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2C:11-4 et al

3/19/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:11-4 et al (Aggravated manslaughter & kidnapping-- increase terms of imprisonment) CHAPTER 172

Laws Of: 1986

Bill No: S1661

Sponsor(s): Russo

Date Introduced: February 10, 1986

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: Yes Substituted for A939 (not attached since identical to S1661). Amendments during passage denoted by asterisks.

Date of Passage: Assembly: October 27, 1986

Senate: May 5, 1986

Date of Approval: December 8, 1986

Following statements are attached if available:

Sponsor statement: Yes Attached: Senate amendments, adopted 3-10-86 (with statement).

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

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12-8-86

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SENATE, No. 1661

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 10, 1986

By Senator RUSSO

Referred to Committee on Judiciary

AN ACT concerning the penalties for aggravated manslaughter and kidnapping and amending sections N. J. S. 2C:11-4, N. J. S. 2C:13-1, N. J. S. 2C:43-7 and N. J. S. 2C:44-1.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. N. J. S. 2C:11-4 is amended to read as follows:

2 2C:11-4. Manslaughter. a. Criminal homicide constitutes aggra-
3 vated manslaughter when the actor recklessly causes death under
4 circumstances manifesting extreme indifference to human life.

5 b. Criminal homicide constitutes manslaughter when:

6 (1) It is committed recklessly; or

7 (2) A homicide which would otherwise be murder under section
8 2C:11-3 is committed in the heat of passion resulting from a
9 reasonable provocation.

10 c. Aggravated manslaughter is a crime of the first degree *and*
11 *upon conviction therefor a person may, notwithstanding the pro-*
12 *visions of paragraph (1) of subsection a. of N. J. S. 2C:43-6, be*
13 *sentenced to an ordinary term of imprisonment between 10 and 30*
14 *years.* Manslaughter is a crime of the second degree.

1 2. N. J. S. 2C:13-1 is amended to read as follows:

2 2C:13-1. Kidnapping. a. Holding for ransom, reward or as a
3 hostage. A person is guilty of kidnapping if he unlawfully removes
4 another from the place where he is found or if he unlawfully con-
5 fines another with the purpose of holding that person for ransom
6 or reward or a shield or hostage.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate amendments adopted March 10, 1986.

7 b. Holding for other purposes. A person is guilty of kidnapping
 8 if he unlawfully removes another from his place of residence or
 9 business, or a substantial distance from the vicinity where he is
 10 found, or if he unlawfully confines another for a substantial period,
 11 with any of the following purposes:

12 (1) To facilitate commission of any crime or flight thereafter;

13 (2) To inflict bodily injury on or to terrorize the victim or
 14 another; or

15 (3) To interfere with the performance of any governmental or
 16 political function.

17 c. Grading of kidnapping. **[Kidnapping]** (1) *Except as pro-*
 18 *vided in paragraph (2) of this subsection, kidnapping is a crime*
 19 *of the first degree and upon conviction therefor a person may,*
 20 *notwithstanding the provisions of [2C:44-1 f.] paragraph (1) of*
 21 *subsection a. of N. J. S. 2C:43-6, be sentenced to an ordinary term*
 22 *of imprisonment between 15 and 30 years. If the actor releases the*
 23 *victim unharmed and in a safe place prior to apprehension, it is a*
 24 *crime of the second degree.*

25 (2) *Kidnapping is a crime of the first degree and upon convic-*
 26 *tion therefore an actor shall be sentenced to a term of imprison-*
 27 *ment by the court if the victim of the kidnapping is less than 16*
 28 *years of age and if during the kidnapping:*

29 (a) *A crime under N. J. S. 2C:14-2 or subsection a. of N. J. S.*
 30 *2C:14-3 is committed against the victim;*

31 (b) *A crime under subsection b. of N. J. S. 2C:24-4 is com-*
 32 *mitted against the victim; or*

33 (c) *The actor sells or delivers the victim to another person*
 34 *for pecuniary gain other than in circumstances which lead to*
 35 *the return of the victim to a parent, guardian or other person*
 36 *responsible for the general supervision of the victim.*

37 *Notwithstanding the provisions of paragraph (1) of subsection*
 38 *a. of N. J. S. 2C:43-6, the term of imprisonment imposed under*
 39 *this paragraph shall be either a term of ***[30]*** *25* years during*
 40 *which the actor shall not be eligible for parole, or a specific term*
 41 *between ***[30]*** *25* years and life imprisonment of which the actor*
 42 *shall serve ***[30]*** *25* years before being eligible for parole pro-*
 43 *vided, however, that the crime of kidnapping under this paragraph*
 44 *and underlying aggravating crimes listed in subparagraphs (a),*
 45 *(b) or (c) of this paragraph shall merge for purposes of sentencing.*

45A **If the actor is convicted of the criminal homicide of a victim of*
 45B *a kidnapping under the provisions of chapter 11, any sentence im-*

45c posed under provisions of this paragraph shall be served consecu-
 45d tively to any sentence imposed pursuant to the provisions of chap-
 45e ter 11.*

46 d. "Unlawful" removal or confinement. A removal or confine-
 47 ment is unlawful within the meaning of this section and of sections
 48 2C:13-2 and 3 if it is accomplished by force, threat or deception,
 49 or, in the case of a person who is under the age of 14 or is incom-
 50 petent, if it is accomplished without the consent of a parent,
 51 guardian or other person responsible for general supervision of
 52 his welfare.

1 3. N. J. S. 2C:43-7 is amended to read as follows:

2 2C:43-7. Sentence of Imprisonment for Crime; Extended Terms.

3 a. In the cases designated in section 2C:44-3, a person who has
 4 been convicted of a crime may be sentenced to an extended term
 5 of imprisonment, as follows:

6 (1) **[(Deleted by amendment, P. L. 1982, c. 11)]** *In case of ag-*
 7 *gravated manslaughter sentenced under subsection c. of N. J. S.*
 8 *2C:11-4 or kidnapping when sentenced as a crime of the first de-*
 9 *gree under paragraph (1) of subsection c. of 2C:13-1 for a specific*
 10 *term of years which shall be between 30 years and life imprison-*
 11 *ment;*

12 (2) **[In]** *Except for the crime of murder and except as provided*
 13 *in paragraph (1) of this subsection, in the case of a crime of the*
 14 *first degree [other than murder], for a specific term of years*
 15 *which shall be fixed by the court and shall be between 20 years*
 16 *and life imprisonment;*

17 (3) *In the case of a crime of the second degree, for a term which*
 18 *shall be fixed by the court between 10 and 20 years;*

19 (4) *In the case of a crime of the third degree, for a term which*
 20 *shall be fixed by the court between five and 10 years;*

21 (5) *In the case of a crime of the fourth degree pursuant to*
 22 *2C:43-6c. and 2C:44-3d. for a term of five years.*

23 b. As part of a sentence for an extended term and notwithstand-
 24 ing the provisions of 2C:43-9, the court may fix a minimum term
 25 not to exceed one-half of the term set pursuant to subsection a.
 26 during which the defendant shall not be eligible for parole or a
 27 term of 25 years during which time the defendant shall not be
 28 eligible for parole where the sentence imposed was life imprison-
 29 ment; provided that no defendant shall be eligible for parole at a
 30 date earlier than otherwise provided by the law governing parole.

31 c. In the case of a person sentenced to an extended term pursuant
 32 to 2C:43-6c. and 2C:44-3d., the court shall impose a sentence
 33 within the ranges permitted by 2C:43-7a. (1), (2), (3), (4) or

34 (5) according to the degree or nature of the crime for which the
35 defendant is being sentenced, which sentence shall include a mini-
36 mum term which shall be fixed at, or between one-third and one-half
37 of the sentence imposed by the court or five years, whichever is
38 greater, during which the defendant shall not be eligible for parole.
39 Where the sentence imposed is life imprisonment, the court shall
40 impose a minimum term of 25 years during which the defendant
41 shall not be eligible for parole.

1 4. N. J. S. 2C:44-1 is amended to read as follows:

2 2C:44-1. Criteria for Withholding or Imposing Sentence of
3 Imprisonment. a. In determining the appropriate sentence to be
4 imposed on a person who has been convicted of an offense, the
5 court shall consider the following aggravating circumstances:

6 (1) The nature and circumstances of the offense, and the role of
7 the actor therein, including whether or not it was committed in an
8 especially heinous, cruel, or depraved manner;

9 (2) The gravity and seriousness of harm inflicted on the victim,
10 including whether or not the defendant knew or reasonably should
11 have known that the victim of the offense was particularly vulner-
12 able or incapable of resistance due to advanced age, disability,
13 ill-health, or extreme youth, or was for any other reason sub-
14 stantially incapable of exercising normal physical or mental power
15 of resistance;

16 (3) The risk that the defendant will commit another offense;

17 (4) A lesser sentence will depreciate the seriousness of the
18 defendant's offense because it involved a breach of the public
19 trust under chapters 27 and 30, or the defendant took advantage of
20 a position of trust or confidence to commit the offense;

21 (5) There is a substantial likelihood that the defendant is in-
22 volved in organized criminal activity;

23 (6) The extent of the defendant's prior criminal record and the
24 seriousness of the offense of which he has been convicted;

25 (7) The defendant committed the offense pursuant to an agree-
26 ment that he either pay or be paid for the commission of the offense
27 and the pecuniary incentive was beyond that inherent in the offense
28 itself;

29 (8) The defendant committed the offense against a police or
30 other law enforcement officer, correctional employee or fireman,
31 acting in the performance of his duties while in uniform or exhibit-
32 ing evidence of his authority, or the defendant committed the
33 offense because of the status of the victim as a public servant;

34 (9) The need for deterring the defendant and others from violat-
35 ing the law.

36 b. In determining the appropriate sentence to be imposed on a
37 person who has been convicted of an offense, the court may prop-
38 erly consider the following mitigating circumstances:

39 (1) The defendant's conduct neither caused nor threatened
40 serious harm;

41 (2) The defendant did not contemplate that his conduct would
42 cause or threaten serious harm;

43 (3) The defendant acted under a strong provocation;

44 (4) There were substantial grounds tending to excuse or justify
45 the defendant's conduct, though failing to establish a defense;

46 (5) The victim of the defendant's conduct induced or facilitated
47 its commission;

48 (6) The defendant has compensated or will compensate the vic-
49 tim of his conduct for the damage or injury that he sustained, or
50 will participate in a program of community service;

51 (7) The defendant has no history of prior delinquency or
52 criminal activity or has led a law-abiding life for a substantial
53 period of time before the commission of the present offense;

54 (8) The defendant's conduct was the result of circumstances
55 unlikely to recur;

56 (9) The character and attitude of the defendant indicate that
57 he is unlikely to commit another offense;

58 (10) The defendant is particularly likely to respond affirmatively
59 to probationary treatment;

60 (11) The imprisonment of the defendant would entail excessive
61 hardship to himself or his dependents;

62 (12) The willingness of the defendant to cooperate with law en-
63 forcement authorities;

64 (13) The conduct of a youthful defendant was substantially in-
65 fluenced by another person more mature than the defendant.

66 c. (1) A plea of guilty by a defendant or failure to so plead
67 shall not be considered in withholding or imposing a sentence of
68 imprisonment.

69 (2) When imposing a sentence of imprisonment the court shall
70 consider the defendant's eligibility for release under the law gov-
71 erning parole, including time credits awarded pursuant to Title 30
72 of the Revised Statutes, in determining the appropriate term of
73 imprisonment.

74 d. Presumption of imprisonment. The court shall deal with a
75 person who has been convicted of a crime of the first or second
76 degree by imposing a sentence of imprisonment unless, having
77 regard to the character and condition of the defendant, it is of the
78 opinion that his imprisonment would be a serious injustice which
79 overrides the need to deter such conduct by others.

80 e. The court shall deal with a person convicted of an offense
 81 other than a crime of the first or second degree, who has not
 82 previously been convicted of an offense, without imposing sentence
 83 of imprisonment unless, having regard to the nature and circum-
 84 stances of the offense and the history, character and condition of
 85 the defendant, it is of the opinion that his imprisonment is neces-
 86 sary for the protection of the public under criteria set forth in
 87 subsection a.

88 f. Presumptive Sentences. (1) [When a court determines that
 89 a sentence of imprisonment be imposed, it shall, except for murder
 90 or kidnapping, sentence the defendant to a term of 15 years for a
 91 crime of the first degree, to a term of seven years for a crime of
 92 the second degree, to a term of four years for a crime of the third
 93 degree and for a term of nine months for a crime of the fourth
 94 degree unless the preponderance of aggravating factors or pre-
 95 ponderance of mitigating factors, as set forth in subsections a.
 96 and b., weighs in favor of higher or lower terms within the limits
 97 provided in 2C:436] *Except for the crime of murder, unless the*
 98 *preponderance of aggravating or mitigating factors, as set forth*
 99 *in subsections a. and b., weighs in favor of a higher or lower term*
 100 *within the limits provided in N. J. S. 2C:43-6, when a court deter-*
 101 *mines that a sentence of imprisonment is warranted, it shall impose*
 102 *sentence as follows:*

103 (a) *To a term of 20 years for aggravated manslaughter or kid-*
 104 *napping pursuant to paragraph (1) of subsection c. of N. J. S.*
 105 *2C:13-1 when the offense constitutes a crime of the first degree;*

106 (b) *Except as provided in paragraph (a) of this subsection to*
 107 *a term of 15 years for a crime of the first degree;*

108 (c) *To a term of seven years for a crime of the second degree;*

109 (d) *To a term of four years for a crime of the third degree; and*

110 (e) *To a term of nine months for a crime of the fourth degree.*

111 In imposing a minimum term pursuant to 2C:43-6b, the sentenc-
 112 ing court shall specifically place on the record the aggravating
 113 factors set forth in this section which justify the imposition of a
 114 minimum term.

115 Unless the preponderance of mitigating factors set forth in
 116 subsection b. weighs in favor of a lower term within the limits
 117 authorized, sentences imposed pursuant to 2C:43-7a(1) shall have
 118 a presumptive term of life imprisonment. Unless the preponderance
 119 of aggravating and mitigating factors set forth in subsections a.
 120 and b. weighs in favor of a higher or lower term within the limits
 121 authorized, sentences imposed pursuant to 2C:43-7a(2) shall have
 122 a presumptive term of 50 years' imprisonment; sentences imposed

123 pursuant to 2C:43-7a (3) shall have a presumptive term of 15
124 years' imprisonment; and sentences imposed pursuant to 2C:43-7a
125 (4) shall have a presumptive term of seven years' imprisonment.

126 In imposing a minimum term pursuant to 2C:43-7b, the sentenc-
127 ing court shall specifically place on the record the aggravating
128 factors set forth in this section which justify the imposition of a
129 minimum term.

130 (2) In cases of convictions for crimes of the first or second degree
131 where the court is clearly convinced that the mitigating factors sub-
132 stantially outweigh the aggravating factors and where the interest
133 of justice demands, the court may sentence the defendant to a term
134 appropriate to a crime of one degree lower than that of the crime
135 for which he was convicted. If the court does impose sentence pur-
136 suant to this paragraph, or if the court imposes a noncustodial
137 or probationary sentence upon conviction for a crime of the first
138 or second degree, such sentence shall not become final for 10 days
139 in order to permit the appeal of such sentence by the prosecution.

140 g. Imposition of Noncustodial Sentences in Certain Cases. If the
141 court, in considering the aggravating factors set forth in subsection
142 a., finds the aggravating factor in paragraph a. (2) and does not
143 impose a custodial sentence, the court shall specifically place on the
144 record the mitigating factors which justify the imposition of a non-
145 custodial sentence.

1 5. This act shall take effect immediately.

CRIMINAL JUSTICE (Penalties)

Upgrades the terms of imprisonment for the crimes of aggravated
manslaughter and kidnapping.

126 In imposing a minimum term pursuant to 2C:43-7b, the sentenc-
 127 ing court shall specifically place on the record the aggravating
 128 factors set forth in this section which justify the imposition of a
 129 minimum term.

130 (2) In cases of convictions for crimes of the first or second degree
 131 where the court is clearly convinced that the mitigating factors sub-
 132 stantially outweigh the aggravating factors and where the interest
 133 of justice demands, the court may sentence the defendant to a term
 134 appropriate to a crime of one degree lower than that of the crime
 135 for which he was convicted. If the court does impose sentence pur-
 136 suant to this paragraph, or if the court imposes a noncustodial
 137 or probationary sentence upon conviction for a crime of the first
 138 or second degree, such sentence shall not become final for 10 days
 139 in order to permit the appeal of such sentence by the prosecution.

140 g. Imposition of Noncustodial Sentences in Certain Cases. If the
 141 court, in considering the aggravating factors set forth in subsection
 142 a., finds the aggravating factor in paragraph a. (2) and does not
 143 impose a custodial sentence, the court shall specifically place on the
 144 record the mitigating factors which justify the imposition of a non-
 145 custodial sentence.

1 5. This act shall take effect immediately.

STATEMENT

This bill provides for the mandatory imposition of a sentence of 30 years imprisonment without eligibility for parole or a term between 30 years and life imprisonment, of which 30 years shall be served before parole eligibility for those convicted of kidnapping in certain circumstances. This mandatory term would be applicable to kidnappings in which the victim is less than 16 years old and during the course of the kidnapping, the victim is either sexually abused, used in the production of pornographic material or sold for pecuniary gain.

The bill also upgrades the "extended terms of imprisonment" and "ordinary terms of imprisonment" which may be imposed on those convicted of aggravated manslaughter and kidnapping. Under New Jersey's criminal code, what are termed "extended terms of imprisonment" may be imposed on persistent offenders, professional criminals, those who commit crimes for hire and repeat offenders who commit offenses involving the use of firearms. Presently, the range of the extended term of imprisonment for all crimes of the first degree, include kidnapping and aggravated manslaughter, is between 20 years and life imprisonment. This bill would establish

51661 (1986)

a new extended range of between 30 years and life imprisonment for the crimes of aggravated manslaughter and kidnapping.

Under the criminal code, ordinary terms of imprisonments are those sentences which are imposed in most circumstances on criminal defendants. This bill would raise the maximum ordinary term of imprisonment for aggravated manslaughter from 20 years to 30 years. The bill would also set the presumptive ordinary for both aggravated manslaughter and first degree kidnapping at 20 years imprisonment. The presumptive term is normally set at the middle of a sentencing range and it is the presumptive sentence from which the sentencing court adjusts a sentence higher or lower in a range dependent on the aggravating or mitigating circumstances of a particular case.

CRIMINAL JUSTICE (Penalties)

Upgrades the terms of imprisonment for the crimes of aggravated manslaughter and kidnapping.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1661

STATE OF NEW JERSEY

DATED: MARCH 6, 1986

The Senate Judiciary Committee favorably reports Senate Bill No. 1661.

The bill provides for the mandatory imposition of a sentence of 30 years imprisonment without eligibility for parole or a term between 30 years and life imprisonment, of which 30 years shall be served before parole eligibility for those convicted of kidnapping in certain circumstances. This mandatory term would be applicable to kidnappings in which the victim is less than 16 years old and during the course of the kidnapping, the victim is either sexually abused, used in the production of pornographic material or sold for pecuniary gain.

The bill also upgrades the "extended terms of imprisonment" and "ordinary terms of imprisonment" which may be imposed on those convicted of aggravated manslaughter and kidnapping. Under New Jersey's criminal code, what are termed "extended terms of imprisonment" may be imposed on persistent offenders, professional criminals, those who commit crimes for hire and repeat offenders who commit offenses involving the use of firearms. Presently, the range of the extended term of imprisonment for all crimes of the first degree, include kidnapping and aggravated manslaughter, is between 20 years and life imprisonment. This bill would establish a new extended range of between 30 years and life imprisonment for the crimes of aggravated manslaughter and kidnapping.

Under the criminal code, ordinary terms of imprisonments are those sentences which are imposed in most circumstances on criminal defendants. This bill would raise the maximum ordinary term of imprisonment for aggravated manslaughter from 20 years to 30 years. The bill would also set the presumptive ordinary for both aggravated manslaughter and first degree kidnapping at 20 years imprisonment. The presumptive term is normally set at the middle of a sentencing range and it is the presumptive sentence from which the sentencing court adjusts a sentence higher or lower in a range dependent on the aggravating or mitigating circumstances of a particular case.

Senate Amendments
proposed by Senator Russo (3/10/86)
to

Senate Bill No. 1661 (typed copy)
sponsored by Senator Russo

Amend:

3-10

Page	Sec.	Line
2	2	31
2	2	33
2	2	37

Omit "30" Insert "25"

Omit "30" Insert "25" and again

Omit "30" Insert "25"

After "sentencing" Insert "If the actor is convicted of the criminal homicide of a victim of a kidnapping under the provisions of chapter 11, any sentence imposed under provisions of this paragraph shall be served consecutively to any sentence imposed pursuant to the provisions of chapter 11."

STATEMENT

As drafted, S-1661 would provide a mandatory term of at least 30 years' imprisonment without eligibility for parole for those convicted of kidnapping in certain circumstances. These amendments would lower the minimum mandatory term to 25 years' imprisonment so that the mandatory term for kidnapping would be set lower than the mandatory term for murder. The amendments also provide that any mandatory minimum term imposed for kidnapping would run consecutive to any term of imprisonment imposed for criminal homicide.

ADOPTED
MAR 10 1986

ASSEMBLY JUDICIARY COMMITTEE
STATEMENT TO
SENATE, No. 1661

STATE OF NEW JERSEY

DATED: SEPTEMBER 18, 1986

The Assembly Judiciary Committee reports favorably Senate Bill No. 1661.

This bill raises the maximum ordinary term of imprisonment for aggravated manslaughter from 20 years to 30 years. Under the criminal code, ordinary terms of imprisonment are those sentences which are imposed in most circumstances on criminal defendants.

Senate Bill No. 1661 provides for the mandatory imposition of a sentence of 25 years and life imprisonment, of which 25 years shall be served before parole eligibility, for those convicted of kidnapping in certain circumstances. This mandatory term would be applicable to kidnappings in which the victim is less than 16 years old and during the course of the kidnapping, the victim is sexually abused, used in the production of pornographic material or sold for pecuniary gain. If the person is convicted of the criminal homicide of a victim of a kidnapping under the above circumstances, any sentence imposed for the kidnapping shall be served consecutively to any sentence imposed for the homicide.

Senate Bill No. 1661 also upgrades the "extended terms of imprisonment" which may be imposed on those convicted of aggravated manslaughter and kidnapping. Under New Jersey's criminal code, "extended terms of imprisonment" may be imposed on persistent offenders, professional criminals, those who commit crimes for hire and repeat offenders who commit offenses involving the use of firearms. Presently, the range of the extended term of kidnapping and aggravated manslaughter is between 20 years and life imprisonment. This bill would establish a new extended range of between 30 years and life imprisonment for the crimes of aggravated manslaughter and kidnapping.

The bill also sets a presumptive sentence for aggravated manslaughter and first degree kidnapping at 20 years imprisonment. The presumptive term is normally set at the middle of a sentencing range and it is the presumptive sentence from which the sentencing court adjusts a sentence higher or lower in a range dependent on the aggravating or mitigating circumstances of a particular case.

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

Contact: CARL GOLDEN
609-292-8956 OR 292-6000 EXT. 207

TRENTON, N.J. 08625

Release: TUES., DEC. 9, 1986

Governor Thomas H. Kean today signed legislation to increase the prison terms for persons convicted of aggravated manslaughter and kidnapping.

Under the legislation, effective immediately, the sentence for aggravated manslaughter will be between 10 and 30 years. Currently, the prison term is between 10 and 20 years.

The legislation establishes a presumptive sentence of 20 years for aggravated manslaughter and kidnapping. Currently, the presumptive sentence for aggravated manslaughter is 15 years, while there is no presumptive sentence for kidnapping.

The bill also provides for a new extended term of between 30 years and life imprisonment for the first degree crimes of aggravated manslaughter and kidnapping. Currently, the extend term for these crimes is between 20 years and life imprisonment.

The legislation provides, further, a penalty of 25 years without parole eligibility for kidnapping when the victim is less than 16 years of age and is subjected to sexual abuse, used in the production of pornographic material, or sold for monetary gain.

The legislation, S-1661, was sponsored by Senate President John Russo, D-Ocean. An identical bill was sponsored in the Assembly by Assemblyman Pat Schuber, R-Bergen.

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DEC 9 1986

185 W. State Street
Trenton, N. J.

Signed Bills: S-1661, S-1950, S-2391, A-635, A-1126 & S-2520
Page 2
December 9, 1986

Other legislation signed by Kean today include:

S-1950, sponsored by Senator Thomas Cowan, D-Hudson, to permit a public agency to dispose of an abandoned vehicle 15 days after it acquires possession of the vehicle. Currently, the law provides for a 30-day period before disposition.

S-2391, sponsored by Senator Matthew Feldman, D-Bergen, to authorize the State Library to provide and coordinate library services on a Statewide basis.

A-635, sponsored by Assemblywoman Lisa Randall, R-Bergen, to establish a penalty of a \$1,000 fine or six months in prison or both for a person who abandons a maimed, sick, infirm or disabled animal to die in a public place. Currently, the fine is \$250. The bill also establishes as a disorderly persons offense the abandonment of any domesticated animal.

A-1126, sponsored by Assemblywoman Maureen Ogden, R-Essex, to permit contracts of up to 25 years by local governing bodies for the collection of methane gas from sanitary landfill facilities.

S-2520, sponsored by Senator Frank Pallone, D-Monmouth, to validate bond referendum proceedings by the Brielle school district.

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