

Office of the Governor

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NEWS RELEASE

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Gov. Christie Whitman today conditionally vetoed the following pieces of legislation:

S-1338, sponsored by Senators James S. Cafiero (R-Cape May/Atlantic/Cumberland) and Raymond J. Zane (D-Salem/Cumberland/Gloucester), which requires a public hearing be held by the Department of Corrections prior to changing the security classification of a State correctional facility, or discontinuing the operation of a security perimeter tower at a facility. The bill also mandates that the Corrections Department prepare and submit an economic impact analysis prior to the public hearing and obtain approval of the governing body of the municipality where the facility is located before implementing any changes.

In her conditional veto, the Governor commended the sponsors for their interest in the very important issue of security of State correctional facilities. She said she joined them in their desire to provide residents of a municipality where a correctional facility is located with a meaningful opportunity to learn about the Corrections Department's plans regarding a facility's security and to provide input to the Corrections Department from their unique and important perspective. She said she fully supports the bill's requirements for a public hearing at least 90 days prior to any changes being made in the security classification of a facility, or in the discontinuance of a security perimeter tower.

Similarly, she said, she agrees with the bill's requirement that the Corrections Department prepare an economic analysis, including a jobs impact statement, prior to the public hearing. She expressed concern that the bill goes too far when it gives the governing body of a single municipality veto power over decisions of the Department of Corrections. The Governor noted that the Department of Corrections is entrusted with the responsibility to operate the State prison system. Moreover, she said it is the Department's expertise and experience that is brought to bear in making decisions about each correctional facility, including appropriate security measures. The Governor said the Corrections Department has the first-hand knowledge of state-of-the-art security systems, as technology evolves. She recommended that the veto provisions for municipalities in the law be deleted.

The Governor also said the release of certain information required in the bill is likely to jeopardize the security of a facility and endanger the corrections officers and the residents of a community. She recommended deleting provisions in the bill that mandate the Corrections Department to prepare and release a detailed view of its security and plans for a facility, including the ratio of corrections officers to inmates and specific measures the Corrections Department will take to deter any escapes in the future.

The Governor said she agrees with the bill's requirement that the Corrections Department provide an annual report to the affected municipality that describes any escapes from the correctional facility as well as the Department's investigations. She recommended deleting the provisions in the bill that would require details about attempted escapes, breaches in internal security and proposals or programs that the Department is developing to prevent future escapes.

S-936, sponsored by Senators Andrew R. Ciesla (R-Monmouth/Ocean) and John J. Matheussen (R-Camden/Gloucester) and Assembly Members Paul DiGaetano (R-Bergen/Essex/Passaic) and Joseph V. Doria, Jr. (D-Hudson), which requires that the administrative officer of a municipality act on a request for a zoning permit within five business days. The bill provided that failure to act within the required time period would be deemed as automatic approval of the zoning application.

In her conditional veto, the Governor commended the sponsors on their attempt to make more efficient the process of a municipality acting on an application for a zoning permit. She stressed that a time limit on applications is warranted, but that

the period of five business days is not sufficient for all municipalities to process all applications. The Governor recommended the time allotted be increased from five to seven business days. She also recommended that the bill authorize the zoning permit applicant and the administrative officer or a designee to agree within the seven-day period to extend the period for no more than an additional seven business days. She said the change acknowledges there could be extenuating circumstances that both parties would agree would warrant an extension of the time beyond the initial period.

SJR-39, sponsored by Senators Diane B. Allen (R-Burlington/Camden) and Martha W. Bark (R-Atlantic/Burlington/Camden) and Assembly Members Rose Marie Heck (R-Bergen) and Francis J. Blee (R-Atlantic), which would designate October, 1998 as Domestic Violence Awareness Month in New Jersey. It further seeks to recognize all women who speak out against domestic violence and to increase public awareness about legal protections available to those who are subject to such abusive situations. It further would require the Governor to call upon relevant agencies of State and local governments and private organizations to acknowledge and commemorate the month in an appropriate fashion. In her conditional veto, the Governor said she acknowledged and supported the important efforts of the sponsors to focus public attention on the issue of domestic violence, which affects thousands of New Jersey families each year. She stressed that while she is most supportive of the goals articulated in the bill, she could not adequately carry out its directive because the designated time frame has passed. The Governor recommended that the resolution be amended to designate October, 1999 as Domestic Violence Awareness Month in New Jersey.