~'~~, if
4 appropriate, for 'any or all of' the various departments and
5 agencies of State Government, 'other than independent authorities
6 and instrumentalities of the State, including, as otherwise required
7 by law or as appropriate, coverage through self-insurance and use of
8 third party administrators;

9 b. Assist the various departments and agencies of State
10 Government in developing sound plans of risk management,
11 including developing programs to protect physical assets, and
12 developing and implementing safety programs to mitigate both the
13 frequency and severity of accidental loss and by reviewing these
14 plans and programs from time to time;

15 c. Administer the processing of all claims for the various self-
16 administered and self-funded insurance programs of State agencies
17 and departments, with litigation support from the Department of
18 Law and Public Safety;

19 d. Compile and distribute, on a monthly basis, accident
20 frequency reports to the Governor, the commissioner of each
21 principal department of State Government, and the Legislature.
22 These reports shall track each department's current accident rate
23 compared to historical trends and shall include summaries of any
24 protocols in place to reduce risk; and

25 e. Continue all of the previous functions and responsibilities of
26 the Bureau of Risk Management, in addition to those listed in this
27 section, and develop new strategies and programs, as appropriate.
28

29 4. (New section) a. There is created a Risk Management
30 Committee to monitor the State's risk management program as
31 developed and coordinated by the division. The committee shall be
32 comprised of the commissioner of each principal department in
33 State Government, or his designee. The State Treasurer and the
34 Commissioner of Banking and Insurance shall serve as co-
35 chairpersons of the committee, and the director of the division shall
36 serve as Executive Secretary. The committee shall meet at least
37 once every three months to:

38 (1) review the accident frequency reports prepared by the
39 division pursuant to subsection d. of section 3 of P.L. ,
40 c. (C.) (pending before the Legislature as this bill);

41 (2) review policy issues related to worker safety and capital
42 repair issues and their relationship to workers' compensation
43 claims;

44 (3) develop a program and schedule for risk management
45 training of appropriate managers within the principal departments;
46 and

47 (4) oversee the establishment and operation of the risk
48 management committees of each of the principal departments.

1 b. Each commissioner shall, pursuant to his general rule-
2 making authority within each respective department, direct the
3 appropriate personnel to administer and enforce any programs or
4 protocols developed by the committee.

5

6 5. (New section) The Director of the Division of Risk
7 Management shall promulgate rules and regulations pursuant to the
8 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
9 seq.) to effectuate the purposes of this act.

10

11 6. (New section) Sections 6 through 18 of P.L. , c. (C.)
12 (pending before the Legislature as this bill) shall be known and may
13 be cited as “The Office of Information Technology Reorganization
14 Act.”

15

16 7. (New section) The Legislature finds and declares:

17 a. Since its inception, the Office of Information Technology
18 (OIT) has served an integral role in providing essential State
19 services, developing the State’s technical infrastructure, and
20 maintaining an efficient and transparent State government;

21 b. Beyond its core responsibilities of application development
22 and maintenance, data center operations, and telecommunications,
23 OIT provides invaluable data management, Internet development,
24 and geographic information systems to departments and agencies
25 within the Executive Branch of State Government;

26 c. From developing the Department of Human Service’s
27 computer-based disability insurance systems to maintaining
28 criminal databases utilized by the State Police, and from designing
29 the Motor Vehicle Commission’s online services to assisting the
30 Division of Taxation in collecting State revenues, OIT provides the
31 critical resources to connect various layers of State Government and
32 deliver services to State residents;

33 d. Despite its achievements, OIT has been restrained by a lack
34 of accountability, control, and monitoring in planning, developing,
35 and conducting department and agency information technology
36 projects;

37 e. The lack of oversight has contributed to disorganization and
38 economic inefficiencies, while also restricting growth, limiting
39 innovation, and discouraging creative input within OIT;

40 f. In order to realize the office’s potential, keep pace with
41 technological advancements, and meet the needs of residents and
42 businesses throughout the State, it is necessary to reinforce OIT’s
43 role with a new structure, leadership, and mission; and

44 g. Therefore, the State must take a proactive approach in
45 coordinating and integrating information technology planning,
46 budgeting, and spending throughout the Executive Branch to
47 advance cost savings, improve the quality of services, and retain
48 operating efficiencies.

- 1 8. (New section) As used in this act:
- 2 a. “Chair” means the chairperson of the New Jersey
3 Information Technology Governing Board.
- 4 b. “Governing Board” means the New Jersey Information
5 Technology Governing Board established by section 10 of P.L. ,
6 c. (C.) (pending before the Legislature as this bill).
- 7 c. “Office” means the Office of Information Technology
8 established by section 9 of P.L. , c. (C.).
- 9 d. “Project Review Board” means the New Jersey Information
10 Technology Project Review Board established by section 14 of
11 P.L. , c. (C.) (pending before the Legislature as this bill).
12
- 13 9. (New section) a. There is established an Office of
14 Information Technology.
- 15 b. The office shall be established in the Executive Branch of
16 State Government and to comply with the provisions of Article V,
17 Section IV, paragraph 1 of the New Jersey Constitution, the office
18 shall be allocated in but not of the Department of the Treasury.
19 Notwithstanding this allocation, the office shall be independent of
20 any supervision or control by the State Treasurer, or the department,
21 or by any division, board, office, or other officer thereof.
- 22 c. The office shall be directed by the Chief Technology
23 Officer, who shall report directly to the Governor.
- 24 d. The Chief Technology Officer shall submit requests for the
25 budget of the office directly to the Governing Board which shall
26 review the requests and upon approval forward them to the Division
27 of Budget and Accounting in the Department of the Treasury.
- 28 e. Under the direction of the Chief Technology Officer, the
29 office shall be responsible for:
- 30 (1) providing and maintaining the information technology
31 infrastructure of the Executive Branch of State Government,
32 including all ancillary departments and agencies of the Executive
33 Branch of State Government; and
- 34 (2) providing staff support to the Governing Board at the request
35 of the Chair.
- 36 f. The functions, powers, and duties granted to the office by
37 Executive Order No. 84 of 1984, Executive Order No. 87 of 1998,
38 and Executive Order No. 42 of 2006 shall be continued, and any
39 function, power, or duty granted to the office by the Executive
40 Orders that is inconsistent with the provisions of this act shall be
41 rescinded.
42
- 43 10. (New section) a. There is established the New Jersey
44 Information Technology Governing Board.
- 45 b. The Governing Board shall be comprised of nine members,
46 including:
- 47 (1) the Chair, who shall be appointed by and serve at the
48 pleasure of the Governor and shall possess the qualifications,

1 training, and experience to perform the duties and fulfill the
2 responsibilities of the position;

3 (2) the Chief Technology Officer;

4 (3) the State Treasurer, or a designee, who shall serve ex officio;

5 (4) three Executive Branch Commissioners, who shall be
6 appointed by and serve at the pleasure of the Governor; and

7 (5) three public members, who shall be appointed by and serve
8 at the pleasure of the Governor.

9 c. The Governing Board shall organize as soon as practicable,
10 but no later than the 30th day after the appointment of a majority of
11 its members. The Governing Board shall elect a vice-chair from
12 among its members and appoint a secretary who need not be a
13 member of the board.

14 d. Vacancies in the membership of the Governing Board shall
15 be filled in the same manner as provided for in the original
16 appointments.

17 e. The Governing Board shall meet quarterly or at more
18 frequent intervals at the discretion of the Chair. The meetings of
19 the board shall be held at the times and in the places the Chair
20 deems necessary and appropriate to fulfill its duties and
21 responsibilities.

22 f. The Office of Information Technology shall provide such
23 stenographic, clerical, and other administrative assistants, and such
24 professional staff, as the Governing Board requires to carry out its
25 work. The board shall be entitled to call to its assistance, and avail
26 itself of the services of, the employees of any State, county, or
27 municipal department, board, bureau, commission, or agency as it
28 may require and as may be available for its purposes.

29 g. The public members of the Governing Board shall serve
30 without compensation for their services, but may be reimbursed for
31 traveling and other miscellaneous expenses necessary to perform
32 their duties, within the limits of the funds made available to the
33 board for its purposes.

34 h. The public members appointed to the Governing Board shall
35 be considered public officers, subject to the financial disclosure
36 requirements of Executive Order No. 1 of 2006.

37 i. It shall be the duty and responsibility of the Governing
38 Board to:

39 (1) define and establish the overall direction, standards, and
40 priorities for the information technology community in the
41 Executive Branch of State Government;

42 (2) review and approve the annual budget request of the Office
43 of Information Technology;

44 (3) review and approve all requests from departments and
45 agencies for new information technology spending, prior to
46 submission to the Division of Budget and Accounting in the
47 Department of the Treasury; and

1 (4) define the extent of large-scale information technology
2 projects and establish a monetary threshold for information
3 technology projects requiring the review and approval of the Project
4 Review Board.

5

6 11. (New section) a. The Office of Information Technology
7 shall be administered by the Chief Technology Officer for the State
8 of New Jersey. The Chief Technology Officer shall be appointed
9 by and serve at the pleasure of the Governor. The Chief
10 Technology Officer shall be qualified by education, training, and
11 prior experience to direct the work of the office and to perform the
12 duties, functions and responsibilities of the position.

13 b. The Chief Technology Officer shall serve during the term of
14 the Governor appointing the officer and until a successor is
15 appointed and has qualified.

16 c. The Chief Technology Officer shall devote full-time to the
17 duties and responsibilities of the office and shall receive a salary as
18 shall be provided pursuant to law.

19 d. A vacancy in the position of Chief Technology Officer shall
20 be filled in the same manner as provided for in the original
21 appointment.

22

23 12. (New section) The Chief Technology Officer shall be
24 authorized to:

25 a. Establish the internal organizational structure of the Office
26 of Information Technology in a manner appropriate to carrying out
27 the duties and functions, and fulfilling the responsibilities, of the
28 office;

29 b. Coordinate and conduct all information technology
30 operations in the Executive Branch of State Government, including
31 agency technology operations;

32 c. Draft and establish Service Level Agreements with each
33 department and agency in the Executive Branch of State
34 Government;

35 d. In consultation with the Governing Board, review and
36 analyze the results of the Statewide Information Technology
37 Assessment Study; and

38 e. Enter into agreements, in accordance and consistent with
39 applicable law, regulations, and existing contracts, with private and
40 public entities or individuals to effectuate the purposes of sections 6
41 through 18 of P.L. , c. (C.) (pending before the Legislature
42 as this bill).

43

44 13. (New section) a. The Chief Technology Officer is
45 authorized to appoint up to six Deputy Chief Technology Officers.

46 b. Each Deputy Chief Technology Officer shall be appointed
47 by and serve at the pleasure of the Chief Technology Officer, and
48 shall be responsible for information technology planning,

1 coordination, budgeting, technical architecture, and management of
2 large-scale information technology initiatives, in a single area of
3 interest as determined by the Chair of the Governing Board and the
4 Chief Technology Officer.

5
6 14. (New section) a. There is established the New Jersey
7 Information Technology Project Review Board.

8 b. The Project Review Board shall report directly to the
9 Governing Board and shall be comprised of between three and five
10 Executive Branch officials, selected by the Chair of the Governing
11 Board with the approval of the Governor.

12 c. The Project Review Board shall be responsible for the
13 review, approval, and monitoring of large-scale information
14 technology projects in the Executive Branch of State Government.

15 d. The Project Review Board shall meet at the discretion of the
16 Chair of the Governing Board, and shall convene meetings and
17 hearings at the times and in the places as a majority of the members
18 of the board shall decide.

19 e. The Office of Information Technology shall provide such
20 stenographic, clerical, and other administrative assistants, and such
21 professional staff, as the Project Review Board requires to carry out
22 its work. The board shall be entitled to call to its assistance, and
23 avail itself of the services of, the employees of any State, county, or
24 municipal department, board, bureau, commission, or agency as it
25 may require and as may be available for its purposes.

26
27 15. (New section) a. The Chief Technology Officer shall
28 provide periodic reports to the Governor, and shall issue an annual
29 report to the Governor and, pursuant to section 2 of P.L.1991, c.164
30 (C.52:14-19.1), to the Legislature regarding the information
31 technology operations of the Executive Branch of State Government
32 and the activities of the Office of Information Technology.

33 b. The annual report shall be issued on or before September 30
34 of each year, and shall be made available to the public.

35
36 16. (New section) All Executive Branch departments and State
37 agencies are directed to cooperate fully with the Office of
38 Information Technology, the Governing Board, and the Chief
39 Technology Officer to implement the provisions of P.L. ,
40 c. (C.) (pending before the Legislature as this bill) and to
41 ensure effective use of information technology within the Executive
42 Branch of State Government.

43
44 17. Section 5 of P.L.2005, c.46 (C.5:12-100.2) is amended to
45 read as follows:

46 5. a. Each slot system operator that awards an annuity jackpot
47 shall provide prompt notice to the commission of the name, address
48 and social security number of each annuity jackpot winner and the

- 1 amount of the pending payments. The commission shall forward
2 such information to the Office of Information Technology in but not
3 of the Department of the Treasury.
- 4 b. The Office of Information Technology shall cross check the
5 annuity jackpot winner list with the data supplied by the
6 Commissioner of Human Services pursuant to section 2 of
7 P.L.1991, c.384 (C.5:9-13.2) for a social security number match. If
8 a match is made, the Office of Information Technology shall notify
9 the Commissioner of Human Services.
- 10 c. If an annuity jackpot winner is in arrears of a child support
11 order, or is a former recipient of Aid to Families with Dependent
12 Children or Work First New Jersey, food stamp benefits or low-
13 income home energy assistance benefits who has incurred an
14 overpayment which has not been repaid, the Probation Division of
15 the Superior Court or the Department of Human Services, as
16 appropriate, shall promptly notify the slot system operator of the
17 name, address, social security number and amount due on an arrears
18 child support order or the amount due on an overpayment. The slot
19 system operator shall withhold this amount from the pending
20 annuity jackpot payment and transmit same to the Probation
21 Division of the Superior Court or the Department of Human
22 Services, as appropriate, in accordance with regulations
23 promulgated by the State Treasurer.
- 24 d. The Probation Division of the Superior Court, acting as
25 agent for the child support payee or the county welfare agency that
26 provided the public assistance benefits, as appropriate, shall have a
27 lien on the proceeds of the annuity jackpot payment in an amount
28 equal to the amount of child support arrearage or the amount of
29 overpayment incurred, as appropriate. The lien imposed by this
30 section shall be enforceable in the Superior Court. Any of the
31 annuity jackpot winner's funds remaining after withholding
32 pursuant to the lien established pursuant to this section shall be paid
33 to the winner in accordance with the rules of the commission.
- 34 e. The Commissioner of Human Services shall promulgate
35 such regulations as may be necessary to effectuate the purposes of
36 this section including, but not limited to, regulations providing for
37 prompt notice to any annuity jackpot winner, from whose payments
38 the Probation Division of the Superior Court or the Department of
39 the Human Services seeks to withhold funds, of the amount to be
40 withheld and the reason therefor and providing the annuity jackpot
41 winner with the opportunity for a hearing upon request prior to the
42 disposition of any funds.
- 43 f. The State Treasurer shall also provide, by regulation,
44 safeguards against the disclosure or inappropriate use of any
45 personally identifiable information regarding any person obtained
46 pursuant to this section.
- 47 g. For the purposes of this section, "prompt notice" shall mean

1 notice within 14 days or less.

2 (cf: P.L.2005, c.46, s.5)

3

4 18. Section 1 of P.L.1989, c.3 (C.52:17C-1) is amended to read
5 as follows:

6 1. As used in this act:

7 a. "Automatic number identification (ANI)" means an
8 enhanced 9-1-1 service capability that enables the automatic display
9 of the callback number used to place a 9-1-1 call;

10 b. "Automatic location identification (ALI)" means an
11 enhanced 9-1-1 service capability that enables the automatic display
12 of information defining the geographical location of the telephone
13 used to place a 9-1-1 call;

14 c. "Commission" means the 9-1-1 Commission;

15 d. "County 9-1-1 Coordinator" means the County 9-1-1
16 Coordinator appointed pursuant to section 5 of this act;

17 e. "Enhanced 9-1-1 network" means the switching equipment,
18 trunk system, database operation and connections to the public
19 safety answering point;

20 f. "Enhanced 9-1-1 network features" means those features of
21 selective routing which have the capability of automatic number
22 and location identification;

23 g. "Enhanced 9-1-1 service" means a service consisting
24 of telephone network features and public safety answering
25 points provided for users of the public telephone system enabling
26 the users to reach a public service answering point by dialing the
27 digits "9-1-1." The service directs 9-1-1 calls to appropriate public
28 safety answering points by selective routing based on the location
29 from which the call originated and provides for automatic number
30 identification and automatic location identification features;

31 h. "Enhanced 9-1-1 termination equipment" means the
32 equipment located at the public safety answering point which is
33 needed to receive or record voice and data communications from
34 the enhanced 9-1-1 network;

35 i. "Office" means the Office of Emergency
36 Telecommunications Services established by section 3 of this act;

37 j. "Public safety agency" means a functional division of a
38 municipality, a county, or the State which dispatches or provides
39 law enforcement, fire fighting, emergency medical services, or
40 other emergency services;

41 k. "Private safety agency" means any entity, except a
42 municipality or a public safety agency, providing emergency
43 medical services, fire fighting, or other emergency services;

44 l. "Public safety answering point (PSAP)" means a facility,
45 operated on a 24-hour basis, assigned the responsibility of receiving
46 9-1-1 calls and, as appropriate, directly dispatching emergency
47 response services or transferring or relaying emergency 9-1-1 calls
48 to other public safety agencies. A public safety answering point is

- 1 the first point of reception by a public safety agency of 9-1-1 calls
2 and serves the jurisdictions in which it is located or other
3 participating jurisdictions;
- 4 m. "Selective routing" means the method employed to direct
5 9-1-1 calls to the appropriate public safety answering point based
6 on the location from which the call originated;
- 7 n. "Emergency enhanced 9-1-1 system" or "system" means the
8 emergency enhanced 9-1-1 telephone system to be established
9 pursuant to this act, including wireless enhanced 9-1-1 service;
- 10 o. "Telephone company" means the organization that provides
11 switched local telephone exchange access service;
- 12 p. "Wireless telephone company" means any person providing
13 commercial mobile radio service as defined in 47 U.S.C. s.332 (d);
- 14 q. "FCC wireless E9-1-1 requirements" means the order
15 adopted in the Federal Communications Commission proceeding
16 entitled "Revision of the Commission's Rules to Ensure
17 Comparability with Enhanced 9-1-1 Emergency Calling Systems,"
18 (CC Docket No. 94-102: RM-8143), or any successor proceeding,
19 and the rules adopted by the Federal Communications Commission
20 in any such proceeding, as these rules may be amended from time to
21 time;
- 22 r. "Wireless 9-1-1 service" means the service which enables
23 wireless telephone company customers to dial the digits 9-1-1 and
24 be connected to a public safety agency;
- 25 s. "Wireless enhanced 9-1-1 service" means the service
26 required to be provided by a wireless telephone company pursuant
27 to FCC wireless E9-1-1 requirements;
- 28 t. "Chief Technology Officer" means the person appointed by
29 and serving at the pleasure of the **【Governing Board】** Governor
30 who is responsible for the day-to-day operations of the Office of
31 Information Technology;
- 32 u. "Governing Board" means the **【seven-member】** board
33 established **【by Executive Order 87 of 1998】** pursuant to section 10
34 of P.L. , c. (C.) (pending before the Legislature as this bill),
35 to oversee the Office of Information Technology; and
- 36 v. "Office of Information Technology" means the Office of
37 Information Technology **【established by Executive Order 87 of**
38 **1998】** in but not of the Department of the Treasury.
39 (cf: P.L.1999, c.125, s.1)
- 40
- 41 19. Section 2 of P.L.1989, c.3 (C.52:17C-2) is amended to read
42 as follows:
- 43 2. a. There is created in the Office of Information Technology
44 a commission to be known as the 9-1-1 Commission which shall
45 oversee the office in the planning, design, and implementation of
46 the Statewide emergency enhanced 9-1-1 telephone system to be
47 established pursuant to this act. The commission shall consist of 30

1 members as follows: two members of the Senate appointed by the
2 President of the Senate, who shall not be both of the same political
3 party; two members of the General Assembly appointed by the
4 Speaker of the General Assembly, who shall not be both of the
5 same political party; the following members ex officio: Chief
6 Technology Officer of the Office of Information Technology;
7 President of the Board of Public Utilities; Superintendent of State
8 Police; Deputy Director of the State Office of Emergency
9 Management in the Department of Law and Public Safety; Director
10 of the Bureau of Fire Safety in the Department of Community
11 Affairs; Director of Emergency Medical Services in the Department
12 of Health and Senior Services; one member of the Governing Board
13 of the Office of Information Technology in but not of the
14 Department of the Treasury; the following public members
15 appointed by the Governor with the advice and consent of the
16 Senate: a representative of the New Jersey State League of
17 Municipalities; a representative of the New Jersey State Association
18 of Chiefs of Police; a representative of the Fire Fighters'
19 Association of New Jersey; a representative of the New Jersey First
20 Aid Council; a representative of the Associated Public Safety
21 Communications Officers (APCO); a representative of Bell
22 Atlantic-New Jersey; a representative of the independent telephone
23 companies; two representatives of the wireless telephone
24 companies; one representative of the National Emergency Number
25 Association; two members representing county-wide dispatch
26 centers; one representative of the Sheriffs Association of New
27 Jersey; one representative of the New Jersey Fire Chiefs
28 Association; one representative from the Certified Local Exchange
29 Carriers; two members representing multi-municipal public safety
30 dispatch centers who serve more than one, but less than five
31 municipalities; and two members representing municipal public
32 safety dispatch centers.

33 The members of the Senate and General Assembly appointed to
34 the commission shall serve for terms which shall be for the term for
35 which they were elected. Of the public members first appointed by
36 the Governor with the advice and consent of the Senate, seven shall
37 be appointed for terms of three years, six shall be appointed for
38 terms of two years, and six shall be appointed for terms of one year.
39 Thereafter, the public members of the commission shall be
40 appointed for terms of three years. Vacancies on the commission
41 shall be filled in the same manner as the original appointment but
42 for the unexpired term. Members may be removed by the
43 appointing authority for cause. The initial members shall be
44 appointed within 30 days of the effective date of P.L.1999, c.125
45 (C.52:17C-3.1 et al.). The commission shall have the authority to
46 establish subcommittees as it deems appropriate to carry out the
47 purposes of this act.

1 The members of the Senate and General Assembly appointed to
2 the commission shall be non-voting, advisory members, appointed
3 solely for the purpose of developing and facilitating legislation to
4 assist the commission in fulfilling its statutory mission, and may not
5 exercise any of the executive powers delegated to the commission
6 by law.

7 b. Members of the commission shall serve without
8 compensation, but the legislative and public members shall be
9 entitled to reimbursement for expenses incurred in performance of
10 their duties, within the limits of any funds appropriated or otherwise
11 made available for that purpose.

12 c. Each ex officio member may designate an employee of the
13 member's department or agency to represent the member at
14 meetings or hearings of the commission. All designees may
15 lawfully vote and otherwise act on behalf of the members for whom
16 they constitute the designees.

17 d. The 9-1-1 Commission shall be constituted upon the
18 appointment of the majority of its authorized membership and shall
19 have no expiration date. [Until the commission is constituted: (1)
20 the Advisory Commission appointed by the Chief Technology
21 Officer before the effective date of P.L.1999, c.125 (C.52:17C-3.1
22 et al.) shall be continued and shall exercise the advisory functions
23 granted to it by the Chief Technology Officer and (2) the Chief
24 Technology Officer shall be responsible for the review and approval
25 of any function of the office which is the responsibility of the 9-1-1
26 Commission. Membership on the advisory commission shall not
27 disqualify a person from membership on the 9-1-1 Commission.]
28 (cf: P.L.2001, c.290, s.1)

29
30 20. Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to read
31 as follows:

32 3. a. There is established in the Office of Information
33 Technology an Office of Emergency Telecommunications Services.

34 b. The office shall be under the immediate supervision of a
35 director, who shall be a person qualified by training and experience
36 to direct the work of the office. The director shall administer the
37 provisions of this act subject to review by the Chief Technology
38 Officer and shall perform other duties as may be provided by law.
39 The director shall be appointed by the Chief Technology Officer,
40 but the commission shall advise the Chief Technology Officer on
41 the qualifications of the director. The Chief Technology Officer is
42 authorized to appoint, in accordance with Title 11A of the New
43 Jersey Statutes, clerical, technical, and professional assistants, and
44 also may designate any available personnel as shall be necessary to
45 effectuate the purposes of this act.

46 The office shall, subject to review by the commission and the
47 Chief Technology Officer, only as provided in subsection c. of this
48 section, and in consultation with the telephone companies, the

1 Board of Public Utilities and the wireless telephone companies, and
2 with the assistance of the Office of Information Technology in but
3 not of the Department of the Treasury, continue to plan, design,
4 implement, and coordinate the Statewide emergency enhanced 9-1-1
5 telephone system to be established pursuant to this act as well as
6 any changes to that system needed to provide wireless enhanced 9-
7 1-1 service.

8 To this end the office shall establish, after review and approval
9 by the commission, a State plan for the emergency enhanced 9-1-1
10 system in this State, which plan shall include:

11 (1) The configuration of, and requirements for, the enhanced
12 9-1-1 network. The office with the approval of the commission and
13 the Chief Technology Officer, only as provided herein, and
14 assistance and advice of the Office of Information Technology in
15 but not of the Department of the Treasury is empowered to enter
16 into contracts with the telephone companies and the wireless
17 telephone companies for the provision of this network.

18 (2) The role and responsibilities of the counties and
19 municipalities of the State in the implementation of the system,
20 consistent with the provisions of this act, including a timetable for
21 implementation.

22 (3) Technical and operational standards for the establishment of
23 public safety answering points (PSAPs) which utilize enhanced 9-1-
24 1 network features in accordance with the provisions of this act.
25 Those entities having responsibility for the creation and
26 management of PSAPs shall conform to these standards in the
27 design, implementation and operation of the PSAPs. These
28 standards shall include provision for the training and certification of
29 call-takers and public safety dispatchers or for the adoption of such
30 a program.

31 The State plan shall be established within 270 days of the
32 operative date of this act except that the technical and operational
33 standards specified in paragraph (3) of this subsection shall be
34 established within 180 days of the operative date of this act.

35 The office, after review and approval by the commission and the
36 Chief Technology Officer, only as provided herein, may update and
37 revise the State plan from time to time.

38 The office may inspect each PSAP to determine if it meets the
39 requirements of this act and the technical and operational standards
40 established pursuant to this section. The office shall explore ways
41 to maximize the reliability of the system.

42 The plan or any portion of it may be implemented by the
43 adoption of regulations pursuant to subsection b. of section 15 of
44 this act.

45 The State plan shall require the consolidation of PSAPs as
46 appropriate, consistent with revisions in the plan to upgrade the
47 enhanced 9-1-1 system and shall condition the allocation of monies
48 dedicated for the operation of PSAPs on the merging and sharing of

1 PSAP functions by municipalities, counties and the State Police,
2 consistent with the revised plan. The Treasurer may establish, by
3 regulation, a 9-1-1 call volume minimum that may be utilized as a
4 factor in determining which PSAP functions are to be consolidated
5 under the State plan.

6 The State plan shall limit the use of sworn law enforcement
7 officers to provide dispatch services and the office shall condition
8 the receipt of monies dedicated for the operation of PSAPs on the
9 limited use of sworn law enforcement officers, except for officers
10 returning to active duty from an injury or other physical disability.

11 The office shall plan, implement and coordinate a Statewide
12 public education program designed to generate public awareness at
13 all levels of the emergency enhanced 9-1-1 system. Advertising
14 and display of 9-1-1 shall be in accordance with standards
15 established by the office. Advertising expenses may be defrayed
16 from the moneys appropriated to the office.

17 The office, after review and approval by the commission and the
18 Chief Technology Officer, only as provided herein, shall submit a
19 report to the Senate Revenue, Finance and Appropriations
20 Committee and the Assembly Appropriations Committee, or their
21 successors, not later than February 15 of each year, concerning its
22 progress in carrying out this act and the expenditure of moneys
23 appropriated thereto and appropriated for the purposes of
24 installation of the Statewide enhanced 9-1-1 network.

25 c. (Deleted by amendment, P.L.1999, c.125).
26 (cf: P.L.1999, c.125, s.3)

27
28 21. Section 7 of P.L.1989, c.3 (C.52:17C-7) is amended to read
29 as follows:

30 3. No provision of this act shall be construed to prohibit [or
31 require] in any manner the formation of multi-agency, multi-
32 jurisdictional, regional or county-wide public safety answering
33 points. [However, the] The formation of public safety answering
34 points that serve groups of municipalities is encouraged in the
35 interest of reducing cost and increasing the efficiency of
36 administration.

37 (cf: P.L.1989, c. 3, s.7)

38
39 22. This act shall take effect on the first day of the fourth month
40 after enactment.

41

42

43

44

45 Establishes Division of Risk Management in the Department of
46 the Treasury; reorganizes Office of Information Technology;
47 requires consolidation of enhanced 9-1-1 public safety answering
48 points.

[Corrected Copy]

SENATE, No. 45

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED DECEMBER 4, 2006

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman ROBERT M. GORDON

District 38 (Bergen)

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Assemblyman NELSON T. ALBANO

District 1 (Cape May, Atlantic and Cumberland)

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Mercer)

Assemblyman GARY S. SCHAER

District 36 (Bergen, Essex and Passaic)

Assemblywoman NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Assemblyman DAVID R. MAYER

District 4 (Camden and Gloucester)

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

Assemblyman JOSEPH VAS

District 19 (Middlesex)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

Assemblyman Panter and Senator Karcher

SYNOPSIS

Establishes Division of Risk Management in the Department of the Treasury; reorganizes Office of Information Technology; requires consolidation of enhanced 9-1-1 public safety answering points.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/6/2007)

1 AN ACT concerning the Department of the Treasury, supplementing
2 Title 52 of the Revised Statutes and amending P.L.2005, c.46
3 and P.L.1989, c.3.

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

7
8 1. (New section) a. There is established in the Department of
9 the Treasury a Division of Risk Management.

10 b. All of the functions, powers and duties of the Bureau of Risk
11 Management within the Division of Purchase and Property in the
12 Department of the Treasury are hereby transferred to the Division
13 of Risk Management. Unless otherwise specified in the act, this
14 transfer shall be subject to the provisions of the "State Agency
15 Transfer Act," P.L.1971, c.375 (C. 52:14D-1 et seq.).

16 c. Whenever any statute, rule, regulation, order, contract, tariff,
17 document, reorganization plan, judicial or administrative
18 proceeding concerning risk management refers to the Bureau of
19 Risk Management, the reference shall mean and refer to the
20 Division of Risk Management.

21
22 2. (New section) The division shall be under the immediate
23 supervision of a director who shall administer the work of the
24 division under the direction and supervision of the State Treasurer.
25 The director shall be appointed by the Governor, with the advice
26 and consent of the Senate, and shall serve at the pleasure of the
27 Governor. The Director of the Division of Risk Management shall
28 receive such salary as shall be determined by the Treasurer within
29 the limits of available appropriations. Notwithstanding the
30 supervision and direction of the director by the State Treasurer, the
31 director shall report directly to the Governor on all activities and
32 responsibilities of the division as specified in this act.

33
34 3. (New section) The division shall function as an in-house
35 insurance company for the State of New Jersey, and as such, its
36 mission shall be to implement a well-coordinated strategy to
37 identify and respond to the needs of the various departments and
38 agencies of State Government in this regard. Specifically, the
39 division shall:

40 a. Procure appropriate insurance coverage for the various
41 departments and agencies of State Government, including, as
42 otherwise required by law or as appropriate, coverage through self-
43 insurance and use of third party administrators;

44 b. Assist the various departments and agencies of State
45 Government in developing sound plans of risk management,

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 including developing programs to protect physical assets, and
2 developing and implementing safety programs to mitigate both the
3 frequency and severity of accidental loss and by reviewing these
4 plans and programs from time to time;

5 c. Administer the processing of all claims for the various self-
6 administered and self-funded insurance programs of State agencies
7 and departments, with litigation support from the Department of
8 Law and Public Safety;

9 d. Compile and distribute, on a monthly basis, accident
10 frequency reports to the Governor, the commissioner of each
11 principal department of State Government, and the Legislature.
12 These reports shall track each department's current accident rate
13 compared to historical trends and shall include summaries of any
14 protocols in place to reduce risk; and

15 e. Continue all of the previous functions and responsibilities of
16 the Bureau of Risk Management, in addition to those listed in this
17 section, and develop new strategies and programs, as appropriate.

18

19 4. (New section) a. There is created a Risk Management
20 Committee to monitor the State's risk management program as
21 developed and coordinated by the division. The committee shall be
22 comprised of the commissioner of each principal department in
23 State Government, or his designee. The State Treasurer and the
24 Commissioner of Banking and Insurance shall serve as co-
25 chairpersons of the committee, and the director of the division shall
26 serve as Executive Secretary. The committee shall meet at least
27 once every three months to:

28 (1) review the accident frequency reports prepared by the
29 division pursuant to subsection d. of section 3 of P.L. , c.

30 (C.) (pending before the Legislature as this bill);

31 (2) review policy issues related to worker safety and capital
32 repair issues and their relationship to workers' compensation
33 claims;

34 (3) develop a program and schedule for risk management training
35 of appropriate managers within the principal departments; and

36 (4) oversee the establishment and operation of the risk
37 management committees of each of the principal departments.

38 b. Each commissioner shall, pursuant to his general rule-making
39 authority within each respective department, direct the appropriate
40 personnel to administer and enforce any programs or protocols
41 developed by the committee.

42

43 5. (New section) The Director of the Division of Risk
44 Management shall promulgate rules and regulations pursuant to the
45 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
46 seq.) to effectuate the purposes of this act.

1 6. (New section) Sections 6 through 18 of P.L. , c.
2 (C.) (pending before the Legislature as this bill) shall be
3 known and may be cited as “The Office of Information Technology
4 Reorganization Act.”

5

6 7. (New section) The Legislature finds and declares:

7 a. Since its inception, the Office of Information Technology
8 (OIT) has served an integral role in providing essential State
9 services, developing the State’s technical infrastructure, and
10 maintaining an efficient and transparent State government;

11 b. Beyond its core responsibilities of application development
12 and maintenance, data center operations, and telecommunications,
13 OIT provides invaluable data management, Internet development,
14 and geographic information systems to departments and agencies
15 within the Executive Branch of State Government;

16 c. From developing the Department of Human Service’s
17 computer-based disability insurance systems to maintaining
18 criminal databases utilized by the State Police, and from designing
19 the Motor Vehicle Commission’s online services to assisting the
20 Division of Taxation in collecting State revenues, OIT provides the
21 critical resources to connect various layers of State Government and
22 deliver services to State residents;

23 d. Despite its achievements, OIT has been restrained by a lack of
24 accountability, control, and monitoring in planning, developing, and
25 conducting department and agency information technology projects;

26 e. The lack of oversight has contributed to disorganization and
27 economic inefficiencies, while also restricting growth, limiting
28 innovation, and discouraging creative input within OIT;

29 f. In order to realize the office’s potential, keep pace with
30 technological advancements, and meet the needs of residents and
31 businesses throughout the State, it is necessary to reinforce OIT’s
32 role with a new structure, leadership, and mission; and

33 g. Therefore, the State must take a proactive approach in
34 coordinating and integrating information technology planning,
35 budgeting, and spending throughout the Executive Branch to
36 advance cost savings, improve the quality of services, and retain
37 operating efficiencies.

38

39 8. (New section) As used in this act:

40 a. “Chair” means the chairperson of the New Jersey Information
41 Technology Governing Board.

42 b. “Governing Board” means the New Jersey Information
43 Technology Governing Board established by section 10 of P.L. ,
44 c. (C.) (pending before the Legislature as this bill).

45 c. “Office” means the Office of Information Technology
46 established by section 9 of P.L. , c. (C.).

1 d. "Project Review Board" means the New Jersey Information
2 Technology Project Review Board established by section 14 of
3 P.L. , c. (C.) (pending before the Legislature as this bill).

4
5 9. (New section) a. There is established an Office of
6 Information Technology.

7 b. The office shall be established in the Executive Branch of
8 State Government and to comply with the provisions of Article V,
9 Section IV, paragraph 1 of the New Jersey Constitution, the office
10 shall be allocated in but not of the Department of the Treasury.
11 Notwithstanding this allocation, the office shall be independent of
12 any supervision or control by the State Treasurer, or the department,
13 or by any division, board, office, or other officer thereof.

14 c. The office shall be directed by the Chief Technology Officer,
15 who shall report directly to the Governor.

16 d. The Chief Technology Officer shall submit requests for the
17 budget of the office directly to the Governing Board which shall
18 review the requests and upon approval forward them to the Division
19 of Budget and Accounting in the Department of the Treasury.

20 e. Under the direction of the Chief Technology Officer, the
21 office shall be responsible for:

22 (1) providing and maintaining the information technology
23 infrastructure of the Executive Branch of State Government,
24 including all ancillary departments and agencies of the Executive
25 Branch of State Government; and

26 (2) providing staff support to the Governing Board at the request
27 of the Chair.

28 f. The functions, powers, and duties granted to the office by
29 Executive Order No. 84 of 1984, Executive Order No. 87 of 1998,
30 and Executive Order No. 42 of 2006 shall be continued, and any
31 function, power, or duty granted to the office by the Executive
32 Orders that is inconsistent with the provisions of this act shall be
33 rescinded.

34
35 10. (New section) a. There is established the New Jersey
36 Information Technology Governing Board.

37 b. The Governing Board shall be comprised of nine members,
38 including:

39 (1) the Chair, who shall be appointed by and serve at the pleasure
40 of the Governor and shall possess the qualifications, training, and
41 experience to perform the duties and fulfill the responsibilities of
42 the position;

43 (2) the Chief Technology Officer;

44 (3) the State Treasurer, or a designee, who shall serve ex officio;

45 (4) three Executive Branch Commissioners, who shall be
46 appointed by and serve at the pleasure of the Governor; and

47 (5) three public members, who shall be appointed by and serve at
48 the pleasure of the Governor.

1 c. The Governing Board shall organize as soon as practicable,
2 but no later than the 30th day after the appointment of a majority of
3 its members. The Governing Board shall elect a vice-chair from
4 among its members and appoint a secretary who need not be a
5 member of the board.

6 d. Vacancies in the membership of the Governing Board shall be
7 filled in the same manner as provided for in the original
8 appointments.

9 e. The Governing Board shall meet quarterly or at more frequent
10 intervals at the discretion of the Chair. The meetings of the board
11 shall be held at the times and in the places the Chair deems
12 necessary and appropriate to fulfill its duties and responsibilities.

13 f. The Office of Information Technology shall provide such
14 stenographic, clerical, and other administrative assistants, and such
15 professional staff, as the Governing Board requires to carry out its
16 work. The board shall be entitled to call to its assistance, and avail
17 itself of the services of, the employees of any State, county, or
18 municipal department, board, bureau, commission, or agency as it
19 may require and as may be available for its purposes.

20 g. The public members of the Governing Board shall serve
21 without compensation for their services, but may be reimbursed for
22 traveling and other miscellaneous expenses necessary to perform
23 their duties, within the limits of the funds made available to the
24 board for its purposes.

25 h. The public members appointed to the Governing Board shall
26 be considered public officers, subject to the financial disclosure
27 requirements of Executive Order No. 1 of 2006.

28 i. It shall be the duty and responsibility of the Governing Board
29 to:

30 (1) define and establish the overall direction, standards, and
31 priorities for the information technology community in the
32 Executive Branch of State Government;

33 (2) review and approve the annual budget request of the Office
34 of Information Technology;

35 (3) review and approve all requests from departments and
36 agencies for new information technology spending, prior to
37 submission to the Division of Budget and Accounting in the
38 Department of the Treasury; and

39 (4) define the extent of large-scale information technology
40 projects and establish a monetary threshold for information
41 technology projects requiring the review and approval of the Project
42 Review Board.

43

44 11. (New section) a. The Office of Information Technology
45 shall be administered by the Chief Technology Officer for the State
46 of New Jersey. The Chief Technology Officer shall be appointed
47 by and serve at the pleasure of the Governor. The Chief
48 Technology Officer shall be qualified by education, training, and

1 prior experience to direct the work of the office and to perform the
2 duties, functions and responsibilities of the position.

3 b. The Chief Technology Officer shall serve during the term of
4 the Governor appointing the officer and until a successor is
5 appointed and has qualified.

6 c. The Chief Technology Officer shall devote full-time to the
7 duties and responsibilities of the office and shall receive a salary as
8 shall be provided pursuant to law.

9 d. A vacancy in the position of Chief Technology Officer shall
10 be filled in the same manner as provided for in the original
11 appointment.

12

13 12. (New section) The Chief Technology Officer shall be
14 authorized to:

15 a. Establish the internal organizational structure of the Office of
16 Information Technology in a manner appropriate to carrying out the
17 duties and functions, and fulfilling the responsibilities, of the office;

18 b. Coordinate and conduct all information technology operations
19 in the Executive Branch of State Government, including agency
20 technology operations;

21 c. Draft and establish Service Level Agreements with each
22 department and agency in the Executive Branch of State
23 Government;

24 d. In consultation with the Governing Board, review and analyze
25 the results of the Statewide Information Technology Assessment
26 Study; and

27 e. Enter into agreements, in accordance and consistent with
28 applicable law, regulations, and existing contracts, with private and
29 public entities or individuals to effectuate the purposes of sections 6
30 through 18 of P.L. , c. (C.) (pending before the Legislature
31 as this bill).

32

33 13. (New section) a. The Chief Technology Officer is
34 authorized to appoint up to six Deputy Chief Technology Officers.

35 b. Each Deputy Chief Technology Officer shall be appointed by
36 and serve at the pleasure of the Chief Technology Officer, and shall
37 be responsible for information technology planning, coordination,
38 budgeting, technical architecture, and management of large-scale
39 information technology initiatives, in a single area of interest as
40 determined by the Chair of the Governing Board and the Chief
41 Technology Officer.

42

43 14. (New section) a. There is established the New Jersey
44 Information Technology Project Review Board.

45 b. The Project Review Board shall report directly to the
46 Governing Board and shall be comprised of between three and five
47 Executive Branch officials, selected by the Chair of the Governing
48 Board with the approval of the Governor.

1 c. The Project Review Board shall be responsible for the review,
2 approval, and monitoring of large-scale information technology
3 projects in the Executive Branch of State Government.

4 d. The Project Review Board shall meet at the discretion of the
5 Chair of the Governing Board, and shall convene meetings and
6 hearings at the times and in the places as a majority of the members
7 of the board shall decide.

8 e. The Office of Information Technology shall provide such
9 stenographic, clerical, and other administrative assistants, and such
10 professional staff, as the Project Review Board requires to carry out
11 its work. The board shall be entitled to call to its assistance, and
12 avail itself of the services of, the employees of any State, county, or
13 municipal department, board, bureau, commission, or agency as it
14 may require and as may be available for its purposes.

15

16 15. (New section) a. The Chief Technology Officer shall
17 provide periodic reports to the Governor, and shall issue an annual
18 report to the Governor and, pursuant to section 2 of P.L.1991, c.164
19 (C.52:14-19.1), to the Legislature regarding the information
20 technology operations of the Executive Branch of State Government
21 and the activities of the Office of Information Technology.

22 b. The annual report shall be issued on or before September 30 of
23 each year, and shall be made available to the public.

24

25 16. (New section) All Executive Branch departments and State
26 agencies are directed to cooperate fully with the Office of
27 Information Technology, the Governing Board, and the Chief
28 Technology Officer to implement the provisions of P.L. , c.
29 (C.) (pending before the Legislature as this bill) and to ensure
30 effective use of information technology within the Executive
31 Branch of State Government.

32

33 17. Section 5 of P.L.2005, c.46 (C.5:12-100.2) is amended to
34 read as follows:

35 5. a. Each slot system operator that awards an annuity jackpot
36 shall provide prompt notice to the commission of the name, address
37 and social security number of each annuity jackpot winner and the
38 amount of the pending payments. The commission shall forward
39 such information to the Office of Information Technology in but not
40 of the Department of the Treasury.

41 b. The Office of Information Technology shall cross check the
42 annuity jackpot winner list with the data supplied by the
43 Commissioner of Human Services pursuant to section 2 of
44 P.L.1991, c.384 (C.5:9-13.2) for a social security number match. If
45 a match is made, the Office of Information Technology shall notify
46 the Commissioner of Human Services.

47 c. If an annuity jackpot winner is in arrears of a child support
48 order, or is a former recipient of Aid to Families with Dependent

1 Children or Work First New Jersey, food stamp benefits or low-
2 income home energy assistance benefits who has incurred an
3 overpayment which has not been repaid, the Probation Division of
4 the Superior Court or the Department of Human Services, as
5 appropriate, shall promptly notify the slot system operator of the
6 name, address, social security number and amount due on an arrears
7 child support order or the amount due on an overpayment. The slot
8 system operator shall withhold this amount from the pending
9 annuity jackpot payment and transmit same to the Probation
10 Division of the Superior Court or the Department of Human
11 Services, as appropriate, in accordance with regulations
12 promulgated by the State Treasurer.

13 d. The Probation Division of the Superior Court, acting as agent
14 for the child support payee or the county welfare agency that
15 provided the public assistance benefits, as appropriate, shall have a
16 lien on the proceeds of the annuity jackpot payment in an amount
17 equal to the amount of child support arrearage or the amount of
18 overpayment incurred, as appropriate. The lien imposed by this
19 section shall be enforceable in the Superior Court. Any of the
20 annuity jackpot winner's funds remaining after withholding
21 pursuant to the lien established pursuant to this section shall be paid
22 to the winner in accordance with the rules of the commission.

23 e. The Commissioner of Human Services shall promulgate such
24 regulations as may be necessary to effectuate the purposes of this
25 section including, but not limited to, regulations providing for
26 prompt notice to any annuity jackpot winner, from whose payments
27 the Probation Division of the Superior Court or the Department of
28 the Human Services seeks to withhold funds, of the amount to be
29 withheld and the reason therefor and providing the annuity jackpot
30 winner with the opportunity for a hearing upon request prior to the
31 disposition of any funds.

32 f. The State Treasurer shall also provide, by regulation,
33 safeguards against the disclosure or inappropriate use of any
34 personally identifiable information regarding any person obtained
35 pursuant to this section.

36 g. For the purposes of this section, "prompt notice" shall mean
37 notice within 14 days or less.

38 (cf: P.L.2005, c.46, s.5)

39

40 18. Section 1 of P.L.1989, c.3 (C.52:17C-1) is amended to read
41 as follows:

42 1. As used in this act:

43 a. "Automatic number identification (ANI)" means an enhanced
44 9-1-1 service capability that enables the automatic display of the
45 callback number used to place a 9-1-1 call;

46 b. "Automatic location identification (ALI)" means an enhanced
47 9-1-1 service capability that enables the automatic display of

- 1 information defining the geographical location of the telephone
2 used to place a 9-1-1 call;
- 3 c. "Commission" means the 9-1-1 Commission;
- 4 d. "County 9-1-1 Coordinator" means the County 9-1-1
5 Coordinator appointed pursuant to section 5 of this act;
- 6 e. "Enhanced 9-1-1 network" means the switching equipment,
7 trunk system, database operation and connections to the public
8 safety answering point;
- 9 f. "Enhanced 9-1-1 network features" means those features of
10 selective routing which have the capability of automatic number
11 and location identification;
- 12 g. "Enhanced 9-1-1 service" means a service consisting of
13 telephone network features and public safety answering points
14 provided for users of the public telephone system enabling the users
15 to reach a public service answering point by dialing the digits "9-1-
16 1." The service directs 9-1-1 calls to appropriate public safety
17 answering points by selective routing based on the location from
18 which the call originated and provides for automatic number
19 identification and automatic location identification features;
- 20 h. "Enhanced 9-1-1 termination equipment" means the
21 equipment located at the public safety answering point which is
22 needed to receive or record voice and data communications from
23 the enhanced 9-1-1 network;
- 24 i. "Office" means the Office of Emergency Telecommunications
25 Services established by section 3 of this act;
- 26 j. "Public safety agency" means a functional division of a
27 municipality, a county, or the State which dispatches or provides
28 law enforcement, fire fighting, emergency medical services, or
29 other emergency services;
- 30 k. "Private safety agency" means any entity, except a
31 municipality or a public safety agency, providing emergency
32 medical services, fire fighting, or other emergency services;
- 33 l. "Public safety answering point (PSAP)" means a facility,
34 operated on a 24-hour basis, assigned the responsibility of receiving
35 9-1-1 calls and, as appropriate, directly dispatching emergency
36 response services or transferring or relaying emergency 9-1-1 calls
37 to other public safety agencies. A public safety answering point is
38 the first point of reception by a public safety agency of 9-1-1 calls
39 and serves the jurisdictions in which it is located or other
40 participating jurisdictions;
- 41 m. "Selective routing" means the method employed to direct 9-
42 1-1 calls to the appropriate public safety answering point based on
43 the location from which the call originated;
- 44 n. "Emergency enhanced 9-1-1 system" or "system" means the
45 emergency enhanced 9-1-1 telephone system to be established
46 pursuant to this act, including wireless enhanced 9-1-1 service;
- 47 o. "Telephone company" means the organization that provides
48 switched local telephone exchange access service;

- 1 p. "Wireless telephone company" means any person providing
2 commercial mobile radio service as defined in 47 U.S.C. s.332 (d);
3 q. "FCC wireless E9-1-1 requirements" means the order adopted
4 in the Federal Communications Commission proceeding entitled
5 "Revision of the Commission's Rules to Ensure Comparability with
6 Enhanced 9-1-1 Emergency Calling Systems," (CC Docket No. 94-
7 102: RM-8143), or any successor proceeding, and the rules adopted
8 by the Federal Communications Commission in any such
9 proceeding, as these rules may be amended from time to time;
10 r. "Wireless 9-1-1 service" means the service which enables
11 wireless telephone company customers to dial the digits 9-1-1 and
12 be connected to a public safety agency;
13 s. "Wireless enhanced 9-1-1 service" means the service required
14 to be provided by a wireless telephone company pursuant to FCC
15 wireless E9-1-1 requirements;
16 t. "Chief Technology Officer" means the person appointed by
17 and serving at the pleasure of the **【Governing Board】** Governor
18 who is responsible for the day-to-day operations of the Office of
19 Information Technology;
20 u. "Governing Board" means the **【seven-member】** board
21 established **【by Executive Order 87 of 1998】** pursuant to section 10
22 of P.L. , c. (C.) (pending before the Legislature as this
23 bill), to oversee the Office of Information Technology; and
24 v. "Office of Information Technology" means the Office of
25 Information Technology **【established by Executive Order 87 of**
26 **1998】** in but not of the Department of the Treasury.
27 (cf: P.L.1999, c.125, s.1)

28
29 19. Section 2 of P.L.1989, c.3 (C.52:17C-2) is amended to read
30 as follows:

- 31 2. a. There is created in the Office of Information Technology a
32 commission to be known as the 9-1-1 Commission which shall
33 oversee the office in the planning, design, and implementation of
34 the Statewide emergency enhanced 9-1-1 telephone system to be
35 established pursuant to this act. The commission shall consist of 30
36 members as follows: two members of the Senate appointed by the
37 President of the Senate, who shall not be both of the same political
38 party; two members of the General Assembly appointed by the
39 Speaker of the General Assembly, who shall not be both of the
40 same political party; the following members ex officio: Chief
41 Technology Officer of the Office of Information Technology;
42 President of the Board of Public Utilities; Superintendent of State
43 Police; Deputy Director of the State Office of Emergency
44 Management in the Department of Law and Public Safety; Director
45 of the Bureau of Fire Safety in the Department of Community
46 Affairs; Director of Emergency Medical Services in the Department
47 of Health and Senior Services; one member of the Governing Board

1 of the Office of Information Technology in but not of the
2 Department of the Treasury; the following public members
3 appointed by the Governor with the advice and consent of the
4 Senate: a representative of the New Jersey State League of
5 Municipalities; a representative of the New Jersey State Association
6 of Chiefs of Police; a representative of the Fire Fighters'
7 Association of New Jersey; a representative of the New Jersey First
8 Aid Council; a representative of the Associated Public Safety
9 Communications Officers (APCO); a representative of Bell
10 Atlantic-New Jersey; a representative of the independent telephone
11 companies; two representatives of the wireless telephone
12 companies; one representative of the National Emergency Number
13 Association; two members representing county-wide dispatch
14 centers; one representative of the Sheriffs Association of New
15 Jersey; one representative of the New Jersey Fire Chiefs
16 Association; one representative from the Certified Local Exchange
17 Carriers; two members representing multi-municipal public safety
18 dispatch centers who serve more than one, but less than five
19 municipalities; and two members representing municipal public
20 safety dispatch centers.

21 The members of the Senate and General Assembly appointed to
22 the commission shall serve for terms which shall be for the term for
23 which they were elected. Of the public members first appointed by
24 the Governor with the advice and consent of the Senate, seven shall
25 be appointed for terms of three years, six shall be appointed for
26 terms of two years, and six shall be appointed for terms of one year.
27 Thereafter, the public members of the commission shall be
28 appointed for terms of three years. Vacancies on the commission
29 shall be filled in the same manner as the original appointment but
30 for the unexpired term. Members may be removed by the
31 appointing authority for cause. The initial members shall be
32 appointed within 30 days of the effective date of P.L.1999, c.125
33 (C.52:17C-3.1 et al.). The commission shall have the authority to
34 establish subcommittees as it deems appropriate to carry out the
35 purposes of this act.

36 The members of the Senate and General Assembly appointed to
37 the commission shall be non-voting, advisory members, appointed
38 solely for the purpose of developing and facilitating legislation to
39 assist the commission in fulfilling its statutory mission, and may not
40 exercise any of the executive powers delegated to the commission
41 by law.

42 b. Members of the commission shall serve without
43 compensation, but the legislative and public members shall be
44 entitled to reimbursement for expenses incurred in performance of
45 their duties, within the limits of any funds appropriated or otherwise
46 made available for that purpose.

47 c. Each ex officio member may designate an employee of the
48 member's department or agency to represent the member at

1 meetings or hearings of the commission. All designees may
2 lawfully vote and otherwise act on behalf of the members for whom
3 they constitute the designees.

4 d. The 9-1-1 Commission shall be constituted upon the
5 appointment of the majority of its authorized membership and shall
6 have no expiration date. [Until the commission is constituted: (1)
7 the Advisory Commission appointed by the Chief Technology
8 Officer before the effective date of P.L.1999, c.125 (C.52:17C-3.1
9 et al.) shall be continued and shall exercise the advisory functions
10 granted to it by the Chief Technology Officer and (2) the Chief
11 Technology Officer shall be responsible for the review and approval
12 of any function of the office which is the responsibility of the 9-1-1
13 Commission. Membership on the advisory commission shall not
14 disqualify a person from membership on the 9-1-1 Commission.]
15 (cf: P.L.2001, c.290, s.1)

16
17 20. Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to read
18 as follows:

19 3. a. There is established in the Office of Information
20 Technology an Office of Emergency Telecommunications Services.

21 b. The office shall be under the immediate supervision of a
22 director, who shall be a person qualified by training and experience
23 to direct the work of the office. The director shall administer the
24 provisions of this act subject to review by the Chief Technology
25 Officer and shall perform other duties as may be provided by law.
26 The director shall be appointed by the Chief Technology Officer,
27 but the commission shall advise the Chief Technology Officer on
28 the qualifications of the director. The Chief Technology Officer is
29 authorized to appoint, in accordance with Title 11A of the New
30 Jersey Statutes, clerical, technical, and professional assistants, and
31 also may designate any available personnel as shall be necessary to
32 effectuate the purposes of this act.

33 The office shall, subject to review by the commission and the
34 Chief Technology Officer, only as provided in subsection c. of this
35 section, and in consultation with the telephone companies, the
36 Board of Public Utilities and the wireless telephone companies, and
37 with the assistance of the Office of Information Technology in but
38 not of the Department of the Treasury, continue to plan, design,
39 implement, and coordinate the Statewide emergency enhanced 9-1-1
40 telephone system to be established pursuant to this act as well as
41 any changes to that system needed to provide wireless enhanced 9-
42 1-1 service.

43 To this end the office shall establish, after review and approval
44 by the commission, a State plan for the emergency enhanced 9-1-1
45 system in this State, which plan shall include:

46 (1) The configuration of, and requirements for, the enhanced 9-
47 1-1 network. The office with the approval of the commission and
48 the Chief Technology Officer, only as provided herein, and

1 assistance and advice of the Office of Information Technology in
2 but not of the Department of the Treasury is empowered to enter
3 into contracts with the telephone companies and the wireless
4 telephone companies for the provision of this network.

5 (2) The role and responsibilities of the counties and
6 municipalities of the State in the implementation of the system,
7 consistent with the provisions of this act, including a timetable for
8 implementation.

9 (3) Technical and operational standards for the establishment of
10 public safety answering points (PSAPs) which utilize enhanced 9-1-
11 1 network features in accordance with the provisions of this act.
12 Those entities having responsibility for the creation and
13 management of PSAPs shall conform to these standards in the
14 design, implementation and operation of the PSAPs. These
15 standards shall include provision for the training and certification of
16 call-takers and public safety dispatchers or for the adoption of such
17 a program.

18 The State plan shall be established within 270 days of the
19 operative date of this act except that the technical and operational
20 standards specified in paragraph (3) of this subsection shall be
21 established within 180 days of the operative date of this act.

22 The office, after review and approval by the commission and the
23 Chief Technology Officer, only as provided herein, may update and
24 revise the State plan from time to time.

25 The office may inspect each PSAP to determine if it meets the
26 requirements of this act and the technical and operational standards
27 established pursuant to this section. The office shall explore ways
28 to maximize the reliability of the system.

29 The plan or any portion of it may be implemented by the
30 adoption of regulations pursuant to subsection b. of section 15 of
31 this act.

32 The State plan shall require the consolidation of PSAPs as
33 appropriate, consistent with revisions in the plan to upgrade the
34 enhanced 9-1-1 system and shall condition the allocation of monies
35 dedicated for the operation of PSAPs on the merging and sharing of
36 PSAP functions by municipalities, counties and the State Police,
37 consistent with the revised plan. The Treasurer may establish, by
38 regulation, a 9-1-1 call volume minimum that may be utilized as a
39 factor in determining which PSAP functions are to be consolidated
40 under the State plan.

41 The State plan shall limit the use of sworn law enforcement
42 officers to provide dispatch services and the office shall condition
43 the receipt of monies dedicated for the operation of PSAPs on the
44 limited use of sworn law enforcement officers, except for officers
45 returning to active duty from an injury or other physical disability.

46 The office shall plan, implement and coordinate a Statewide
47 public education program designed to generate public awareness at
48 all levels of the emergency enhanced 9-1-1 system. Advertising

1 and display of 9-1-1 shall be in accordance with standards
2 established by the office. Advertising expenses may be defrayed
3 from the moneys appropriated to the office.

4 The office, after review and approval by the commission and the
5 Chief Technology Officer, only as provided herein, shall submit a
6 report to the Senate Revenue, Finance and Appropriations
7 Committee and the Assembly Appropriations Committee, or their
8 successors, not later than February 15 of each year, concerning its
9 progress in carrying out this act and the expenditure of moneys
10 appropriated thereto and appropriated for the purposes of
11 installation of the Statewide enhanced 9-1-1 network.

12 c. (Deleted by amendment, P.L.1999, c.125).
13 (cf: P.L.1999, c.125, s.3)

14
15 21. Section 7 of P.L.1989, c.3 (C.52:17C-7) is amended to read
16 as follows:

17 3. No provision of this act shall be construed to prohibit **[or**
18 **require]** in any manner the formation of multi-agency, multi-
19 jurisdictional, regional or county-wide public safety answering
20 points. **[However, the]** The formation of public safety answering
21 points that serve groups of municipalities is encouraged in the
22 interest of reducing cost and increasing the efficiency of
23 administration.

24 (cf: P.L.1989, c. 3, s.7)

25
26 22. This act shall take effect on the first day of the fourth month
27 after enactment.

28

29

30

STATEMENT

31

32 This bill establishes the Division of Risk Management within the
33 Department of the Treasury and transfers all of the functions of the
34 current Bureau of Risk Management to the new division. This bill
35 also reorganizes and enhances the structure, administrative
36 leadership, and budgeting procedures of the Office of Information
37 Technology in the Department of the Treasury. In addition, the bill
38 mandates that the State Plan for the enhanced 9-1-1 system require
39 the consolidation of Public Safety Answering Points (PSAP), as
40 appropriate, consistent with revisions in the plan to upgrade the
41 enhanced 9-1-1 system.

42 In establishing the Division of Risk Management within the
43 Department of the Treasury, the bill implements Recommendation
44 14 of the November 15, 2006 report of the Joint Legislative
45 Committee on Government Consolidation and Shared Services.

46 The division would function as an in-house insurance company
47 for the State of New Jersey, and as such, its mission would be to
48 implement a well-coordinated strategy to identify and respond to

1 the needs of the various departments and agencies of State
2 Government in this regard. The bill specifically sets forth certain
3 responsibilities, including: (1) procuring appropriate insurance
4 coverage for the various departments and agencies of State
5 Government, including coverage through self-insurance and use of
6 third party administrators; (2) assisting departments and agencies in
7 developing sound plans of risk management, including developing
8 programs to protect physical assets, and developing and
9 implementing safety programs to mitigate both the frequency and
10 severity of accidental loss and by reviewing these plans and
11 programs from time to time; (3) processing all claims for the
12 various self-administered and self-funded programs with litigation
13 support from the Department of Law and Public Safety; (4)
14 compiling and distributing, on a monthly basis, accident frequency
15 reports to the Governor, the commissioner of each principal
16 department of State Government, and the Legislature; and (5)
17 continuing all of the previous functions and responsibilities of the
18 Bureau of Risk Management and developing new strategies and
19 programs.

20 The bill also creates a Risk Management Committee to monitor
21 the State's risk management program as developed and coordinated
22 by the division. The committee is to be comprised of the
23 commissioner of each principal department in State Government, or
24 his designee. The Treasurer and the Commissioner of Banking and
25 Insurance would serve as co-chairpersons of the committee, and the
26 director of the division shall serve as Executive Secretary. The
27 committee is to meet at least once every three months to: (1) review
28 the accident frequency reports prepared by the division; (2) review
29 policy issues related to worker safety and capital repair issues and
30 their relationship to workers' compensation claims; (3) develop a
31 program and schedule for risk management training of appropriate
32 managers within the principal departments; and (4) oversee the
33 establishment and operation of the risk management committees of
34 each of the principal departments. The commissioners would direct
35 the appropriate personnel within their respective departments to
36 administer and enforce any programs or protocols developed by the
37 committee.

38 The director of the new division, who is to be appointed by the
39 Governor with the advice and consent of the Senate, would
40 administer the work of the division under the immediate direction
41 and supervision of the State Treasurer. The director also would
42 report directly to the Governor on all activities and responsibilities
43 of the division as specified in the bill. The director also is
44 specifically given rule-making authority to implement the
45 provisions of the bill.

46 This bill also reorganizes and enhances the structure,
47 administrative leadership, and budgeting procedures of the Office
48 of Information Technology in the Department of the Treasury. It

1 enacts certain provisions of Executive Order No. 84 of 1984 and
2 Executive Order No. 87 of 1998 which created and established the
3 Office of Information Technology, and codifies certain sections of
4 Executive Order No. 42 of 2006 to coordinate and integrate
5 information technology planning, budgeting, and spending
6 throughout the Executive Branch of State Government.

7 This bill provides a series of measures designed to reform the
8 organizational structure of the Office of Information Technology.
9 As outlined by Executive Order No. 42 of 2006, this bill replaces
10 the initial seven-member Governing Board with the nine-member
11 “New Jersey Information Technology Governing Board.” While
12 the Governing Board retains some of the same powers and duties as
13 its predecessor, this bill changes its dynamics by removing the
14 Chief Information Officer as its chair, creating the position of an
15 independent chairperson, and including an additional Executive
16 Branch commissioner as part of its membership.

17 In addition, this bill establishes a secondary “New Jersey
18 Information Technology Project Review Board,” directly under the
19 supervision of the Governing Board. Unlike the Governing Board,
20 however, the Project Review Board is comprised of between three
21 and five Executive Branch officials selected by the Chair with the
22 approval of the Governor. With the authority to review, approve,
23 and monitor large-scale information technology projects, the Project
24 Review Board provides increased oversight and accountability
25 within the Office of Information Technology.

26 This bill further enhances the administrative leadership in the
27 Office of Information Technology by establishing the position of
28 the Chief Technology Officer and providing for the appointment of
29 up to six Deputy Chief Technology Officers. While serving at the
30 pleasure of the Governor, the Chief Technology Officer is
31 responsible for information technology operations in the Executive
32 Branch of the State Government. Beyond managing the day-to-day
33 operations, the Chief Technology Officer serves on the Governing
34 Board, establishes service level agreements with departments and
35 agencies, analyzes Statewide IT assessments, provides annual
36 reports to the Governor and the Legislature, and appoints Deputy
37 Chief Technology Officers. As defined by the bill, each deputy is
38 responsible for information technology planning, coordination,
39 budgeting, technical architecture, and management of large-scale
40 information technology initiatives, within a single area of interest.

41 This bill also modernizes the budgeting process within the Office
42 of Information Technology by providing greater accountability and
43 oversight to its budgeting procedures. As mandated by this bill, the
44 nine-member Governing Board is required to formally review and
45 approve the annual budget request submitted by the Chief
46 Technology Officer before it is forwarded to the Division of Budget
47 and Accounting in the Department of the Treasury. In addition, the
48 bill mandates that all requests for new information technology

1 spending made by the Executive Branch departments and agencies
2 must be submitted to and approved by the Project Review Board
3 before it is forwarded to the Division of Budget and Accounting in
4 the Department of the Treasury.

5 Finally, the bill implements recommendation 12 of the Joint
6 Legislative Committee on Government Consolidation and Shared
7 Services concerning the Statewide enhanced 9-1-1 system. Under
8 the bill's provisions, the State Plan for the enhanced 9-1-1 system is
9 to require the consolidation of Public Safety Answering Points
10 (PSAP), as appropriate, consistent with revisions in the plan to
11 upgrade the enhanced 9-1-1 system. The bill also provides that the
12 Office of Emergency Telecommunications Services (OETS) is to
13 condition the allocation of monies dedicated for the operation of
14 PSAPs on the merging and sharing of PSAP functions by
15 municipalities, counties and the State Police consistent with the
16 revised plan. The Treasurer is authorized to establish, by
17 regulation, a 9-1-1 call volume minimum that may be utilized as a
18 factor in determining which PSAP functions are to be consolidated
19 under the State plan.

20 The bill further provides that the State plan is to limit the use of
21 sworn law enforcement officers to provide dispatch services. In
22 addition, OETS is to condition the receipt of monies dedicated for
23 the operation of PSAPs on the limited use of sworn law
24 enforcement officers, except for officers returning to active duty
25 from an injury or other physical disability.

LEGISLATIVE FISCAL ESTIMATE

[Corrected Copy]

SENATE, No. 45

STATE OF NEW JERSEY 212th LEGISLATURE

DATED: DECEMBER 19, 2006

SUMMARY

- Synopsis:** Establishes Division of Risk Management in the Department of the Treasury; reorganizes Office of Information Technology; requires consolidation of enhanced 9-1-1 public safety answering points.
- Type of Impact:** Potential cost to the State, its counties, and municipalities, which may be offset, in full or in part, or exceeded by, cost savings brought about by initiatives enabled by this bill.
- Agencies Affected:** Department of the Treasury;
Potentially all of State government, its counties, and municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Fiscal Year 2008</u>	<u>Fiscal Year 2009</u>	<u>Fiscal Year 2010</u>
State Cost	Indeterminate – See Comments Below		
State Cost Savings	Indeterminate – See Comments Below		
Local Cost	Indeterminate – See Comments Below		
Local Cost Savings	Indeterminate – See Comments Below		

- The Office of Legislative Services (OLS) cannot determine the fiscal impact of the creation of the Division of Risk Management, since the bill does not explicitly stipulate the division's staffing level and plan of operation. Notwithstanding, the provision could produce a permanent State cost if the division's new responsibilities necessitate a staffing level exceeding the personnel of the existing Bureau of Risk Management; however, this expenditure may be offset, in full or in part, or maybe even exceeded by, cost savings brought about by more effective and less costly State risk management.
- The OLS projects the reorganization of the Office of Information Technology (OIT) to have no fiscal impact. Since the bill codifies Executive Order No. 42 of 2006 and certain provisions of the Executive Orders which created OIT, it will not provoke any changes in OIT's operations and structure or the provision of information technology services in State government.

- The OLS cannot assess the fiscal impact of consolidating public safety answering points (PSAPs), given that the bill does not explicitly stipulate the extent of the consolidation or the criteria that would trigger mandatory mergers. Any consolidation, however, is likely to generate one-time transition cost to State, county, and municipal governments. Yet, once implemented, consolidation may accrue permanent economies of scale, and hence recurring cost savings, to State, county, and municipal government; which may offset, in full or in part, or maybe even exceed any transition cost.
- According to the John J. Heldrich Center for Workforce Development at Rutgers University, New Jersey's capacity for PSAP efficiencies stems from its large number of call centers with relatively low call volume and relatively high average cost per call answered. New Jersey currently has 203 primary PSAPs, but 71 percent of all 9-1-1 calls not answered by the State Police in the 12 months beginning February 2005 were answered by only 25 PSAPs.

BILL DESCRIPTION

Senate Bill No. 45 of 2006 establishes the Division of Risk Management in the Department of the Treasury as an in-house insurance company for the State of New Jersey and transfers all of the functions of the existing Bureau of Risk Management to the new division.

The bill also reorganizes the OIT in the Department of the Treasury so as to coordinate and integrate information technology planning, budgeting, and spending throughout State government. To that end, the bill enacts certain provisions of the Executive Orders which created the office and codifies certain sections of Executive Order No. 42 of 2006.

In addition, the bill mandates that the State Plan for the enhanced 9-1-1 system require the consolidation of Public Safety Answering Points (PSAP) and that the Office of Emergency Telecommunications Services in OIT allocate PSAP monies contingent on the merging and sharing of PSAP functions by municipalities, counties, and the State Police.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS cannot quantify the legislation's fiscal impact, since the bill neither indicates the Division of Risk Management's plan of operation nor the extent of the consolidation of the 9-1-1 public safety answering points.

Creation of Division of Risk Management: The OLS cannot determine the fiscal impact of the creation of the Division of Risk Management, since the provision does not explicitly stipulate the division's staffing level and plan of operation. Notwithstanding, the bill could produce a permanent State cost if the division's new responsibilities necessitate a staffing level exceeding the personnel of the existing Bureau of Risk Management; however, this expenditure may be

offset, in full or in part, or maybe even exceeded by, cost savings brought about by more effective and less costly State risk management.

Reorganization of Office of Information Technology (OIT): The OLS projects this provision to have no fiscal impact. Since the bill codifies Executive Order No. 42 of 2006 and certain provisions of the Executive Orders which created OIT, it will not provoke any changes in OIT's operations and structure or the provision of information technology services in State government.

Consolidation of Public Safety Answering Points (PSAP): The OLS cannot assess the fiscal impact of consolidating PSAPs, given that the bill does not explicitly stipulate the extent of the consolidation or the criteria that would trigger mandatory mergers. Any consolidation, however, is likely to generate one-time transition cost to State, county, and municipal governments. Yet, once implemented, consolidation may accrue permanent economies of scale, and hence recurring cost savings, to State, county, and municipal government; which may offset, in full or in part, or maybe even exceed any transition cost.

In its October 2006 "New Jersey 9-1-1 Consolidation Study", the John J. Heldrich Center for Workforce Development at Rutgers University affirms, but does not quantify, the potential for economies of scale achievable through PSAP consolidation.

According to the center, New Jersey's capacity for efficiencies stems from its large number of call centers with relatively low call volume and relatively high average cost per call answered. New Jersey currently has 203 primary PSAPs, but 71 percent of all 9-1-1 calls not answered by the State Police in the 12 months beginning February 2005 were answered by only 25 PSAPs. Nevertheless, the center alerts that, depending on each locality's specific circumstances, economies may prove elusive, since operators of many smaller PSAPs frequently also handle other duties, such as monitoring a jail or providing administrative support. Thus, consolidation would not automatically eliminate positions.

It may, however, foster State savings. Based on data from the Office of Emergency Telecommunications Services, the center observes that the State presently finances the maintenance of the PSAPs' phone voice circuits at a cost of around \$400,000 per year. If the PSAP reorganization reduced the number of circuits by ten percent, the State would thus save about \$40,000 per year.

The State also issues grants to PSAPs to replace or upgrade equipment. The center cites the Office of Emergency Telecommunications Services when stating that the complete replacement of basic equipment of and the provision of logging recorders to all PSAPs and public safety dispatch points would cost the state about \$62 million every five to seven years. The center calculates that if every PSAP with only one equipment position were eliminated, the State would avoid nearly \$2.6 million in equipment and logging recorder costs over five years.

Section: Revenue, Finance and Appropriations

*Analyst: Thomas Koenig
Associate Fiscal Analyst*

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

This fiscal estimate has been prepared pursuant to P.L. 1980, c.67.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 45

STATE OF NEW JERSEY 212th LEGISLATURE

DATED: MARCH 14, 2007

SUMMARY

- Synopsis:** Establishes Division of Risk Management in the Department of the Treasury; reorganizes Office of Information Technology; requires consolidation of enhanced 9-1-1 public safety answering points.
- Type of Impact:** Potential cost to the State, its counties, and municipalities, which may be offset, in full or in part, or exceeded by, cost savings brought about by initiatives enabled by this bill.
- Agencies Affected:** Department of the Treasury;
Potentially all of State government, its counties, and municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Fiscal Year 2008</u>	<u>Fiscal Year 2009</u>	<u>Fiscal Year 2010</u>
State Cost	Indeterminate - See Comments Below		
State Revenue	Indeterminate - See Comments Below		
Local Cost	Indeterminate - See Comments Below		
Local Revenue	Indeterminate - See Comments Below		

- The Office of Legislative Services (OLS) cannot determine the fiscal impact of the creation of the Division of Risk Management, since the bill does not explicitly stipulate the division's staffing level and plan of operation. Notwithstanding, the provision could produce a permanent State cost if the division's new responsibilities necessitate a staffing level exceeding the personnel of the existing Bureau of Risk Management; however, this expenditure may be offset, in full or in part, or maybe even exceeded by, cost savings brought about by more effective and less costly State risk management.
- The OLS projects the reorganization of the Office of Information Technology (OIT) to have no fiscal impact. Since the bill codifies Executive Order No. 42 of 2006 and certain provisions of the Executive Orders which created OIT, it will not provoke any changes in OIT's operations and structure or the provision of information technology services in State government.

- The OLS cannot assess the fiscal impact of consolidating public safety answering points (PSAPs), given that the bill does not explicitly stipulate the extent of the consolidation or the criteria that would trigger mandatory mergers. Any consolidation, however, is likely to generate one-time transition cost to State, county, and municipal governments. Yet, once implemented, consolidation may accrue permanent economies of scale, and hence recurring cost savings, to State, county, and municipal government; which may offset, in full or in part, or maybe even exceed any transition cost.
- According to the John J. Heldrich Center for Workforce Development at Rutgers University, New Jersey's capacity for PSAP efficiencies stems from its large number of call centers with relatively low call volume and relatively high average cost per call answered. New Jersey currently has 203 primary PSAPs, but 71 percent of all 9-1-1 calls not answered by the State Police in the 12 months beginning February 2005 were answered by only 25 PSAPs.

BILL DESCRIPTION

Senate Bill No. 45 (1R) of 2006 establishes the Division of Risk Management in the Department of the Treasury as an in-house insurance company for the State of New Jersey and transfers all of the functions of the existing Bureau of Risk Management to the new division.

The bill also reorganizes the Office of Information Technology in the Department of the Treasury so as to coordinate and integrate information technology planning, budgeting, and spending throughout State government. To that end, the bill enacts certain provisions of the Executive Orders which created the office and codifies certain sections of Executive Order No. 42 of 2006.

In addition, the bill mandates that the State Plan for the enhanced 9-1-1 system require the consolidation of Public Safety Answering Points (PSAP) and that the Office of Emergency Telecommunications Services in OIT allocate PSAP monies contingent on the merging and sharing of PSAP functions by municipalities, counties, and the State Police.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS cannot quantify the legislation's fiscal impact, since the bill neither indicates the Division of Risk Management's plan of operation nor the extent of the consolidation of the 9-1-1 public safety answering points.

Creation of Division of Risk Management: The OLS cannot determine the fiscal impact of the creation of the Division of Risk Management, since the provision does not explicitly stipulate the division's staffing level and plan of operation. Notwithstanding, the bill could produce a permanent State cost if the division's new responsibilities necessitate a staffing level exceeding

the personnel of the existing Bureau of Risk Management; however, this expenditure may be offset, in full or in part, or maybe even exceeded by, cost savings brought about by more effective and less costly State risk management.

Reorganization of Office of Information Technology (OIT): The OLS projects this provision to have no fiscal impact. Since the bill codifies Executive Order No. 42 of 2006 and certain provisions of the Executive Orders which created OIT, it will not provoke any changes in OIT's operations and structure or the provision of information technology services in State government.

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In its October 2006 "New Jersey 9-1-1 Consolidation Study", the John J. Heldrich Center for Workforce Development at Rutgers University affirms, but does not quantify, the potential for economies of scale achievable through PSAP consolidation.

According to the center, New Jersey's capacity for efficiencies stems from its large number of call centers with relatively low call volume and relatively high average cost per call answered. New Jersey currently has 203 primary PSAPs, but 71 percent of all 9-1-1 calls not answered by the State Police in the 12 months beginning February 2005 were answered by only 25 PSAPs. Nevertheless, the center alerts that, depending on each locality's specific circumstances, economies may prove elusive, since operators of many smaller PSAPs frequently also handle other duties, such as monitoring a jail or providing administrative support. Thus, consolidation would not automatically eliminate positions.

It may, however, foster State savings. Based on data from the Office of Emergency Telecommunications Services (OETS), the center observes that the State presently finances the maintenance of the PSAPs' phone voice circuits at a cost of around \$400,000 per year. If the PSAP reorganization reduced the number of circuits by ten percent, the State would thus save about \$40,000 per year.

The State also issues grants to PSAPs to replace or upgrade equipment. The center cites the OETS when stating that the complete replacement of basic equipment of and the provision of logging recorders to all PSAPs and public safety dispatch points would cost the state about \$62 million every five to seven years. The center calculates that if every PSAP with only one equipment position were eliminated, the State would avoid nearly \$2.6 million in equipment and logging recorder costs over five years.

Section: Revenue, Finance and Appropriations

Analyst: Thomas Koenig
Associate Fiscal Analyst

Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L. 1980, c.67.

ASSEMBLY, No. 12

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED DECEMBER 7, 2006

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman ROBERT M. GORDON

District 38 (Bergen)

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Assemblyman NELSON T. ALBANO

District 1 (Cape May, Atlantic and Cumberland)

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Mercer)

Assemblyman GARY S. SCHAER

District 36 (Bergen, Essex and Passaic)

Assemblywoman NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Assemblyman DAVID R. MAYER

District 4 (Camden and Gloucester)

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

Assemblyman JOSEPH VAS

District 19 (Middlesex)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

Assemblyman Panter

SYNOPSIS

Establishes Division of Risk Management in the Department of the Treasury; reorganizes Office of Information Technology; requires consolidation of enhanced 9-1-1 public safety answering points.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 12/12/2006)

1 AN ACT concerning the Department of the Treasury, supplementing
2 Title 52 of the Revised Statutes and amending P.L.2005, c.46
3 and P.L.1989, c.3.

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

7
8 1. (New section) a. There is established in the Department of
9 the Treasury a Division of Risk Management.

10 b. All of the functions, powers and duties of the Bureau of Risk
11 Management within the Division of Purchase and Property in the
12 Department of the Treasury are hereby transferred to the Division
13 of Risk Management. Unless otherwise specified in the act, this
14 transfer shall be subject to the provisions of the "State Agency
15 Transfer Act," P.L.1971, c.375 (C. 52:14D-1 et seq.).

16 c. Whenever any statute, rule, regulation, order, contract, tariff,
17 document, reorganization plan, judicial or administrative
18 proceeding concerning risk management refers to the Bureau of
19 Risk Management, the reference shall mean and refer to the
20 Division of Risk Management.

21
22 2. (New section) The division shall be under the immediate
23 supervision of a director who shall administer the work of the
24 division under the direction and supervision of the State Treasurer.
25 The director shall be appointed by the Governor, with the advice
26 and consent of the Senate, and shall serve at the pleasure of the
27 Governor. The Director of the Division of Risk Management shall
28 receive such salary as shall be determined by the Treasurer within
29 the limits of available appropriations. Notwithstanding the
30 supervision and direction of the director by the State Treasurer, the
31 director shall report directly to the Governor on all activities and
32 responsibilities of the division as specified in this act.

33
34 3. (New section) The division shall function as an in-house
35 insurance company for the State of New Jersey, and as such, its
36 mission shall be to implement a well-coordinated strategy to
37 identify and respond to the needs of the various departments and
38 agencies of State Government in this regard. Specifically, the
39 division shall:

40 a. Procure appropriate insurance coverage for the various
41 departments and agencies of State Government, including, as
42 otherwise required by law or as appropriate, coverage through self-
43 insurance and use of third party administrators;

44 b. Assist the various departments and agencies of State
45 Government in developing sound plans of risk management,

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 including developing programs to protect physical assets, and
2 developing and implementing safety programs to mitigate both the
3 frequency and severity of accidental loss and by reviewing these
4 plans and programs from time to time;

5 c. Administer the processing of all claims for the various self-
6 administered and self-funded insurance programs of State agencies
7 and departments, with litigation support from the Department of
8 Law and Public Safety;

9 d. Compile and distribute, on a monthly basis, accident
10 frequency reports to the Governor, the commissioner of each
11 principal department of State Government, and the Legislature.
12 These reports shall track each department's current accident rate
13 compared to historical trends and shall include summaries of any
14 protocols in place to reduce risk; and

15 e. Continue all of the previous functions and responsibilities of
16 the Bureau of Risk Management, in addition to those listed in this
17 section, and develop new strategies and programs, as appropriate.

18

19 4. (New section) a. There is created a Risk Management
20 Committee to monitor the State's risk management program as
21 developed and coordinated by the division. The committee shall be
22 comprised of the commissioner of each principal department in
23 State Government, or his designee. The State Treasurer and the
24 Commissioner of Banking and Insurance shall serve as co-
25 chairpersons of the committee, and the director of the division shall
26 serve as Executive Secretary. The committee shall meet at least
27 once every three months to:

28 (1) review the accident frequency reports prepared by the
29 division pursuant to subsection d. of section 3 of P.L. ,

30 c. (C.) (pending before the Legislature as this bill);

31 (2) review policy issues related to worker safety and capital
32 repair issues and their relationship to workers' compensation
33 claims;

34 (3) develop a program and schedule for risk management
35 training of appropriate managers within the principal departments;
36 and

37 (4) oversee the establishment and operation of the risk
38 management committees of each of the principal departments.

39 b. Each commissioner shall, pursuant to his general rule-
40 making authority within each respective department, direct the
41 appropriate personnel to administer and enforce any programs or
42 protocols developed by the committee.

43

44 5. (New section) The Director of the Division of Risk
45 Management shall promulgate rules and regulations pursuant to the
46 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
47 seq.) to effectuate the purposes of this act.

1 6. (New section) Sections 6 through 18 of P.L. ,
2 c. (C.) (pending before the Legislature as this bill) shall be
3 known and may be cited as “The Office of Information Technology
4 Reorganization Act.”

5
6 7. (New section) The Legislature finds and declares:

7 a. Since its inception, the Office of Information Technology
8 (OIT) has served an integral role in providing essential State
9 services, developing the State’s technical infrastructure, and
10 maintaining an efficient and transparent State government;

11 b. Beyond its core responsibilities of application development
12 and maintenance, data center operations, and telecommunications,
13 OIT provides invaluable data management, Internet development,
14 and geographic information systems to departments and agencies
15 within the Executive Branch of State Government;

16 c. From developing the Department of Human Service’s
17 computer-based disability insurance systems to maintaining
18 criminal databases utilized by the State Police, and from designing
19 the Motor Vehicle Commission’s online services to assisting the
20 Division of Taxation in collecting State revenues, OIT provides the
21 critical resources to connect various layers of State Government and
22 deliver services to State residents;

23 d. Despite its achievements, OIT has been restrained by a lack
24 of accountability, control, and monitoring in planning, developing,
25 and conducting department and agency information technology
26 projects;

27 e. The lack of oversight has contributed to disorganization and
28 economic inefficiencies, while also restricting growth, limiting
29 innovation, and discouraging creative input within OIT;

30 f. In order to realize the office’s potential, keep pace with
31 technological advancements, and meet the needs of residents and
32 businesses throughout the State, it is necessary to reinforce OIT’s
33 role with a new structure, leadership, and mission; and

34 g. Therefore, the State must take a proactive approach in
35 coordinating and integrating information technology planning,
36 budgeting, and spending throughout the Executive Branch to
37 advance cost savings, improve the quality of services, and retain
38 operating efficiencies.

39
40 8. (New section) As used in this act:

41 a. “Chair” means the chairperson of the New Jersey
42 Information Technology Governing Board.

43 b. “Governing Board” means the New Jersey Information
44 Technology Governing Board established by section 10 of P.L. ,
45 c. (C.) (pending before the Legislature as this bill).

46 c. “Office” means the Office of Information Technology
47 established by section 9 of P.L. , c. (C.).

1 d. "Project Review Board" means the New Jersey Information
2 Technology Project Review Board established by section 14 of
3 P.L. , c. (C.) (pending before the Legislature as this bill).

4
5 9. (New section) a. There is established an Office of
6 Information Technology.

7 b. The office shall be established in the Executive Branch of
8 State Government and to comply with the provisions of Article V,
9 Section IV, paragraph 1 of the New Jersey Constitution, the office
10 shall be allocated in but not of the Department of the Treasury.
11 Notwithstanding this allocation, the office shall be independent of
12 any supervision or control by the State Treasurer, or the department,
13 or by any division, board, office, or other officer thereof.

14 c. The office shall be directed by the Chief Technology
15 Officer, who shall report directly to the Governor.

16 d. The Chief Technology Officer shall submit requests for the
17 budget of the office directly to the Governing Board which shall
18 review the requests and upon approval forward them to the Division
19 of Budget and Accounting in the Department of the Treasury.

20 e. Under the direction of the Chief Technology Officer, the
21 office shall be responsible for:

22 (1) providing and maintaining the information technology
23 infrastructure of the Executive Branch of State Government,
24 including all ancillary departments and agencies of the Executive
25 Branch of State Government; and

26 (2) providing staff support to the Governing Board at the request
27 of the Chair.

28 f. The functions, powers, and duties granted to the office by
29 Executive Order No. 84 of 1984, Executive Order No. 87 of 1998,
30 and Executive Order No. 42 of 2006 shall be continued, and any
31 function, power, or duty granted to the office by the Executive
32 Orders that is inconsistent with the provisions of this act shall be
33 rescinded.

34
35 10. (New section) a. There is established the New Jersey
36 Information Technology Governing Board.

37 b. The Governing Board shall be comprised of nine members,
38 including:

39 (1) the Chair, who shall be appointed by and serve at the
40 pleasure of the Governor and shall possess the qualifications,
41 training, and experience to perform the duties and fulfill the
42 responsibilities of the position;

43 (2) the Chief Technology Officer;

44 (3) the State Treasurer, or a designee, who shall serve ex officio;

45 (4) three Executive Branch Commissioners, who shall be
46 appointed by and serve at the pleasure of the Governor; and

47 (5) three public members, who shall be appointed by and serve
48 at the pleasure of the Governor.

1 c. The Governing Board shall organize as soon as practicable,
2 but no later than the 30th day after the appointment of a majority of
3 its members. The Governing Board shall elect a vice-chair from
4 among its members and appoint a secretary who need not be a
5 member of the board.

6 d. Vacancies in the membership of the Governing Board shall
7 be filled in the same manner as provided for in the original
8 appointments.

9 e. The Governing Board shall meet quarterly or at more
10 frequent intervals at the discretion of the Chair. The meetings of
11 the board shall be held at the times and in the places the Chair
12 deems necessary and appropriate to fulfill its duties and
13 responsibilities.

14 f. The Office of Information Technology shall provide such
15 stenographic, clerical, and other administrative assistants, and such
16 professional staff, as the Governing Board requires to carry out its
17 work. The board shall be entitled to call to its assistance, and avail
18 itself of the services of, the employees of any State, county, or
19 municipal department, board, bureau, commission, or agency as it
20 may require and as may be available for its purposes.

21 g. The public members of the Governing Board shall serve
22 without compensation for their services, but may be reimbursed for
23 traveling and other miscellaneous expenses necessary to perform
24 their duties, within the limits of the funds made available to the
25 board for its purposes.

26 h. The public members appointed to the Governing Board shall
27 be considered public officers, subject to the financial disclosure
28 requirements of Executive Order No. 1 of 2006.

29 i. It shall be the duty and responsibility of the Governing
30 Board to:

31 (1) define and establish the overall direction, standards, and
32 priorities for the information technology community in the
33 Executive Branch of State Government;

34 (2) review and approve the annual budget request of the Office
35 of Information Technology;

36 (3) review and approve all requests from departments and
37 agencies for new information technology spending, prior to
38 submission to the Division of Budget and Accounting in the
39 Department of the Treasury; and

40 (4) define the extent of large-scale information technology
41 projects and establish a monetary threshold for information
42 technology projects requiring the review and approval of the Project
43 Review Board.

44

45 11. (New section) a. The Office of Information Technology
46 shall be administered by the Chief Technology Officer for the State
47 of New Jersey. The Chief Technology Officer shall be appointed
48 by and serve at the pleasure of the Governor. The Chief

1 Technology Officer shall be qualified by education, training, and
2 prior experience to direct the work of the office and to perform the
3 duties, functions and responsibilities of the position.

4 b. The Chief Technology Officer shall serve during the term of
5 the Governor appointing the officer and until a successor is
6 appointed and has qualified.

7 c. The Chief Technology Officer shall devote full-time to the
8 duties and responsibilities of the office and shall receive a salary as
9 shall be provided pursuant to law.

10 d. A vacancy in the position of Chief Technology Officer shall
11 be filled in the same manner as provided for in the original
12 appointment.

13

14 12. (New section) The Chief Technology Officer shall be
15 authorized to:

16 a. Establish the internal organizational structure of the Office
17 of Information Technology in a manner appropriate to carrying out
18 the duties and functions, and fulfilling the responsibilities, of the
19 office;

20 b. Coordinate and conduct all information technology
21 operations in the Executive Branch of State Government, including
22 agency technology operations;

23 c. Draft and establish Service Level Agreements with each
24 department and agency in the Executive Branch of State
25 Government;

26 d. In consultation with the Governing Board, review and
27 analyze the results of the Statewide Information Technology
28 Assessment Study; and

29 e. Enter into agreements, in accordance and consistent with
30 applicable law, regulations, and existing contracts, with private and
31 public entities or individuals to effectuate the purposes of sections 6
32 through 18 of P.L. , c. (C.) (pending before the Legislature
33 as this bill).

34

35 13. (New section) a. The Chief Technology Officer is
36 authorized to appoint up to six Deputy Chief Technology Officers.

37 b. Each Deputy Chief Technology Officer shall be appointed
38 by and serve at the pleasure of the Chief Technology Officer, and
39 shall be responsible for information technology planning,
40 coordination, budgeting, technical architecture, and management of
41 large-scale information technology initiatives, in a single area of
42 interest as determined by the Chair of the Governing Board and the
43 Chief Technology Officer.

44

45 14. (New section) a. There is established the New Jersey
46 Information Technology Project Review Board.

47 b. The Project Review Board shall report directly to the
48 Governing Board and shall be comprised of between three and five

1 Executive Branch officials, selected by the Chair of the Governing
2 Board with the approval of the Governor.

3 c. The Project Review Board shall be responsible for the
4 review, approval, and monitoring of large-scale information
5 technology projects in the Executive Branch of State Government.

6 d. The Project Review Board shall meet at the discretion of the
7 Chair of the Governing Board, and shall convene meetings and
8 hearings at the times and in the places as a majority of the members
9 of the board shall decide.

10 e. The Office of Information Technology shall provide such
11 stenographic, clerical, and other administrative assistants, and such
12 professional staff, as the Project Review Board requires to carry out
13 its work. The board shall be entitled to call to its assistance, and
14 avail itself of the services of, the employees of any State, county, or
15 municipal department, board, bureau, commission, or agency as it
16 may require and as may be available for its purposes.

17

18 15. (New section) a. The Chief Technology Officer shall
19 provide periodic reports to the Governor, and shall issue an annual
20 report to the Governor and, pursuant to section 2 of P.L.1991, c.164
21 (C.52:14-19.1), to the Legislature regarding the information
22 technology operations of the Executive Branch of State Government
23 and the activities of the Office of Information Technology.

24 b. The annual report shall be issued on or before September 30
25 of each year, and shall be made available to the public.

26

27 16. (New section) All Executive Branch departments and State
28 agencies are directed to cooperate fully with the Office of
29 Information Technology, the Governing Board, and the Chief
30 Technology Officer to implement the provisions of P.L. ,
31 c. (C.) (pending before the Legislature as this bill) and to
32 ensure effective use of information technology within the Executive
33 Branch of State Government.

34

35 17. Section 5 of P.L.2005, c.46 (C.5:12-100.2) is amended to
36 read as follows:

37 5. a. Each slot system operator that awards an annuity jackpot
38 shall provide prompt notice to the commission of the name, address
39 and social security number of each annuity jackpot winner and the
40 amount of the pending payments. The commission shall forward
41 such information to the Office of Information Technology in but not
42 of the Department of the Treasury.

43 b. The Office of Information Technology shall cross check the
44 annuity jackpot winner list with the data supplied by the
45 Commissioner of Human Services pursuant to section 2 of
46 P.L.1991, c.384 (C.5:9-13.2) for a social security number match. If
47 a match is made, the Office of Information Technology shall notify
48 the Commissioner of Human Services.

1 c. If an annuity jackpot winner is in arrears of a child support
2 order, or is a former recipient of Aid to Families with Dependent
3 Children or Work First New Jersey, food stamp benefits or low-
4 income home energy assistance benefits who has incurred an
5 overpayment which has not been repaid, the Probation Division of
6 the Superior Court or the Department of Human Services, as
7 appropriate, shall promptly notify the slot system operator of the
8 name, address, social security number and amount due on an arrears
9 child support order or the amount due on an overpayment. The slot
10 system operator shall withhold this amount from the pending
11 annuity jackpot payment and transmit same to the Probation
12 Division of the Superior Court or the Department of Human
13 Services, as appropriate, in accordance with regulations
14 promulgated by the State Treasurer.

15 d. The Probation Division of the Superior Court, acting as
16 agent for the child support payee or the county welfare agency that
17 provided the public assistance benefits, as appropriate, shall have a
18 lien on the proceeds of the annuity jackpot payment in an amount
19 equal to the amount of child support arrearage or the amount of
20 overpayment incurred, as appropriate. The lien imposed by this
21 section shall be enforceable in the Superior Court. Any of the
22 annuity jackpot winner's funds remaining after withholding
23 pursuant to the lien established pursuant to this section shall be paid
24 to the winner in accordance with the rules of the commission.

25 e. The Commissioner of Human Services shall promulgate
26 such regulations as may be necessary to effectuate the purposes of
27 this section including, but not limited to, regulations providing for
28 prompt notice to any annuity jackpot winner, from whose payments
29 the Probation Division of the Superior Court or the Department of
30 the Human Services seeks to withhold funds, of the amount to be
31 withheld and the reason therefor and providing the annuity jackpot
32 winner with the opportunity for a hearing upon request prior to the
33 disposition of any funds.

34 f. The State Treasurer shall also provide, by regulation,
35 safeguards against the disclosure or inappropriate use of any
36 personally identifiable information regarding any person obtained
37 pursuant to this section.

38 g. For the purposes of this section, "prompt notice" shall mean
39 notice within 14 days or less.

40 (cf: P.L.2005, c.46, s.5)

41

42 18. Section 1 of P.L.1989, c.3 (C.52:17C-1) is amended to read
43 as follows:

44 1. As used in this act:

45 a. "Automatic number identification (ANI)" means an
46 enhanced 9-1-1 service capability that enables the automatic display
47 of the callback number used to place a 9-1-1 call;

- 1 b. "Automatic location identification (ALI)" means an
2 enhanced 9-1-1 service capability that enables the automatic display
3 of information defining the geographical location of the telephone
4 used to place a 9-1-1 call;
- 5 c. "Commission" means the 9-1-1 Commission;
- 6 d. "County 9-1-1 Coordinator" means the County 9-1-1
7 Coordinator appointed pursuant to section 5 of this act;
- 8 e. "Enhanced 9-1-1 network" means the switching equipment,
9 trunk system, database operation and connections to the public
10 safety answering point;
- 11 f. "Enhanced 9-1-1 network features" means those features of
12 selective routing which have the capability of automatic number
13 and location identification;
- 14 g. "Enhanced 9-1-1 service" means a service consisting of
15 telephone network features and public safety answering points
16 provided for users of the public telephone system enabling the users
17 to reach a public service answering point by dialing the digits "9-1-
18 1." The service directs 9-1-1 calls to appropriate public safety
19 answering points by selective routing based on the location from
20 which the call originated and provides for automatic number
21 identification and automatic location identification features;
- 22 h. "Enhanced 9-1-1 termination equipment" means the
23 equipment located at the public safety answering point which is
24 needed to receive or record voice and data communications from
25 the enhanced 9-1-1 network;
- 26 i. "Office" means the Office of Emergency
27 Telecommunications Services established by section 3 of this act;
- 28 j. "Public safety agency" means a functional division of a
29 municipality, a county, or the State which dispatches or provides
30 law enforcement, fire fighting, emergency medical services, or
31 other emergency services;
- 32 k. "Private safety agency" means any entity, except a
33 municipality or a public safety agency, providing emergency
34 medical services, fire fighting, or other emergency services;
- 35 l. "Public safety answering point (PSAP)" means a facility,
36 operated on a 24-hour basis, assigned the responsibility of receiving
37 9-1-1 calls and, as appropriate, directly dispatching emergency
38 response services or transferring or relaying emergency 9-1-1 calls
39 to other public safety agencies. A public safety answering point is
40 the first point of reception by a public safety agency of 9-1-1 calls
41 and serves the jurisdictions in which it is located or other
42 participating jurisdictions;
- 43 m. "Selective routing" means the method employed to direct 9-
44 1-1 calls to the appropriate public safety answering point based on
45 the location from which the call originated;
- 46 n. "Emergency enhanced 9-1-1 system" or "system" means the
47 emergency enhanced 9-1-1 telephone system to be established
48 pursuant to this act, including wireless enhanced 9-1-1 service;

- 1 o. "Telephone company" means the organization that provides
2 switched local telephone exchange access service;
- 3 p. "Wireless telephone company" means any person providing
4 commercial mobile radio service as defined in 47 U.S.C. s.332 (d);
- 5 q. "FCC wireless E9-1-1 requirements" means the order
6 adopted in the Federal Communications Commission proceeding
7 entitled "Revision of the Commission's Rules to Ensure
8 Comparability with Enhanced 9-1-1 Emergency Calling Systems,"
9 (CC Docket No. 94-102: RM-8143), or any successor proceeding,
10 and the rules adopted by the Federal Communications Commission
11 in any such proceeding, as these rules may be amended from time to
12 time;
- 13 r. "Wireless 9-1-1 service" means the service which enables
14 wireless telephone company customers to dial the digits 9-1-1 and
15 be connected to a public safety agency;
- 16 s. "Wireless enhanced 9-1-1 service" means the service
17 required to be provided by a wireless telephone company pursuant
18 to FCC wireless E9-1-1 requirements;
- 19 t. "Chief Technology Officer" means the person appointed by
20 and serving at the pleasure of the **【Governing Board】** Governor
21 who is responsible for the day-to-day operations of the Office of
22 Information Technology;
- 23 u. "Governing Board" means the **【seven-member】** board
24 established **【by Executive Order 87 of 1998】** pursuant to section 10
25 of P.L. , c. (C.) (pending before the Legislature as this
26 bill), to oversee the Office of Information Technology; and
- 27 v. "Office of Information Technology" means the Office of
28 Information Technology **【established by Executive Order 87 of**
29 **1998】** in but not of the Department of the Treasury.
30 (cf: P.L.1999, c.125, s.1)

31
32 19. Section 2 of P.L.1989, c.3 (C.52:17C-2) is amended to read
33 as follows:

- 34 2. a. There is created in the Office of Information Technology
35 a commission to be known as the 9-1-1 Commission which shall
36 oversee the office in the planning, design, and implementation of
37 the Statewide emergency enhanced 9-1-1 telephone system to be
38 established pursuant to this act. The commission shall consist of 30
39 members as follows: two members of the Senate appointed by the
40 President of the Senate, who shall not be both of the same political
41 party; two members of the General Assembly appointed by the
42 Speaker of the General Assembly, who shall not be both of the
43 same political party; the following members ex officio: Chief
44 Technology Officer of the Office of Information Technology;
45 President of the Board of Public Utilities; Superintendent of State
46 Police; Deputy Director of the State Office of Emergency
47 Management in the Department of Law and Public Safety; Director

1 of the Bureau of Fire Safety in the Department of Community
2 Affairs; Director of Emergency Medical Services in the Department
3 of Health and Senior Services; one member of the Governing Board
4 of the Office of Information Technology in but not of the
5 Department of the Treasury; the following public members
6 appointed by the Governor with the advice and consent of the
7 Senate: a representative of the New Jersey State League of
8 Municipalities; a representative of the New Jersey State Association
9 of Chiefs of Police; a representative of the Fire Fighters'
10 Association of New Jersey; a representative of the New Jersey First
11 Aid Council; a representative of the Associated Public Safety
12 Communications Officers (APCO); a representative of Bell
13 Atlantic-New Jersey; a representative of the independent telephone
14 companies; two representatives of the wireless telephone
15 companies; one representative of the National Emergency Number
16 Association; two members representing county-wide dispatch
17 centers; one representative of the Sheriffs Association of New
18 Jersey; one representative of the New Jersey Fire Chiefs
19 Association; one representative from the Certified Local Exchange
20 Carriers; two members representing multi-municipal public safety
21 dispatch centers who serve more than one, but less than five
22 municipalities; and two members representing municipal public
23 safety dispatch centers.

24 The members of the Senate and General Assembly appointed to
25 the commission shall serve for terms which shall be for the term for
26 which they were elected. Of the public members first appointed by
27 the Governor with the advice and consent of the Senate, seven shall
28 be appointed for terms of three years, six shall be appointed for
29 terms of two years, and six shall be appointed for terms of one year.
30 Thereafter, the public members of the commission shall be
31 appointed for terms of three years. Vacancies on the commission
32 shall be filled in the same manner as the original appointment but
33 for the unexpired term. Members may be removed by the
34 appointing authority for cause. The initial members shall be
35 appointed within 30 days of the effective date of P.L.1999, c.125
36 (C.52:17C-3.1 et al.). The commission shall have the authority to
37 establish subcommittees as it deems appropriate to carry out the
38 purposes of this act.

39 The members of the Senate and General Assembly appointed to
40 the commission shall be non-voting, advisory members, appointed
41 solely for the purpose of developing and facilitating legislation to
42 assist the commission in fulfilling its statutory mission, and may not
43 exercise any of the executive powers delegated to the commission
44 by law.

45 b. Members of the commission shall serve without
46 compensation, but the legislative and public members shall be
47 entitled to reimbursement for expenses incurred in performance of

1 their duties, within the limits of any funds appropriated or otherwise
2 made available for that purpose.

3 c. Each ex officio member may designate an employee of the
4 member's department or agency to represent the member at
5 meetings or hearings of the commission. All designees may
6 lawfully vote and otherwise act on behalf of the members for whom
7 they constitute the designees.

8 d. The 9-1-1 Commission shall be constituted upon the
9 appointment of the majority of its authorized membership and shall
10 have no expiration date. [Until the commission is constituted: (1)
11 the Advisory Commission appointed by the Chief Technology
12 Officer before the effective date of P.L.1999, c.125 (C.52:17C-3.1
13 et al.) shall be continued and shall exercise the advisory functions
14 granted to it by the Chief Technology Officer and (2) the Chief
15 Technology Officer shall be responsible for the review and approval
16 of any function of the office which is the responsibility of the 9-1-1
17 Commission. Membership on the advisory commission shall not
18 disqualify a person from membership on the 9-1-1 Commission.]

19 (cf: P.L.2001, c.290, s.1)

20

21 20. Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to read
22 as follows:

23 3. a. There is established in the Office of Information
24 Technology an Office of Emergency Telecommunications Services.

25 b. The office shall be under the immediate supervision of a
26 director, who shall be a person qualified by training and experience
27 to direct the work of the office. The director shall administer the
28 provisions of this act subject to review by the Chief Technology
29 Officer and shall perform other duties as may be provided by law.
30 The director shall be appointed by the Chief Technology Officer,
31 but the commission shall advise the Chief Technology Officer on
32 the qualifications of the director. The Chief Technology Officer is
33 authorized to appoint, in accordance with Title 11A of the New
34 Jersey Statutes, clerical, technical, and professional assistants, and
35 also may designate any available personnel as shall be necessary to
36 effectuate the purposes of this act.

37 The office shall, subject to review by the commission and the
38 Chief Technology Officer, only as provided in subsection c. of this
39 section, and in consultation with the telephone companies, the
40 Board of Public Utilities and the wireless telephone companies, and
41 with the assistance of the Office of Information Technology in but
42 not of the Department of the Treasury, continue to plan, design,
43 implement, and coordinate the Statewide emergency enhanced 9-1-1
44 telephone system to be established pursuant to this act as well as
45 any changes to that system needed to provide wireless enhanced 9-
46 1-1 service.

1 To this end the office shall establish, after review and approval
2 by the commission, a State plan for the emergency enhanced 9-1-1
3 system in this State, which plan shall include:

4 (1) The configuration of, and requirements for, the enhanced 9-
5 1-1 network. The office with the approval of the commission and
6 the Chief Technology Officer, only as provided herein, and
7 assistance and advice of the Office of Information Technology in
8 but not of the Department of the Treasury is empowered to enter
9 into contracts with the telephone companies and the wireless
10 telephone companies for the provision of this network.

11 (2) The role and responsibilities of the counties and
12 municipalities of the State in the implementation of the system,
13 consistent with the provisions of this act, including a timetable for
14 implementation.

15 (3) Technical and operational standards for the establishment of
16 public safety answering points (PSAPs) which utilize enhanced 9-1-
17 1 network features in accordance with the provisions of this act.
18 Those entities having responsibility for the creation and
19 management of PSAPs shall conform to these standards in the
20 design, implementation and operation of the PSAPs. These
21 standards shall include provision for the training and certification of
22 call-takers and public safety dispatchers or for the adoption of such
23 a program.

24 The State plan shall be established within 270 days of the
25 operative date of this act except that the technical and operational
26 standards specified in paragraph (3) of this subsection shall be
27 established within 180 days of the operative date of this act.

28 The office, after review and approval by the commission and the
29 Chief Technology Officer, only as provided herein, may update and
30 revise the State plan from time to time.

31 The office may inspect each PSAP to determine if it meets the
32 requirements of this act and the technical and operational standards
33 established pursuant to this section. The office shall explore ways
34 to maximize the reliability of the system.

35 The plan or any portion of it may be implemented by the
36 adoption of regulations pursuant to subsection b. of section 15 of
37 this act.

38 The State plan shall require the consolidation of PSAPs as
39 appropriate, consistent with revisions in the plan to upgrade the
40 enhanced 9-1-1 system and shall condition the allocation of monies
41 dedicated for the operation of PSAPs on the merging and sharing of
42 PSAP functions by municipalities, counties and the State Police,
43 consistent with the revised plan. The Treasurer may establish, by
44 regulation, a 9-1-1 call volume minimum that may be utilized as a
45 factor in determining which PSAP functions are to be consolidated
46 under the State plan.

47 The State plan shall limit the use of sworn law enforcement
48 officers to provide dispatch services and the office shall condition

1 the receipt of monies dedicated for the operation of PSAPs on the
2 limited use of sworn law enforcement officers, except for officers
3 returning to active duty from an injury or other physical disability.

4 The office shall plan, implement and coordinate a Statewide
5 public education program designed to generate public awareness at
6 all levels of the emergency enhanced 9-1-1 system. Advertising
7 and display of 9-1-1 shall be in accordance with standards
8 established by the office. Advertising expenses may be defrayed
9 from the moneys appropriated to the office.

10 The office, after review and approval by the commission and the
11 Chief Technology Officer, only as provided herein, shall submit a
12 report to the Senate Revenue, Finance and Appropriations
13 Committee and the Assembly Appropriations Committee, or their
14 successors, not later than February 15 of each year, concerning its
15 progress in carrying out this act and the expenditure of moneys
16 appropriated thereto and appropriated for the purposes of
17 installation of the Statewide enhanced 9-1-1 network.

18 c. (Deleted by amendment, P.L.1999, c.125).

19 (cf: P.L.1999, c.125, s.3)

20

21 21. Section 7 of P.L.1989, c.3 (C.52:17C-7) is amended to read
22 as follows:

23 3. No provision of this act shall be construed to prohibit [or
24 require] in any manner the formation of multi-agency, multi-
25 jurisdictional, regional or county-wide public safety answering
26 points. [However, the] The formation of public safety answering
27 points that serve groups of municipalities is encouraged in the
28 interest of reducing cost and increasing the efficiency of
29 administration.

30 (cf: P.L.1989, c. 3, s.7)

31

32 22. This act shall take effect on the first day of the fourth month
33 after enactment.

34

35

36

STATEMENT

37

38 This bill establishes the Division of Risk Management within the
39 Department of the Treasury and transfers all of the functions of the
40 current Bureau of Risk Management to the new division. This bill
41 also reorganizes and enhances the structure, administrative
42 leadership, and budgeting procedures of the Office of Information
43 Technology in the Department of the Treasury. In addition, the bill
44 mandates that the State Plan for the enhanced 9-1-1 system require
45 the consolidation of Public Safety Answering Points (PSAP), as
46 appropriate, consistent with revisions in the plan to upgrade the
47 enhanced 9-1-1 system.

1 In establishing the Division of Risk Management within the
2 Department of the Treasury, the bill implements Recommendation
3 14 of the November 15, 2006 report of the Joint Legislative
4 Committee on Government Consolidation and Shared Services.

5 The division would function as an in-house insurance company
6 for the State of New Jersey, and as such, its mission would be to
7 implement a well-coordinated strategy to identify and respond to
8 the needs of the various departments and agencies of State
9 Government in this regard. The bill specifically sets forth certain
10 responsibilities, including: (1) procuring appropriate insurance
11 coverage for the various departments and agencies of State
12 Government, including coverage through self-insurance and use of
13 third party administrators; (2) assisting departments and agencies in
14 developing sound plans of risk management, including developing
15 programs to protect physical assets, and developing and
16 implementing safety programs to mitigate both the frequency and
17 severity of accidental loss and by reviewing these plans and
18 programs from time to time; (3) processing all claims for the
19 various self-administered and self-funded programs with litigation
20 support from the Department of Law and Public Safety; (4)
21 compiling and distributing, on a monthly basis, accident frequency
22 reports to the Governor, the commissioner of each principal
23 department of State Government, and the Legislature; and (5)
24 continuing all of the previous functions and responsibilities of the
25 Bureau of Risk Management and developing new strategies and
26 programs.

27 The bill also creates a Risk Management Committee to monitor
28 the State's risk management program as developed and coordinated
29 by the division. The committee is to be comprised of the
30 commissioner of each principal department in State Government, or
31 his designee. The Treasurer and the Commissioner of Banking and
32 Insurance would serve as co-chairpersons of the committee, and the
33 director of the division shall serve as Executive Secretary. The
34 committee is to meet at least once every three months to: (1) review
35 the accident frequency reports prepared by the division; (2) review
36 policy issues related to worker safety and capital repair issues and
37 their relationship to workers' compensation claims; (3) develop a
38 program and schedule for risk management training of appropriate
39 managers within the principal departments; and (4) oversee the
40 establishment and operation of the risk management committees of
41 each of the principal departments. The commissioners would direct
42 the appropriate personnel within their respective departments to
43 administer and enforce any programs or protocols developed by the
44 committee.

45 The director of the new division, who is to be appointed by the
46 Governor with the advice and consent of the Senate, would
47 administer the work of the division under the immediate direction
48 and supervision of the State Treasurer. The director also would

1 report directly to the Governor on all activities and responsibilities
2 of the division as specified in the bill. The director also is
3 specifically given rule-making authority to implement the
4 provisions of the bill.

5 This bill also reorganizes and enhances the structure,
6 administrative leadership, and budgeting procedures of the Office
7 of Information Technology in the Department of the Treasury. It
8 enacts certain provisions of Executive Order No. 84 of 1984 and
9 Executive Order No. 87 of 1998 which created and established the
10 Office of Information Technology, and codifies certain sections of
11 Executive Order No. 42 of 2006 to coordinate and integrate
12 information technology planning, budgeting, and spending
13 throughout the Executive Branch of State Government.

14 This bill provides a series of measures designed to reform the
15 organizational structure of the Office of Information Technology.
16 As outlined by Executive Order No. 42 of 2006, this bill replaces
17 the initial seven-member Governing Board with the nine-member
18 “New Jersey Information Technology Governing Board.” While
19 the Governing Board retains some of the same powers and duties as
20 its predecessor, this bill changes its dynamics by removing the
21 Chief Information Officer as its chair, creating the position of an
22 independent chairperson, and including an additional Executive
23 Branch commissioner as part of its membership.

24 In addition, this bill establishes a secondary “New Jersey
25 Information Technology Project Review Board,” directly under the
26 supervision of the Governing Board. Unlike the Governing Board,
27 however, the Project Review Board is comprised of between three
28 and five Executive Branch officials selected by the Chair with the
29 approval of the Governor. With the authority to review, approve,
30 and monitor large-scale information technology projects, the Project
31 Review Board provides increased oversight and accountability
32 within the Office of Information Technology.

33 This bill further enhances the administrative leadership in the
34 Office of Information Technology by establishing the position of
35 the Chief Technology Officer and providing for the appointment of
36 up to six Deputy Chief Technology Officers. While serving at the
37 pleasure of the Governor, the Chief Technology Officer is
38 responsible for information technology operations in the Executive
39 Branch of the State Government. Beyond managing the day-to-day
40 operations, the Chief Technology Officer serves on the Governing
41 Board, establishes service level agreements with departments and
42 agencies, analyzes Statewide IT assessments, provides annual
43 reports to the Governor and the Legislature, and appoints Deputy
44 Chief Technology Officers. As defined by the bill, each deputy is
45 responsible for information technology planning, coordination,
46 budgeting, technical architecture, and management of large-scale
47 information technology initiatives, within a single area of interest.

1 This bill also modernizes the budgeting process within the Office
2 of Information Technology by providing greater accountability and
3 oversight to its budgeting procedures. As mandated by this bill, the
4 nine-member Governing Board is required to formally review and
5 approve the annual budget request submitted by the Chief
6 Technology Officer before it is forwarded to the Division of Budget
7 and Accounting in the Department of the Treasury. In addition, the
8 bill mandates that all requests for new information technology
9 spending made by the Executive Branch departments and agencies
10 must be submitted to and approved by the Project Review Board
11 before it is forwarded to the Division of Budget and Accounting in
12 the Department of the Treasury.

13 Finally, the bill implements recommendation 12 of the Joint
14 Legislative Committee on Government Consolidation and Shared
15 Services concerning the Statewide enhanced 9-1-1 system. Under
16 the bill's provisions, the State Plan for the enhanced 9-1-1 system is
17 to require the consolidation of Public Safety Answering Points
18 (PSAP), as appropriate, consistent with revisions in the plan to
19 upgrade the enhanced 9-1-1 system. The bill also provides that the
20 Office of Emergency Telecommunications Services (OETS) is to
21 condition the allocation of monies dedicated for the operation of
22 PSAPs on the merging and sharing of PSAP functions by
23 municipalities, counties and the State Police consistent with the
24 revised plan. The Treasurer is authorized to establish, by
25 regulation, a 9-1-1 call volume minimum that may be utilized as a
26 factor in determining which PSAP functions are to be consolidated
27 under the State plan.

28 The bill further provides that the State plan is to limit the use of
29 sworn law enforcement officers to provide dispatch services. In
30 addition, OETS is to condition the receipt of monies dedicated for
31 the operation of PSAPs on the limited use of sworn law
32 enforcement officers, except for officers returning to active duty
33 from an injury or other physical disability.

SENATE BILL NO. 45
(CORRECTED COPY)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 45 (Corrected Copy) with my recommendations for reconsideration.

A. Summary of Bill

This bill would establish the Division of Risk Management within the Department of the Treasury and transfer all of the functions of the current Bureau of Risk Management to the new division. Additionally, the bill would reorganize and enhance the structure, administration, and budgeting procedures of the Office of Information Technology in the Department of the Treasury. Moreover, the bill would mandate that the State plan for the enhanced 9-1-1 system require the consolidation of Public Safety Answering Points (PSAPs), as appropriate, consistent with revisions to the plan in order to upgrade the enhanced system.

B. Recommended Action

I support the concept of this bill and congratulate its sponsors for their ongoing efforts to improve the efficiency and transparency of State government. This legislation represents another important step forward in the process of re-establishing prudent management of the State's operations and finances. I am advised by the Department of Law and Public Safety, the Department of Transportation, and the New Jersey Transit Corporation, however, that a small number of technical corrections to the section of this bill describing the mission and responsibilities of the new Division of Risk Management are appropriate in order to clarify the bill's intended scope. The recommended amendments described below do not affect the division's core mission of implementing a well-coordinated risk management strategy and responding to the needs of the various departments and agencies of State government, but rather clarify that the division will not itself function as an insurance company. The amendments further clarify that the division shall be

authorized to procure insurance coverage, if appropriate, for any or all of the departments and agencies of State government, other than independent authorities and instrumentalities of the State.

Accordingly, I herewith return Senate Bill No. 45 (Corrected Copy) and recommend that it be amended as follows:

Page 2, Section 3, Lines 34 and 35: After "The" delete "division shall function as an in-house insurance company for the State of New Jersey, and as such, its".

Page 2, Section 3, Line 36: After "mission" insert "of the division".

Page 2, Section 3(a), Line 40: After "Procure" delete "appropriate".

Page 2, Section 3(a), Line 40: After "coverage" insert ", if appropriate,".

Page 2, Section 3(a), Line 40: After "for" insert "any or all of".

Page 2, Section 3(a), Line 41: After "Government," insert "other than independent authorities and instrumentalities of the State,".

Respectfully,

/s/ Jon S. Corzine

Governor

[seal]

Attest:

/s/ Kenneth H. Zimmerman

Chief Counsel to the Governor