



LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1998

CHAPTER:50

NJSA: 52:17B-5.4

"Crime reporting -- seasonal population"

BILL NO:S233 (Substituted for A663)

SPONSOR(S): Cafiero

DATE INTRODUCED: Pre-filed

COMMITTEE:

ASSEMBLY:Law and Public Safety

SENATE: Law and Public Safety

AMENDED DURING PASSAGE:No

DATE OF PASSAGE:

ASSEMBLY: June 18, 1998

SENATE: March 19, 1998

DATE OF APPROVAL: July 10, 1998

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Original

(Amendments during passage denoted by superscript numbers)

S233

SPONSORS STATEMENT: *Yes* (Begins on page 3 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY:*Yes*

SENATE:*Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *Yes*

A663

SPONSORS STATEMENT: *Yes* (Begins on page 3 of original bill)
(Bill and Sponsors Statement identical to S233)

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

(Identical to Senate Statement for S233)

SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

*To check for circulating copies contact New Jersey State Government Publications at the State Library (609) 278-2640
ext. 102 or refdesk@njstatelib.org*

REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES:

"Whitman signs bill on shore crime numbers," 7-11-98, Atlantic City Press, p. C1.

SENATE, No. 233

STATE OF NEW JERSEY
208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Requires total seasonal population of resort municipalities to be included in Uniform Crime Report.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the effect of seasonal population on crime
2 reporting, amending P.L.1966, c.37 and supplementing Title 34 of
3 the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 4 of P.L.1966, c.37 (C.52:17B-5.4) is amended to read
9 as follows:

10 4. a. Upon receipt of such information the Attorney General shall
11 have such data collated and formulated and shall compile such
12 statistics as he may deem necessary in order to present a proper
13 classification and analysis of the volume and nature of crime and the
14 administration of criminal justice within this State.

15 b. The classification and analysis presented in accordance with
16 subsection a. shall include a section on the per capita crime statistics
17 for a resort municipality as defined in section 3 of P.L. , c. (C.)
18 (now pending before the Legislature as this bill). That section shall
19 contain data based on both the population of the resort municipality
20 and the annual mean population of that municipality as estimated by
21 the Department of Labor pursuant to section 2 of P.L. , c. (C.)
22 (now pending before the Legislature as this bill).

23 (cf: P.L.1966, c.37, s.4)

24

25 2. (New section) The Department of Labor shall annually
26 determine which municipalities qualify as resort municipalities and
27 determine and certify the annual mean population of resort
28 municipalities. This information shall be transmitted to the Office of
29 the Attorney General by March 31 following the end of the reporting
30 year for use in the preparation of per capita crime statistics pursuant
31 to section 4 of P.L.1966, c.37 (C.52:17B-5.4). The first determination
32 shall be made as soon as practicable, but no later than one year after
33 the effective date of this act.

34

35 3. (New section) As used in this act:

36 "Annual mean population" means for each resort municipality the
37 following:

38

$$12P + 3SP$$

39

$$AMP = \frac{\quad}{\quad}$$

40

$$12$$

41 where AMP equals Annual Mean Population

42 P equals Population

43 SP equals Seasonal Population.

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

Matter underlined thus is new matter.

1 "Population" means the year-round population of the resort
2 municipality shown in the most recent State population estimates
3 published by the Department of Labor, except that in the year of
4 promulgation of a Federal decennial census, the census figures shall be
5 used.

6 "Resort municipality" means a municipality which, because of its
7 recreational, entertainment or amusement characteristics or facilities
8 or its close proximity to such characteristics or facilities, experiences
9 a total increase during the seasonal period in the number of persons
10 temporarily resident therein of 25 percent or more of its population.

11 "Seasonal population" means the average of the estimated number
12 of persons temporarily resident in the municipality during the three
13 consecutive months when the temporary population is greatest.

14 "Temporarily resident" means the occupying for any period of time
15 during the seasonal period by any person not counted as a resident of
16 the municipality for population purposes of an accommodation in a
17 rented residential unit or vacation home.

18

19 4. (New section) a. The seasonal population of each resort
20 municipality shall be estimated by the Department of Labor by taking
21 into account such factors as it deems advisable and appropriate to
22 determine such estimates.

23 b. The department may call for and obtain any records and
24 assistance of the several departments and divisions of the State and the
25 respective municipalities as it deems necessary or helpful in carrying
26 out the purposes of this act.

27

28 5. (New section) The Commissioner of Labor may adopt and
29 promulgate, pursuant to the "Administrative Procedure Act,"
30 P.L.1968, c.410 (C.52:14B-1 et seq.), such rules and regulations to
31 effectuate the purposes of this act as he shall deem necessary.

32

33 6. This act shall take effect immediately.

34

35

36

STATEMENT

37

38 This bill addresses distortions in reported crime rates for resort
39 municipalities which result from a failure to include seasonal
40 population data when calculating these rates. Consequently, the per
41 capita crime rate in resort municipalities may appear to be inordinately
42 higher than that in non-resort municipalities with comparable
43 permanent populations.

44 The bill requires the Attorney General to include a section in the
45 annual Uniform Crime Report that accounts for seasonal visitors in
46 the compilation of uniform crime rates for resort municipalities. This

S233 CAFIERO

1 would be done by using the annual mean population of a resort
2 municipality, which is the annualized average of its permanent and
3 seasonal populations. Crime statistics would be provided for both
4 adults and juveniles in these municipalities.

5 The Department of Labor would be required to estimate the annual
6 mean population of resort municipalities. The department also would
7 be required to calculate the total seasonal populations of these
8 municipalities based on factors it deems appropriate.

SENATE, No. 233

STATE OF NEW JERSEY
208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Senator JAMES S. CAFIERO

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 16 subsection a. shall include a section on the per capita crime statistics
 17 for a resort municipality as defined in section 3 of P.L. , c. (C.)
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45 annual Uniform Crime Report that accounts for seasonal visitors in
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S233 CAFIERO

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2 municipality, which is the annualized average of its permanent and
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5 The Department of Labor would be required to estimate the annual
6 mean population of resort municipalities. The department also would
7 be required to calculate the total seasonal populations of these
8 municipalities based on factors it deems appropriate.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 233

STATE OF NEW JERSEY

DATED: JUNE 1, 1998

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 233.

Senate Bill No. 233 amends section 4 of P.L.1966, c.37 (C.52:17B-5.4) and supplements Title 34 of the Revised Statutes to address distortions in reported crime rates for resort municipalities which result from a failure to include seasonal population data when calculating these rates. Consequently, the per capita crime rate in resort municipalities may appear to be inordinately higher than that in non-resort municipalities with comparable permanent populations.

The bill requires the Attorney General to include a section in the annual Uniform Crime Report that accounts for seasonal visitors in the compilation of uniform crime rates for resort municipalities. This would be done by using the annual mean population of a resort municipality, which is the annualized average of its permanent and seasonal populations. Crime statistics would be provided for both adults and juveniles in these municipalities.

The Department of Labor would be required to estimate the annual mean population of resort municipalities. The department also would be required to calculate the total seasonal populations of these municipalities based on factors it deems appropriate.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 233

STATE OF NEW JERSEY

DATED: MARCH 5, 1998

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 233.

This bill addresses distortions in reported crime rates for resort municipalities which result from a failure to include seasonal population data when calculating these rates. Consequently, the per capita crime rate in resort municipalities may appear to be inordinately higher than that in non-resort municipalities with comparable permanent populations.

The bill requires the Attorney General to include a section in the annual Uniform Crime Report that accounts for seasonal visitors in the compilation of uniform crime rates for resort municipalities. This would be done by using the annual mean population of a resort municipality, which is the annualized average of its permanent and seasonal populations. Crime statistics would be provided for both adults and juveniles in these municipalities.

The Department of Labor would be required to estimate the annual mean population of resort municipalities. The department also would be required to calculate the total seasonal populations of these municipalities based on factors it deems appropriate.

This bill was prefiled for introduction in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

LEGISLATIVE FISCAL ESTIMATE

SENATE, No. 233

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: JUNE 15, 1998

Senate Bill No. 233 of 1998 amends the reporting of crime rates for resort municipalities. This bill addresses distortions in reported crime rates for resort municipalities which result from a failure to include seasonal population data when calculating these rates. Consequently, the per capita crime rate in resort municipalities may appear to be inordinately higher than that in non-resort municipalities with comparable permanent populations.

The bill requires the Attorney General to include a section in the annual Uniform Crime Report that accounts for seasonal visitors in the compilation of uniform crime rates for resort municipalities. It also requires the Department of Labor to estimate the annual mean population of resort municipalities. The Department of Labor would be required to calculate the total seasonal populations of these municipalities based on factors it deems appropriate.

The Office of Legislative Services estimates that the bill will have no fiscal impact on the State Budget. The Department of Labor should incur no additional costs as a result of this bill and any additional staff responsibilities can be absorbed within existing resources.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY, No. 663

STATE OF NEW JERSEY

208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

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ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 663

STATE OF NEW JERSEY

DATED: JUNE 1, 1998

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 663.

Assembly Bill No. 663 amends section 4 of P.L.1966, c.37 (C.52:17B-5.4) and supplements Title 34 of the Revised Statutes to address distortions in reported crime rates for resort municipalities which result from a failure to include seasonal population data when calculating these rates. Consequently, the per capita crime rate in resort municipalities may appear to be inordinately higher than that in non-resort municipalities with comparable permanent populations.

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This bill was prefiled for introduction in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
609-777-2600

RELEASE: July 10, 1998

Gov. Christie Whitman today signed the following pieces of legislation:

A-726, sponsored by Assembly members Paul Kramer (R- Mercer/Middlesex) and Alex De Croce (R-Essex/Morris/Passaic) and Senator Peter Inverso (R-Mercer/Middlesex), increases penalties for stealing or damaging airport, traffic, or railroad crossing signs or equipment. The bill which originated in response to a rash of incidents at Robbinsville Airport, is intended to appropriately punish acts that have potentially dangerous consequences. The bill will make it a crime of the fourth degree to deface, injure or remove an official traffic sign, light or safety device at any airport, landing field or similar facility. If the actor recklessly causes bodily injury or property damage, the offense would be a crime of the third degree. If the actor recklessly causes death, it would be a crime of the second degree. Previous law provided that such criminal mischief was punishable based upon the cost of property damage, with punishment ranging from disorderly conduct to a third-degree charge for the most severe offense.

The bill also upgrades penalties for vandalism of railroad warning signals to crimes of the fourth degree. The bill also makes such actions a crime of the third degree in cases causing bodily injury or property damage and a crime of the second degree for cases causing death.

The bill shifts the violation of tampering with a traffic signal or sign from the jurisdiction of motor vehicle law to the criminal code, and makes the offense punishable as a disorderly persons offense.

SCS-351, sponsored by Senator Louis Bassano (R-Essex/Union), eliminates late filing penalty for motor fuel use tax returns showing no liability. The bill is intended to ensure that individuals who are not liable for any tax during the stated period are exempted from penalties imposed for late filings. Additionally, the bill gives the Director of the Division of Motor Vehicles the ability to waive late fees in cases where there is reasonable cause for a late filing or underpayment.

A-2065, sponsored by Assembly Members David Wolfe (R- Monmouth/Ocean) and Joseph doria (D-Hudson) and Senators Joseph Palaia (R-Monmouth) and Robert Martin (R-Essex/Morris/ Passaic), authorizes boards of education to enter into sale and lease-back contracts on certain instructional materials. The bill will apply to textbooks and non-consumable instructional materials. The bill is intended to provide boards of education with more contractual and fiscal flexibility to ensure the efficient management of school resources.

S-652, sponsored by Senators Norm Robertson (R-Essex/Passaic) and Henry McNamara (R-Bergen/Passaic) and Assembly Members Gerald Zecker (R-

Essex/Passaic) and Nelli Pou (D-Passaic), allows members of the Passaic County Employees' Retirement System who elect to participate in Social Security to remain in the retirement system.

A-176, sponsored by Assembly Members George Geist (R- Camden/Gloucester) and Gerald Luongo (R-Camden/Gloucester), transfers a small, unpopulated parcel of land from the Township of Washington in Gloucester County to the Township of Gloucester in Camden County. The transfer of the land, owned by the New Jersey Water Company, clears the way for the historical preservation and recreational use of Blackwood Lake. Under an agreement between the two municipalities, Gloucester Township will take control of the lake in order to clean and restore it for recreational use.

S-233, sponsored by Senator James Cafiero, (R-Cape May/Atlantic/Cumberland), Assembly Members John Gibson (R-Cape May/Atlantic/Cumberland), and Assemblyman Nicholas Asselta (R-Cape May/Atlantic/Cumberland), requires the Uniform Crime Report to include, in addition to the regular statistics, an alternative calculation that takes into account the seasonal population of resort municipalities. The law was proposed by several beach communities which feel their per capita crime statistics are superficially high because only year-round residents were considered when calculating statistics in the Uniform Crime Report. The alternative calculation will be published in addition to the normal per capita crime statistics.

A-2294, sponsored by Assembly members Kip Bateman (R- Morris/Somerset) and Pete Biondi (R-Morris/ Somerset) and Senators Walter Kavanaugh (R- Morris/Somerset) and Diane Allen (R- Burlington/Camden), authorizes the sale of certain surplus state real property in Montgomery Township, Somerset County. The bill will allow for the sale of the state's interest in land and improvements known as the North Princeton Developmental Center. A 12- acre portion of the property, including four buildings, will be purchased by the Montgomery Township Department of Education. The remaining property will be sold by the Department of Treasury. The Department of Treasury will work with Montgomery Township to identify appropriate uses and purchasers.