

SENATE SUBSTITUTE FOR
ASSEMBLY, No. 1669

STATE OF NEW JERSEY

ADOPTED JUNE 16, 1997

Sponsored by Senators KENNY, SCOTT, RICE, Assemblymen
KELLY, O'TOOLE and Assemblywoman Gill

1 AN ACT concerning attendance at conventions of certain
2 organizations, amending N.J.S.11A:6-10 and P.L.1977, c.347,
3 supplementing P.L.1966, c.293 (C.52:27D-1 et seq.), and making
4 an appropriation.

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

8
9 1. N.J.S.11A:6-10 is amended to read as follows:

10 11A:6-10. a. A leave of absence with pay shall be given to every
11 employee who is a duly authorized representative of the New Jersey
12 Patrolmen's Benevolent Association, Inc., Fraternal Order of Police,
13 American Federation of Police Officers, Inc., Bronze Shields, Inc.,
14 Batons, Vulcan Pioneers, a member organization of the New Jersey
15 Council of Charter Members of the National Black Police Association,
16 Inc., the Uniformed Firemen's Association, Firemen's Mutual
17 Benevolent Association, Inc., the Fire Fighters Association of New
18 Jersey or the New Jersey State Association of Chiefs of Police, or to
19 any corrections officer who is a member of the Italian American Police
20 Society of New Jersey, to attend any State or national convention of
21 the organization. The leave of absence shall be for a period inclusive
22 of the duration of the convention with a reasonable time allowed for
23 travel to and from the convention. A certificate of attendance at the
24 convention shall, upon request, be submitted by the representative so
25 attending.

26 b. A leave of absence with pay shall be given to every employee
27 who is a duly authorized representative of the Emerald Society, the
28 Portuguese-American Police Association of New Jersey, any affiliate
29 of the International Association of Black Professional Firefighters, or
30 the National Association of Hispanic Firefighters or any affiliate of
31 that association, to attend any State or national convention of the

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

Matter underlined thus is new matter.

1 organization. The leave of absence shall be for a period inclusive of
2 the duration of the convention with a reasonable time allowed for
3 travel to and from the convention. A certificate of attendance at the
4 convention shall, upon request, be submitted by the representative
5 attending the convention. A political subdivision that grants an
6 employee a leave of absence under this subsection may apply for
7 compensation from the Local Government Leave of Absence Fund
8 established in section 3 of P.L. .c. (C.)(pending before the
9 Legislature as this bill) for any costs incurred by the political
10 subdivision as a result of the leave of absence.

11 (cf: P.L.1993, c.105, s.1)

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13 2. Section 1 of P.L.1977, c.347 (C.40A:14-177) is amended to
14 read as follows:

15 1. a. The heads of the county offices of the several counties and
16 the head of every department, bureau and office in the government of
17 the various municipalities shall give a leave of absence with pay to
18 every person in the service of the county or municipality who is a duly
19 authorized representative of the New Jersey State Patrolmen's
20 Benevolent Association, Inc., Fraternal Order of Police, American
21 Federation of Police Officers, Inc., Bronze Shields, Inc., Batons,
22 Vulcan Pioneers, a member organization of the New Jersey Council of
23 Charter Members of the National Black Police Association, Inc.,
24 Firemen's Mutual Benevolent Association, Inc., the Uniformed
25 Firemen's Association, or the New Jersey State Association of Chiefs
26 of Police, to attend any State or national convention of such
27 organization.

28 A certificate of attendance to the State convention shall, upon
29 request, be submitted by the representative so attending.

30 Leave of absence shall be for a period inclusive of the duration of
31 the convention with a reasonable time allowed for time to travel to and
32 from the convention.

33 b. A leave of absence with pay shall be given to every employee
34 who is a duly authorized representative of the Emerald Society, the
35 Portuguese-American Police Association of New Jersey, any affiliate
36 of the International Association of Black Professional Firefighters, or
37 the National Association of Hispanic Firefighters or any affiliate of
38 that association, to attend any State or national convention of the
39 organization. The leave of absence shall be for a period inclusive of
40 the duration of the convention with a reasonable time allowed for
41 travel to and from the convention. A certificate of attendance at the
42 convention shall, upon request, be submitted by the representative
43 attending the convention. A county or municipal governing body that
44 grants an employee a leave of absence under this subsection may apply
45 for compensation from the Local Government Leave of Absence Fund

1 established in section 3 of P.L. ,c. (C.)(pending before the
2 Legislature as this bill) for any costs incurred by the governing body
3 as a result of the leave of absence.

4 (cf: P.L.1989, c.224, s.1)

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6 3. (New section) For the purposes of complying with Article
7 VIII, Section II, paragraph 5 of the New Jersey State Constitution,
8 there is hereby created a fund within the Department of Community
9 Affairs, which shall be known as the Local Government Leave of
10 Absence Fund. Money in the fund shall be used to compensate a
11 county or municipal governing body or a political subdivision for any
12 costs it incurs when its employee takes a leave of absence with pay
13 under subsection b. of N.J.S.11A:6-10 or subsection b. of section 1 of
14 P.L.1977, c.347 (C.40A:14-177). Application for compensation shall
15 be made on a form prepared by the Commissioner of Community
16 Affairs. It shall be the duty of the commissioner to review each
17 application for compensation within 30 days of submission and to pay
18 each claim promptly. The commissioner also shall monitor the
19 financial status of the Local Government Leave of Absence Fund and
20 to submit written notification to the State Treasurer and the
21 Legislative Budget and Finance Officer whenever the commissioner
22 determines that the fund needs to be replenished.

23
24 4. (New section) Pursuant to the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of
26 Community Affairs shall adopt rules and regulations to implement the
27 provisions of this act.

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29 5. There is appropriated from the General Fund \$75,000 to the
30 Local Government Leave of Absence Fund.

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32 6. This act shall take effect immediately.

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35 STATEMENT

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37 This substitute would add the Emerald Society, the Portuguese-
38 American Police Association of New Jersey, any affiliate of the
39 International Association of Black Professional Firefighters, and the
40 National Association of Hispanic Firefighters to the groups whose duly
41 authorized representatives are granted paid leave for attendance at
42 State or national conventions. Under current law, two separate
43 statutes authorize these paid leaves. The substitute also amends
44 N.J.S.11A:6-10 to include in that statute the groups listed in section
45 1 of P.L.1977, c.347 (C.40A:14-177).

1 In order to comply with the provisions of Article VIII, Section II,
2 paragraph 5 of the State Constitution concerning State mandate - State
3 pay, the substitute also creates the Local Government Leave of
4 Absence Fund. Money in the fund would be used to compensate
5 county and municipal governing bodies and political subdivisions for
6 any costs incurred by them when their employees who are duly
7 authorized representatives of the Emerald Society, the Portuguese-
8 American Police Association of New Jersey, any affiliate of the
9 International Association of Black Professional Firefighters, or the
10 National Association of Hispanic Firefighters take a leave of absence
11 to attend a State or national convention. Members of these groups
12 would be newly authorized by this substitute to be given leaves of
13 absence with pay.

14 The Commissioner of Community Affairs would prepare
15 application forms for receiving money from the fund, receive and
16 review the applications, and pay the claims. The commissioner also
17 would monitor the financial status of the fund and notify the State
18 Treasurer and the Legislative Budget and Finance Officer whenever
19 the fund needed to be replenished.

20 The substitute appropriates \$75,000 to the Local Government
21 Leave of Absence Fund.

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26 _____
27 Creates Local Government Leave of Absence Fund; grants leave of
28 absence for representatives of certain groups to attend certain
conventions; appropriates \$75,000.