

SENATE, No. 965

STATE OF NEW JERSEY

INTRODUCED MARCH 18, 1996

By Senator HAINES

1 AN ACT concerning certain costs incurred in the training and hiring of
2 police officers by the New Jersey Transit Corporation, amending
3 P.L.1987, c.47 and P.L.1989, c.40, and supplementing chapter 25
4 of Title 27 of the Revised Statutes.

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

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9 1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to read
10 as follows:

11 1. Whenever a person who resigned as a member of a county or
12 municipal police department is appointed to the police department of
13 another county or municipality or the police department of an
14 educational institution pursuant to P.L. 1970, c. 211 (C.18A:6-4.2 et
15 seq.) or the New Jersey Transit Police Department pursuant to section
16 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation,
17 and that person held a probationary appointment at the time of
18 resignation or held a permanent appointment for 30 days or less prior
19 to resignation, the New Jersey Transit Corporation, or the county or
20 municipality or educational institution appointing the person is liable
21 to the former county or municipal employer, as appropriate, for the
22 total certified costs incurred by the former employer in the
23 examination, hiring, and training of the person.

24 Whenever a person who resigned as a member of a county or
25 municipal police department is appointed to the police department of
26 another county or municipality or the police department of an
27 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
28 seq.) or the New Jersey Transit Police Department pursuant to section
29 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation,
30 and that person, at the time of resignation held a permanent
31 appointment for more than 30 days but less than two years, the New
32 Jersey Transit Corporation, or the county or municipality or
33 educational institution appointing the person is liable to the former
34 county or municipal employer, as appropriate, for one-half of the total

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 certified costs incurred by the former employer in the examination,
2 hiring and training of that person.

3 The New Jersey Transit Corporation, upon the appointment of a
4 former member of a police department of a county, municipality or
5 educational institution, or the appointing county or municipality or
6 educational institution shall notify the former employer immediately
7 upon the appointment of a former employee and shall reimburse the
8 former employer within 120 days of the receipt of the certified costs.

9 For the purposes of this act, "examination costs" means and
10 includes, but is not limited to, the costs of all qualifying examinations
11 and the public advertisements for these examinations, and "training
12 costs" means the police training course fees and the base salary
13 received while attending the police training course, as required by
14 P.L.1961, c. 56 (C. 52:17B-66 et seq.).

15 (cf: P.L.1989, c.40, s.1)

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17 2. Section 2 of P.L.1989, c.40 (C.18A:6-4.12) is amended to read
18 as follows:

19 2. a. If a person who was appointed as a police officer of an
20 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
21 seq.) resigns and is subsequently appointed as a police officer for
22 another educational institution or for a county or municipal police
23 department or the New Jersey Transit Police Department pursuant to
24 section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of
25 resignation, and if that person held a probationary appointment at the
26 time of resignation or held a permanent appointment for 30 days or
27 less prior to resignation, the New Jersey Transit Corporation, the
28 educational institution or county or municipal department appointing
29 the person shall be liable to the former educational institution for the
30 total certified costs incurred by that former educational institution in
31 the examination, hiring, and training of the person.

32 b. If a person who was appointed as a police officer of an
33 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
34 seq.) resigns and is subsequently appointed as a police officer for
35 another educational institution or for a county or municipal police
36 department or the New Jersey Transit Police Department pursuant to
37 section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of
38 resignation, and if that person held a permanent appointment for more
39 than 30 days but less than two years at the time of resignation, the
40 New Jersey Transit Corporation, the educational institution or county
41 or municipal department appointing the person shall be liable to the
42 former educational institution for one-half of the total certified costs
43 incurred by that former institution in the examination, hiring, and
44 training of the person.

45 c. The New Jersey Transit Corporation, upon the appointment of
46 a former member of a police department of an educational institution,

1 or the appointing educational institution or county or municipal police
2 department shall notify the former educational institution immediately
3 upon the appointment of a police officer formerly with that institution
4 and shall reimburse the institution within 120 days of the receipt of the
5 certified costs.

6 d. As used in this section, "examination costs" means and includes,
7 but is not limited to, the costs of all qualifying examinations and public
8 advertisements for these examinations. "Training costs" means the
9 police training course fees and the base salary received while attending
10 the police training course as required by section 3 of P.L.1970, c.211
11 (C.18A:6-4.4).

12 (cf: P.L.1989, c.40, s.2)

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14 3. (New section) a. If a person who was appointed as a police
15 officer of the New Jersey Transit Police Department pursuant to
16 section 2 of P.L.1989, c.291 (C.27:25-15.1) resigns and is
17 subsequently appointed as a police officer for an educational
18 institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) or for
19 a county or municipal police department within 120 days of
20 resignation, and if that person held a probationary appointment at the
21 time of resignation or held a permanent appointment for 30 days or
22 less prior to resignation, the educational institution or county or
23 municipal department appointing the person shall be liable to the New
24 Jersey Transit Corporation for the total certified costs incurred by the
25 corporation in the examination, hiring, and training of the person.

26 b. If a person who was appointed as a police officer of the New
27 Jersey Transit Police Department pursuant to section 2 of P.L.1989,
28 c.291 (C.27:25-15.1) resigns and is subsequently appointed as a police
29 officer for an educational institution pursuant to P.L.1970, c.211
30 (C.18A:6-4.2 et seq.) or for a county or municipal police department
31 within 120 days of resignation, and if that person held a permanent
32 appointment for more than 30 days but less than two years at the time
33 of resignation, the educational institution or county or municipal
34 department appointing the person shall be liable to the New Jersey
35 Transit Corporation for one-half of the total certified costs incurred
36 by the corporation in the examination, hiring, and training of the
37 person.

38 c. The appointing educational institution or county or municipal
39 police department shall notify the New Jersey Transit Corporation
40 immediately upon the appointment of a police officer formerly
41 employed by the corporation and shall reimburse the corporation
42 within 120 days of the receipt of the certified costs.

43 d. As used in this section, "examination costs" means and includes,
44 but is not limited to, the costs of all qualifying examinations and public
45 advertisements for these examinations. "Training costs" means the
46 police training course fees and the base salary received while attending

1 the police training course as required by section 2 of P.L.1989, c.291
2 (C.27:25-15.1).

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4 4. This act shall take effect immediately.

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STATEMENT

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9 This bill would require a county, municipality or educational
10 institution to reimburse the New Jersey Transit Corporation for costs
11 the corporation incurred in the hiring and training of a police officer,
12 whenever the officer resigns during a probationary appointment or
13 within the first two years of a permanent appointment, and is hired
14 within 120 days of the date of resignation by the county, municipality
15 or educational institution. The bill would also require the New Jersey
16 Transit Corporation to reimburse a county, municipality or educational
17 institution. The bill would also require the New Jersey Transit
18 Corporation to reimburse a county, municipality or educational
19 institution whenever the corporation hires a member of a county,
20 municipal or educational institution police department under similar
21 circumstances.

22 Current law already provides for this reciprocal arrangement among
23 counties, municipalities and educational institutions. The purpose of
24 this bill is to include New Jersey Transit Corporation in the
25 arrangement because it has been reported that the New Jersey Transit
26 Police Department has lost several recent hires to municipal police
27 departments. Adoption of this bill will place New Jersey Transit
28 Corporation on a level playing field with counties, municipalities and
29 educational institutions.

30 Specifically, the bill would require a hiring authority to reimburse
31 an officer's former employer for the total certified costs that the former
32 employer incurred in examining, hiring and training the officer
33 whenever the officer resigns during a probationary appointment or
34 within the first 30 days of a permanent appointment and the hiring
35 authority hired the officer within 120 days of the date of the officer's
36 resignation. Furthermore, the bill would require a hiring authority to
37 reimburse an officer's former employer for one-half of the total
38 certified costs that the former employer incurred in examining, hiring
39 and training the officer whenever the officer resigns a permanent
40 appointment held for more than 30 days but for less than two years
41 and the hiring authority hired the officer within 120 days of the date
42 of the officer's resignation.

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3 Requires reimbursement of training and certification costs of certain

4 police officers by appointing authority to former employer.