

10: 5-16

LEGISLATIVE HISTORY CHECKLIST

(Civil Rights Division--Hearings--  
Verbatim record of testimony)

HJSA 10:5-16

LAWS OF 1980

CHAPTER 71

Bill No. S1106

Sponsor(s) Lipman

Date Introduced Feb. 25, 1980

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate Judiciary

Amended during passage ~~Yes~~ No

Date of Passage: Assembly June 23, 1980

Senate May 1, 1980

Date of approval July 16, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xx~~

Committee Statement: Assembly Yes ~~xx~~

Senate Yes ~~xx~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing Yes ~~xx~~

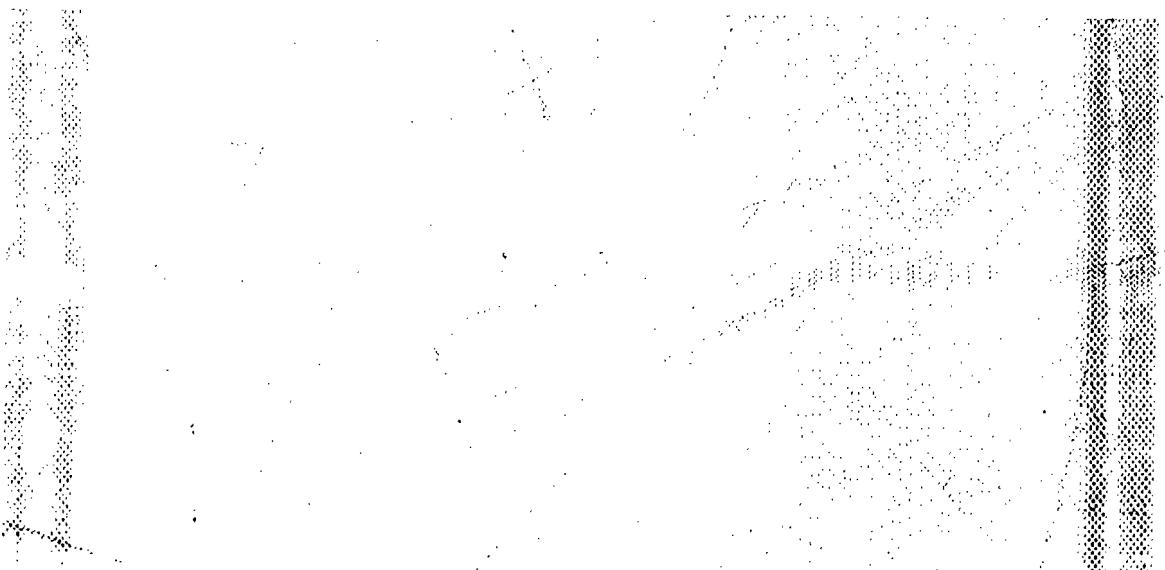
Following were printed.

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

LIBRARY

2/1/73



71

7-16-80

7-16-80

SENATE, No. 1106

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 25, 1980

By Senator LIPMAN

Referred to Committee on Judiciary

AN ACT to amend the "Law Against Discrimination," approved April 16, 1945 (P. L. 1945, c. 169).

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

1 1. Section 15 of P. L. 1945, c. 169 (C. 10:5-16) is amended to  
2 read as follows:

3 15. The case in support of the complaint shall be presented  
4 before the director by the attorney for the division and evidence  
5 concerning attempted conciliation shall not be received. The  
6 respondent shall file a written verified answer to the complaint and  
7 appear at such hearing in person or by representative, with or  
8 without counsel, and submit testimony. In the discretion of the  
9 director, the complainant may be allowed to intervene and present  
10 testimony in person and may be represented by counsel. The di-  
11 rector or the complainant shall have the power reasonably and  
12 fairly to amend any complaint, and the respondent shall have like  
13 power to amend his answer. The director shall not be bound by  
14 the strict rules of evidence prevailing in civil actions in courts  
15 of competent jurisdiction of this State. The testimony taken at the  
16 hearing shall be under oath and [be transcribed] a verbatim record  
17 shall be made.

1 2. This act shall take effect immediately.

STATEMENT

This bill makes clear that testimony taken at a hearing before the Division on Civil Rights need not be transcribed, but a verbatim record shall be made. The amendment proposed by this bill would allow either a stenographic record or a taped record of the hearing.

The Law Against Discrimination presently provides in section 23 (C. 10:5-24) that any party to a hearing shall be given a transcript of the hearing at his cost.

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

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 1106

STATE OF NEW JERSEY

DATED: JUNE 16, 1980

This bill makes clear that testimony taken at a hearing before the Division on Civil Rights need not be transcribed, but a verbatim record shall be made. The amendment proposed by this bill would allow either a stenographic record or a taped record of the hearing.

The Law Against Discrimination presently provides in section 23 (C. 10:5-24) that any party to a hearing shall be given a transcript of the hearing at his cost.

This amendment makes the recording of Civil Rights cases consistent with other administrative law cases.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1106

**STATE OF NEW JERSEY**

DATED: APRIL 21, 1980

Presently, N. J. S. 10:5-16 requires all hearings before the Division of Civil Rights to be transcribed. Senate Bill No. 1106 would modify this provision by simply requiring a verbatim record be made of all hearings. This would permit the Division at its option to tape record hearings and eliminate the expense involved in having a court reporter present at all hearings. Under N. J. S. 10:5-24, any party to a hearing would still be entitled to a transcript of the hearing at his cost.

Senate Bill No. 1106 is supported by the Division of Civil Rights.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

JULY 16, 1980

FOR FURTHER INFORMATION

JOE SANTANGELO

Governor Brendan Byrne today signed S-1106, sponsored by Senator Wynona M. Lipman (D-Essex), which amends the current process of recording hearings before the Division of Civil Rights by requiring only that a verbatim record be made of a hearing.

Under the bill, the Division of Civil Rights will be permitted, at its option, to tape record hearings and eliminate the expense involved in having a court reporter at all hearings.

Anyone present at a hearing will still be able to acquire a transcript of the hearing at his or her cost, preserving the right of individuals to acquire transcripts while effectively cutting costs of recording for the Division.

###