

SENATE, No. 70

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators CASEY and KOSCO

1 AN ACT concerning the appointment of certain law enforcement
2 officers and amending P.L.1991, c.299.

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

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7 1. Section 1 of P.L.1991, c.299 (C.40A:14-180) is amended to
8 read as follows:

9 1. a. The provisions of any other law to the contrary
10 notwithstanding, the appointing authority of a county or municipality
11 which, pursuant to N.J.S.40A:14-106, in the case of a county, or
12 N.J.S.40A:14-118, in the case of a municipality, has established and
13 maintains a police force may appoint as a member or officer of the
14 county or municipal police department any person who:

15 (1) was serving as a law enforcement officer in good standing in
16 any State, county or municipal law enforcement department or agency;
17 and

18 (2) satisfactorily completed a working test period in a State law
19 enforcement title or in a law enforcement title in a county or
20 municipality which has adopted Title 11A, Civil Service, of the New
21 Jersey Statutes or satisfactorily completed a comparable, documented
22 probationary period in a law enforcement title in a county or
23 municipality which has not adopted Title 11A, Civil Service; and

24 (3) was, for reasons of economy, terminated as a law enforcement
25 officer within [36] 60 months prior to the appointment.

26 b. A county or municipality may employ such a person
27 notwithstanding that:

28 (1) Title 11A, Civil Service, of the New Jersey Statutes is
29 operative in that county or municipality;

30 (2) the county or municipality has available to it an eligible or
31 regular reemployment list of persons eligible for such appointments;
32 and

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) the appointed person is not on any eligible list. A county or
2 municipality which has adopted Title 11A, Civil Service, may not
3 employ such a person if a special reemployment list is in existence for
4 the law enforcement title to be filled.

5 c. If a county determines to appoint a person pursuant to the
6 provisions of this act, it shall give first priority in making such
7 appointments to residents of the county. A municipality making such
8 an appointment shall give first priority to residents of the municipality
9 and second priority to residents of the county not residing in the
10 municipality.

11 d. The seniority, seniority-related privileges and rank a law
12 enforcement officer possessed with the employer who terminated the
13 officer's employment for reasons of economy shall not be transferable
14 to a new position when the officer is appointed to a law enforcement
15 position pursuant to the provisions of this section.

16 (cf: P.L.1993, c.187, s.1)

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18 2. This act shall take effect immediately.

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21 STATEMENT

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23 This bill would increase from 36 to 60 months the period during
24 which laid-off law enforcement officers are eligible, and accorded
25 preference, for reemployment appointments under the State's special
26 statewide law enforcement program.

27 Under current law (P.L.1991, c.299; C.40A:14-180), the names of
28 qualified law enforcement officers who are laid-off for reasons of
29 economy are placed on a "Special Statewide Law Enforcement
30 Reemployment List" and circulated to local governmental appointing
31 authority by the Department of Personnel. This priority hiring
32 program benefits both local governmental units seeking to employ
33 trained and experienced law enforcement officers and qualified officers
34 seeking reemployment.

35 One of the program's statutory qualifications is that law
36 enforcement officers are only eligible during the initial 36 months
37 following the official date of their lay-off. There are a number of
38 highly trained and qualified law enforcement officers who will be
39 dropped from the program because they have been unable, through no
40 fault of their own, to secure reemployment within that arbitrary 36
41 month period. The purpose of this bill is to assist those officers by
42 extending eligibility period to 60 months.

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3 Authorizes hiring of certain law enforcement officers by counties and
4 municipalities.