

2C:64-9

LEGISLATIVE HISTORY CHECKLIST

(National Guard Military Museum--recipient of any military weapons forfeited to State pending disposition of criminal proceeding)

NJSA 2C:64-9

LAWS 1981

CHAPTER 112

Bill No. A2151

Sponsor(s) Deverin and others

Date Introduced Oct. 6, 1980

Committee: Assembly -----

Senate Law, Public Safety & Defense

Amended during passage Yes No

Date of Passage: Assembly Nov. 24, 1980

Senate Jan. 29, 1981

Date of approval April 2, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~ (Below)

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

Sponsors' statement:

The purpose of this bill is to permit law enforcement agencies to donate to the National Guard Militia Museum of New Jersey to Sea Girt any military weapons forfeited and retained by the State pending disposition of a criminal proceeding. Under current law, forfeited weapons are destroyed when the criminal proceeding is over.

6/22/81

1981

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112 173 1980 19.81
APPROVED 4-2-81

ASSEMBLY, No. 2151

STATE OF NEW JERSEY

INTRODUCED OCTOBER 6, 1980

By Assemblymen DEVERIN, JACKMAN, LESNIAK and
SNEDEKER

(Without Reference)

AN ACT concerning forfeited weapons and supplementing chapter
64 of Title 2C of the New Jersey Statutes.

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

1 1. Any weapon with present or historical military value that
2 has been forfeited pursuant to the provisions of chapter 64 of
3 Title 2C of the New Jersey Statutes may be donated to the
4 National Guard Militia Museum of New Jersey at Sea Girt by
5 the law enforcement agency retaining it.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to permit law enforcement agencies
to donate to the National Guard Militia Museum of New Jersey
at Sea Girt any military weapons forfeited and retained by the
State pending disposition of a criminal proceeding. Under current
law, forfeited weapons are destroyed when the criminal proceeding
is over.

April 3, 1981

A-1847, sponsored by Assemblyman William Bate (D-Passaic) which requires the Criminal Disposition Commission to report its findings annually rather than every six months, as the original legislation establishing the Commission required.

The Criminal Disposition Commission is a statutory agency composed of representatives of all sectors of the criminal justice system and the Legislature. Its purpose is to study and review all aspects of the system relating to the disposition of criminal offenders, including, but not limited to, terms of imprisonment, fines and other monetary punishments, parole, probation and supervisory treatment..

A-2068, sponsored by Assemblyman Martin Hermar (D-Gloucester) which increases the maximum amount of local bonds which may be sold at a private sale from \$20,000 to \$100,000.

The \$20,000 figure was set in 1960, and this adjustment reflects increased costs due to inflation. In addition, the maximum larger offering results in a smaller overall percentage of the aggregate being used for advertising and legal costs of the sale.

A-2151, sponsored by Assemblyman Thomas Deverin (D-Union) which permits prosecuting agencies to donate forfeited weapons of military value to the National Guard Military Museum of New Jersey at Sea Girt.

A-844, also sponsored by Assemblyman Herman, which permits Special Agents of the Division of Taxation to carry guns while on duty only.

The agents enforce the laws against cigarette smuggling and can encounter dangerous situations. The agents had the right to carry guns on duty before the enactment of the new Penal Code, but due to a technical oversight in the writing of the code, that right was eliminated when the Code became effective.

✓ Governor Byrne stressed when signing the bill that the agents were not permitted to carry guns off duty. They may carry guns while on duty only.