

52:4B-3, 52:4B-4.1, 52:4B-24

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:4B-3; 52:4B-4.1, 52:4B-24 (Increases membership of Violent Crimes Compensation Board - creates special Senior Citizens Unit)

LAWS 1981 CHAPTER 396

Bill No. S3355

Sponsor(s) A. Russo

Date Introduced June 29, 1981

Committee: Assembly ---

Senate Law, Public Safety and Defense

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly January 4, 1982

Senate Dec. 17, 1981

Date of approval Jan 6, 1982

Following statements are attached if available:

Sponsor statement	Yes	No	Also attached Senate amendments adopted 12-14-81 (with statement)
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

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[OFFICIAL COPY REPRINT]
SENATE, No. 3355

STATE OF NEW JERSEY

INTRODUCED JUNE 29, 1981

By Senator A. RUSSO

Referred to Committee on Law, Public Safety and Defense

AN ACT to amend and supplement the "Criminal Injuries Compensation Act of 1971," approved October 4, 1971 (P. L. 1971, c. 317).

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

1 ***[1.** Section 2 of P. L. 1971, c. 317 (C. 52:4B-2) is amended to
2 read as follows:

3 2. As used in this act:

4 "Child" means an unmarried person who is under 21 years of age
5 and includes a stepchild or an adopted child;

6 "*Senior citizen*" means a person 60 years or older;

7 "Board" means the Violent Crimes Compensation Board estab-
8 lished by this act;

9 "Dependents" means such relatives of a deceased victim as were
10 wholly or partially dependent upon his income at the time of his
11 death and shall include the child of such victim born after his death;

12 "Personal injury" means actual bodily harm and includes preg-
13 nancy and mental or nervous shock;

14 "Relative" of any person means his spouse, parent, grandparent,
15 brother, half sister, or spouse's parents;

16 "Family relationship group" of any person means:

17 (1) any person related to such person within the third degree
18 of consanguinity or affinity,

19 (2) any person living in the same household as such person, or

20 (3) any person maintaining a sexual relationship, whether illicit
21 or not, with such person or with any member of the family of such
22 person;

23 "Victim" means a person who is injured or killed by any act or
24 omission of any other person which is within the description of any
25 of the offenses specified in section 11 of this act.]*

1 ***[2.]*** *1.* Section 3 of P. L. 1971, c. 317 (C. 52:4B-3) is amended
2 to read as follows:

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

3 3. There is hereby established in the Executive Branch of the
 4 State Government a Violent Crimes Compensation Board which
 5 shall be composed of **[3]** 5 citizens, to be appointed by the Gov-
 6 ernor, with the advice and consent of the Senate, one of whom shall
 7 be designated chairman by, and serve as such at the pleasure of, the
 8 Governor. Not more than **[two]** *three* of the members of the board
 9 shall be members of the same political party. At least **[two]** *three*
 10 members of the board shall be attorneys admitted to the practice of
 11 law in the State of New Jersey. For the purposes of complying
 12 with the Constitution (Article V, Section IV, paragraph 1) the
 13 board is allocated to the Department of Law and Public Safety but,
 14 notwithstanding said allocation, the board shall be independent of
 15 any supervision or control by the department or the Attorney
 16 General or any other officer of the department.

1 ***[3.]*** *2.* (New section) The initial term of one of the additional
 2 members to be appointed pursuant to this amendatory and supple-
 3 mentary act shall expire on December 6, 1984 and the initial term
 4 of the second member shall expire December 6, 1985. Each member,
 5 however, shall serve until his successor is duly appointed and
 6 qualified.

1 ***[4.]*** *3.* (New section) The board shall ***[create]*** **under-*
 2 *take** a special senior citizens ***[unit to handle the specific problems**
 3 of senior citizen claimants. The unit shall:

- 4 a. Undertake a **[]*** public awareness program to make brochures
 5 and applications for claim forms available to senior citizens***[]**; and
- 6 b. Provide direct assistance to senior citizen claimants in compil-
 7 ing necessary information, in completing forms, and in verifying
 8 losses**]***

1 *4. (New section) *Any member of the board who shall have served*
 2 *for 10 years successively and shall be in his third term, shall have*
 3 *tenure in office during good behavior.**

1 5. This act shall take effect immediately.

5 shall be composed of ~~3~~ 5 citizens, to be appointed by the Governor, with the advice and consent of the Senate, one of whom shall be designated chairman by, and serve as such at the pleasure of, the Governor. Not more than ~~two~~ three of the members of the board shall be members of the same political party. At least ~~two~~ three members of the board shall be attorneys admitted to the practice of law in the State of New Jersey. For the purposes of complying with the Constitution (Article V, Section IV, paragraph 1) the board is allocated to the Department of Law and Public Safety but, notwithstanding said allocation, the board shall be independent of any supervision or control by the department or the Attorney General or any other officer of the department.

1 3. (New section) The initial term of one of the additional members to be appointed pursuant to this amendatory and supplementary act shall expire on December 6, 1984 and the initial term of the second member shall expire December 6, 1985. Each member, however, shall serve until his successor is duly appointed and qualified.

1 4. (New section) The board shall create a special senior citizens unit to handle the specific problems of senior citizen claimants. The unit shall:

4 a. Undertake a public awareness program to make brochures and applications for claim forms available to senior citizens; and

6 b. Provide direct assistance to senior citizen claimants in compiling necessary information, in completing forms, and in verifying losses.

1 5. This act shall take effect immediately.

STATEMENT

This bill provides for an expansion of VCCB membership from three to five members and for the creation of a special unit to handle the specific problems of senior citizen claimants. The purpose of establishing a special senior citizens unit is to provide immediate assistance to elderly victims in order to ensure an expeditious conclusion of their claims. The expansion of board membership will permit the board to schedule hearings in various counties as part of an outreach program for the elderly. This will preclude the need for the elderly victim to travel to present board facilities in Newark and Trenton over great distances and at substantial cost to the claimant. Moneys generated under section 2 of P. L. 1979, c. 396 (C. 20:43-3.1) should provide the funding for the additional costs.

53355 (1981)

SENATE AMENDMENTS TO
SENATE, No. 3355

STATE OF NEW JERSEY

ADOPTED DECEMBER 14, 1981

Amend page 1, section 1, lines 1-25, omit.

Amend page 1, section 2, line 1, omit "2.", insert "1."

Amend page 2, section 3, line 1, omit "3.", insert "2."

Amend page 2, section 4, line 1, omit "4.", insert "3."; omit "create", insert "undertake".

Amend page 2, section 4, lines 2 and 3, omit.

Amend page 2, section 4, line 4, omit "a. Undertake a".

Amend page 2, section 4, lines 5-8, after "citizens", omit "; and" on line 5 and lines 6 and 7 in their entirety and "losses" on line 8.

Amend page 2, section 5, line 1, omit "5.", insert "4."

STATEMENT

These amendments eliminate the cost of a special "senior citizens unit" and leave the Violent Crimes Compensation Board with a mandate to undertake a public awareness program for the elderly.

763

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SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

SENATE, No. 3355

STATE OF NEW JERSEY

DATED: DECEMBER 7, 1981

This bill provides for an expansion of the Violent Crimes Compensation Board membership from three to five members and for the creation of a special unit to handle the specific problems of senior citizen claimants. The purpose of establishing a special senior citizens unit is to provide immediate assistance to elderly victims in order to ensure an expeditious conclusion of their claims. The expansion of board membership will permit the board to schedule hearings in various counties as part of an outreach program for the elderly. This will preclude the need for the elderly victim to travel to present board facilities in Newark and Trenton over great distances and at substantial cost to the claimant. Moneys generated under section 2 of P. L. 1979, c. 396 (C. 2C:43-3.1) should provide the funding for the additional costs.

Fiscal estimates by the Department of Law and Public Safety indicate that program will increase State expenditures by \$170,358.00 in fiscal year 1981-1982; \$296,072.00 in fiscal year 1982-1983; and \$318,195.00 in fiscal year 1983-1984.

The committee released the bill with the understanding that further appropriate reference committee consideration should be given regarding the fiscal implications of the measure.

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FISCAL NOTE TO
SENATE, No. 3355

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 1981

Senate Bill No. 3355, of 1981, increases the membership of the Violent Crimes Compensation Board, creates a special unit to handle the specific problems of senior citizen claimants.

The Department of Law and Public Safety estimates enactment of this legislation would increase State expenditures by \$170,358.00 in fiscal year 1981-1982; \$296,072.00 in fiscal year 1982-1983; and \$318,195.00 in fiscal year 1983-1984.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1980, c. 67.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

JANUARY 7, 1982

FOR FURTHER INFORMATION

DAVID DE MAIO

Governor Brendan Byrne signed the following bills late yesterday afternoon.

S-3397, sponsored by Senator Carmen Orechio (D-Essex) exempting property brought into New Jersey after January 1, 1977 from taxation under the Business Personal Property Tax Act. Under current law, property purchased after January 1, 1977 is exempt from the tax, but property purchased outside the state and brought into the state following that date is not exempt.

S-3524, sponsored by Senator Joseph P. Merlino (D-Mercer), provides that sewer facility grants made by the state to municipalities after July 1, 1982 be treated as loans to be repayed where the sewer facilities are inoperable because of the failure, on the part of the local authorities, to construct complimentary facilities

The bill clarifies the law under which municipalities are currently receiving these state payments. The bill also appropriates \$85,000 in sewer facility payments to Pennington and Hopewell.

S-3523, sponsored by Senator Charles B. Yates (D-Burlington) appropriating \$420,000 to the city of Camden to help the city balance its 1981 budget. The city had constructed its budget anticipated \$880,000 in revenue from the sale of land to the state. The actual sale result in revenues half that amount.

This appropriation will be treated as an advance on \$2.5 million in state in-lieu-of-taxes payments that will go to the city for the State Prison to be built there.

S-3502, sponsored by Senator Joseph A. Maressa (D-Gloucester) permitting the sale of the Defense Department's 2.5-acre Armory to the City of Camden. Legislative ratification of such proposed sales is mandated by state law.

S-3355, sponsored by Senator Anthony E. Russo (D-Union), increasing the membership of the Violent Crimes Compensation Board from three to five members. The bill also instructs the Board to undertake a special senior citizen public awareness campaign of the compensation program.