

## **Under the Dome with DeAngelo**

*An Update on the New Jersey State Government by Assemblyman Wayne DeAngelo  
(August 2014)*

Even though our local schools remain in summer recess for a few more weeks, the State Legislature returned to the Dome from their annual break to debate and vote on significant issues. Typically, the State Legislature, which is considered part-time under the state's constitution, stands in recess from after the budget is passed by June 30 until September. However, given the myriad of issues facing New Jersey, it has become more common in recent years for the lawmakers to convene for committees, voting sessions or public hearings during the summer months.

When you go to cast your vote in November, you will see two questions on the ballot put forth by two-thirds of the Legislature this month for your consideration. The first ballot question asks voters to support a funding stream for open space, farmland and historic preservation, water program, site remediation, and underground storage tank programs – all aimed at protecting our natural resources and cleaning up our environment. It is important to note that this ballot question does not create a new tax. It would redirect existing tax dollars collected from the Corporate Business Tax (CBT) at the current four percent rate beginning in Fiscal Year 2016; the rate would then increase to six percent in Fiscal Year 2020.

If the ballot question is passed, the dedicated funding would be spread across select purposes: open space/farmland/historic preservation; brownfields; underground storage tanks; water resources; and publicly funded cleanups in descending order of percentage allocations. An initial constitutional dedication for these purposes was created in 1999 with subsequent bonds passed to continue preservation projects. This ballot question represents a significant commitment to the continuation of these programs that have proven to be beneficial to our state for more than 15 years.

The second ballot question that the Legislature approved with overwhelmingly bi-partisan support– and with the advocacy of Governor Chris Christie -- ask the voters to support an overhaul the bail system in New Jersey with an emphasis on public safety. Voters will be asked to authorize potential changes to the bail system, specifically pre-trial detention. If passed, the amendment would take effect on January 1, 2017 to permit courts to deny release to a jailed person if it is believed that they would not return to court when required; would be a threat to the safety of another person or the community; or would obstruct or attempt to obstruct the criminal justice process.

The State Constitution allows for pre-trial detention for individuals charged with capital crimes punishable by death. However, since the death penalty no longer exists in New Jersey, every individual who is charged with a crime is entitled to bail. All too often, offenders are released on bail and commit additional heinous acts of crime while pending trial for their initial charges. It is important that judges are able to review the charges filed and history of the offender to determine if their release into the community, if bail was posted, would be detrimental to public safety.

I encourage all voters to consider both of these ballot questions before casting their vote in support or opposition to them in November.

In a preview of what action the Legislature will be undertaking in the next month, Speaker Vincent Prieto announced that the General Assembly would take up legislation to create an earned sick leave pay program for workers. The bill would require companies to provide employees with one hour of earned sick leave time for every 30 hours worked. Smaller companies with less than 10 employees would be allowed to accumulate up to 40 hours of earned sick time while larger companies would be allowed go up to 72 hours of such time. The earned time could be used for the workers' own health needs or to care for a family member.

There are estimated \$1.1 million workers in New Jersey who are unable to earn sick leave. Reports also have shown that almost one-quarter of American adults have been threatened with job loss or have lost their job because of time-off from their own illness or care for a child or relative.

As they await legislative action, advocacy groups have been working to create sick leave laws on the individual municipality basis. Large cities in our state that have done so include Newark and Jersey City. Similarly, New York City and Portland, Oregon have created ordinances to establish such a program. In 2011, the State of Connecticut became the first state to implement an earned sick leave law; New Jersey would become only the second state.

While sick leave measures intend to help workers obtain the necessary sick leave time they need, it appears to not take into the account the inapplicability to all job sectors or the potential financial cost to businesses. For example, workers in the building and construction trades solely are paid for actual hours worked and could be at a specific project for a period of time ranging from a few weeks to several years. In accordance with a typical project contract, there is no mechanism to provide workers with their sick leave. Even if there was a way to pay for earned sick leave, earning the hours to accrue even just one sick day may not be possible if it is a short project.

Furthermore, unlike the Paid Family Leave law where employees pay toward the cost of needed time off, the employers would be paying for the cost of the sick leave. This cost for many businesses may place a significant financial strain if the tenants of the law are not crafted properly.

The merits and impact of this particular measure will directly impact almost every worker and employer in the State. That is why I am listening intently to all sides of the debate as this measure moves through the legislative process and will be carefully reviewing any changes to it. I encourage my constituents to contact my office if they have an opinion on the earned sick leave bill so that I can make the best possible decision should it come before me to cast a vote.

I will see you here next month when we are back from summer vacation, back to school and back Under the Dome.

***Editor's Note:*** Assemblyman Wayne DeAngelo (D-Hamilton) represents the 14<sup>th</sup> Legislative District which includes parts of Mercer and Middlesex counties. He can be reached at [AsmDeAngelo@njleg.org](mailto:AsmDeAngelo@njleg.org); phone (609) 631-7501; online: [www.WayneDeAngelo.org](http://www.WayneDeAngelo.org); Facebook: Assemblyman Wayne DeAngelo.