

2A:164-3

LEGISLATIVE HISTORY CHECKLIST

NJSA 2A:164-3 (Sex offenders--allocation of diagnostic center costs)

Laws of 1954 Chapter 245

Bill No. S108

Sponsor(s) Anton

Date Introduced March 22, 1954

Committee: Assembly Rev. & Amend. of Laws

Senate "

Amended during passage Yes No

Date of passage: Assembly June 10; Reenacted Nov. 22

Senate May 24; Reenacted Nov. 22

Filed with Secretary of State

~~Date of approval~~ Dec. 10, 1954 (Veto overridden)

Following statements are attached if available:

Sponsor statement Yes Below ~~No~~

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes ~~No~~

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Statement of purpose:

The purpose of this bill is to make applicable the laws concerning legal settlement and fixing of cost for the care of persons committed to the diagnostic center.

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GOV. ROBERT MEYNER. VETOES.

municipal officer or employee, (2) the creation of any additional office or employment and (3) the granting or increase of any pension, because of the taking effect of the 1950 Federal census.

No reasonable basis for lifting the so-called "freeze" on the 1950 Federal census in twenty counties, but not in Passaic County, is discernible to me. Because of the enactment of Chapter 82 of the Laws of 1954, which is general legislation founded on reasonable population classifications, the number of freeholders in Passaic County is retained at seven. On the same principle, I may be favorably disposed towards legislation revising present general statutes to prevent any hardship because of the taking effect of the 1950 Federal census, should such be enacted.

I must, therefore, return Senate Bill No. 104 herewith without my approval.

Respectfully,

ROBERT B. MEYNER,  
*Governor.*

[SEAL]  
Attest:

ROBERT J. BURKHARDT,  
*Secretary to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 2, 1954.

SENATE BILL No. 108

*To the Senate:*

I am returning herewith, without my approval, Senate Bill No. 108, for the following reasons:

This bill would amend N. J. S. 2A:164-3 and 2A:164-11 which require the commitment of certain enumerated sex offenders to the diagnostic center for examination and provide for the method of payment by the county committing the offender, of its portion of the costs, which are shared equally by such county with the State. This bill would substitute the county in which the person committed has a legal settlement (5 years residence) for the county committing the offender. In the event the person had no legal settle-

ment in any county, the State would be required to bear the entire cost.

Under existing law, the cost of the examination is visited upon the county of conviction as an incident to the expense of criminal prosecution in the county. The attempt to shift this cost from the county in which the crime was committed to another county is unwarranted and contrary to established practice in the allocation of the expenses of criminal prosecution.

To the extent that the bill would impose the entire cost of such treatment upon the State, it is based upon the purported analogy of hospital care and treatment to the mentally ill under Title 30 of the Revised Statutes. This analogy is not apt. It confuses two separate and distinct concepts as to the allocation of expenses between the State and the counties.

The sex offender laws were designed to prevent repetitive sex crimes and not to shift the pecuniary obligations of the counties concerning criminal prosecutions. Moreover the State is in no financial condition to undertake this additional expense at this time.

Bills to effect the same object as this bill passed the Legislature in 1952 and 1953 and were in each instance returned without approval by Governor Driscoll.

For the reasons set forth above, I am returning Senate Bill No. 108, without my approval.

Respectfully,

[SEAL]  
Attest:

ROBERT B. MEYNER,  
*Governor.*  
ROBERT J. BURKHARDT,  
*Secretary to the Governor.*