

[Passed Both Houses]

SENATE SUBSTITUTE FOR
ASSEMBLY, No. 1669

STATE OF NEW JERSEY

ADOPTED JUNE 16, 1997

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

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:

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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

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 Portuguese-American Police Association of New Jersey, any affiliate
2 of the International Association of Black Professional Firefighters, or
3 the National Association of Hispanic Firefighters or any affiliate of
4 that association, to attend any State or national convention of the
5 organization. The leave of absence shall be for a period inclusive of
6 the duration of the convention with a reasonable time allowed for
7 travel to and from the convention. A certificate of attendance at the
8 convention shall, upon request, be submitted by the representative
9 attending the convention. A political subdivision that grants an
10 employee a leave of absence under this subsection may apply for
11 compensation from the Local Government Leave of Absence Fund
12 established in section 3 of P.L. ,c. (C.)(pending before the
13 Legislature as this bill) for any costs incurred by the political
14 subdivision as a result of the leave of absence.

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

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

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

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

34 Leave of absence shall be for a period inclusive of the duration of
35 the convention with a reasonable time allowed for time to travel to and
36 from the convention.

37 b. A leave of absence with pay shall be given to every employee
38 who is a duly authorized representative of the Emerald Society, the
39 Portuguese-American Police Association of New Jersey, any affiliate
40 of the International Association of Black Professional Firefighters, or
41 the National Association of Hispanic Firefighters or any affiliate of
42 that association, to attend any State or national convention of the
43 organization. The leave of absence shall be for a period inclusive of
44 the duration of the convention with a reasonable time allowed for
45 travel to and from the convention. A certificate of attendance at the

1 convention shall, upon request, be submitted by the representative
2 attending the convention. A county or municipal governing body that
3 grants an employee a leave of absence under this subsection may apply
4 for compensation from the Local Government Leave of Absence Fund
5 established in section 3 of P.L. ,c. (C.)(pending before the
6 Legislature as this bill) for any costs incurred by the governing body
7 as a result of the leave of absence.

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

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

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

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

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36 6. This act shall take effect immediately.

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STATEMENT

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41 This substitute would add the Emerald Society, the Portuguese-
42 American Police Association of New Jersey, any affiliate of the
43 International Association of Black Professional Firefighters, and the
44 National Association of Hispanic Firefighters to the groups whose duly
45 authorized representatives are granted paid leave for attendance at

1 State or national conventions. Under current law, two separate
2 statutes authorize these paid leaves. The substitute also amends
3 N.J.S.11A:6-10 to include in that statute the groups listed in section
4 1 of P.L.1977, c.347 (C.40A:14-177).

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

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

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

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30 Creates Local Government Leave of Absence Fund; grants leave of
31 absence for representatives of certain groups to attend certain
32 conventions; appropriates \$75,000.