

52:17B-142 to 52:17B-150

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:17B-142 to 52:17B-150 (Extends State Law Enforcement Planning Agency)

LAWS OF 1978 CHAPTER 176

Bill No. S1416

Sponsor(s) Maressa and others

Date Introduced October 23, 1978

Committee: Assembly ----

Senate Law, Public Safety & Defense

Amended during passage Yes

Date of Passage: Assembly December 4, 1978

Senate December 4, 1978

Date of approval December 28, 1978

Amendments during passage denoted by asterisks. See also statement on amendments (attached). Substituted for A1836 (attached).

Following statements are attached if available:

Sponsor statement Yes Below

Committee Statement: Assembly No

Senate No

Fiscal Note No

Veto Message No

Message on signing Yes

Following were printed:

Reports No

Hearings No

Sponsor's statement:

This bill will continue the State Law Enforcement Planning Agency, created pursuant to Executive Order No. 45, dated August 13, 1968, within the Department of Law and Public Safety. The Federal Omnibus Crime Control and Safe Streets Act requires that the State planning agencies be made statutory bodies. This bill codifies the Executive Order to that end.

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SENATE, No. 1416

STATE OF NEW JERSEY

INTRODUCED OCTOBER 23, 1978

By Senators MARESSA, PERSKIE, CAFIERO, MUSTO, VREELAND, DWYER, HAMILTON, WEISS, HIRKALA and ORECHIO

Referred to Committee on Law, Public Safety and Defense

AN ACT to establish the State Law Enforcement Planning Agency.

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

1 1. The Legislature finds and determines that crime and delin-
2 quency are essentially State and local problems; that crime and
3 delinquency are complex social phenomena requiring the attention
4 and efforts of the criminal justice system, State, county and local
5 governments and the citizens of this State; and that the establish-
6 ment of appropriate goals, objectives and standards for the reduc-
7 tion of crime and delinquency and for the administration of
8 justice must be a priority concern.

9 The Legislature further finds and determines that, to meet the
10 challenges enumerated above, the functions of the criminal justice
11 system must be coordinated more efficiently and effectively; that
12 the full and effective use of resources affecting State, county and
13 local criminal justice systems requires the complete cooperation
14 of government agencies on all levels; and that training, research,
15 evaluation, technical assistance and public education activities
16 must be encouraged and focused on the improvement of the criminal
17 justice system and the generation of new methods for the preven-
18 tion of crime and delinquency.

1 2. The State Law Enforcement Planning Agency created pur-
2 suant to Executive Order No. 45, dated August 13, 1968, is con-
3 tinued and constituted as the State Law Enforcement Planning
4 Agency (hereinafter "agency"). For the purposes of complying
5 with the provisions of Article V, Section IV, paragraph 1 of the
6 New Jersey Constitution, the agency is allocated to the Depart-
7 ment of Law and Public Safety, but, notwithstanding said alloca-
8 tion, the agency shall be independent of any supervision or control
9 by the department or by any board or officer thereof.

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

1 3. The agency shall be responsible to a Governing Board which
2 shall consist of the Attorney General, who shall serve as chairman;
3 the Director of the Division of Budget and Accounting; **two*
4 *members of the Legislature;** and 16 other members who shall be
5 appointed by the Governor, with the advice and consent of the
6 Senate, each for a term of 3 years; except that of the members
7 first appointed, five shall serve for a term of 1 year, five for
8 2 years and six for 3 years. Members shall be selected from among
9 residents of this State who are representative of the criminal
10 justice system, including but not limited to police agencies, the
11 judiciary, prosecutorial and defense counsel, adult correctional
12 and rehabilitative agencies and juvenile justice agencies; State,
13 county and local government; public and private agencies related to
14 the criminal justice system; and the general public.

15 Each member shall serve until his successor has been appointed
16 and qualified. Vacancies in the membership of the agency shall be
17 filled in the same manner as the original appointments were made,
18 but for the unexpired term only. If any member appointed as a
19 representative of the criminal justice system shall no longer serve
20 as such representative, his seat shall be vacant. A vice chairman
21 shall be selected by the board from among its members, and shall
22 serve as chairman in the chairman's absence. Members of the
23 board shall serve without compensation but, within the limits of
24 funds available therefor, shall be entitled to reimbursement for
25 all necessary and reasonable expenses incurred in the discharge
26 of their duties.

1 4. The Governor shall appoint an executive director as the
2 administrative head of the agency. He shall be a person qualified
3 by training and experience to perform the duties of the position.
4 He shall devote his entire time to the duties of his office, and shall
5 receive **[such salary as shall be provided by law]** **a salary which*
5A *shall be within a salary range as established by the Department of*
5B *Civil Service with the approval of the Director of the Division of*
5C *Budget and Accounting*.*

6 The executive director shall organize the work of the agency
7 and establish therein such administrative subdivisions as he may
8 deem necessary, proper and expedient. He may formulate and
9 adopt rules and regulations and prescribe duties for the efficient
10 conduct of the business, work and general administration of the
11 agency. He may delegate to subordinate officers or employees in
12 the agency such of his powers as he may deem desirable to be
13 exercised under his supervision and control.

1 5. The board shall meet a minimum of five times per year and
2 at such other times designated by the chairman. A simple majority
3 of the appointed members shall constitute a quorum. The board
4 may establish such committees as it deems advisable and feasible,
5 but only the board itself may take official action. The board shall
6 promulgate rules of procedure governing its operations.

7 The board shall maintain general oversight, review, evaluation
8 and approval of the law enforcement improvement activities of
9 the agency, including development and revision of the State law
10 enforcement plan, establishment of priorities for law enforcement
11 improvement in the State, correlation with units of county and
12 local government and law enforcement and implementation of
13 subgrants or allocations thereto.

1 6. The agency shall:

2 a. Serve as the State planning agency pursuant to the Federal
3 Omnibus Crime Control and Safe Streets Act of 1968 and the
4 Juvenile Justice and Delinquency Prevention Act of 1974, as
5 amended, and other related Federal or State acts;

6 b. Be under the general oversight of the governing board which
7 shall review, evaluate and approve the law enforcement improve-
8 ment activities of the executive director and staff;

9 c. Advise and assist the Governor in developing policies, plans,
10 programs and budgets for improving the coordination, administra-
11 tion and effectiveness of the criminal justice system in the State;

12 d. Prepare a State comprehensive criminal justice plan on behalf
13 of the Governor, which plan, and any substantial modifications
14 thereto, shall be submitted to the Legislature for an advisory review
15 of goals, priorities and policies contained therein, and shall be
16 periodically updated and based on an analysis of the State's
17 criminal justice needs and problems;

18 e. Establish goals, priorities and standards for the reduction
19 of crime and the improvement of the administration of justice in
20 the State;

21 f. Recommend legislation concerning criminal justice matters to
22 the Governor and Legislature;

23 g. Encourage local and regional comprehensive criminal justice
24 planning efforts;

25 h. Monitor and evaluate programs and projects, funded in whole
26 or in part by or through the State Government, aimed at reducing
27 crime and delinquency and improving the administration of justice;

28 i. Cooperate with and render technical assistance to State
29 agencies, units of county and local government and public or private
30 agencies relating to the criminal justice system;

31 j. Apply for, contract for, receive and expend for its purposes
32 any appropriations or grants from the State, its political sub-
33 divisions, the Federal Government or any other source, public or
34 private;

35 k. Have the authority to collect from any State, county or local
36 governmental entity information, data, reports, statistics or such
37 other material which is necessary to carry out the agency's func-
38 tions; and

39 l. Perform such other duties as may be necessary to carry out
40 the purposes of this act.

1 7. The agency shall report annually to the Governor, the Legisla-
2 ture, the courts and the chief executives of county and local govern-
3 ment on the implementation of each of the programs supported
4 by funds it administers, including its evaluation of the effectiveness
5 of each such program.

1 8. Funds shall be appropriated in the annual State budget to
2 provide the required matching funds mandated under the relevant
3 Federal acts each fiscal year and for such other purposes as are
4 necessary to carry out the purposes of this act.

1 9. This act shall be subject to the provisions of the "State
2 Agency Transfer Act," P. L. 1971, c. 375 (C. 52:14D-1 et seq.);
3 provided, however, that the employees of the agency may continue
4 to be employed in accordance with the unclassified service of the
5 Civil Service.

1 10. This act shall take effect immediately.

ASSEMBLY, No. 1836

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 22, 1978

By Assemblymen HERMAN, STEWART and Assemblywoman
McCONNELL

(Without Reference)

AN ACT to establish the State Law Enforcement Planning Agency.

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

1 1. The Legislature finds and determines that crime and delin-
2 quency are essentially State and local problems; that crime and
3 delinquency are complex social phenomena requiring the attention
4 and efforts of the criminal justice system, State, county and local
5 governments and the citizens of this State; and that the establish-
6 ment of appropriate goals, objectives and standards for the reduc-
7 tion of crime and delinquency and for the administration of justice
8 must be a priority concern.

9 The Legislature further finds and determines that, to meet the
10 challenges enumerated above, the functions of the criminal justice
11 system must be coordinated more efficiently and effectively; that
12 the full and effective use of resources affecting State, county and
13 local criminal justice systems requires the complete cooperation
14 of government agencies on all levels; and that training, research,
15 evaluation, technical assistance and public education activities
16 must be encouraged and focused on the improvement of the criminal
17 justice system and the generation of new methods for the preven-
18 tion of crime and delinquency.

1 2. The State Law Enforcement Planning Agency created pur-
2 suant to Executive Order No. 45, dated August 13, 1968, is con-
3 tinued and constituted as the State Law Enforcement Planning
4 Agency (hereinafter "agency"). For the purposes of complying
5 with the provisions of Article V, Section IV, paragraph 1 of the
6 New Jersey Constitution, the agency is allocated to the Depart-
7 ment of Law and Public Safety, but, notwithstanding said alloca-
8 tion, the agency shall be independent of any supervision or control
9 by the department or by any board or officer thereof.

1 3. The agency shall be responsible to a governing board which
2 shall consist of the Attorney General, who shall serve as chairman;
3 the Director of the Division of Budget and Accounting; two mem-
4 bers of the Legislature; and 16 other members who shall be
5 appointed by the Governor, with the advice and consent of the
6 Senate, each for a term of 3 years; except that of the members
7 first appointed, five shall serve for a term of 1 year, five for 2 years
8 and six for 3 years. Members shall be selected from among residents
9 of this State who are representative of the criminal justice system,
10 including but not limited to police agencies, the judiciary, prose-
11 cutorial and defense counsel, adult correctional and rehabilitative
12 agencies and juvenile justice agencies; State, county and local
13 government; public and private agencies related to the criminal
14 justice system; and the general public.

15 Each member shall serve until his successor has been appointed
16 and qualified. Vacancies in the membership of the agency shall be
17 filled in the same manner as the original appointments were made,
18 but for the unexpired term only. If any member appointed as a
19 representative of the criminal justice system shall no longer serve
20 as such representative, his seat shall be vacant. A vice chairman
21 shall be selected by the board from among its members, and shall
22 serve as chairman in the chairman's absence. Members of the
23 board shall serve without compensation but, within the limits of
24 funds available therefor, shall be entitled to reimbursement for
25 all necessary and reasonable expenses incurred in the discharge
26 of their duties.

1 4. The Governor shall appoint an executive director as the
2 administrative head of the agency. He shall be a person qualified
3 by training and experience to perform the duties of the position.
4 He shall devote his entire time to the duties of his office, and shall
5 receive a salary which shall be within a salary range as established
6 by the Department of Civil Service with the approval of the
7 Director of the Division of Budget and Accounting.

8 The executive director shall organize the work of the agency
9 and establish therein such administrative subdivisions as he may
10 deem necessary, proper and expedient. He may formulate and
11 adopt rules and regulations and prescribe duties for the efficient
12 conduct of the business, work and general administration of the
13 agency. He may delegate to subordinate officers or employees in
14 the agency such of his powers as he may deem desirable to be
15 exercised under his supervision and control.

1 5. The board shall meet a minimum of five times per year and
2 at such other times designated by the chairman. A simple majority
3 of the appointed members shall constitute a quorum. The board
4 may establish such committees as it deems advisable and feasible,
5 but only the board itself may take official action. The board shall
6 promulgate rules of procedure governing its operations.

7 The board shall maintain general oversight, review, evaluation
8 and approval of the law enforcement improvement activities of
9 the agency, including development and revision of the State law
10 enforcement plan, establishment of priorities for law enforcement
11 improvement in the State, correlation with units of county and
12 local government and law enforcement and implementation of
13 subgrants or allocations thereto.

1 6. The agency shall:

2 a. Serve as the State planning agency pursuant to the Federal
3 Omnibus Crime Control and Safe Streets Act of 1968 and the
4 Juvenile Justice and Delinquency Prevention Act of 1974, as
5 amended and other related Federal or State acts;

6 b. Be under the general oversight of the governing board which
7 shall review, evaluate and approve the law enforcement improve-
8 ment activities of the executive director and staff;

9 c. Advise and assist the Governor in developing policies, plans,
10 programs and budgets for improving the coordination, administra-
11 tion and effectiveness of the criminal justice system in the State;

12 d. Prepare a State comprehensive criminal justice plan on behalf
13 of the Governor, which plan, and any substantial modifications
14 thereto, shall be submitted to the Legislature for an advisory review
15 of goals, priorities and policies contained therein, and shall be
16 periodically updated and based on an analysis of the State's
17 criminal justice needs and problems;

18 e. Establish goals, priorities and standards for the reduction
19 of crime and the improvement of the administration of justice in
20 the State;

21 f. Recommend legislation concerning criminal justice matters to
22 the Governor and Legislature;

23 g. Encourage local and regional comprehensive criminal justice
24 planning efforts;

25 h. Monitor and evaluate programs and projects, funded in whole
26 or in part by or through the State Government, aimed at reducing
27 crime and delinquency and improving the administration of justice;

28 i. Cooperate with and render technical assistance to State
29 agencies, units of county and local government and public or private
30 agencies relating to the criminal justice system;

- 31 j. Apply for, contract for, receive and expend for its purposes
32 any appropriations or grants from the State, its political sub-
33 divisions, the Federal Government or any other source, public or
34 private;
- 35 k. Have the authority to collect from any State, county or local
36 governmental entity information, data, reports, statistics or such
37 other material which is necessary to carry out the agency's func-
38 tions; and
- 39 l. Perform such other duties as may be necessary to carry out
40 the purposes of this act.
- 1 7. The agency shall report annually to the Governor, the Legisla-
2 ture, the courts and the chief executives of county and local govern-
3 ment on the implementation of each of the programs supported
4 by funds it administers, including its evaluation of the effectiveness
5 of each such program.
- 1 8. Funds shall be appropriated in the annual State budget to
2 provide the required matching funds mandated under the relevant
3 Federal acts each fiscal year and for such other purposes as are
4 necessary to carry out the purposes of this act.
- 1 9. This act shall be subject to the provisions of the "State
2 Agency Transfer Act," P. L. 1971, c. 375 (C. 52:14D-1 et seq.);
3 provided, however, that the employees of the agency may continue
4 to be employed in accordance with the unclassified service of the
5 Civil Service.
- 1 10. This act shall take effect immediately.

STATEMENT

This bill will continue the State Law Enforcement Planning Agency, created pursuant to Executive Order No. 45, dated August 13, 1968, within the Department of Law and Public Safety. The Federal Omnibus Crime Control and Safe Streets Act requires that the State planning agencies be made statutory bodies. This bill codifies the Executive Order to that end.

SENATE AMENDMENTS TO
SENATE, No. 1416

STATE OF NEW JERSEY

ADOPTED NOVEMBER 22, 1978

Amend page 2, section 3, line 3, after “;”, insert “two members of the Legislature;”.

Amend page 2, section 4, line 5, delete “such salary as shall be provided by law” and insert “a salary which shall be within a salary range as established by the Department of Civil Service with the approval of the Director of the Division of Budget and Accounting”.

STATEMENT

This amendment continues legislative representation on the Governing Board of the State Law Enforcement and Planning Agency. The amendment also fixes the director's compensation by the same procedure as is used for division directors throughout State government.

FROM THE OFFICE OF THE GOVERNOR

DECEMBER 28, 1978

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

KATHRYN FORSYTH

Governor Brendan Byrne today signed into law the following bills:

S-1374, sponsored by Senator Wynona Lipman (D-Essex) which amends the Local Tax Authorization Act of 1970 to extend the authorization for Newark to impose taxes on alcoholic beverages, parking services, gasoline and payroll to January 1, 1980.

Had the Governor not signed the bill, the authorization would have expired on January 1, 1979.

S-1416, sponsored by Senator Joseph Maressa (D-Camden) which establishes by law the State Law Enforcement Planning Agency.

The Agency was originally created by Executive Order in 1968, but the Federal Crime Control Act of 1976 requires that the agency be established by state law by December 31, 1978, in order for the state to continue to be eligible to receive federal crime control funds.

The Agency was originally part of the Executive Office of the Governor, but in compliance with New Jersey constitutional requirements, the bill places it nominally within the Department of Law and Public Safety. However, the Agency will remain independent from that Department.

The bill requires that two members of the Legislature be appointed to the Agency's Governing Board and that the salary of the Executive Director be set within a Civil Service established range. All other aspects of the Agency remain essentially the same as they were under the Executive Order.

S-1426, sponsored by Senator Bernard Dwyer (D-Middlesex) which evens out the distribution of revenues under the Business Personal Property Tax Program.

It provides for the payment of revenues in four equal installments on March 1, May 1, August 1 and November 1 of each year. The total amount received by each municipality will continue unchanged, but by leveling the payments, the state will generate a one-time savings of \$15.8 million in the current fiscal year.