

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1451

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 10, 1996

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 1451.

This bill provides that all persons employed on the date on which the bill takes effect as law as inspectors by the Alcoholic Beverage Control Enforcement Bureau, members of the State Capitol Police Force, and marine law enforcement officers in the Bureau of Marine Law Enforcement may become members of the Division of State Police and of the State Police Retirement System (SPRS), provided they meet certain requirements. The requirements are that the inspector, member, or officer must (1) be between 18 and 55 years of age, (2) satisfy the health and physical fitness standards applicable to members of the State Police, and (3) have rendered performance as an inspector, member, or officer that demonstrates to the satisfaction of the Superintendent of State Police the character and ability to perform the duties of a member of the State Police. These persons would become members of the State Police, with all the powers, rights, privileges and benefits of State Police officers. An alcoholic beverage control inspector, State Capitol Police Force member, or marine law enforcement officer who does not become a member of the Division of State Police and elects to continue employment with the Department of Law and Public Safety shall, consistent with the operational needs of the Division and the Department, be transferred without loss of salary or pension to the position of investigator or any other position deemed appropriate by the Attorney General in consultation with the Commissioner of Personnel and shall continue membership in the Police and Firemen's Retirement System (PFRS).

In the Alcoholic Beverage Control Enforcement Bureau, the specific positions covered by the legislation are those of supervising inspector, principal inspector, senior inspector, and inspector recruit. In the Bureau of Marine Law Enforcement, the specific positions covered are those of principal marine law enforcement officer, senior marine law enforcement officer, and marine law enforcement officer.

A person eligible under the bill to become a member of the State Police shall be appointed for a period of two years. Upon satisfactory completion of that two years' service, the person shall serve as a State

Police member continuously thereafter during good behavior.

For purposes of determining seniority of service, a person becoming a member of the State Police under the bill shall be deemed to have been hired on the date on which the bill takes effect as law. The person's salary shall be fixed by the State Police Superintendent at an amount approximately equivalent to the person's final salary in the prior position, less any "maintenance allowance" to be allowed the person as a member of the State Police. The person's rank shall also be assigned by the Superintendent based on the individual's salary, qualifications and duties.

For persons becoming members of the State Police under the bill, their service credit in the Public Employees' Retirement System (PERS) or the Police and Firemen's Retirement System (PFRS) as an alcoholic beverage control inspector, State Capitol Police Force member, or marine law enforcement officer shall be transferred to the SPRS. Any other service credit established in PERS or PFRS shall be included in the computation of an SPRS retirement allowance on the basis of 1% of final compensation for each year of such service credit, except that for any transferred officer who, as a result of the mandatory retirement rule under that system, is required to retire with less than 20 years of creditable service in the system, "an amount of service credit transferred or purchased . . . which when added to the amount of creditable service in the retirement system equals 20 years shall be considered creditable service in the retirement system."

PFRS and PERS shall remit to SPRS employee and employer contributions standing to the credit of a transferred inspector, member or officer. If the transferred contributions are insufficient to fund the SPRS liability created by the transfer of service credit, the employer (i.e., the State) shall be liable for the amount of the deficiency.

COMMITTEE AMENDMENTS

The committee adopted amendments to this bill to:

- (1) Establish explicitly that transfer under the bill of an officer to membership in the State Police is to be at the option of the officer;
- (2) Eliminate a provision to allow a transferring officer to be credited with up to seven years' seniority in the Division of State Police for service in the position from which that officer is transferred rendered prior to the date on which the bill takes effect as law;
- (3) Incorporate the provision for assignment of non-transferring officers to appropriate positions without loss of salary or pension; and
- (4) Add the provision allowing transferees who, by purchase or transfer, obtain SPRS credit for previous service to receive full benefits for any portion thereof necessary to provide 20 years' credit.