



Board of County Commissioners

Administrative Committee

**RESOLUTION AUTHORIZING THE NEW JERSEY ASSOCIATION OF COUNTIES, ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS OF SALEM COUNTY, TO FILE A COMPLAINT WITH THE NEW JERSEY COUNCIL ON LOCAL MANDATES THAT P.L. 2021, CHAPTER 40 CONSTITUTES AN UNFUNDED STATE MANDATE IN VIOLATION OF ARTICLE VIII, SECTION II, PARAGRAPH 5 OF THE NEW JERSEY CONSTITUTION**

**WHEREAS**, P.L. 2021, Chapter 40 will cost county governments across the State over \$77 million to implement in 2021 for the purchase of new voting machines, new voting machine software, new E-poll books, new ballot printing systems, and new technology necessary to operate early voting centers, communicate with election officials, and protect the integrity of voter information; and,

**WHEREAS**, P.L. 2021, Chapter 40 will further require county governments to spend property taxpayer dollars every year thereafter on long-term operational expenses for poll workers, new hires, and overtime costs at new voting centers, and for the storage, maintenance, and security of additional voting equipment; and,

**WHEREAS**, the New Jersey Council on Local Mandates is responsible for resolving disputes concerning whether a law, rule, or regulation adopted after 1996 constitutes an unfunded mandate; and,

**WHEREAS**, an unfunded mandate upon boards of education, municipalities, and counties is a law, rule, or regulation that does not authorize resources other than the property tax to offset additional direct expenditures required to implement said law, rule, or regulation; and,

**WHEREAS**, other than through the collection of local property taxes, P.L. 2021, Chapter 40 expressly elected to provide a specified partial amount of funding and left an acknowledged substantial balance of the costs to be borne by county governing bodies in violation of New Jersey's Constitution; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Salem County does in fact, hereby authorize the New Jersey Association of Counties to file a complaint with the New Jersey Council on Local Mandates that P.L. 2021, Chapter 40 constitutes an unfunded State mandate in violation of Article VIII, Section II, Paragraph 5 of the New Jersey Constitution.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to the Governor of the State of New Jersey Phil Murphy, the President of the New

Jersey State Senate Steve Sweeney, the Speaker of the General Assembly Craig Coughlin, legislators from districts in the Third District and the clerks of the board of county commissioners in all twenty-one counties in the State of New Jersey.



BENJAMIN H. LAURY, Director of the  
Board of County Commissioners

I hereby certify the foregoing to be a true resolution adopted by the Salem County Board of County Commissioners on April 21, 2021.



STACY L. PENNINGTON  
Clerk of the Board

RECORD OF VOTE

COMMISSIONER	RESOLUTION MOVED	RESOLUTION SECOND	AYE	NAY	ABSTAIN	ABSENT
G. Ostrum, Jr.	✓		✓			
E. Ramsay			✓			
L. Ware		✓	✓			
R.S. Griscom						✓
B. Laury			✓			