

Public Hearing

before

ASSEMBLY BIPARTISAN LEADERSHIP COMMITTEE

*"Testimony from residents on their ideas on how State and
local government can improve life in the state"*

LOCATION: Committee Room 16
State House Annex
Trenton, New Jersey

DATE: February 2, 2010
3:00 p.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Jon M. Bramnick
Assemblyman Joseph Cryan
Assemblyman Jerry Green
Assemblyman Scott T. Ruman

ALSO PRESENT:

David J. Rosen
Legislative Budget and Finance Officer
Office of Legislative Services



Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

TABLE OF CONTENTS

| | <u>Page</u> |
|---|--------------------|
| Dr. Steven Rose President Passaic Community College | 1 |
| Charis Chambers Private Citizen | 3 |
| Arlene Seidel Abrams Private Citizen | 5 |
| Frank J. Chrinko Former Mayor South Brunswick, New Jersey | 6 |
| William Budesheim Mayor Riverdale, New Jersey | 6 |
| Daryl Albury Private Citizen | 15 |
| Ronald Albury Private Citizen | 16 |
| Nancy C. Myers President Qualified Women and Minorities in Construction | 17 |
| Barbara Metzler Private Citizen | 21 |
| Barbara Sachau Private Citizen | 23 |
| Elaine Reichart Private Citizen | 26 |

TABLE OF CONTENTS (continued)

| | <u>Page</u> |
|--|-------------|
| Marcus Rayner Executive Director New Jersey Lawsuit Reform Alliance | 29 |
| Alex Hatala President Catholic Health East, New Jersey | 32 |
| Timothy Smith Former Mayor Roxbury Township | 35 |
| Karen E. Venditti Private Citizen | 39 |
| Herbert McRae, Jr. Private Citizen | 42 |
| Joanne R. St. Amand President Woodbridge Developmental Center Friends and Family Organization | 44 |
| Evelyn Morris Representing ARC of New Jersey Family Advocacy Program | 47 |
| Stephanie Sharp Private Citizen | 49 |
| Fernando Powers Private Citizen | 51 |
| Henning Kritensen Private Citizen | 54 |
| John White Private Citizen | 54 |

TABLE OF CONTENTS (continued)

| | <u>Page</u> |
|--|--------------------|
| Ron Brittin Private Citizen | 61 |
| Nelson E. Page Chairman Fort Lee Film Commission | 63 |
| Tom Meyers Representing Fort Lee Film Commission | 63 |
| James Lombardo Private Citizen | 68 |
| Henry Dunleavy Private Citizen | 71 |
| George Graham President Sussex County League of Municipalities | 72 |
| William C. Stratton Private Citizen | 78 |
| Paul Schorr Private Citizen | 81 |
| David Mariconda Private Citizen | 83 |
| Chris Hauser Private Citizen | 85 |
| Daniel Januseski Representing New Jersey State First Aid Council | 88 |

TABLE OF CONTENTS (continued)

APPENDIX:

| | <u>Page</u> |
|--|--------------------|
| Testimony submitted by Dr. Steven M. Rose | 1x |
| Testimony Submitted by Arlene Seidel Abrams | 3x |
| Testimony submitted by Charis Chambers | 5x |
| Testimony Submitted by William Budesheim | 7x |
| Testimony plus attachments submitted by Frank J. Chrinko | 9x |
| Testimony plus attachments submitted by Nancy C. Myers | 14x |
| Testimony submitted by Barbara Metzler | 36x |
| Testimony and attachments submitted by Elaine Reichart | 38x |
| Testimony submitted by Marcus Rayner | 112x |

TABLE OF CONTENTS (continued)

APPENDIX (continued):

| | <u>Page</u> |
|---|--------------------|
| Testimony submitted by Alex Hatala | 114x |
| Testimony submitted by Timothy Smith | 117x |
| Testimony submitted by Karen E. Venditti | 119x |
| Testimony submitted by Herbert McRae, Jr. | 121x |
| Testimony submitted by Joanne St. Amand | 123x |
| Testimony submitted by Stephanie Sharp | 125x |
| Testimony submitted by Fernando Powers | 126x |
| Letter addressed to Governor Chris Christie from Tom Meyers | 127x |
| Testimony submitted by Paul Schorr | 129x |
| Testimony submitted by David Mariconda | 131x |

TABLE OF CONTENTS (continued)

APPENDIX (continued):

| | <u>Page</u> |
|---|--------------------|
| Testimony submitted by Daniel Januseski | 133x |

pnf: 1-92

(After beginning the public hearing in Committee Room 11, the Committee was divided in thirds and heard testimony in Committee Rooms 11, 15, and 16. The proceedings from each room are recorded in separate transcripts.)

ASSEMBLYMAN BRAMNICK: We welcome all of you.

Keep in mind: We're going to try to direct your comments to a specific issue, as opposed to some broad-based discussion, so we can get to the idea as quickly as possible. So hopefully no one will get offended. We just want to get the basic idea. We have plenty of staff people to follow up on that idea. So we appreciate your patience with respect to our movement of your idea.

ASSEMBLYMAN CRYAN: So we know you're going to talk about the STARS program, right, Charis? Okay. We're just going to wait for Assemblyman Rumana. It's getting big press, I guess, right?

Where is he? I need Scott. Should we rock and roll?

UNIDENTIFIED MEMBER OF COMMITTEE: Sure. Let's go.

ASSEMBLYMAN CRYAN: I tell you what, Charis. We're going to go ahead and get started. Scott is here, so we can officially begin. (laughter) The trumpets and horns are playing; it's all good.

S T E V E N M. R O S E, Ed.D.: All right. I was second on your list, so I am going to be introducing her.

ASSEMBLYMAN CRYAN: Okay.

MR. ROSE: I'm Steve Rose; I'm President of Passaic County Community College, and we have here Charis Chambers, who is a student from Ocean County Community College, and we're here to talk about STARS. But we also just want to talk about the resource you have in community colleges, and how well it's going, and how much more we are ready to do.

I think many of you heard, last week, President Obama, in his State of the Union Address, talked about the fact that a high school diploma doesn't do it anymore -- that people need more training than that. Before that, President Bush in his State of the Union talked about community colleges; President Clinton talked about community colleges. Well, people are listening. Right now-- We heard Assemblywoman Oliver talk about the fact that there are 8 million people in New Jersey. Last year, 400,000 of them attended a community college; 400,000 people attended community colleges. My college alone this year-- This spring we're up 21 percent over last spring -- it's working. People are going to school. And what does this mean to the State of New Jersey? The average community college graduate will earn, in their lifetime, \$400,000 more than a high school graduate. When you start thinking about what \$400,000 more in a lifetimes means, that means that pushes them into the middle class; it means they're going to be paying taxes. And what we're doing is, we're training people now. We're not just training them for the jobs of today -- we're training them for the jobs of tomorrow. And we are ready to do -- we're ready to step up and do what you need. Assemblyman Rumana is here, and about 10 years ago he came to me as a Freeholder and said, "Look, we've got a problem in Passaic County. We need to train our

fireman and our EMS workers.” And first I said no; then he asked again, and I said no again. And now, we have probably one of the most successful training academies for firemen and EMS workers anywhere in the state. And when you ask community colleges to do that, we are ready to do that.

But the STARS program has been a wonderful program. One story about-- Last week we had our nursing pinning at my school. And I mean, these students got their RN degree. I had a student who graduated at the top of her nursing class, who was an NJ STARS student. She came out of Kennedy High School in Paterson. I asked her after the ceremony, I said, “How come you did this?” She said, “My parents-- My family income was just a little too high to get financial aid.” If she didn’t have STARS, she could not have gone to school. She’s now graduated from our place; she’s got her RN degree. She will probably, in the next two weeks, get a job for \$60,000 a year, start paying taxes, and it’s because of STARS.

And now, let me introduce our STARS student.

C H A R I S C H A M B E R S: Okay; good afternoon honorable members of the New Jersey Assembly Bipartisan Leadership Committee. My name is Charis Chambers, and I am a New Jersey STARS student from Ocean County College. It is an honor to speak with you today.

I understand that the State of New Jersey is facing many economic problems, but from my point of view, the New Jersey STARS program is one of the State’s most worthwhile investments. Over the past five years, the New Jersey STARS Program has succeeded in its endeavor to keep the best and brightest students in the State of New Jersey, and has enabled many students to attend college who otherwise would have never had that opportunity.

As Aristotle once said, “The educated differ from the uneducated as much as the living from the dead.” By keeping these students within the state, we are providing New Jersey with a better future.

I will admit to you that I did not anticipate attending community college in my senior year of high school. All the colleges I applied to were out-of-state schools and away from home. It was not until I evaluated what my student loans would be that I decided to take advantage of this program. Although I was hesitant at first, I am now certain that my choice was the best possible one. The education and opportunities for personal and social enrichment that I have found at community colleges has by far surpassed my expectations. Ocean County College has provided me with a quality education and the skills needed to achieve my personal and professional goals. The college has also enabled me to strengthen my confidence, develop my leadership skills, and be able to make significant accomplishments that I otherwise would have never made.

Two years ago, as a high school senior, I would have never gotten in front of you to speak today. Two years ago, I would have never imagined myself saying that I was president of the New Jersey STARS Club in my first year of college. Two years ago, I never imagined myself having the academic accomplishments or resume that I have today. I take pride in the program, and I want everybody to know it.

I mentioned the New Jersey STARS Club. This is a club for students to give back to the community. We participate in several community-service projects to show our appreciation of the program. One of our biggest accomplishments was that NJN Public Television came to our college and interviewed a few of our STARS students from the club for their

Classroom Close-up show. The show highlighted how the program has helped the students, and clearly presented how we've been helping our community in return. It was wonderful to have such recognition for our efforts.

Overall, I want to thank you for all the support for the New Jersey STARS Program, and I strongly urge you to continue your support for this program. I hope that you may see how this is benefitting the State of New Jersey and will provide us for a better future.

Thank you.

ASSEMBLYMAN CRYAN: So you're here to send the point of, "Hey look, in these budget cuts--"

MS. CHAMBERS: Yes.

ASSEMBLYMAN CRYAN: Get it. It works. Is that pretty much the deal?

MS. CHAMBERS: Yes. Don't-- We need it.

ASSEMBLYMAN CRYAN: Well done.

MS. CHAMBERS: Thank you.

ASSEMBLYMAN CRYAN: Thanks.

ASSEMBLYMAN BRAMNICK: Very good.

ASSEMBLYMAN CRYAN: I tell you what: We're going to do this. (indiscernible)

ASSEMBLYMAN BRAMNICK: William Budesheim. William?

ASSEMBLYMAN CRYAN: William, while you're getting settled, I'm going to ask Arlene Seidel Abrams-- Arlene?

ARLENE SEIDEL ABRAMS: Excuse me; that's me.

ASSEMBLYMAN CRYAN: Is that you?

MS. ABRAMS: Where do you want me?

ASSEMBLYMAN CRYAN: In front of one of the mikes.
We're going to ask three folks to come up at a time.

MS. ABRAMS: Oh, okay.

ASSEMBLYMAN CRYAN: And Frank, is it Chrinko
(pronunciating)?

FRANK J. CHRINKO: Yes.

ASSEMBLYMAN CRYAN: Did I brutalize that for you
enough? (laughter) So it will be William, then Arlene, and then Frank.

Whenever you're ready, Will.

In Trenton, the light's on when it's red (referring to
microphone)

MAYOR WILLIAM BUDESHEIM: Thank you for
having us here today.

Much is said, and many thoughts are proffered, about the
burdensome taxes under which the residents of New Jersey are suffering.
Everyone agrees that taxes are too high, but we are far from a general
consensus about the causes or the corrections. As the mayor of a small
community with less than 5,000 residents, I'll take this opportunity to
present our point of view.

New Jersey small towns have taken the hit from both sides of
the aisle when it comes to placing the blame for high local property taxes.
We hear that bigger is better -- that a bigger government is more efficient
government. If that be the case, then why does it take nearly a billion
dollars in State aid to keep the City of Newark and its schools afloat?

Larger cities must pay for municipal services that small towns get by way of volunteers. Shared services? The small towns, out of necessity, invented a long time ago. Less corruption in the smaller towns. When Chris Christie, as US Attorney, made his last roundup of 44 allegedly corrupt politician, not one was from a town with less than 10,000 people. How much in taxpayers' money was spent investigating, prosecuting, incarcerating these large town criminal politicians?

There's more accountability with a smaller local government. When it comes to government, smaller is always better. There's no need to go into the State mandate-State pay issue. All we get is lip service to the constitutional provision that was supposed to limit the State-driven costs of local government. For almost 35 years now, we have had to first operate under 5 percent cap on local spending; that didn't work. Then you lowered the cap to 2 and a half percent; and that didn't work. Next you opposed the cap on a local levy, and property taxes continued to rise. Next -- obviously what is being done just doesn't work. State mandates are destroying us.

Having held elected office for nearly 30 years, I'd like to take this opportunity to offer three suggestions in how, from the way we see it, local property taxes can be kept in line.

One: Under the State health benefit plan, make it mandatory that all employees contribute a minimum of 10 percent towards premiums. Employee contributions are nearly universal in the private sector. While each town may negotiate this with the local unions, it usually ends up with the town having to give some other perk which then does nothing to lower the overall costs of local government. The State health plan has its terms

and conditions changed periodically. The co-payment has gone up over the years by way of regulation. The same can be done with the premium contributions. A small town like Riverdale would have an immediate savings of over \$40,000.

Number two: One-half of the fines of all Title 39 tickets written by the local police department goes to the county to be placed in a trust fund for bridge and road repair. Morris County carries approximately an \$8 million fund balance. It raises \$4 million to \$5 million annually through these tickets, and spends about the same amount on trucks, cars, salt, etc. In spite of that trust fund, try to get the county to respond in a timely manner to repair potholes, improve intersections, etc. Riverdale sends about \$166,000 a year to the county in addition to the \$2 million it sends in taxes.

ASSEMBLYMAN CRYAN: Mr. Budesheim, give us the third one.

MR. BUDESHEIM: Third: Let the towns do the State Sales Tax -- keep 1 percent of that tax in the towns that generate it. Up until a couple of years ago, the State was getting by on a 6 percent sales tax. It was raised to 7 percent, and things have only gotten worse. It's true that a number of towns don't have a large retail base to benefit from this plan.

ASSEMBLYMAN CRYAN: Okay. Let me just summarize you, to make sure I got it right, okay? Three strong suggestions to help small communities, which you made your pitch for: 10 percent pay in on premiums -- legislate it, right? A half -- the bridge -- the State Sales Tax, keep 1 percent of the 7 percent for the local municipality; and a half of the fines of Title 39, instead of going to county projects -- for lack of a better

way to put it -- let the local municipality use it for where it's needed. Is that correct?

MR. BUDESHEIM: Right. We send more to the State in these fines than they send to us in State aid.

ASSEMBLYMAN CRYAN: Thank you. Thank you very much.

MR. BUDESHEIM: Thank you.

ASSEMBLYMAN BRAMNICK: And you'll leave a copy of that testimony?

MR. BUDESHEIM: Sure.

ASSEMBLYMAN CRYAN: And you're going to grab that. Okay.

ASSEMBLYMAN BRAMNICK: Thanks, Mayor.

ASSEMBLYMAN CRYAN: Arlene?

MS. ABRAMS: Me? No? The red button?

I thought I'd be speaking before a lot of other people. I'm wondering how those other people got chosen?

ASSEMBLYMAN BRAMNICK: Are you talking about people in one room versus the other?

MS. ABRAMS: Yes.

ASSEMBLYMAN BRAMNICK: Well, to be honest with you-- We're all one vote up here. There's four legislators in there, and there's four legislators here.

MS. ABRAMS: Well, I would have had a bigger audience.

ASSEMBLYMAN BRAMNICK: Well, actually you're on the Internet (laughter), so you can call your friends and neighbors and tell them--

ASSEMBLYMAN RUMANA: There could be a couple of million listening. (laughter)

ASSEMBLYMAN BRAMNICK: But then again, remember you're assigned with us, so we're in the same boat you are. You've got the Majority Leader here, so-- Here he is, right here.

MS. ABRAMS: That's impressive.

Thank you very much. I'm a proud American. At this moment, for me to participate in this sort of thing is very impressive.

My solution for our State's great deficit is not partisan, and it's not political, and it's not motivated by any special interest group. I'm old, I'm a senior citizen. But I'm active, and I'm independent, and I'm here as a citizen.

I have a thought that every elected official should have studied American history and passed a qualitative and comprehensive test before taking the oath of office. We stand today on the shoulders of the bravest and brightest people in history. And elected officials should be honored to serve, and there needs to be some reciprocal respect.

My solution to our problem is accountability. We have to do it at every level. Every department head -- and I don't know how someone becomes the head of the one of the divisions -- I think that person has to study the budget for this year. I also would like to see, as a citizen, those figures published. I'd like to know how much money goes to the prisons,

how much money goes to the old people, etc., etc. I'm not one of those old people; I'm an independent.

And also, no more promises. I think that's one of the most important things, I feel. I remember when the Sales Tax started. I remember when it was raised, several times, twice. And I remember when the lottery was introduced. And I remember when gambling was introduced. And each time we were told, "This is going into the budget. It's going to save you money." My taxes continue to go up; I don't have to tell you that. But it's a never-ending increasing budget. Just personally, I tracked down a \$2 million expenditure several years ago, and I was led to a dead end. I was led to a department that said they had the answer, and they'd send it to me.

I am now in a harassment suit -- someone is harassing us -- we've pressed charges. The State of New Jersey said, "We cannot give him a psychiatric evaluation; he'll have to go free," because New Jersey doesn't have the money for psychiatric evaluations. The person has already been arrested, and released. He's free. What about me?

Well, I'm just-- We citizens won't stand for the irresponsibility in spending that plagues us, from local to Federal government. We need to know specifically where our tax money is going. And we deserve answers. And if our elected officials don't represent us, then we have to represent ourselves. No one should be privileged as an elected official to make favoritism and payback for votes the reason for actions. The special interest groups are choking us to death. I want to see the budget. I want to see where my money goes. When that happens, once we pick that stone up--

Three minutes are up. Responsibility and accountability -- that's not asking too much. I pay my taxes.

You want a copy? (referring to written testimony)

ASSEMBLYMAN CRYAN: Sure do.

MS. ABRAMS: You've got it. I would even give it to you in this folder.

ASSEMBLYMAN CRYAN: Arlene, thank you.

MS. ABRAMS: Are you impressed?

Thank you.

ASSEMBLYMAN CRYAN: There you go, buddy.

MR. CHRINKO: Thank you, and good afternoon.

ASSEMBLYMAN CRYAN: Good afternoon.

MR. CHRINKO: My name is Frank Chrinko. I live in South Brunswick. I'm a former mayor of South Brunswick; served six years on the Council; retired in 1991 from my own business, and at the present time I'm in my fifth year on the Middlesex County Board of Education for the vo-tech schools.

My idea is very specific, and I'll read you three excerpts from a four-page detailed document on how the budget can be reduced. And it has to do with a reform of the senior citizen property tax relief program. And you know what that is.

First, New Jersey relies on several methods of providing tax relief for senior citizens. One of them is the fixed property tax deduction. That's \$250 a year, based on a means test. Second, the Homestead Rebate Program. Last year the seniors got it; no one else did. Third, the property tax reimbursement program, otherwise known as the "freeze." These

programs are costly, they require extensive filings annually, they involve collection of property taxes, and finally the issuance of tens of thousands of checks annually which provide the monetary relief.

UNIDENTIFIED MEMBER OF AUDIENCE: What's wrong with that?

ASSEMBLYMAN BRAMNICK: Now what we're going to do is--

MR. CHRINKO: Please hear me out.

ASSEMBLYMAN BRAMNICK: Here's the problem: If people speak from the audience, it's really unfair to the speaker. When you come up, you surely have your three minutes to rebut whatever testimony the mayor has.

MR. CHRINKO: These steps I described are time consuming; they're subject to many layers of State and local governments to implement; and they result in a necessity of collecting taxes from seniors only to have part of that tax money returned six to nine months later. Ironically this amounts to an interest-free loan to local government from those least able to afford it.

As illustrated in the previous comments, the methods now used to bring property tax relief to the seniors are complex. This is because over many decades, the tax solutions have been put together in a patchwork manner and have grown into a bureaucratic nightmare. Yesterday the Governor said at his press conference, "We are looking for efficiency wherever we can find it." My suggestion applies that rule. The same tax relief can be provided immediately without doing anything but eliminating all the existing relief programs in their present form, and replacing the

system with a formulated diminishing adjustment to the senior homeowners' property assessments.

Remember, the assessment on the property is the basis for the tax collections on property tax. When a homeowner reaches the age of 65, he or she would register a property tax assessment relief with the local tax assessor -- step 1. Two, then once qualified, the homeowner would automatically receive a formulated tax assessment reduction annually to provide the allowable tax relief.

I've only got one last--

By using this method, the relief would be front-loaded to the taxpayer and would be of real benefit, because once instituted, the system would not require the burden of the constant flow of paperwork back and forth between the homeowner, the State, and the municipality. Instead of tens of thousands of checks being mailed out, the tax assessor would notify the State of New Jersey how much relief he's given on the assessments and the State would mail 500 checks back instead of 500,000 checks back.

ASSEMBLYMAN CRYAN: That's a pretty good idea, yes.

ASSEMBLYMAN BRAMNICK: Yes.

ASSEMBLYMAN RUMANA: Yes.

MR. CHRINKO: That's the basis--

ASSEMBLYMAN CRYAN: Do you have that in writing?

MR. CHRINKO: I think it's an ideal solution to saving money.

ASSEMBLYMAN CRYAN: Do you have that in writing over there, that we can--

MR. CHRINKO: Oh, I certainly will.

ASSEMBLYMAN CRYAN: We're here to steal your ideas, and that one-- (laughter)

MR. CHRINKO: I can sell it, you know. (laughter)

ASSEMBLYMAN BRAMNICK: We just can't afford to buy it. (laughter)

ASSEMBLYMAN CRYAN: All right, thank you. Thank you very much.

ASSEMBLYMAN BRAMNICK: Thank you, mayor. Thank you.

MR. CHRINKO: All right.

ASSEMBLYMAN RUMANA: I would ask the following three individuals to come up: first, Daryl, the last name is A-L-B-U-R-Y, Albury. And Ronald, I assume, same last name, there's some connection. And Nancy Myers. Is Nancy here also? Thank you.

Thank you, Daryl. Your microphone is on, because I see the red light.

D A R Y L A L B U R Y: Yes, thank you.

ASSEMBLYMAN RUMANA: Thank you for being here. Please proceed.

MS. ALBURY: Thank you for doing this; this is great. As a taxpayer and a citizen of the State of New Jersey for more years than I will mention, it's wonderful to be able to just come up here and talk to you all; it's great.

I just wanted to talk about the idea of the tax burden on the -- the real estate taxes -- because it's so incredibly difficult. We're trying to downsize, and we looked at a two-bedroom apartment in a south Jersey

town. And the property taxes started at \$9,000 for a two-bedroom condo -- that's a heck of a lot of money. And it certainly, on a fixed income, makes you just-- well, how do we do that? So we're-- I mean, my thought, and I'm sure the gentleman who just talked about it -- I thought that was brilliant. The communities need to be able to somehow or another consolidate, streamline their taxes in some way that it's not going to cost us such a high tax amount. What I particularly thought about -- the consolidation of the school districts, as I had been formally been a teacher. And there's so many school districts in the State of New Jersey and there's so much administrative costs that could be consolidated under a county superintendency rather than local districts. And I was particularly hoping that you might consider some ways in which we could consolidate school districts and costs of that in order to help to lower property taxes.

Thank you.

ASSEMBLYMAN CRYAN: Thank you.

ASSEMBLYMAN BRAMNICK: Thank you very much.

MS. ALBURY: You're welcome.

ASSEMBLYMAN BRAMNICK: Is it Ronald? Same family?

R O N A L D A L B U R Y: Yes. (laughter)

ASSEMBLYMAN BRAMNICK: Okay; please proceed, sir.

MR. ALBURY: I know that the State budget is tight; we all know about that. But I do urge the legislators to consider working with groups like the AARP and so forth to fully fund health care programs in the State, especially for seniors. And especially those health care programs that would help keep New Jersey's lower income families in a healthy position.

In addition, I would strongly urge you to create a streamlined system for no- and low-income people in the SNAP Program, which used to be called the food stamps. New Jersey currently, I understand, enrolls fewer eligible people than any other state, or than most states. And if we could cut the red tape so that our State could automatically enroll low-income people who are eligible for the program, it would be very helpful; and they do need our help.

ASSEMBLYMAN RUMANA: Thank you, sir. If you would like to donate your extra minute to one of the other people-- (laughter)

MR. ALBURY: I'll donate it.

ASSEMBLYMAN RUMANA: We appreciate your brevity on those issues, and thank you for your kindness in travelling to Trenton.

Nancy Myers.

MR. ALBURY: Thank you.

N A N C Y C. M Y E R S: Hello, everyone. My name is Nancy Myers; I'm the President of QWIC -- QWIC, Inc., which stands for Qualified Women and Minorities in Construction, and Myers Construction Group. So we actually are advocates for the minority and women-owned and small businesses, but we also do construction ourselves, so we've got a foot in both camps.

I have brand-new glasses that I'm working to understand, so if I look really strange, please-- I apologize.

ASSEMBLYMAN BRAMNICK: Well, we're used to a lot strange things in Trenton, so it really won't be a problem for us. (laughter)

MS. MYERS: I just got them yesterday; I can't see a thing.

I'd like to take you back to June of 2003; it's not the 10 years the other gentleman did, but at least it's something you can grab a hold of. The State had 12 percent minority goals; 7 percent female goals; and it opened doors for participation for a lot of firms in this state. In June of 2003, they were abandoned and replaced with a 25 percent small business program. It is clearly inadequate, because 96 percent of New Jersey's businesses qualify as an SBE, so 96 percent of New Jersey's small businesses scramble after 25 percent of the state's businesses.

It is a zoo. I have a legitimate woman-owned firm; we've been involved in State and Federal contracts for 15 years, and it's crazy. There's also six different categories for the small businesses. I get calls, frantic, from the prime contractors: "Are you a No. 2? Are you a No. 5? Do you know a No. 4?" Because it's all so convoluted. There is a major frustration with the program as it exists. My vice president, Joan, and I both were on the last two diversity studies. There was an RFP out recently, but we don't know what has happened with that, for another one, but that just takes a lot of time.

There's a question of why should big businesses give away 25 percent of their contracts. There are no incentives for them, there are no advantages to prime contractors to do so, but there's also no sanctions, no fines, no hold up of payments, no punishment, not even a shame list for those who don't meet the goals.

Recently there was an RFP that I thought was too big for my company. I called a large accounting firm, and they said, and I quote, "We're not required to add any SBEs, no matter what the RFP says." So

they're going back, after the contract, without even doing it, even though it says in the RFP that they're supposed to pay attention to that.

Each State agency, authority, department, State school, whatever--

Pardon me? I'm sorry.

ASSEMBLYMAN CRYAN: Just summarize your last thought. Go ahead.

MS. MYERS: There's an assigned diversity, and there are a lot of people working on this, but all they're really doing is tracking. The numbers for the last fiscal year were 3.5 percent for minority and 5 percent for women-owned firms, which is quite sad.

The tracking system is quite incomplete, and what we have is certifications and tracking. What we need is a bridge between, that addresses some of the things that the small firms really need.

ASSEMBLYMAN CRYAN: Do you have a copy of that?

MS. MYERS: I sure do. There also is a model on how to solve this, that Capital Health Systems here in Trenton has installed on their own, that's producing results that are five times more than the State of New Jersey.

ASSEMBLYMAN CRYAN: So you-- And you have a copy of the model in there?

MS. MYERS: I do.

ASSEMBLYMAN CRYAN: Okay, so Keith will take that. Two other quick questions: Albury, is that your last name?

ASSEMBLYMAN BRAMNICK: No, this is Myers.

ASSEMBLYMAN RUMANA: Myers.

ASSEMBLYMAN CRYAN: You're Nancy Myers, you're Ronald-- They took the sheets away (laughter). I just want to be clear: Your concern, sir, is that-- Especially with the potential reduction in PAD, because of the lack of casino dollars in funding for senior health programs, that we make sure, as a Legislature, that you put a face to the priority that that action occurs, right? Did I basically get that right?

MR. ALBURY: Yes.

ASSEMBLYMAN CRYAN: And Nancy, for you-- I got the school consolidation; I got it.

But Nancy, for you-- We've made this process-- We've created a pool for 25 percent of the dollars, which 96 percent of the people are now eligible for.

MS. MYERS: Right.

ASSEMBLYMAN CRYAN: Okay.

MS. MYERS: And there's a lot of-- We used to do this with the biggest firms, biggest projects, like the Hudson-Bergen Light Rail, the South Jersey Light Rail. And we did it for New Jersey Transit or for the contractors, and the numbers can be increased--

ASSEMBLYMAN CRYAN: So in essence, what we have done is we have created, we've almost tightened and created a funnel. And we're trying to open it up. I get it.

MS. MYERS: Yes. It's a zoo.

ASSEMBLYMAN CRYAN: Thank you; we're going to take that (referring to testimony). Thank you very much.

MS. MYERS: Three minutes is not very long.

ASSEMBLYMAN BRAMNICK: Well, we're going to invite you back. Remember, this is our experimental run at this. We haven't done it before, either, so we're all trying to feel each other out.

MS. MYERS: Okay.

ASSEMBLYMAN BRAMNICK: Barbara, I believe it's Metzler; it's M-E-T-Z-L-E-R.

B A R B A R A M E T Z L E R: Right.

ASSEMBLYMAN BRAMNICK: Barbara, last name is S-A-C-H-A-U. And Elaine, it looks like Reichart; R-E-I-C-H-A-R-T. If you would come up, we'd appreciate it.

Barbara, thank you for being here. Please proceed.

MS. METZLER: Hi; this is pretty clear.

First, I'm happy to be able to be in an era of accountability and transparency. What I hope is that the one change the legislators will make is to turn the Fish and Game Council into a democratic body that will include an equal number of people who are not hunters. As it stands now, the Fish and Game Council represents about 1 percent of the population of New Jersey; the other 99 percent, who are not hunters, have no representation. People can't even ask questions at a Fish and Game Council meeting. That's not the way it should be today. In the State of New Jersey, it's time to establish a living wildlife group paralleling the pro-hunting Fish and Game Council. If hunters have the right to kill, we, the non-killing majority, have an equal right to steward our commonwealth and protect and honor our wildlife.

New Jersey has many wildlife watchers who generate revenue for the State, yet they never have a say in how New Jersey manages wildlife

and nature. This is taxation without representation and it has persisted for too long. Millions of dollars a year from the General Fund are used for salaries and benefits of Fish and Wildlife employees. Green Acres, which is a tax-funded bond issue, was supposed to be used to save our land for the benefit of all, but instead, the Wildlife Management Areas are managed purely for hunter recreation. Deer are deliberately propagated on more than 325,000 acres of land for the hunters. Our State taxes are used to propagate the deer and then our municipal taxes are used to kill the deer. The situation in New Jersey is that of the fox guarding the henhouse, since the job has been assigned to a group which will then be in a position to exploit it for its own ends.

Obviously, Fish and Wildlife is in the business of providing trophy hunts for those who get a thrill from killing. And I hope that you can bring New Jersey into modern times. We no longer have slavery, women can vote, and we need a balanced Department of Fish and Wildlife.

And also, just an example: Proper garbage storage is the only proven way to reduce bear nuisance complaints. The Division of Fish and Wildlife ignores the State law. Fines are not issued when and where they should be for improperly stored garbage, and it can be proven with hundreds of photos taken around the state. The improperly store garbage causes bear nuisance complaints that are then used to justify a hunt. And one bear can be counted a hundred times.

The members of the Department of Fish and Wildlife are hunters. They hunt and kill for recreation, and even the game code says that. All I want to say is, I do believe that hunting is animal cruelty.

According to a State statute, "cruelty includes an act that causes pain, suffering or death, and--"

ASSEMBLYMAN CRYAN: Barbara, thank you.

MS. METZLER: It's--

ASSEMBLYMAN CRYAN: You got your point across, believe me.

MS. METZLER: Honey, it's legalized violence, and it's supported by an undemocratic council.

ASSEMBLYMAN CRYAN: You made it pretty clear; good job.

MS. METZLER: Thank you; thank you.

ASSEMBLYMAN CRYAN: Are you Barbara or Elaine? I'm sorry.

B A R B A R A S A C H A U: Barbara Sachau.

ASSEMBLYMAN CRYAN: Barbara, you're next.

MS. SACHAU: I have some comments on what the Green Acres money is being used for. You probably are all aware of the plan by Mr. DiVincenzo in Essex County to take open space that was bought with Green Acres money, and to now use Green Acres money to put up a parking lot, and to put up a restaurant, and to put up a miniature golf. Now, I don't think taxpayers should be in the entertainment business, and I don't think open space money should go for projects like that. We should keep the open space, that's what the money was given by the taxpayers for, and that should be its clear use. So I hope you all look into this use. I personally have written to Green Acres, and never had the-- Again, like

others have told you, have never had a response from them. They don't ever answer you.

So I think that should be turned down, and I'm here today to say that. We need to preserve open space in New Jersey's concrete areas. We have too much concrete, and not enough open space. So that's an issue for me, and I hope you'll act on it.

Secondly is the pensions. I notice that the Legislature seems to never act on the pension situation, and you're not acting enough. There is no reason for part-time people to be getting pensions. If you work a limited number of hours, to get the benefits that they get now and to get the pensions that they get now -- are up through the roof. And it is what's causing New Jersey's problems. We need to act on that, and we need to act on it now. And we're all watching the new Legislature to see that cuts are made.

The third issue I have is Fish and Game. Ms. Metzler is absolutely right: it needs to be changed. That law was passed in 1945, when New Jersey had a lot more open space than it has now. And there are other ways to deal with all wildlife problems. We do not need to have people go out to kill these animals. Many of us, in fact most of us like to live with nature. We enjoy that. So that the desires and wants along that line need to be looked at, and we cannot have a council that does not listen to that vast majority of New Jersey citizens.

And the last thing I want to say is, I've come to Trenton before to speak. I came to Trenton to speak about the Fish and Game Council putting farmers in Wildlife Management Areas. And I tried to tell it from an ordinary citizen's point of view about the lack of money coming into the

State Treasury from the Act. And I spoke, and then some employee of DEP spoke, and at that point I feel I was treated with a lot of disrespect by the people on that committee. I mean, I think the citizens who take time out of their day, come many miles to come here and tell you what we see, should be listened to with a lot more respect. I feel this Committee today is doing that. It's time that the rest of the legislative committees do that as well.

Thank you.

ASSEMBLYMAN CRYAN: Thank you.

MS. SACHAU: And thanks for having us here today.

ASSEMBLYMAN BRAMNICK: Thanks for being here.

ASSEMBLYMAN RUMANA: We appreciate that.

ASSEMBLYMAN GREEN: Yes, if you can give us some documents in terms of -- what you just mentioned the fact that -- what the money was being used for: parking lots, things of that nature. And the reason why I say that, I just want to congratulate the leadership in putting this together, because often we don't get these complaints, but we get accused of not doing anything here in Trenton. So if we could start a paper trail on some of the things that you're talking about this afternoon, and then our staff can research it and we can have a way of trying to get some answers for you.

If I have to ask everyone today to raise their hands, I guarantee 95 percent of the issues facing New Jersey that you are talking about is all about money. So at the end of the day, if we can have some paper trails on some of your complaints, then we can follow through. But when people just

say blanket statements without the ability for us to have ability to tap into that, then it's obvious they're not going to give us the answers we need.

So if you know of an issue of that magnitude, please give that to us, and I'm pretty sure leadership will follow up on it. Thank you.

ASSEMBLYMAN BRAMNICK: I'm sorry, Mr. Chairman, but just a follow-up: There was great concern in this State House that people would come here today and not be articulate, not be direct, and not be specific. You are the example -- and others who have spoken -- that the public should be allowed to speak, raise these kinds of issues. Because all of us have had a similar experience where we would call Trenton when they didn't know we were an Assemblyperson, and the response was either we were-- Problems being disconnected, transferred into oblivion, etc. So the fact that you are very articulate, I'm sure staff will follow up on some of the questions that you have. Thank you.

ASSEMBLYMAN CRYAN: So, Elaine, I think he put a lot of pressure on you (laughter).

E L A I N E R E I C H A R T: He certainly did. And I just want you to know that I timed myself, and I come in at three minutes, 10 seconds. (laughter)

Honorable members of the New Jersey Assembly: What if I told you there was a way to lower the risk of flooding along the Delaware, saving taxpayers millions of dollars in infrastructure cleanup and repair? What if we could decrease the total dissolved solids in our water supply that come from the Delaware River? What if there was a way to provide 35 million gallons a day of extra water for citizens of this state during a declared drought emergency? What if, at the same time, we could reverse

the degradation of the environment of an endangered species living in the Delaware River? And what if none of these things cost out-of-pocket dollars to create costly programs?

Guess what? The answers to all these questions reside with New Jersey DEP. See this report? It's authored by the New Jersey DEP Water Supply Division, given to the Delaware River Basin Commission two years ago. This report was taken by the DRBC and buried. They posted this report behind a broken link for about one week before it was yanked off the Internet. But we found it, and we downloaded it, and we now know the truth.

That was over two years ago. Nothing has been done to bring these scientifically derived facts to light. Nothing has been done to change the status quo, which relies on mistakes that were made 27 years ago. These mistakes continue to cost New Jersey big time. No one, including the former management team of this State, leveraged this information in this report in any way for the betterment of the citizens of New Jersey. I offer the following four suggestions to you:

One: Demand our right to withdraw the full complement of 100 million gallons a day from the Delaware River during a drought emergency. The Supreme Court ruling of 1954 gave us that right and we erroneously gave it up in 1983 based on faulty information.

Two: Please, if you do nothing else, make a formal request for the DEP -- New Jersey DEP, Division of Water Supply -- to publicly present its findings. The people of this state have the right to know the truth. The body of evidence in this report and in New Jersey DEP's subsequent research should be shared with and explained to the citizens of this state.

Three: You could decide to withdraw funding from the DRBC. I don't know, but \$893,000 is a lot of money every year to support an organization that continues to favor the partisan views of Pennsylvania and New York City to the detriment of the interests of the State of New Jersey.

Four: Lastly, I ask you to convene a public hearing on inappropriate actions of the DRBC. You want to talk about a lack of transparency? I assure you, there are many issues.

I would be happy to meet with you and your staff to discuss the actions I have documented. These actions cost New Jersey citizens directly and indirectly, and degrade our quality of life in this state.

Thank you for the opportunity to share my thoughts on how to make New Jersey a better and more affordable place to live.

ASSEMBLYMAN RUMANA: I just have one question, and it's an ignorant question, and I admit that upfront. I am-- You pique my interest right away, because I live in the heart of the Passaic River basin. We have flooding like you can't imagine.

MS. REICHERT: No, I can. I've been flooded three times in 21 months. I think I can imagine. (laughter)

ASSEMBLYMAN RUMANA: We have people who are flooded twice a year, every year.

MS. REICHERT: Okay; I'm with you.

ASSEMBLYMAN RUMANA: However -- what does DRBC stand for?

MS. REICHERT: Delaware River Basin Commission. An interstate compact created in 1961 by concurrent legislation in the four basin states and the Federal government.

ASSEMBLYMAN RUMANA: Got it.

ASSEMBLYMAN CRYAN: Who's on it?

MS. REICHART: I'm sorry?

ASSEMBLYMAN CRYAN: Who's on it?

MS. REICHART: Who's on it? The governor of Pennsylvania, the Governor of New Jersey--

ASSEMBLYMAN CRYAN: And their delegates.

MS. REICHART: Right, right; I'm sorry, okay. I think it is safe to say that Keith's going to ask you for some information when we finish up. Thank the three of you very much for your information.

MS. REICHART: Thank you.

ASSEMBLYMAN CRYAN: Marcus-- Marcus Rayner, Alex Hatala, and Tim Smith. Come on up.

Marcus, you're up first.

M A R C U S R A Y N E R: Thank you, Majority Leader, members of the Committee; good afternoon.

My name is Marcus Rayner; I'm the Executive Director of the New Jersey Lawsuit Reform Alliance. Thank you for the opportunity to testify today.

When the state's leading employers formed NJLRA in 2007, our economy was still relatively strong. New Jersey was then, and is now, a target for abusive lawsuits, especially by out-of-state litigants. In fact, 94 percent of the pharmaceutical mass torts filed in New Jersey's courts have been brought by out-of-state plaintiffs because of the favorability of New Jersey's laws to these suits.

Many of these suits would not be seen -- would not see the light of day in their home jurisdiction. Our economy is much more challenging today, as you all know, and the rise of abusive lawsuits experienced by our business community has only made matters worse. The Healthcare Institute of New Jersey estimates that 1,200 pharmaceutical jobs were lost in this state between June 2008 and 2009.

Today I wanted to share some ideas for civil justice reform -- fair civil justice reform -- with this Committee. Collectively, they will assist employers, reduce costs for consumers, and help restore New Jersey as a state that welcomes business investment. Perhaps as important to you all, these ideas present you, I hope, with policy and options that are budget-neutral at a time when I know you hope to encourage job creation but have limited State budget funds.

First, New Jersey would benefit from an expanded appeal bond cap. We have been working closely with Assemblyman John Bramnick of this Committee, Gary Shaer, as well as Senator Ray Lesniak, to introduce a bill that would expand New Jersey's appeal bond cap to all civil defendants. Right now, tobacco companies enjoy a benefit on the cap of bonds that civil defendants must pay when they lose a trial court judgment and appeal their case to a higher case. Defendants, like plaintiffs, deserve to appeal a trial court decision when they believe that trial court decision was wrong. But unlike plaintiffs, defendants must prepay in New Jersey to do so. This bond requirement, which siphons money that would otherwise be used for ongoing business investment, often forces defendants to settle promising cases, or discourages them from using their right to appellate review. The reasonable cap that we are presenting, of \$15 million or the full judgment

amount, would protect appellate rights of defendants without harming plaintiffs, we believe.

Next, New Jersey's Consumer Fraud Act is in need of reform. This Consumer Fraud Act was originally enacted in 1960 to protect New Jersey consumers from questionable business practices. Today, our Consumer Fraud Act of New Jersey is one of the most abused in the nation, with our courts routinely applying it as a national law to be used for large class actions of nationwide consumers against our employers. Today we are one of the only states that has a CFA that mandates treble damages without any discretion for the judge. We are one of the few that allow out-of-state plaintiffs to sue in our courts, even if the consumer transaction took place out of state. We do not require that a consumer have actually been defrauded in order to file a claim under the Consumer Fraud Act and have their case heard, and we allow attorneys' fees to be paid on all claims associated with the Consumer Fraud Act, not just the Consumer Fraud Act portion of a multiple-claim case.

Finally, I would ask that you review New Jersey's rules of evidence for expert testimony. This has been cited by trial lawyers in letters to their colleagues around the country as an example of an easy way to bring a case to New Jersey and get questionable expert testimony into the courtroom. This hurts medical malpractice cases, automobile injury cases, as well as our largest employers in the pharmaceutical and medical device industry.

I look forward to working with you in the future on these proposals, and I thank you for the opportunity to testify.

ASSEMBLYMAN CRYAN: Thank you, Marcus.

A L E X H A T A L A: My name is Alex Hatala; I am the president of Catholic Health East, New Jersey. We're the state's urban healthcare partner with facilities in Newark, Trenton, and Camden: St. Michael's, St. Francis, Our Lady of Lourdes Medical Center, Lourdes Medical Center of Burlington County. And I am also the Chairman of the New Jersey Hospital Association, and representing both organizations today.

I want to thank you for the opportunity to be here and listen to the testimony. Also, at a time when the nation and the state are really undergoing a severe economic downturn and also an anemic recovery, I would say that the State -- the State of New Jersey, and also the New Jersey Hospital Association and the entire industry, are really connected together in providing for the health of our citizens in New Jersey and the quality of life.

We at the New Jersey Hospital Association represent 18 million patients annually who are treated in our hospital -- 26 million in our emergency rooms -- and we also employ 145,000 people and add \$7 billion in salary and wages to the State's economy. Briefly, we basically are vibrant contributors to the communities that we serve.

You know, I realize that the State is going through economic issues, and the hospitals also are also feeling the same issues. When you look at some of the statistics from our industry -- in September of 2009, 40 percent of our hospitals were operating in the red; six declared bankruptcy; and nine closed since 2007. So you know, that's where we are: It's an industry in distress.

One of the areas, though, where we partner -- and I alluded to a partnership with the State, and I would say that I am very proud of -- is

really the support of those who need access to health care, and charity care -- is one of those areas. You all have stood up for that program over the years, and I applaud you for it. But, I would say that as you have done that, and the State's program or system has been deregulated since 1993, the underfunded charity care that is provided by New Jersey hospitals totals \$6.8 billion over that period of time. I would tell you that in any year -- maybe in any one year -- the state's hospitals can absorb that. Over a period of time, like 17 years of underfunding, you see what happened to the hospitals; and Assemblyman Green, you know, they're right in your backyard -- that situation actually happened with Muhlenberg.

We're not asking you for a solution here today, but we're asking for your help. One of the things that we have undertaken through the New Jersey Hospital Association, through our Charity Care Task Force, is working with and committing to working with the Legislature and the Administration on the 2011 budget, related to stable funding for charity care. One of the opportunities for us, I think, as an industry with you, is to draw down and maximize all the Federal dollars that are available. There's tremendous opportunity there -- probably another \$250 million of funding. We're also looking at long-term solutions in charity care. One of the areas that we've identified is the provision of behavioral health services. Twenty-five percent of all charity care dollars go to behavioral patients coming to our emergency departments.

In Medicaid funding, the other area that I would like to address very briefly is the \$1.78 billion that you spend every year in managed Medicaid -- is really a broken system. You know, the promise of managed Medicaid is that there would be primary care for people in need. That

primary care system doesn't exist. You have regulations that could enforce it, enforce vibrant networks of services, but that has not happened over the last 10 years.

Finally, the other point that I would like to make, or address, in your consideration is really funding for medical education. Primary care physicians are the key to healthcare reform. Keeping people well outside of the hospitals and emergency departments is critical, and so when you look at the drop in physicians -- in family physicians -- over the last 12 years, it totals about 12 percent -- that is another disaster that is coming down the road for all of us to deal with.

So in conclusion, I would ask you to work with us as an industry. Thank you for being here today. I think that meaningful reform is really going to come from transparency, and using the data that is available -- the claims data that's available at the State, in the Medicaid department of Medicaid Services, because I think mining that data will tell us where the savings and efficiencies are for the entire system -- not only for the hospitals, but for the State.

So thank you again for having us here today and working with us in the future.

ASSEMBLYMAN CRYAN: Real quick: You're talking more than GME, or just GME in terms of--

MR. HATALA: Well, I'm talking about charity care first, right?

ASSEMBLYMAN CRYAN: Yes, that last part.

MR. HATALA: Now, you mean in the drawdown on the \$250 million? More than GME.

ASSEMBLYMAN CRYAN: Okay.

MR. HATALA: Right.

ASSEMBLYMAN CRYAN: Tim?

T I M O T H Y S M I T H: Thank you, Mr. Cryan, and thank all of you for the chance to speak to you today.

My name is Tim Smith; I'm a Councilman and former Mayor of Roxbury Township, up in Morris County. For the last 18 months, I've also been leading an initiative in Morris to restructure local and county government, called Government Efficiency Movement, or GEM. Thirty-four of our 39 municipalities are participating in this effort, and it's led by a group of eight mayors and councilpersons.

The thesis behind GEM is that local and county governments are arbitrary geographic units, not created for efficient service delivery. Local elected officials therefore need to rethink the nature of service delivery in order to conceive the most efficient, cost-effective structures and mechanisms possible.

GEM is a process to develop an ultimate strategic plan to achieve this end regionally. At its heart it aims to provide tools to local governments to control expenses while maintaining services. Ideally, property taxes would rise no faster than the rate of inflation. Upwardly spiraling property taxes are caused by hyperinflationary expense increases, primarily in salaries, pensions, and health and liability insurance costs, combined with flat to declining State aid and other revenue sources. Our work would be greatly complemented by reforms such as the following:

Number one: Reduce statutory barriers, not only to political and municipal consolidations, but also to administrative departmental

consolidations. For example: tenure for tax assessors -- hard to combine, if they're both tenured. Health departments: unionized versus civil service employees -- there's some barriers there. This would allow local governments to restructure more freely.

Number two: Eliminate binding arbitration for teachers, police, fire, and EMS. And if you can't do that, amend binding arbitration to require that salary increases must not exceed inflation as measured in our MSA without extraordinary cost. Such salaries are the largest parts of our local entity budgets, and hyperinflationary wage increases drive most of the property tax increases that exceed inflation. This one step alone would make significant progress in bringing the spiral of property taxes under control.

Number three: Free State employee pensions and move to defined contribution programs. Local governments have shouldered the financial risk of poor stock market performance over the last 10 years, and we can no longer afford to do so. An example: We had a \$500,000 increase in our pension line item two years ago in the Township of Roxbury.

Leverage technology statewide for records and information management that's currently done repetitively and anachronistically at the local level.

And number five: Enact tort reform to limit frivolous lawsuits and efforts by claimants to drive settlements as business decisions by municipalities.

These are just a few. I have a bunch in the toolbox, if you want to go on.

A combination of legislative, administrative, and fundamental structural reforms is needed to bring our property taxes under control. Our group stands ready to provide our findings and our processes to the Legislature, Administration, and anybody else who is interested in working with us.

Thank you very much; I appreciate it.

ASSEMBLYMAN CRYAN: Well, we want them.

MR. SMITH: Got them.

ASSEMBLYMAN CRYAN: Okay, and just one-- So Keith's going to grab that from you.

Just one-- And I know you made a bunch of stuff -- you mentioned a bunch of different ideas. Tax assessors are tenured, so you can't combine-- Just help me out in your first thought.

MR. SMITH: Any tenured office, if you want to combine the departments--

ASSEMBLYMAN CRYAN: Like a clerk, or a tax assessor--

MR. SMITH: Just to step backwards: A lot of what we're working on is not municipal consolidation, because of the political barriers to that. So we're working on administrative departmental consolidation and regionalization. If you have tenured positions, it's very difficult to then try to create a larger combined department of some sort, if some people are going to lose their jobs in that process. So that's one example. Health departments -- similar problem there.

ASSEMBLYMAN CRYAN: You guys, there, combined your courts recently, didn't you?

MR. SMITH: Five of our communities combined courts recently, yes.

ASSEMBLYMAN CRYAN: Okay. I'm sorry -- Assemblyman Green?

ASSEMBLYMAN GREEN: Out of curiosity, I'm just concerned about the fact that over the years, as the chairman of the Local Government, a lot of different groups have come before my Committee. Have you really looked at what other states -- I know there are two states that have actually eliminated Civil Service, which is a major stumbling block to anything that you try to do, when you try to reorganize government in the State of New Jersey. Have you looked at that issue at all?

MR. SMITH: That issue has been brought to my attention. There are people-- One of the people who I'm working with on this is the Morris County Sherriff's Services Coordinator, a lady named Linda Murphy, who's been enormously helpful. And she has some perspectives on that, many more than I would have. What I am aware of, though, is that if there is one municipality where a department is a Civil Service department, and another where it's unionized or otherwise not Civil Service, making a combination is extraordinarily difficult. So some sort of reduction to those barriers would be very helpful for us to make government more efficient.

ASSEMBLYMAN GREEN: At this point now, if you had to make a recommendation, how would you feel about the issue?

MR. SMITH: Civil Service versus--

ASSEMBLYMAN GREEN: Yes, right. Knowing what you know so far. Again, (indiscernible) of local government that has been a

stumbling block with just about every municipality that has tried to do Civil Service. Because, you get locked in -- one municipality has Civil Service, another one doesn't. Eliminating it totally, do you feel that would be the best way for New Jersey to go, or do you think that-- What other ways can we get around Civil Service?

MR. SMITH: I'm not sure if eliminating it totally is necessary. But eliminating the aspects of it that make it almost impossible to make change that's better for the public is what I'm trying to do. So I'm not sure if that answers your question, but it's probably the best I can do at the moment.

ASSEMBLYMAN GREEN: Thank you.

MR. SMITH: Thank you.

ASSEMBLYMAN BRAMNICK: Thank you, gentlemen.

The next three individuals we would like to testify are Karen, I believe it's Venditti, V-E-N-D-I-T-T-I; Herb McRae Jr.; and Joanne St. A-M-A-N-D, Amand.

Are you Karen or Joanne?

KAREN E. VENDITTI: I'm Karen.

ASSEMBLYMAN BRAMNICK: Karen; good. You're first.

MS. VENDITTI: Good.

ASSEMBLYMAN BRAMNICK: Thank you for being here. Your topic that you wrote down was "pensions and COBRA."

MS. VENDITTI: Yes.

ASSEMBLYMAN BRAMNICK: Please proceed; thank you.

MS. VENDITTI: Thank you very much for having me here. I appreciate it.

First, I would like to say that I am in support of the bill introduced by Assemblyman Paul Moriarty regarding the banning of newly hired employees of 17 government lobbying organizations from receiving taxpayer-paid pensions. There was noted, recently, that three associations -- there is the New Jersey Association of Counties, the School Board Association, and the State League of Municipalities. If you factor into salaries -- recent salaries with an arbitrary 3 percent increase, you're looking at \$712,000 for three associations, four executive directors. That's a lot of money.

Also, the New Jersey State League of Municipalities just released their annual audit statement for the last fiscal year, 2008-2009. The seminars generated revenue of \$144,000; expenses, \$86,000; net profit: 67 percent. The year before that, net profit of 116 percent. So that's one issue. So I support that bill, and I hope that there is going to be a passing of that.

Secondly, regarding the New Jersey State Health Benefits Program, with the Department of Pensions and Benefits: I think that the director, Fred Beaver, needs to look at the efficiency and the productivity of his department. First of all, they do not receive COBRA payments electronically. When I tried to discuss it with them, they said, "Oh, well. We can't do that." The greatest thing was this past January, regarding COBRA payments. COBRA is a Federal program -- they don't get that in that Department. And they had an issue with the billing cycle at the Division. This issue caused some members -- I was one of them -- to appear in Medco, the new (indiscernible) prescriptions -- they're the new provider -- as "terminated." I tried calling, I was on hold for two hours and was told

there was nothing they could do. I was denied my benefits -- I was denied my medication, which is a controlled substance -- it is needed medication. So in turn, I had to pay out of pocket. Finally, with the help of Senator Phil Haines, I was able to resolve this issue. Then I had to submit my claims that I paid for out of pocket for reimbursement. The State Division of Pensions sent me a letter saying, "Oh, we're denying one of your medications, and the second one we're only paying for a percentage of it because of the difference between the negotiated rate and what I paid." So now I have to appeal--

ASSEMBLYMAN BRAMNICK: Karen, we are very--

MS. VENDITTI: --with the same department that denied my benefits.

ASSEMBLYMAN BRAMNICK: We are very sympathetic. I just went through a similar experience with the Division last week. I was not happy with my response as well. We're going to have staff meet with you afterwards and you're going to have an audience for the future. The problem is, how do we change the general reaction that you've seen in the past? We're going to work on that. I apologize for cutting you off, but we're going to have-- Just after the meeting--

ASSEMBLYMAN CRYAN: Owen will--

ASSEMBLYMAN BRAMNICK: Owen will meet with you.

MS. VENDITTI: I mean, if I'm one person appealing, there's other people. It's a waste of money.

ASSEMBLYMAN BRAMNICK: I would love to exchange my story from last week--

MS. VENDITTI: Did you wait on the phone for two hours?

ASSEMBLYMAN BRAMNICK: Well, I would have been, but I always-- After I check out the regular system, then I call the Director's office. But I've had that same problem.

MS. VENDITTI: I just sent my check back to Director Beaver, and I told him he can forget his check. I don't want the \$40, I want the \$150 due me.

ASSEMBLYMAN BRAMNICK: Thank you very much for your patience.

MS. VENDITTI: Thank you.

ASSEMBLYMAN CRYAN: Thank you.

ASSEMBLYMAN BRAMNICK: Mr. McRae, I wrote down here you're a-- You're not representing anybody, except you're a taxpayer. That's a good person to have here.

H E R B E R T M c R A E Jr.: Yes, just some concern on our economy.

First, I'd like to talk about our tax situation. I'm originally-- I reside in South Jersey, in Pleasantville, and I've watched the casino -- matter of fact, I worked at the casino that was there, 32 years, basically -- Resorts International. When I look at casino gambling for 32 years, and then the State lottery for 31 years, I figure our taxes should be the lowest in the country, and other states should be asking us, "How do we do it?" (laughter) But somewhere we dropped the ball. (applause) What I think as far as our taxes go, we have to work on that and get that down, because one of the biggest problems in the state is the property taxes. (applause) Our former Governor ran on a platform of coming up with a formula to address taxes -- a new tax formula -- and he put together a committee to do a

feasibility study and make recommendations. But, however, it didn't go anywhere. We can't just drop the ball and let it go. We have to go back. Property taxes are making businesses leave the state; citizens leave the state. So we have to address that issue somewhere down the line.

Now, I'd like to talk about possibly some things that we can do to create more jobs and more opportunity for people in the state. VLTs -- the State pays \$30 million over a period of years or so to keep racetracks from getting VLTs. Well, maybe now we need to put that issue back on the table again and look at it. Now when times are tough, it's time to make tough decisions.

New Jersey has done well over the years but now, because of a trickle-down effect from the Federal government, we're affected by it, so some tough decisions have to be made. I think if we put VLTs back on the table again, and possibly sports betting as a means to bring in extra revenue-- We need to look at corporate sponsorship, where they're going to sponsor certain people and certain items to help us create jobs. We need to come up with ways to create many jobs, because a lot of companies are going out now, and a lot of people are being laid off. So we need to come up with ways to put people to work.

ASSEMBLYMAN BRAMNICK: Thank you, Mr. McRae. And you were the first one to get applause, so I want you to congratulate you-- (laughter and applause)

MR. McRAE: I'm just sorry I don't have much time, because I did have more. But maybe in another time, and--

ASSEMBLYMAN CRYAN: Well, we'll take that; Keith will take that when you've finished. I did want to give you just a little FYI,

since you took the trouble to come down. The sports betting bill was heard in the Senate. I think it's safe to say, in the people's House you'll hear it very soon. Just one of the things-- From a guy who loves Monmouth in the summer, I think VLTs should be there too, I don't mind telling you.

MR. McRAE: Right.

ASSEMBLYMAN CRYAN: No reason to hit the track and not have a little--

MR. McRAE: We kept it off the table because we felt there was little need. But now there is a need.

ASSEMBLYMAN CRYAN: It's a topic of a lot of discussion around here. But thank you, Herb. And Keith is going to take the rest of your information.

MR. McRAE: Okay. And let me just thank you for creating a forum that taxpayers like myself can come and we can talk about things that bother us, or issues. And I appreciate that and hope there'll be more forums like this in the future.

ASSEMBLYMAN CRYAN: Joanne.

J O A N N E R. ST. A M A N D: I'm here to give testimony against the closing of the developmental centers.

Good afternoon, and thank you for this opportunity. My name is Joanne St. Amand. I'm the president of Woodbridge Developmental Center Family and Friends Organization; and sister of Rosemary, whose home is Cottage 18 at Woodbridge Developmental Center.

There's a myth perpetuated by the Division of Developmental Disabilities that says that our family members at the developmental centers want to move into the community waiver homes. Nothing could be further

from the truth. There are also individuals who say that closing developmental centers and moving our loved ones to the community will save the state money. This is equally untrue.

At the DCs, residents are supervised 24/7, receiving nursing, dental, and medical on-site care; also occupational, physical, and speech therapies; and they participate in recreational events. The centers are part of the Federal ICMR program which provides a high level of Federal money.

At this moment, our most vulnerable individuals are being removed from the centers and put into immediate danger. For example: A 64-year-old woman with developmental disabilities and under the Bureau of Guardianship Services was removed from her home at Woodbridge Developmental Center around 13 years ago and sent to the community. She's not ambulatory -- in a wheelchair, and suffers from epilepsy. She was placed in a sponsorship home, basically a foster home for disabled adults. For nine years, she was denied the proper care and services, and spent each day in front of the TV. After nine years, the family that cared for her decided to move to Florida. At 73, she was placed at Greenbrook Regional Center, a federally approved ICMR. After getting the appropriate services and beginning to thrive -- it was thought that she was non-verbal for nine years, but she began to speak -- finally she had a good life. The DDD again decided to remove her from her developmental center. With no family to protect her, she became the subject of e-blasts out to the community providers for sale to a group home. Only one provider wanted her, but this provider was not approved to handle her level of need. Despite concerns from the staff at Greenbrook, this 77-year-old woman was placed in a group home last month. Within 24 hours of placement, this fragile 77-year-old

non-ambulatory woman broke her leg. Now in a cast from her ankle to the top of her hip, and bedbound and living at the group home that caused the harm. Even though she says in her own words that she misses the girls and wants to go home, no one will listen to her, not even her appointed guardian. She needs to be returned to Greenbrook where she will receive appropriate care.

I ask that you declare a moratorium on the removal of individuals from developmental centers who are under the Bureau of Guardianship Services. Along with a copy of this testimony, I'll leave with you today two documents: The first is a report on the residential choice survey, taken this year, by families and guardians of DC residents. It clearly shows they overwhelmingly -- 96 percent -- preferred developmental centers, ICMRs, over community placement.

The other report is a cost-comparison study published in a peer review journal, *Mental Retardation*, in April 2003, along with an update published January 2009, which I quote, "Large savings are not possible within the field of developmental disabilities by shifting to the community settings."

ASSEMBLYMAN CRYAN: Joanne, thank you.

MS. ST. AMAND: Thank you.

ASSEMBLYMAN CRYAN: We'll carry that; well done.
(applause) Well done; thank you. Thank you.

MS. ST. AMAND: They need our help.

ASSEMBLYMAN BRAMNICK: The next three speakers: Stephanie Sharp, Evelyn Morris, and Ferdinand Powers. If you would come up, we'd appreciate it.

Good afternoon, and thank you for taking the time to come to Trenton. Once again, we're privileged to have you here, and many times we're not reacting specifically to your comments. That's only for the purposes of moving the hearings along. It's not that we don't want to dialog with you -- we really want to do that.

They took my cheat sheet away, so I'll start with the young woman on my right.

EVELYN MORRIS: Oh, thank you. Evelyn Morris.

ASSEMBLYMAN BRAMNICK: Ms. Morris, please proceed.

MS. MORRIS: Okay. I am Evelyn Morris. I'm a member of the ARC of New Jersey's Family Advocacy Program.

I have three children -- a daughter and two sons -- with developmental disabilities. They have Fragile X. My sons are very lucky; my older son, David who's 48 years old, lives in a supervised apartment run by the ARC of Somerset. My son Stephen lives in a group home run by the Community Action for Independent Living. They both get the best of care: they work, they have friends, and they have recreation opportunities.

About 25 years ago, Dr. Maurice Kott, then head of DDD, suggested that we deinstitutionalize, and the State started to do that. However the process is very slow.

Am I speaking loud enough?

ASSEMBLYMAN BRAMNICK: Yes, we hear you.

MS. MORRIS: Okay. And right now, there are 8,000 people in the State of New Jersey who are waiting for placements in the community. It's better for these people to live in the community because they have a higher quality of life and it's less costly. However, the family

has a right to give them the choice -- they could stay in an ICF or they could come out into the community. And we find the community-- They have a higher quality of life in the community, and it is less costly to the State.

So we need to address the waiting list of 8,000 people in the community. And those parents of those 8,000 are aging -- what's going to happen to them when the parents can no longer take care of them? These aren't children -- we're talking about men and women.

The other issue I want to address is case management. Some case managers have as many as 500 individuals in their caseload. Sometimes when I have to call Stephen's case manager, she just cannot meet-- You know, she can't call me back, and I clearly understand. But we need to address that issue of the 500-family caseload. It's too much for any one person to attempt quality of care.

And we're looking also for those people who choose to leave the developmental centers to give them the opportunity to leave and move out into the community. We're talking about a total of 160,000 families in the State of New Jersey who need housing for their developmentally delayed children.

The ARC is also asking for better data when they want to prepare for services for these consumers of our services; so if they can receive better data from the State -- for example, the needs of the consumers, their medical needs, other needs -- then they can better prepare for that occurrence.

Also another need we have is the community infrastructure.

ASSEMBLYMAN BRAMNICK: If I could ask you just to close with this thought.

MS. MORRIS: This is the last thought. Okay.

ASSEMBLYMAN BRAMNICK: Thank you so much.

MS. MORRIS: Such as behavioral supports, medical supports, mental health services. And I really want to thank you so much for giving me the opportunity to talk to you and let you know what our needs are for all 160,000 families.

ASSEMBLYMAN BRAMNICK: We want to thank you. I cannot tell you -- that all of us have sat on many, many committees, and we've heard a lot of testimony. This is about the most articulate, succinct, positive testimony that we've heard-- At least, I'm speaking on behalf of myself.

ASSEMBLYMAN RUMANA: There are no politicians here.

ASSEMBLYMAN BRAMNICK: Fair comment on the evidence, sir. (laughter) Fair comment.

ASSEMBLYMAN CRYAN: Who's next? Fernando? Stephanie?

ASSEMBLYMAN BRAMNICK: You were Evelyn, correct?

MS. MORRIS: Yes.

ASSEMBLYMAN BRAMNICK: Stephanie Sharp, please.

S T E P H A N I E S H A R P: First, I just wanted to thank you for having this, of allowing citizens to come out and share our thoughts on this. I think it's a great idea, and hope you continue doing it in the future.

The State here needs to be a little more friendly to businesses. I own a small business; and at the moment, it's currently driving business

and citizens out of the state. And we all know that that's because of taxes, all the various taxes. And one of the things I was going to talk about was mentioned earlier by one of the gentlemen, which was the Fair Tax, so you already got part of that, so I'll shorten what I was going to say.

Because you can do it on your own without waiting for the national, and you can also do it after the national kicks in. And a couple of reasons why I'm such a huge proponent of the Fair Tax, of nationally, it eliminates the payroll taxes of Social Security and Medicare, and ensures current funding for -- continuing funding for that instead of pulling down into the deep hole that we know it's headed toward.

And one thing I was going to say, that with the national Fair Tax -- it allows both vendors who collect the Sales Tax, like my business, to keep .25 percent of the tax; but also lets the State keep .25 percent of the tax, since the State would be the one actually collecting the tax and then passing it on. And for the State of New Jersey, you would actually be making money off of that -- \$200 million worth, according to the study from 2007 that said the State cost was \$90 million a year from the Sales Tax. And you would actually be getting \$290 million off of that .25 percent.

ASSEMBLYMAN BRAMNICK: What type of business are you in?

MS. SHARP: I do graphic design. So I'm a small service business. My business-- In fact, New Jersey is a lot better than other states, as far as Sales Tax, because you can probably tell by my accent I'm not a native of here.

ASSEMBLYMAN BRAMNICK: (Indiscernible), but thanks for moving here.

MS. SHARP: I lived in Texas, and lived in Georgia, and the whole property tax thing-- I went from a larger home, larger yard, at \$435 a year property taxes; to here in New Jersey, smaller home, smaller yard, and upwards of \$4,500 a year in property taxes. Our property taxes never went up the entire 10 years we were in that one home. But that's a whole 'nother--

ASSEMBLYMAN BRAMNICK: But we're really friendly around here, though. (laughter) That's that New Jersey friendliness -- that's included in the tax.

MS. SHARP: Well, I will have to say, you are more friendly, because we met more of our neighbors here in the first week than we did in suburban Atlanta. I'm sorry -- you asked something else, I was going--

ASSEMBLYMAN BRAMNICK: No, I just asked the nature of your business. Thank you very much. Thank you. And we certainly will take your comments into consideration.

And we're going to move on to Mr. Powers; Fernando Powers.

FERNANDO POWERS: Yes, Fernando Powers.

Originally I came here to speak about the oaths of office, and hope have officials more accountable, and to-- You know, being accountable to their actions. But I sat here and listened to other issues and I want to bring up about how people are losing their homes and bank accounts due to the IRS -- how they're coming in and-- You don't hear much about it, but there's thousands of people losing their homes. Well, the

IRS isn't following the Federal protocols or the policies, and we need to do something to protect the people from losing all these homes.

What's happening is that people are being thrown into the street, and then they're forced to move back in with their parents or move back with-- Or even try to get, like, Section 8 or whatever. But we're also forgetting about the people who are in the transition part. For example, in Camden, there's a tent city. What we need to do is, like, this situation here is to give them the tools and to allow them to maybe, since we have so many abandoned homes in Camden, rather than making new low-income homes affordable throughout the county, it's better to have the people living there, hand them some tools, and help guide them, and help-- Have access to these abandoned homes. And what will happen is, these homes would then get revived, and it brings the community back to life. Rather than going through the town. You know, it's-- I mean, I hear people who are crying about-- Excuse me, I take it back, that's not -- complaining about how the animals are being abused, but yet no one is focusing on the people themselves. No disrespect to animals, there's nowhere in the Constitution that says they have any rights, even though I love animals. However, the people have the rights -- the God-given rights that are protected by the Constitution, therefore we need to focus on the people who are being injured by being left out in the rain and the snow. And we can do that by giving them the tools and looking at these homes that were abandoned -- maybe revamping them. And this way, once they get back into a home, they can go back to work, plus it will create jobs as well. So--

ASSEMBLYMAN CRYAN: So I just have a couple of questions. So to summarize, two things: One is, there is an IRS statute that you think might be a problem?

MR. POWERS: Yes.

ASSEMBLYMAN CRYAN: And I'll ask you to see Keith right afterwards; he's going to grab the statute, so we can do that.

MR. POWERS: Right.

ASSEMBLYMAN CRYAN: And secondly, in terms of transitional housing and the number of foreclosures that we have, let's look at areas of home abandonment, and see what we can do to provide affordable housing for those who need it, especially in these foreclosures and the rest of the troubled times. Is that right?

MR. POWERS: Yes. If I could just touch on that IRS issue. What they do is, they default with a 30-, 60-, and 90-day letter, but they never really respond properly. And as personal experience in the district, Federal District Court, and also tax court, I exposed a lot of their issues--

ASSEMBLYMAN CRYAN: He's going to take that for you, right after you finish up.

MR. POWERS: And just one last thing -- handicap. How do you get a handicap-- How do you get a ticket when you have a handicap placard, and a handicap, here in Trenton? And why-- You know, it shouldn't be.

ASSEMBLYMAN CRYAN: I think we agree with that one.

MR. POWERS: Other than Mercer County -- which Mercer County, you know--

ASSEMBLYMAN CRYAN: We agree with that one as well.

I just want to finish with one other question, I'm sorry. You were talking about the Olmstead ruling on group homes. Essentially what the ARC wants is, with the 8,000 waiting list, is not that everybody has to go into a group home, but has the availability of a group home if they choose to, correct?

MS. MORRIS: Absolutely.

ASSEMBLYMAN CRYAN: Okay. All right, thank you.

MS. MORRIS: Thank you.

ASSEMBLYMAN CRYAN: Okay, folks. James Allen, (phonetic spelling), Henning Kristensen -- I hope I didn't do that too bad -- and John White.

MS. MORRIS: But those 8,000 are the ones who do want to go into the group home.

ASSEMBLYMAN CRYAN: Right, they signed up for the list. I absolutely understand. Before they age out, right? Before they age out.

So, hi, sir. You are?

HENNING KRISTENSEN: Henning Kristensen.

ASSEMBLYMAN CRYAN: Hi, Mr. Kristensen.

John White? Are you Mr. White?

JOHN WHITE: Yes.

ASSEMBLYMAN CRYAN: Hi, Mr. White.

And James Allen? Mr. Allen? (no response) We'll put him in the back for a little bit. Ron Brittin? Mr. Brittin?

So Mr. Kristensen, you'll be first.

MR. KRISTENSEN: I did not have too much time to write anything down. I'll just state some issues that I hope that we can continue on.

I came to this part of the world in 1965 as a legal immigrant from Denmark, and I have now been in New Jersey for about 32 years. I have, ever since I learned to say New Jersey (laughter) -- I have heard so many jokes and degrading statements, and New Jersey being made fun out of, it starts to bother me. So knowing quite a bit of simple technologies that I've been involved with, I just thought, why couldn't New Jersey be the state that everybody looks up to? Why couldn't New Jersey be the state that comes out with the latest in technology? Why couldn't New Jersey be the one that builds something that we need for the future? Why couldn't New Jersey be No. 1?

So it bothers me to see that so many things are ignored and neglected. And my question is, of course, here if we can have an open door, can I get a foot in? Can we continue? Because there are so many things that could help New Jersey and the people of New Jersey, and I would like to present it. It would take me a little time to get it all together, but I hope that would be possible to have an open door.

ASSEMBLYMAN CRYAN: When we finish here, they will see you, and grab your number to just do some follow-up with that for you.

MR. KRISTENSEN: If I could have just a few more minutes.

We have lived next to a landfill for almost 32 years. And we have complained so many times -- the odor is terrible, the pollution is definitely there. No one has taken any serious actions to do better, and we even had an inspector from the DEP who suggested that we just move away

if we were sick and tired of the smell. And that's-- New Jersey should not go under the joke, The Garbage State. It could very well be the old Garden State. And we could also be the state where we have the best maintained highways and roads. We have the technology, it's all there. I could be very helpful with that. We could do better for the children. We need to do a lot better in both health, education, and their welfare, because they're the ones who will carry us into the future.

ASSEMBLYMAN RUMANA: I agree.

MR. KRISTENSEN: And we have to learn and take advantage of all those technologies that are right in front of our face.

ASSEMBLYMAN CRYAN: You have some more specifics, and we're going to follow up and work with you.

MR. KRISTENSEN: Okay, so we can--

ASSEMBLYMAN CRYAN: And your message is the one we want.

MR. KRISTENSEN: Thank you.

ASSEMBLYMAN CRYAN: Mr. White?

MR. WHITE: Good afternoon. My name is John White. I'm a former State employee; I recently resigned after 12 years of service. I recently received the State Suggestor of the Year Award from the previous Governor. But it became evident that many cabinet members and -- I hate to say this -- and Assembly members-- I'm the person who writes. I have four children, and I work hard, all right? I'm on committee meetings, with the Burlington County Minority Concerns Committee. I make the effort. Like many of these folks here today, I'm not a company or paid to come here today. I offered real solutions, and those real solutions were

implemented. But yet, individuals at the State level and appointed members at these department heads are not following through with what works.

And what that is-- My thing is energy efficiency. I put together several energy savings programs that produced real savings. And when asked, "Can it be replicated statewide?" well, the answer is yes; it's very simple.

ASSEMBLYMAN CRYAN: Are you the guys with the lights, with the tunnel?

MR. WHITE: Yes.

ASSEMBLYMAN CRYAN: Okay; I read your stuff.

MR. WHITE: You know, I hate to use the word "I." But if one person at range 16 can come up with something simple that works-- Because outside of the State, I'm a licensed electrician, a licensed electrical inspector, and I taught the (indiscernible), all right? And implementing that has been quite difficult, here with the State. I talked with John Rhodes several times, all right? Hopefully he's still on board, I don't know. But these department heads-- Why are they dragging their feet? There was one person here today who said "accountability." If I went to you and said, "Okay, here's how we can get that 10 percent that the Governor is asking for in energy," and you present it to them, and they don't do anything about it -- and you're not asking for \$200,000.

ASSEMBLYMAN CRYAN: So -- I'm sorry, I'm just recollecting a little bit, because I -- so the lights in the tunnel, all right? Where you talk about the spacing is too tight, right?

MR. WHITE: I didn't do the tunnel, but I did look at that, however.

ASSEMBLYMAN CRYAN: So what kind of suggestions are you talking about?

MR. WHITE: Well, the suggestion is retrofitting. I do retrofitting. And basically I worked for the Department of Corrections for seven years. And the first lighting retrofit project there -- with only 40 percent of the building being completed -- resulted in \$180,000 a year in savings -- real savings. And the best part is that we have inmates who are learning to be electricians; we were able to use that labor to do the job, which also helped them to become better citizens when they moved out of the prison system, all right? And yet I followed up with a secondary project for that facility, which would have resulted in another \$210,000. But nothing was done, nothing. This goes back to 2000; here we are in 2010. I since then moved on, and I worked for the Juvenile Justice Commission, and put two projects together which resulted in \$68,000 a year in savings. And here's the document. The administrators need to become aware of this -- it's in the paper -- the New Jersey Smart Start Builders Program. They're giving you money to do it. The last project that we put together, we received \$13,000 which paid for all of the fixtures. And if I, just for a second -- I was told that I had to buy the fixtures off of State contract, by the way, which was my second issue, but I can see that I'm not going to get to that. But if I purchased the fixtures on State contract, it would have cost another \$70,800. By finding a suitable vendor -- first of all, the fixture wasn't on State contract -- but by finding another vendor, going through the process of three quotes, the fixtures only cost us \$240; 130 fixtures.

Then when you factor in the savings, it came out to be, I think that job was \$24,000 a year in savings.

ASSEMBLYMAN CRYAN: John, we're going to, obviously, as you know, follow up. And Jerry's got a question -- Assemblyman Green's got a question for you.

ASSEMBLYMAN GREEN: Since you're no longer an employee, and you don't have to worry about getting fired--

MR. WHITE: Oh, yeah.

ASSEMBLYMAN GREEN: From where we sit -- on a serious note -- to what you have observed for 12 years, where do you find the breakdown of communication? Where do you find the problem? It's obvious, the way you talk, you're a very articulate, smart man. So it's obvious somewhere along the line, you know -- I don't want to blame the Governor, I don't want to blame anybody. The point I'm trying to drive home is that you have solutions to a lot of problems. Who do you feel is not really moving in the right direction?

MR. WHITE: Mr. Green, I don't know if it's an inferiority complex-- You know, you're higher than me, so therefore I shouldn't listen to you. I think that's the bulk of the issue, to be quite honest. I actually gave paperwork to one of the members on the Appropriations Committee. I don't -- you know, Republican, Democrat, it doesn't matter to me. I'm a taxpayer; like everyone else, I want my taxes reduced. I want the best bang for my buck, you know? I moved back to New Jersey from Pennsylvania after I got out of the Navy, because I love the state that I grew up in. But today it's like, you know what? I work in Philadelphia now. I'm thinking

about just packing my bags and taking my kids and saying, "Hey, the heck with it. I'm going back to Pennsylvania."

Unlike most of these folks, I've been on the inside. It's just, like, frustrating, and I just said, "You know what? I have this award, but it means nothing. It means absolutely nothing because no one's doing anything." Like I said, (indiscernible) Whether you're Republican -- it does not matter. I've sent the letters out. Then you get a general letter, "Well, thank you for your concern," which to me means absolutely nothing. Unless you're going to put a bill on the floor that says, "Here's what's going to be done," then I know for certain nothing is going to be done.

ASSEMBLYMAN CRYAN: That's the purpose of today--

MR. WHITE: Thank you.

ASSEMBLYMAN CRYAN: --to do the follow-up.

ASSEMBLYMAN RUMANA: I just want to comment on the fact that I appreciate the testimony very much. I think we all appreciate the testimony very much, and that's exactly why these hearings are being conducted. And the new administration, facing very challenging budgetary difficulties this year, is setting up a lot of different processes to try to get to some of these issues that you're talking about. A lot of what you are discussing, though, is more administrative management issues as opposed to legislative issues. I've been frustrated with these processes myself. I've been at the council level, as a mayor, as a county freeholder -- we've dealt with the State and Federal governments on issues. It's a very frustrating process to deal with, because it's a big bureaucracy to try to navigate through. But the fact of the matter is, what you are talking about comes down to management issues. And if we get the new Administration to listen to some

of these concerns that the legislators can bring back to them, and then their own ears being opened to what the public is going to comment on and their own review groups, I think you're going to see some good changes. And let's hope that that can stick for many years to come.

MR. WHITE: The State has had a document since 1977 called the Energy Master Plan that each department is supposed to follow, and they don't. It talks about where they're supposed to do -- best practices. But they don't follow through with it.

ASSEMBLYMAN CRYAN: That's what today's about.

Ron?

RON BRITTIN: Yes, hi, my name is Ron Brittin; I'm from Mantua Township in Gloucester County. When I signed on to come here today and speak, I wanted to speak about the verifiable voting system, okay? Subsequently this morning, someone e-mailed me an article from the *Star-Ledger* -- the courts have gotten involved again and, in my opinion, justifiably so.

I am involved in the political process; I'm a party official, have been a party official in Gloucester County. I have worked on Election Day as a paid poll worker. I have worked as a challenger on Election Day, and most recently I was a candidate for freeholder in Gloucester County.

What I have seen through this experience leaves me with almost no confidence in the results that we come up with at the end of the day on Election Day. If you ask for a recount on the current system, somebody pushes a button and says, "Oh, you lost." There's nothing to back it up. They're invisible votes. I know that the Legislature passed a bill probably two years ago to bring in, and then I saw another bill overrode it

because of the economic conditions. Well, I have a suggestion to solve it, and I think it comes from somebody down in Gloucester County too.

Earlier last year, our previous Governor came to Gloucester County and said, "Lo and behold, we found \$500 billion (*sic*) that we can dump into an unneeded light rail system from Camden to Woodbury." The system is nothing short of a boondoggle. If there's money needed to add legitimacy to the vote, that \$500 million would go a long way.

But regardless, from childhood-- Now, when I was in school, we had a picture of George Washington with clouds around him and the American flag at the front of the classroom. And this entire country is built on the value of the vote. And right now, as far as I'm concerned, and having that direct experience over the past 10, 12 years -- on Election Day through primary elections, through general elections, through Presidential, Senate, all the different elections -- I see the vulnerabilities that are there. We let the voting machines go to the polling places in some cases two weeks prior to the election. They're left in a school, a firehouse, a church, open to anybody. The seals that are there -- they can be easily replicated. These machines are so easy to tamper with that it's disgusting.

Just prior to Christmas, on my home computer -- somehow, I don't know how -- a virus got on there. So if I did a Google search and it says, "Here's your result. Click this link," I would click the link, and it went somewhere completely different, okay? I don't know how that got on my computer system, and it took two weeks to get rid of it. I can't trust these machines anymore than my home computer, and I think it should be a high priority.

ASSEMBLYMAN CRYAN: It's safe to say you want a verifiable voter trail?

MR. BRITTIN: I want one for the June primary.

ASSEMBLYMAN CRYAN: I understand particularly Sequoia machines, right?

MR. BRITTIN: Yes, yes absolutely.

ASSEMBLYMAN CRYAN: Thank you.

MR. BRITTIN: Thanks for hearing me.

ASSEMBLYMAN CRYAN: Thank you, all three of you.
Thank you.

Okay, next up: Nelson Page, Tom Meyers, and James Lombardo.

Hi, guys.

NELSON E. PAGE: Good evening.

ASSEMBLYMAN CRYAN: Are you Nelson?

MR. PAGE: I am.

ASSEMBLYMAN CRYAN: Okay; Tom, you're in the middle?

TOM MEYERS: Yes, I am.

ASSEMBLYMAN CRYAN: And James on the left. Okay; great.

ASSEMBLYMAN BRAMNICK: It says here the 37th person to testify -- you've won two free tickets to a Bruce Springsteen concert.
(laughter)

MR. PAGE: Thank you; we'll take them.

ASSEMBLYMAN BRAMNICK: Oh, I'm sorry; they're not free, actually. It's full price. (laughter)

MR. PAGE: Well, my name is Nelson Page; I am the Chairman of the Fort Lee Film Commission. And I have with me Tom Meyers to my right. He is the Executive Director of the Film Commission. And we are not looking to save money, we're not asking anybody to spend money. What we're looking to do is, we're looking for the support of the State to help an initiative to increase the amount of tax credits given to film companies who want to shoot here in the Garden State.

In our neck of the woods -- which is Bergen County -- we're looking for a piece of pie to come our way that now goes to New York and Connecticut in the amount of billions of dollars in film production. There is an opportunity for us to be able to get a good part of that. And one of the things that we need is a studio production facility.

Up in our neck of the woods, the great Xanadu Project -- or what we like to call the *Big Empty* -- is sitting there, and its hundreds of thousands of square feet. We are hoping that the State can sponsor an initiative to take some of that square footage and instead of putting a movie theater in there, maybe put a 75,000 to 100,000-square-foot studio facility. That would garner a tremendous amount of rent, pay a lot of taxes, and give great jobs to the people of our area. When I say great jobs, I'm talking about union jobs, I'm talking about jobs that will put your kids through college, as opposed to minimum wage jobs that may be working in small restaurants or working in another retail establishment. It's very doable; it's something that we think is important. I think that it's something that should be considered by the State, especially when everybody else seems to be getting the lion's share of the kind of income that this industry produces. I always hasten to remind those who would ever listen to either one of us

that this is the birthplace of the motion picture industry -- from Thomas Edison to Martin Scorsese, movies happened here.

And I'm going to let Tom go and read something into the record that I think is important.

ASSEMBLYMAN BRAMNICK: Thank you, Nelson.

MR. MEYERS: Yes, I would just like to begin by saying, also, my family is third generation involved in film. They started with my grandmother 100 years ago on the streets of Fort Lee. And what Nelson said, I would just like reiterate in terms of a letter we sent to the newly inaugurated Governor, Governor Christie:

“There’s much to talk about the future, if any, of the Xanadu complex in the Meadowlands. We at the Fort Lee Film Commission, along with the State Film Commission, see this tragic circumstance as an opportunity. Why not take a look at the use of this space for the creation of real jobs, and to revisit an industry that was born in New Jersey: film. Thomas Edison created the first studio in the world on the grounds of his West Orange, New Jersey, laboratory in 1893, the Black Maria. Fort Lee became the first film town in the United States, giving birth to numerous studios, such as Universal Studios in 1912 and Fox Studios in 1913, and it was the home to the first woman director in cinema history, Alice Guy Blaché and her Solax Studio. North Carolina, Connecticut, New York and other states arm themselves with aggressive packages and incentives to lure permanent production centers to their states. New Jersey, birthplace of the American film industry, does not.

“Here is a chance to at least discuss the idea of the conversion of Xanadu, or part of Xanadu, from a failed mall into a thriving film/TV

production facility, taking advantage of all the new infrastructure in the Meadowlands and playing off the arena and the new football stadium, as well as the nearby arena in Newark. The potential conversion of Xanadu, or part of Xanadu, into a film/TV production facility will add synergy to the Meadowlands, the Newark Arena, and the entire economy of northern New Jersey via job creation.”

We hope that this gives you an added perspective on the great history of film in New Jersey and how history can be revisited, because remember: Xanadu is the name of a fictional estate of Charles Foster Kane in the greatest American film ever produced, Orson Welles’ *Citizen Kane*. We can give new definition to Xanadu. Instead of being a joke and looking at a horrible building, being defined, once again, by ridiculousness, we have the opportunity to give a theme to the Xanadu project: film. Even if it’s a mall, even if it’s entertainment, part of that dedicated to film plays off our history, makes the state look good. And let us not forget, it was great to have *The Sopranos* in New Jersey, but they didn’t film interiors in New Jersey -- they did that at Silver Cup Studios. We can do it with interiors and create the largest sound stage in the northeast if we take the initiative.

So please, meet with us. We’ve worked with Republicans and Democrats, and we’ve got nothing but a hole in the wall from banging our head on it. We hope that you accept this idea, or at least help us, and we will meet with anybody, anywhere, anytime in Trenton.

Thank you for your consideration, and thank you for listening to us.

ASSEMBLYMAN BRAMNICK: Thank you. Assemblyman Rumana is an actor part time (laughter) so he’d like to say a few words.

ASSEMBLYMAN RUMANA: I've always tried to get the Academy Award, and I just keep on losing it.

I either read this, or spoke to somebody about this exact issue in the past two weeks, and I am at a loss for either where I read it, or who I spoke to. And the commentary on it -- they made an interesting proposal which wasn't made in the commentary now, about this ski slope being a perfect use of-- You know, when you need ski scenes, you need snow scenes, that that's already there. You don't have to wait for the elements; it's ready-made. I would also-- I don't know if you've had an interaction with the Meadowlands Chamber of Commerce.

MR. MEYERS: We met with the Meadowlands Chamber of Commerce. We've met with everybody at the Meadowlands, and they all -- like the gentleman who was sitting in this chair before -- smiled at us, and we never heard from them again. They're looking for retail; we're looking for job production. That's the problem. And you're correct: That ski slope could be used for something. You have a new football stadium going there. Well, you could bring, for example, ESPN there. We do interaction with TV production and film. Universal *Law & Order* -- they're here; they have a small studio in north Bergen, they can come there. *One Life to Live* in New York City -- we were told by the production people that they would love nothing better to investigate the possibility of coming to New Jersey.

Finally, I would urge you to contact Steve Gorelick on the State Film Commission who did a study that -- a very detailed study -- that entails this one idea. If you combine what Nelson's been saying -- an aggressive incentive package -- and you give the space -- for example, a part of Xanadu -- you will have the most thriving film production facility on the

East Coast. We have what New York cannot offer. And we just have to access it.

ASSEMBLYMAN BRAMNICK: Thank you, sir.

MR. MEYERS: Thank you.

ASSEMBLYMAN BRAMNICK: Mr. Lombardo, it's all yours. If you guys would turn your mikes off, we'd appreciate it. Thank you.

JAMES LOMBARDO: Could I have them present me as far as speaking and all that? (laughter) And if you want to make a movie, I've got something you can make a movie on. I really do.

I'm proud to be here today. I've never spoken publicly before, so please bear with me. My health has been awful, and I'm going to break down.

But I'm here because I'm sick. No, I'm here because I was born and raised in the Township of Waterford, New Jersey, and I'm a life member there. My grandpop, my father pioneered there. I've been a small businessman all my life -- I'm 74 years old.

I need to put myself together.

ASSEMBLYMAN BRAMNICK: Take your time, sir. Take your time.

MR. LOMBARDO: The reason I'm here is so different than the average person -- they're looking for a new business, etc. -- but I have a 13-acre commercial land in Atco, New Jersey, and it's been under siege for many years from the powerbrokers in New Jersey. I started out to develop it 41 years ago, and I didn't get too far before things got overbearing, and then I realized that the political group that was participating in purchasing the lands around me decided to blackball me from growing my business. It

was something that -- I didn't know what blackballing was. But at that time, I was 32 years old when I started, I was only raising my family on the 13-acre property -- which I did -- and I worked with machinery. I'm not a-- I don't work with my brain, I work my hands and common sense. And I never got to be politically incited with politics and everything like that. My grandpop taught me to serve humanity, to make a living and not get rich, but be somebody who is good for the public. And that's what I am.

My problem today is I'm about to lose my land. This is terrible, but I had nowhere else to go because the Township committees and everything in my area have blocked me from getting anywhere with keeping my property going. And they put in a lien against me and the people -- 22 people -- who own properties around me, in 1998. (indiscernible) they declared it a development area, and they wanted to put in a boulevard and develop stores. They sold a good story, and I participated because my land was part of it, thinking that it was going to turn into stores and I'd get my money and I'd be out of there, and everything would be fine for my retirement. At 74 years old -- and roughly 14 years after they started the process -- they drove all the businesses off my property in 2003, which left me with no income except what I could do with my hands again. And so I've been worn down in the process that they laid on me. They used the biggest law firm, and ex-State senator and his crew have taken everybody off their lands around me -- I'm the only one standing who has 13 acres commercial, ready to be sold, and it can never get sold because they stopped everything from coming, and restricted everything from coming on my land.

I'm sitting there now trying to do things to keep the property. The taxes and everything comes to like \$5,000 a month for the overhead

that was created. And I went to the courts trying to save myself, and it's put me zeroed out. I'm one person in a million who didn't have any rights as an American citizen to own land and serve people from it.

Two years ago I was down with prostate cancer real bad, and I couldn't go to the hospital to get taken care of.

I'm sorry--

ASSEMBLYMAN CRYAN: I'll tell you what we'll do. And thank you--

MR. LOMBARDO: I need an advocate. I need somebody to help me.

ASSEMBLYMAN BRAMNICK: We're going to have staff speak to you on the side, to try to direct you for your specific problems, okay?

MR. LOMBARDO: I just want you to know that I don't like being processed off my land. I'm taxed out, \$200,000 of debt after having \$100,000 income at all times off my land -- it's all gone. I'm making less than \$18,000 a year now with a few small tenants. And the Township has pulled codes against me that are illegal, because I'm trying to do many things, like--

ASSEMBLYMAN BRAMNICK: Why don't we see if we can help you, though. Because your issue is very specific to you, why don't we have staff meet you right outside, and try to work with you, okay? We're going to do that right now.

ASSEMBLYMAN CRYAN: Right now.

ASSEMBLYMAN BRAMNICK: We're going to do that right now.

MR. LOMBARDO: I'm sorry--

ASSEMBLYMAN CRYAN: You don't have to be sorry.

ASSEMBLYMAN BRAMNICK: Thank you; that's what we're here for.

ASSEMBLYMAN RUMANA: Nothing to apologize for at all.

ASSEMBLYMAN BRAMNICK: Let's see if we can help you.

MR. LOMBARDO: It's just I couldn't get any help anywhere--

ASSEMBLYMAN BRAMNICK: We'll see if we can help you.

MR. LOMBARDO: Lawyers may come against the big lawyers-- I thank you for paying attention.

ASSEMBLYMAN BRAMNICK: Thank you.

ASSEMBLYMAN CRYAN: See Keith right now and he'll step out with you.

MR. LOMBARDO: Thank you.

ASSEMBLYMAN BRAMNICK: And thank you, Tom and Nelson.

MR. PAGE: Thank you very much for these hearings.

MR. MEYERS: Can we submit a letter?

ASSEMBLYMAN CRYAN: Absolutely.

ASSEMBLYMAN BRAMNICK: Yes.

ASSEMBLYMAN CRYAN: All right, Robert Buckelew, Buckelew, if I didn't butcher that too badly? James Allen again, trying again for James Allen? (no response)

George Graham? George.

HARRY DUNLEAVY: Harry.

ASSEMBLYMAN CRYAN: Excuse me, Harry Dunleavy.

MR. DUNLEAVY: Yes.

ASSEMBLYMAN CRYAN: Harry, come on up.

And William Stratton? William.

So in order: George, Harry, and then William.

Thank you guys for waiting. And you're up.

G E O R G E G R A H A M: Thank you very much for having us here.

I am a Councilman from Stanhope in lower Sussex County, and I'm also the President of the Sussex County League of Municipalities, which gives me not only a constituencies of people coming to me in my town, but now I have all of these municipal elected officials who come to me and say, "And by the way, while you're down there, don't forget to say this."
(laughter)

I have three issues -- not extensive -- but three issues that I would like to speak on. The first one -- I want to strongly endorse what Tim Smith said a little while ago. Former Mayor Smith has been very articulate in what he has to say. You may question the methodology or you may even question some of the ideas, but he really understands one thing that we're trying to understand, and that is political boundaries are not where our abilities come to share. They don't make any sense in a lot of ways. A lot of political boundaries -- especially in the western and the northern parts of New Jersey -- were just arbitrarily picked. And so it doesn't make any sense: One side of the mountain is one town, and one side of the mountain is the other town, when really the mountain is what has to be served. And I would appreciate you strongly looking into what he has to say.

The other one I would like to speak about is the abandonment of the lakes and waterways throughout the state. I know on one side we're saying we can't spend the money, but on the other side we have a lot of regulations regarding lakes, particularly in northern New Jersey. After working with the Highlands Council and the DEP over the last few years, we've been saddled with a number of unfunded mandates and regulations designed to protect the waterways and natural resources, and yet that's not what it does. A couple of years ago we weren't able to do any harvesting of weeds because one person in one cubicle in that very large building called the DEP said, "You know what? There was a weed found there in 1958." This is the God's honest truth. I went out with the (indiscernible) from the DEP on a weed harvester and we drove all around that lake looking for that weed. Never found it; never found it. This can't be allowed to be done. We can't do things with volunteers in our towns and in our communities who are willing to do things, and yet they're saddled because one person sitting in a cubicle says you can't do it.

Certain lakes, such as Lake Hopatcong, Lake Musconetcong, and Swartswood Lake are slowly dying and becoming weed choked because of these regulations. Please, what I'm imploring, regarding the DEP, is that this state has got a lot of diversity, and so does its solutions. One cookie-cutter approach, one template approach, does not fit everything. A lake that has one little issue in one section does not combine with a lake that has some other problem in Cape May.

I would really very much ask you to please look at this in a much more broad sense and allow a little more localization in terms of how things are handled.

The other thing is the Highlands. The Highlands Council-- I know what it was there for: It was brought in to protect our water and the water for not just our area, but throughout the northern part of the state. But I have attended a number of these meetings; in fact, I've attended quite a few of these meetings. And they ask for professionals to attend, they don't really ask for public officials to attend. And I found out why. It's a feeding frenzy at these meetings for professionals. Professional engineers and planners -- they go there -- it's a trough. We are saddled with all kinds of reports and regulations-- I tell you, I'm probably the lead person on this in my area -- not just my town -- but in a number of towns around there. And every time we go down to a meeting, you're finding out that really all that it means is that we have to pay another engineer \$20,000, \$30,000, \$40,000, \$50,000. Now here's the problem, gentlemen: It's your money. They know what the dollars are. So afterward they say, "That's what it's going to be. It's going to be \$35,000 or \$40,000; that's what it's going to cost." It's not like the towns have an opportunity to do any kind of negotiation. These are grants that are given out. But you know, if the grant is coming out on one side, then it's coming out of something on the other side.

ASSEMBLYMAN CRYAN: George -- so follow Tim Smith's recommendations.

MR. GRAHAM: Yes.

ASSEMBLYMAN CRYAN: Local control to waterways, in particular lakes and waterways, where applicable--

MR. GRAHAM: Yes.

ASSEMBLYMAN CRYAN: --so we don't search for weeds, right?

MR. GRAHAM: Yes. And in terms of the Highlands, I think you need a closer look on what's going on over there in terms of how--

ASSEMBLYMAN CRYAN: Unfunded mandates--

MR. GRAHAM: I just-- Like I said, you have to stop the feeding frenzy. Yes, you have to stop it, so that the engineers are not just eating us alive. I don't have it written up in a fancy fashion.

ASSEMBLYMAN CRYAN: Then I need a favor. We're going to give you an e-mail, all right?

MR. GRAHAM: I'll e-mail it over.

ASSEMBLYMAN CRYAN: Do you mind?

MR. GRAHAM: No.

ASSEMBLYMAN CRYAN: This way you can point to the e-mail for everybody who asks you, in Sussex County as well. Thank you.

MR. GRAHAM: Thank you.

ASSEMBLYMAN CRYAN: Harry?

MR. DUNLEAVY: Yes, thank you for allowing me to speak.

ASSEMBLYMAN CRYAN: Hit the red--

There you go.

MR. DUNLEAVY: Thank you for allowing me to speak here tonight. And I'm going to speak on education, although a lady has partially said what I wanted to say before.

I live in Sussex County. George and myself know one another, although we belong to different parties. I regard myself as a liberal

Democrat, actually. But I did back Governor Christie in the last election.
(laughter)

ASSEMBLYMAN CRYAN: Harry, you're killing me here --
you're killing me. (laughter)

ASSEMBLYMAN BRAMNICK: Don't go anywhere--

ASSEMBLYMAN CRYAN: Especially with your brogue.

MR. DUNLEAVY: And I was a former county treasurer of the
Democratic Party. I'll try to be as brief as possible.

First, I want to tell you what happened to me. I have a degree
in mathematics from the City University of New York. I have a master's
from Long Island University in mathematics and in education. And I've
been a school board president in Sussex County.

In 2002, I wanted to go back to high school teaching. And I
was teaching part time in college at the time -- Sussex County College -- I
was a calculus teacher. And the school district-- They didn't hire me, even
though I had been regarded as an excellent math teacher at high school and
college in the past. I needed a job then, although admittedly I did own a lot
of property; but because my wife was terminally ill for a long time I had to
work and I almost went bankrupt, even though I had 55 apartments at the
time.

They hired two substitutes first, with no background in
mathematics. Then they -- all documented -- then the district went and
hired somebody permanently who wasn't licensed. I have all the
documentation. Nothing was done about it. I filed with the New Jersey
Division of Civil Rights; they did nothing. The Morris County Board of
Education Superintendent was issuing substitute licenses for those people to

teach mathematics. Well, nothing was done. The New Jersey Division of Civil Rights-- They didn't release the thing. It took three years and several letters from Senator Littell before they eventually released the evidence that I had filed. And then I found out that non-licensed teachers are being hired.

But the real reason I'm here tonight -- even though I'm a Democrat, I'll probably sound like a Republican. Like the lady said earlier -- Mrs. Albury -- I think County Boards of Education -- local school boards of education should be eliminated completely. I think they're a total waste of time. I think we could save hundreds of millions of dollars. I did a previous study on it. And one example-- In Sussex County, when I was school board president -- Lafayette used the county busses. And I got the figures, they saved \$51,000 -- that's just one example. We have 23 boards of Education, 23 superintendants, 23 business managers, and when I was a board president myself, with the Sussex County Board of Technical Education, I did get it back in the black because there was all kinds of waste of money, double -- well, two sets of computers hired to do the same thing. So I would like you to really consider eliminating these local boards of education and going to a county system like many others have.

And I may be running out of time, but I'll finish. When I was teaching calculus at the County College, I always gave an algebra test before I started teaching. That was for three years. Not a difficult test, but not an easy one. One student passed it, and she was from Scotland. She wasn't the best of my students, either. I think she wound up about fifth in the class. So I think we also need a proper hiring policy where we do hire licensed and qualified teachers.

And if my time is up--

ASSEMBLYMAN CRYAN: So certified teachers, particularly in your own case, making sure that the teachers we hire are certified and qualified; and eliminating school boards and going to a county-wide system are the two thoughts you wanted to share with us, correct?

MR. DUNLEAVY: That is correct. And if you let me add, it will be very quick. I went to a Catholic school system in Ireland -- I immigrated, actually, when I was 17 -- but it was also the public school system there. And I think we had 160,000 people in the county; we had five inspectors for the county.

ASSEMBLYMAN CRYAN: I hope it was County Roscommon.

MR. DUNLEAVY: My next one (indiscernible).

ASSEMBLYMAN CRYAN: William?

WILLIAM C. STRATTON: Thank you for this opportunity.

My name is William C. Stratton. I live in Avon, New Jersey, and I'm a certified financial planner practitioner. My concern is health insurance mandates. For full disclosure, I am a licensed insurance producer for Life & Health of New Jersey; however, I have no association with any life or health insurance company. I'm also enrolled in Medicare.

My testimony is based on my professional experience, but is provided as being a private citizen.

My concern is with the high cost and limited choices of health insurance in New Jersey. I believe that mandates contribute to the current problems that exist in health insurance coverage. Mandates such as health insurance coverage with all-inclusive services -- the blue chip coverage --

creates higher costs and lowers participation. Health insurance guaranteed issue creates a “wait until you’re sick” decision option, which leads to higher costs and limits availability.

I suggest that you consider a transition to a market-based health insurance system, with a level of government-subsidized coverage for social service. Create innovation to increase health insurance coverage. Look to the next generation for market solutions -- they will be most affected. It will take a generation or more to transition to a market-based health insurance system. Look to the doctors for delivery and administrative solutions. The U.S. medical technology is the best in the world; however, delivery and administration of healthcare services is lacking.

Offer more choices, from basic service to blue chip service. Everyone wants affordable health care insurance. Encourage a high deductible, catastrophic coverage system like HSAs -- health savings accounts. Choice and price flexibility already exist in life, disability, and long-term care insurance. Government should ensure that consumers are protected, and health insurance providers are fulfilling their agreements. Government should punish those who violate ethics and insurance laws.

A good example of a transition to a market-based competition from a monopoly is the telecommunications system, which was a regulated monopoly prior to 1984. Divestiture of the Bell System created an explosion of innovations, both in technology and delivery. It lowered costs and increased usage.

I am an engineer by training, and I worked in telecommunications for some time. I experienced both pre- and post-

divestiture in the Bell System. Believe me, post-divestiture is better. Would the Blackberry exist with mandates today? I don't think so. So if we open it up to market competition, let innovation thrive, I think we'll see lower costs and higher usage.

In summary, I believe that health insurance mandates -- although well intended -- limit health insurance coverage.

Thank you very much.

ASSEMBLYMAN CRYAN: William, I'll tell you this. I think it's easy to say from both sides, I can't predict much, but I can predict that this Legislature is going to look at health insurance pretty extensively over the next two years. I think that's a very safe bet. Your comments are very much appreciated.

MR. STRATTON: Thank you very much.

ASSEMBLYMAN CRYAN: Thank you.

MR. STRATTON: And if I may make one other comment. I'd like to thank the legislators for passing the financial literacy education bill -- excellent. And I look forward to the results of that.

ASSEMBLYMAN CRYAN: Thank you.

ASSEMBLYMAN BRAMNICK: Thanks.

ASSEMBLYMAN CRYAN: Thank all three of you.

MR. GRAHAM: Thank you.

Where do I get that e-mail?

ASSEMBLYMAN BRAMNICK: If we could ask Paul -- it looks like Schorr -- Dave Mariconda, and Chris Hauser, if you're still here? Let's see, we've got -- Paul is here. Is Dave here? And Chris? You're Chris? But Dave is here, is that correct?

So in seat number one -- you are, sir? Your first name?

PAUL SCHORR: Paul Schorr.

ASSEMBLYMAN BRAMNICK: Paul, thank you for being here. Thank you for your patience. Please proceed.

MR. SCHORR: I think that you guys are deserving of a *Great-Deal-of-Patience* Award, because it's hard to believe how much information you've had to absorb in such a short period of time.

One of the things that I've been thinking about as I listen to all the people is that none of the problems that we've talked about are new. They're really things that we've all heard about. So I'm not sure that I'm going to be mentioning anything new or ingenious here, but I want to put one idea on the table, and that is Rutgers-Trenton. Rutgers-Trenton. Now, what is the role of higher education in our urban areas? And I believe that it has provided some stability. It's provided jobs. It's provided higher education opportunities. It's been able to follow through on the words that we heard earlier this morning about the community colleges and the successes they have. But for some reason or another, whether it's a turf issue of having to divide up the pie right, or some kind of stigmata associated with locating a higher education facility -- aside from Thomas Edison State College -- in the City of Trenton. Now, there used to be Rider University here for a long time. Prior to then, there was Mercer County -- the county and the vocational tech schools were in the City of Trenton. The Legislature mandated and successfully got county colleges way above to a higher standard; and got them, into the 70s, located in the various suburban communities. I think it's time to have the Legislature rethink what can higher education provide to urban areas. It was quite encouraging

to see a conference recently-- Wendell Pritchett, new provost at Camden, spoke quite highly of his relationship -- of the university to the town. And I even heard something really quite strange. George Norcross suggested that Rutgers University take on the responsibility for running Camden schools. And I said, "Wow, that's kind of bold." But to think about that from a historic perspective, it once again reminds me that if the university is funded by the Legislature, it takes on the added risks when it takes on controversial topics. Such as in the Vietnam War, when Rutgers University in New Brunswick held that professors -- and I believe Mason Gross was held accountable for one history professor who was advocating against the Vietnam War and was threatened to be fired.

So there's pros and cons to having a Legislature intrude, as well as mandate that the university take on certain new missions in urban areas, but I do believe some form of higher education in the City of Trenton will help to digest the machinations of State government.

I have a few more statements here. There are a 1,000 to 2,000 government retirees and staff that could become possible teachers -- part-time teachers -- hopefully licensed teachers. The 15,000 Federal, State, county, and city employees who are headquartered in the City of Trenton need training and retraining -- that's workforce development. Rutgers could attract foreign as well as out-of-state students, and they would pay full tuition. So I think there's also a demand. There's at least 15,000 applicants for Rutgers entry-level and freshman, yet there are only 5,000 spaces. So we've got a demand, we've got a workforce development, we've got the City of Trenton and it doesn't have what it needs. Thank you.

ASSEMBLYMAN CRYAN: Paul, thank you.

Dave?

DAVE MARICONDA: I'd just like to take this opportunity to thank you guys, your Committee, for letting us come here to air our problems and hopefully our solutions.

My name is Dave Mariconda. I live in Fairfield, up in Essex County. I'm here today representing the thousands of brain injured people in the State of New Jersey. I had a massive stroke in June 2006. It left me paralyzed on the right side. It was a life-changing event, not only for me, but for my family and my friends. We all had to make drastic changes in our lives and lifestyles.

This happens daily in New Jersey and around the nation. Thousands of people everyday suffer brain injury. These can be strokes, aneurisms, traumatic brain injuries from gunshots, falls, accidents. There are concussions now on the playing fields, and even our service men and women suffer traumatic brain injuries by the thousands from IEDs that have been planted around Iraq and Afghanistan.

Apparently in New Jersey we have a Traumatic Brain Injury Fund. This fund is a godsend. It's a self-sustaining fund which was started in 2002 with a \$.50 surcharge being added to the motor vehicle registration fees. This generated plenty of money for the fund to pay for services and for the education on brain injury.

This system worked fine for seven years. Since the fund is supposed to be a payer of last resort, any time the fund issued a payment, it was because a brain injured person had nowhere else to turn or to go for help. Because it was a payer of last resort and its eligibility was rather liberal, it also included the middle class as well as the poor. The fund was

administered by the Division of Disability Services of the Department of Human Services. Now the Division of Disability Services is proposing a complete revamping of the fund. They're eliminating the required brain injuries, such as stroke, aneurisms, tumors and many vascular diseases. They are limiting therapies by time instead of by need, and even the types of therapy that a person can utilize is arbitrary.

This is wrong. A brain injury takes place in a fraction of a second. The cause is the only difference between my brain injury and that of a motor vehicle accident victim. What happens after the accident is the same for me and for thousands of brain injured -- a lifetime of rehabilitation and recovery. I've battled insurance companies that refuse to pay for therapies. I've gone to research therapies to try and improve my situation, and I've volunteered my time to organizations that support the brain injured. But this, I feel, has a bigger negative effect on the brain injured community than all the problems that we face on a daily basis. The problem is funding. As with everything you've probably heard today, it's money. But I feel that the DBI fund has a number of solutions. I feel that an investigation has to be done, and an accounting of all fund money should be done. There are many independent contractors that are doing the initial interview and information gathering. There are no (indiscernible) checks being performed by the Division on the participants or on the people performing the checks.

A DWI sustaining a head injury is entitled to the fund, even though the law states that the injury -- even if the monies cannot be used elsewhere in the budget.

This year, \$2.5 million was taken and, I assume, put into the General Fund. Also, from what I have been able to tell, a large amount of the fund is going to education about brain injuries. I feel this is very important, but not at the expense of those with the injuries. Another viable answer would be to raise the motor vehicle registration \$1. This \$1 increase would mean another \$7 million yearly, which I'm sure would keep the fund afloat.

There are very few problems in this state that can be remedied with a single \$1.

Thank you for your time, and for your concern.

ASSEMBLYMAN CRYAN: Dave, thank you.

As we sat here and listened to you, one of the tools that we have -- on a bipartisan basis -- is the State Auditor. Little known, but he's a guy that we get to ask -- he works for the Legislature -- and he will audit things as we request. You have our commitment here that we will request the State Auditor to audit the fund, okay?

MR. MARICONDA: Thank you.

ASSEMBLYMAN CRYAN: In terms of the other deal: I'm not sure we're going to pass a \$1 surcharge, you know--

MR. MARICONDA: No, I know that.

ASSEMBLYMAN CRYAN: But I can tell you, we'll make that commitment to you.

C H R I S H A U S E R: My name is Chris Hauser; I'm from Toms River, New Jersey. There's actually a bill that's called A-1384 that wouldn't cost the State any money. Actually, it would raise some money, so that's what I'm here to talk about.

Concerning the Citizens Protection Act, A-1384, that is before the State for consideration. The law-abiding citizens of New Jersey should be afforded the opportunity to have this bill move forward for a full debate and vote. The safety of New Jersey citizens should not be a trivial matter. At the core of this bill are changes to existing firearms laws, changes that will make New Jersey and its citizens safer. There are legitimate and national statistics, and at least one Supreme Court ruling that needs to be considered for debating the merits of the Citizens Protection Act.

One of the greater concerns of a free democratic society is for the safety of its citizens. Civilized society demands safety against violent criminals and from those who would break the law and harm the innocent. Safety is a key attribute in a democratic society, along with liberty and freedom.

The Citizen Protection Act, A-1384, addresses safety head on, and should have its day before the full Legislature for debate and vote. Committees should ask if it's a good idea to embark on an experiment to change firearm laws to see if they might make our state safer. On the surface, this may seem, it could even be considered reckless, had not 40-plus states already completed the test for New Jersey -- almost two decades of statistics are in, FBI results are available, and without exception every state that has enacted legislation similar to A-1384 has seen a reduction in crime.

Forty-plus states have become safer places to live and work. Lives have been saved and violence has been deterred.

In 2008, the Supreme Court of the United States handed down a ruling that should make it easier for lawmakers in New Jersey to allow A-

1384 to move along for debate. They ruled in *Heller v. D.C.* that the Second Amendment is an individual right and it cannot be infringed on. Law-abiding citizens in New Jersey should legally have the very thing that has already been granted us in the Federal Bill of Rights, as well as the original 1789 Fourth Amendment of the New Jersey State Bill of Rights. This has been reaffirmed recently in the highest court, namely the legal right of the individual to keep and bear arms. Currently New Jersey allows law-abiding citizens to keep arms, but greatly infringes on our rights to bear them except for a few narrowly defined exceptions. A-1384 addresses and corrects this infringement, and will make New Jersey a safer place for its citizens.

The Citizens Protection Act will make New Jersey safer. Forty-plus states have already proved this. It is reasonable to afford bill A-1384 the time for debate and vote. Citizens of New Jersey deserve that this protection act move along for consideration. I believe it's the correct thing to do for the State of New Jersey and for law-abiding citizens.

ASSEMBLYMAN CRYAN: Chris, we'll carry that. We'll carry 1384 as your bill.

MR. HAUSER: Excuse me?

ASSEMBLYMAN CRYAN: Your bill is 1384, right?

MR. HAUSER: Yes.

ASSEMBLYMAN CRYAN: We got it.

ASSEMBLYMAN BRAMNICK: And we'll take a look at it.

MR. HAUSER: Thank you.

ASSEMBLYMAN BRAMNICK: Thank you very much.

ASSEMBLYMAN CRYAN: Dave, I also want to let you know, you're right: We did take a couple million from the TDI fund. I suspect you'll find an extra eye on it this time now, based on you being down here.

Thank you guys. Thank you.

ASSEMBLYMAN BRAMNICK: That's good stuff, these two.

ASSEMBLYMAN CRYAN: All right, last call of the day.

Dan Januseski? Lew Schwartz? I'm going to try again with James Allen and Robert Buckelew. Is there anybody else here who wants to speak? Anybody at all? (no response)

ASSEMBLYMAN BRAMNICK: You've got the stage all for yourself.

ASSEMBLYMAN CRYAN: Are you Dan? You're Dan the Man at the mike?

DANIEL JANUSESKI: That's me.

ASSEMBLYMAN CRYAN: All right. State First Aid Council?

MR. JANUESESKI: Yes, thank you for the opportunity to speak to you today.

My name is Dan Januseski from Lumberton Township, Burlington County, and I'm speaking to you on behalf, today, of the New Jersey State First Aid Council, which represents a majority of the volunteer medical first responders of the state.

You asked us to come out today to give you ideas about how to improve the lives of New Jersey citizens, and today I offer you a workforce of 20,000 volunteer first aid medical responders for free, who will work for free and have been working for free. These volunteers have proven their worth for 80 years, in everything from everyday ambulance calls to disasters

like the Hindenburg, the floods of Tropical Storm Floyd, and of course the 9/11 attacks.

Health care, as you know, is a significant portion of our economy, and every year it gets more and more expensive with all the emerging instances of emergencies like disease and terrorism. And if we don't protect the volunteer system and encourage its growth, we're going to lose more in terms of our ability to maintain the EMS system in a financially responsible manner.

The squads operate at a fraction of the cost of commercial and municipal paid services. But the financing is still lacking. Donations from the public go down every year. Municipal budgets are cut back. I belong to two first aid squads -- one in my hometown of Lumberton, and also 65 miles away up in Edison where I grew up -- and I still respond to both of them. We've been operating at Edison for years on about \$150,000 a year. Over the last few years, we've had to go with paid services during the daytime because of a lack of volunteers. That paid daytime alone, five days a week, cost the town over \$1 million, where we've been operating at a fraction of that.

In Lumberton, the town recently told us they're cutting back the \$40,000 donation they give us to operate because they're broke. And now we're forced to go billing, and have to charge insurance and Medicare to take care of that.

If New Jersey's going to meet its fiscal and societal responsibilities -- and I think that protecting the volunteers is a central part of that, and here are some ideas to do that:

First off, we need to restore the EMT training fund. This is essential. This fund, which was designed to encourage recruitment of volunteers and to retain them, was depleted and taken away from us by Governor Corzine, as you know. When this fund dries up this year, I know that new people knocking on our door to join my squad are going to think twice when I tell them, "Yes, we'd love to have you volunteer. But you're going to have pay over \$500 out of pocket to get your training," because we simply don't have the budget to support that training for these people.

We need to incentivize becoming an EMT -- look at new ways to help bring new members into the volunteer ranks.

We need to make grants easier to obtain for the squads. Every year I work for my squads to try and find new grant programs to help fund some of our equipment and our operations, and there's very little that we can get without trying to go through the township or the county. In fact, one year we lost over \$20,000 worth of grant money for equipment because the town failed to file the paperwork on time.

The insurance companies save tons of money by us not billing them for the EMS services. Maybe it's time that they contribute back to us in some small way to help maintain that, because it saves them money in the long run.

We need to encourage squads and towns to cooperate together and share services. Especially in small towns where volunteerism is down, they can combine and regionalize and share those resources without having to go to paid services.

And we reduce the barriers between paid and volunteers to work together. The misinformation about the Garcia decision and the

pressure brought to bear by the unions and that paid cannot work and volunteer together is absurd. And we can put more ambulances on the road at a cheaper cost if we can put a paid and a volunteer EMT together and have them work together.

So in the end, the EMS study that was conducted was a good first step in fixing a lot of the EMS problems in New Jersey. We need to now focus again specifically on the volunteer aspect of this, and I encourage investigation into this in seeing what we can do to prop this up and preserve the volunteer system in New Jersey. Thank you.

ASSEMBLYMAN BRAMNICK: We want to thank you for your passionate words, and we're going to do everything we can to assist volunteers in this state. I think your point is well taken, and absorbed deeply by this panel. Thank you.

MR. JANUSESKI: Thank you.

ASSEMBLYMAN BRAMNICK: I assume there is no one else out there, so I just want to make one comment: First, and I'm sure Assemblyman Rumana agrees with me: Working with Assemblyman Green and Majority Leader Cryan; I want to thank them because I think this is a unique day where people can rationally discuss their thoughts between a bipartisan panel. I really respect Jerry Green, Joe Cryan, and of course, Assemblyman Rumana, but I think the bipartisanship today was paramount in importance, and I think it sends a message to all of New Jersey that the public can be articulate, and we can listen as joint members of the legislative body.

ASSEMBLYMAN CRYAN: Here, here. All right, let's do it again.

We're going to break here, and then go in the other room and finish up.

Thank you all; thank you very much.

ASSEMBLYMAN GREEN: Before we leave, also I want to thank Assemblyman Jon Bramnick. This is something-- I guess the best way to put it, his idea in terms of people need to be able to talk to us. So Jon, I think this is a great first step, and I'm hoping we can look forward for the next two years of really, really listening to these people's concerns, and deal with them when we're on the floor. So I want to congratulate you and your side of the aisle. I think we've done a great job as a team today.

ASSEMBLYMAN RUMANA: I'll echo those remarks about Assemblyman Bramnick. He did an outstanding job by coming up and supporting this idea. It really felt like we were back in local government here today. And here we are in the State House and hearing from the citizens, and that's a great thing. It really is. And so thank you to our colleagues.

(HEARING CONCLUDED)