

ASSEMBLY, No. 174

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen GIBSON and ASSELTA

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.

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

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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), or the county wherein
19 that municipality is located, and that section shall be based upon the
20 annual mean population of that municipality as estimated by the
21 Department of Labor pursuant to section 2 of P.L. , c. (C.) (now
22 pending before the Legislature as this bill).

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

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

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

2 "Annual mean population" means for each resort municipality the
3 following:

$$4 \qquad \qquad \qquad 12P + 3SP$$

$$5 \qquad \qquad \qquad AMP = \frac{\qquad \qquad \qquad}{\qquad \qquad \qquad}$$

$$6 \qquad \qquad \qquad \qquad \qquad \qquad 12$$

7 where AMP equals Annual Mean Population

8 P equals Population

9 SP equals Seasonal Population.

10 "Population" means the population of the resort municipality shown
11 in the most recent State population estimates published by the
12 Department of Labor, except that in the year of promulgation of a
13 Federal decennial census, the census figures shall be used.

14 "Resort municipality" means a municipality which, because of its
15 recreational, entertainment, or amusement characteristics or facilities
16 or its close proximity to such characteristics or facilities, experiences
17 a total increase during the seasonal period in the number of persons
18 temporarily resident therein of 25% or more of its population.

19 "Seasonal population" means the average of the total number of
20 persons temporarily resident in the municipality during the three
21 consecutive months when the temporary population is greatest.

22 "Temporarily resident" means the occupying for any period of time
23 during the seasonal period by any person not counted as a resident of
24 the municipality for population purposes of an accommodation in a
25 hotel, motel, boarding house or guest house, or of a rented residential
26 unit, or of a vacation home.

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28 4. (New section) a. The seasonal population of each resort
29 municipality shall be estimated by the Department of Labor, by taking
30 into account such factors as it deems advisable and appropriate to
31 determine such estimates including, but not limited to, any of the
32 following: hotel, motel, boarding house and guest house occupancy;
33 vacation home occupancy; real estate agency rental records; family
34 rental records; seasonal certificates of occupancy; police reports;
35 police department surveys; sale of beach badges; campsite and
36 campground occupancy; garbage and trash collections; sewerage flow;
37 water pumping records; sales and use tax receipts; luxury tax receipts;
38 use of beaches and other public and private recreational areas and
39 facilities; post office deliveries; aerial surveillances; and beach,
40 boardwalk and other recreational area or facility population counts.

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

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46 5. (New section) The Commissioner of Labor may adopt and

1 promulgate, pursuant to the "Administrative Procedure Act,"
2 P.L.1968, c.410 (C.52:14B-1 et seq.), such rules and regulations to
3 effectuate the purposes of this act as he shall deem necessary.

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5 6. This act shall take effect immediately.

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8 STATEMENT

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

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

23 The Department of Labor would be required to estimate the annual
24 mean population of resort municipalities. The department also would
25 be required to calculate the total seasonal populations of these
26 municipalities based on such factors as seasonal rentals and
27 occupancies, sales of beach badges, water usage, postal deliveries, and
28 sales and tax receipts.

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