

52:27D-118.11

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:27D-118.11 et seq.

(Police training-- allow municipalities to use certain funds)

CHAPTER 90

Laws Of: 1987

Bill No: A975

Sponsor(s): Schuber

Date Introduced: Pre-field

Committee: Assembly: Law Public Safety and Defense

Senate: County and Municipal

Amended during passage: Yes

Amendments during passage denoted by asterisks

Date of Passage:

Assembly:

February 3, 1986

Senate:

December 15, 1986

Date of Approval: April 8, 1987

Following statements are attached if available:

Sponsor statement:

Yes

Attached Senate amendments, adopted 12-4-87 (with statement)

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

Yes

Following were printed:

Reports:

No

Hearings:

No

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ASSEMBLY, No. 975

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman SCHUBER

AN ACT concerning assistance to certain municipalities for the training of certain police officers and amending P. L. 1985, c. 170.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey*:

1 1. Section 1 of P. L. 1985, c. 170 (C. 52:27D-118.11) is amended
2 to read as follows:

3 1. Notwithstanding any provisions to the contrary of section 3
4 of P. L. 1979, c. 118 (C. 52:27D-118.3), the amounts appropriated
5 in any State fiscal year beginning after June 30, 1985 for distribu-
6 tion to municipalities under the provisions of P. L. 1979, c. 118
7 (C. 52:27D-118.1 et seq.) shall be apportioned as follows:

8 a. Any municipality which received State aid under P. L. 1979,
9 c. 118 (C. 52:27D-118.1 et seq.) during the 1985 State fiscal year
10 shall first be apportioned, as matching funds pursuant to subsection
11 a. of section 3 thereof, the greatest of the following amounts: (1)
12 the amount received during the 1985 local budget year; (2) the
13 amount received in any previous local budget year; or (3) the
14 amount to which the municipality is entitled in any subsequent local
15 budget year.

16 b. A municipality which is entitled to such aid on or after the
17 effective date of this supplementary act, but which did not receive
18 such aid during the 1985 local budget year, shall then be appor-
19 tioned the amount for which it qualifies.

20 c. 65% of any amount appropriated above that required under
21 subsections a. and b. of this section, and appropriated for additional

**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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted January 27, 1986.**

****—Senate committee amendments adopted May 19, 1986.**

*****—Senate amendments adopted December 4, 1986.**

22 police services ****[and in-service training]**** shall then be appor-
 23 tioned to qualifying municipalities to provide a uniform percentage
 24 increase in the amount apportioned to these municipalities. The
 25 amount so apportioned shall be made available **[exclusively]** ****[:**
 26 **(1)]**** ****exclusively**** to allow employment of full-time police of-
 27 ficers regularly assigned uniformed patrol duties in addition to the
 28 number of full-time police officers employed by the municipality and
 29 regularly assigned to uniformed patrol duties on January 31,
 30 1985****[; *or* (2) *if the amount apportioned is \$20,000.00 or less,***
 31 *to pay costs associated with in-service training required for exist-*
 32 *ing, full-time police officers by the Police Training Commission or a*
 33 *county prosecutor*[;]* or *to employ full-time police officers as in*
 34 *paragraph 1 of this subsection]**. *[(3) both paragraphs (1) and*
 35 *(2) of this subsection.]** In order to *****[receive]***** *****continue**
 36 *receiving**** funds for this purpose *****after the effective date of**
 37 *this amendatory act****, a municipality shall be required to ****[pro-**
 38 *vide matching funds from other sources equal to 25% of the amount*
 39 *provided hereunder.]*** *****maintain the number of full-time police**
 40 *officers employed and assigned uniformed patrol duties as of*
 41 *January 1, 1986 less the number of officers who retired, resigned*
 41A *or separated from the force involuntarily for reasons other than*
 41B *layoffs.***

42 d. The remaining amount appropriated for additional police
 43 services ****[and in-service training]**** shall then be available to
 44 provide assistance to nonqualifying municipalities which maintain
 45 a regularly organized police force: (1) to employ full-time police
 46 officers regularly assigned uniformed patrol duties in addition to
 47 the number of full-time police officers employed by the municipality
 48 and regularly assigned to uniformed patrol duties on January 31,
 49 1985**[;]; *or* (2) **[*if the amount apportioned is \$20,000.00 or**
 50 *or less,* to pay costs associated with in-service training required*
 51 *for existing full-time police officers by the Police Training Commis-*
 52 *sion or a county prosecutor*]; or (3) both paragraphs (1) and*
 53 *(2) of this subsection]*** **** or to employ full-time police officers as**
 54 *in paragraph 1 of this subsection**; provided, however, that no**]****
 55 *****upon approval of the Director of the Division of Local Govern-**
 56 *ment Services, to pay for additional overtime police patrol activi-*
 57 *ties performed by full-time police officers. The amount approved*
 58 *by the director for overtime activities shall be for the costs of over-*
 59 *time activities of full-time police officers which exceed the cost of*
 60 *those overtime activities in local budget year 1985. No*** munici-
 61 *pality which is ineligible to receive a revenue sharing distribution*
 62 *pursuant to P. L. 1976, c. 73 (C. 54A:10-1 et seq.), from the State*

63 in the 1985 local budget year shall be eligible for ****[such]**** assis-
 64 tance ****pursuant to this subsection****. Each eligible municipality
 65 may be apportioned an amount not to exceed that proportion of
 66 the total amount available to all such municipalities as the num-
 67 ber of full-time police officers regularly assigned to uniformed pa-
 68 trol duties that it employed as of January 31, 1985 bears to the
 69 entire number of such full-time officers employed on that date by
 70 all such municipalities. In order to receive funds for this purpose,
 71 an eligible municipality shall be required to provide from other
 72 sources at least 50% of the cost of employing the additional police
 73 officers ****[and the cost of the in-service training]**** ****or provid-**
 74 **ing additional overtime activities, as appropriate****.

75 e. Any two or more nonqualifying municipalities may join to-
 76 gether under the "Interlocal Services Act" (P. L. 1973, c. 208, C.
 77 40:8A-1 et seq.) for the purpose of receiving and expending funds
 78 pursuant to subsection d. above. The Director of the Division of
 79 Local Government Services, in contracting with such municipalities
 80 pursuant to section 4 of *****[this supplementary act]**** *****P. L.**
 81 **1985, c. 170 (C. 52:27D-118.14)*****, is authorized to establish a
 82 matching requirement of 50% of the cost of employing additional
 83 police officers ****[and the cost of in-service training]**** ****or pro-**
 84 **viding additional overtime activities, as appropriate****. No more
 85 than 10% of the total available to nonqualifying municipalities may
 86 be distributed under this subsection.

1 ****2.** Section 2 of P. L. 1985, c. 170 (C. 52:27D-118.12) is amended
 2 to read as follows:

3 2. In the event that any funds remain undistributed after all
 4 eligible municipalities have had an opportunity to enter into a con-
 5 tract pursuant to *****[this supplementary act]**** *****P. L. 1985, c.**
 6 **170 (C. 52:27D-118.11 et seq.)*****, there shall be established a dis-
 7 cretionary fund, and eligible municipalities may make application
 8 for such funds as still remain undistributed as determined by the
 9 director. Any funds paid pursuant to this section shall be *available*
 10 *to all eligible municipalities* for the purposes of augmenting or up-
 11 grading patrol activities or to *qualifying municipalities for the costs*
 12 *of salaries and other related expenses of existing full-time police*
 13 *officers assigned to uniformed patrol duty, including payments for*
 14 *pensions, health benefits and uniforms.* *****[Qualified]**** *****Quali-**
 15 **fying*** municipalities shall not be required to provide matching**
 16 **funds in order to receive funds pursuant to this section.****

1 ****[2.]**** ****3.**** Section 4 of P. L. 1985, c. 170 (C. 52:27D-118.14)
 2 is amended to read as follows:

3 4. In addition to the other powers and duties expressed in P. L.
 4 1979, c. 118 (C. 52:27D-118.1 et seq.), the Director of the Division
 5 of Local Government Services shall adopt specific regulations,
 6 pursuant to the "Administrative Procedure Act," P. L. 1968, c. 410
 7 (C. 52:14B-1 et seq.), to govern provision of assistance under this
 8 act to qualifying and nonqualifying municipalities for the employ-
 9 ment of appropriate police officers in addition to the number of
 10 such police officers employed on January 31, 1985. In addition to
 11 such other matters as the director may find appropriate, the regu-
 12 lations shall:

13 a. Require the municipality to enter into a contract in a form
 14 prescribed by the director ****[under which the]**** *Each non-*
 15 *qualifying* ****** municipality shall agree to provide its share of the
 16 costs of employing additional police officers ****[and of providing in-**
 17 *service training for existing, full-time police officers and, if it has*
 18 *received funds to employ additional police officers,] **** or pro-**
 19 *viding additional overtime activities, as appropriate* *****[**
 20 *and]* ******* *. If a nonqualifying municipality has received funds*
 21 *to employ additional police officers, that municipality* ******* *further*
 22 *shall agree to maintain its police force at an expanded level over*
 23 *that as of January 31, 1985 as a condition of continued assistance* ****.**
 24 ****If a nonqualifying municipality receives funds to provide addi-*
 24A *tional overtime activities, that municipality further shall agree to*
 24B *maintain the number of full-time police officers employed and as-*
 24C *signed uniformed patrol duties as of January 1, 1986, less the num-*
 24D *ber of officers who retired, resigned or separated from the force*
 24E *involuntarily for reasons other than layoffs.*** Each qualifying*
 24F *municipality shall agree to maintain its police force as required in*
 24G *subsection c. of section* *****[4]***** ****1*** of P. L. 1985, c.*
 24H ****[110]**** ****170*** (C. 52:27D-118.11)**;**

25 b. Identify the particular costs of employing additional police
 26 officers, generally limited to training, salary, benefits and equip-
 27 ment (exclusive of motor vehicles), for which assistance may be
 28 provided**[.]**;

29 c. Contain the design of the shoulder patch that additional police
 30 officers employed under this act are required to wear under section
 31 2 of this act.

1 ****[3.]**** *4.* *This act shall take effect* ****[immediately]**** *upon*
 2 *enactment but not before July 1, 1986*.*

POLICE, SECURITY AND DEFENSE

Allows for the use of some of the money from the Safe and Clean
 Neighborhoods Act for in-service police training.

66 additional police officers *and the cost of in-service training*. No
 67 more than 10% of the total available to nonqualifying municipalities
 68 may be distributed under this subsection.

1 2. Section 4 of P. L. 1985, c. 170 (C. 52:27D-118.14) is amended
 2 to read as follows:

3 4. In addition to the other powers and duties expressed in P. L.
 4 1979, c. 118 (C. 52:27D-118.1 et seq.), the Director of the Division
 5 of Local Government Services shall adopt specific regulations,
 6 pursuant to the "Administrative Procedure Act," P. L. 1968, c. 410
 7 (C. 52:14B-1 et seq.), to govern provision of assistance under this
 8 act to qualifying and nonqualifying municipalities for the employ-
 9 ment of appropriate police officers in addition to the number of
 10 such police officers employed on January 31, 1985. In addition to
 11 such other matters as the director may find appropriate, the regu-
 12 lations shall:

13 a. Require the municipality to enter into a contract in a form
 14 prescribed by the director under which the municipality shall agree
 15 to provide its share of the costs of employing additional police
 16 officers *and of providing in-service training for existing, full-time*
 17 *police officers* and, *if it has received funds to employ additional*
 18 *police officers*, further shall agree to maintain its police force at an
 19 expanded level over that as of January 31, 1985 as a condition of
 20 continued assistance;

21 b. Identify the particular costs of employing additional police
 22 officers, generally limited to training, salary, benefits and equip-
 23 ment (exclusive of motor vehicles), for which assistance may be
 24 provided[.];

25 c. Contain the design of the shoulder patch that additional police
 26 officers employed under this act are required to wear under section
 27 2 of this act.

1 3. This act shall take effect immediately.

STATEMENT

At the present time, funds available to municipalities under the terms of the recently enacted supplement to the "Safe and Clean Neighborhoods Act of 1979" (P. L. 1985, c. 170; C. 52:27D-118.11 et seq.) can be used only to hire full-time police officers in excess of the number of such officers employed by the municipality on January 31, 1985.

Municipalities that qualify to receive funds under the supplemental program may wish not to participate by hiring additional

police officers. Nevertheless, they may wish to improve the caliber of the existing officers in their police departments so that the public will be better served and protected. This bill will permit such municipalities to use funds available under the supplemental program to pay for the often extensive costs of in-service training mandated by the Police Training Commission or a county prosecutor.

Funds available under this bill for mandated in-service training will be subject to the same matching requirements as funds available under the supplemental program for hiring additional police officers. Municipalities that qualify under the "Safe and Clean Neighborhoods Act of 1979" will be required to provide matching funds from other sources equal to 25% of the amount provided for in-service training. Other municipalities that qualify under the supplemental program will be required to provide from other sources 50% of the cost of the in-service training.

ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 975

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 23, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee reports favorably Assembly Bill No. 975 with amendments.

As amended by the Assembly Law, Public Safety, Defense and Corrections Committee, Assembly Bill No. 975 allows a municipality which receives \$20,000.00 or less from the "Safe and Clean Neighborhoods Act of 1979" (P. L. 1985, c. 170; C. 52:27D-118.11 et seq.) to use those funds either to pay for the in-service training of law enforcement officers mandated by the Police Training Commission or by the county prosecutor or to hire full-time police officers.

At the present time, funds available to municipalities under the terms of the recently enacted supplement to the "Safe and Clean Neighborhoods Act of 1979" (P. L. 1985, c. 170; C. 52:27D-118.11 et seq.) can be used only to hire full-time police officers in excess of the number of such officers employed by the municipality on January 31, 1985. This bill allows a municipality to use some of the funds to pay for the in-service training of currently employed, full-time law enforcement officers.

Funds available under this bill for mandated in-service training will be subject to the same matching requirements as funds available under the supplemental program for hiring additional police officers. Municipalities that qualify under the "Safe and Clean Neighborhoods Act of 1979" will be required to provide matching funds from other sources equal to 25% of the amount provided for in-service training. Other municipalities that qualify under the supplemental program will be required to provide from other sources 50% of the cost of the in-service training.

The committee amended the bill so that it would not take effect before July 1, 1986 for fiscal reasons. In addition, the committee amended the bill in order to limit the use of the funds from the Safe and Clean Neighborhoods Act of 1979 for in-service training only to those unnci-

palities which receive \$20,000.00 or less. The committee reasoned that \$20,000.00 or less would not be enough for a municipality to hire additional full-time police officers or a municipality simply may not want to hire additional police officers, yet the money should be put to use for a law enforcement purpose.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported, the bill includes changes required by technical review which has been performed.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 975

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MAY 19, 1986

The Senate County and Municipal Government Committee reports favorably and with committee amendments Assembly Bill No. 975 OCR.

Assembly Bill No. 975 OCR Sea amends certain requirements concerning the use of funds received by municipalities under a supplementary program to the "Safe and Clean Neighborhoods Act of 1979" (P. L. 1985, c. 170; C. 52:27D-118.11 et seq.).

At the present time, funds available to municipalities under the terms of P. L. 1985, c. 170, a supplement to the "Safe and Clean Neighborhoods Act of 1979," can be used only to hire full-time police officers in excess of the number of such officers employed by the municipalities on January 31, 1985. This amended bill establishes different requirements for the use of the funds for qualifying municipalities (urban aid municipalities) and nonqualifying municipalities (virtually all other municipalities).

Specifically, qualifying municipalities will have to maintain the number of full-time police officers as were employed and assigned uniformed patrol duties on January 1, 1986 in order to receive the supplemental aid. However, qualifying municipalities will not have to provide matching funds in order to receive the aid. In addition, qualifying municipalities applying for and receiving any remaining discretionary funds may use the funds for the costs of salaries and other related expenses, including pensions and benefits, of existing full-time officers. Again, no matching funds would be required.

The amended bill also provides that nonqualifying municipalities may upon approval of the Director of the Division of Local Government Services, use any supplemental funds received for additional overtime police patrol activities performed by full-time officers. Any funds so used shall be for the cost of overtime activities which exceed the cost of those overtime activities in local budget year 1985. Nonqualifying municipalities would still be required to provide a match of 50% of any funds received.

Senate Amendments
(proposed by Sen. Graves)

to

Assembly Bill No. 975 OCR SR
(sponsored by Assemblyman Schuber)

Amend:

Page Sec. Line

STATEMENT

These amendments clarify that, under the supplemental police assistance provided by P.L. 1985, c.170 (C.52:27D-118.11 et seq.), if a municipality which is not qualified for urban aid has received funding to employ additional police officers, it shall agree to maintain its full-time force at an expanded level over that of January 31, 1985. If the municipality receives funds, under this bill, to provide for police overtime, it shall agree to maintain its full-time police force at the January 1, 1986 level.



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

Contact: JOHN SAMERJAN
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TRENTON, N.J. 08625

Release: WED., APRIL 8, 1987

Governor Thomas H. Kean today signed the following legislation:

A-975, sponsored by Assemblyman Pat Schuber, R-Bergen, amends the Safe and Clean Neighborhoods Program to allow urban aid municipalities to receive supplemental Safe and Clean funds only if they do not lay off patrol officers now on duty. Urban aid municipalities will also have the 25 percent matching local aid requirement eliminated.

The nearly 400 suburban "non qualifying" municipalities, can utilize supplemental Safe and Clean money not only for additional police services but also for additional overtime patrol activities. The suburban municipalities will still be required to make a 50 percent match of State funds.

The legislation is effective immediately.

A-2806, sponsored by Assemblyman Gary Stuhltrager, R-Cumberland and Assemblyman Guy Muziani, R-Cape May, appropriates \$250,000 to the Department of Agriculture for increased funding of its biological control laboratory. The laboratory studies and produces biological agents that will control plant pests.

The legislation is effective immediately.

S-233, sponsored by Senator Leonard Connors, R-Ocean, prohibits mobile home park owners or operators from charging prospective tenants a credit check fee in excess of the actual cost to the owner for such a check.

The legislation is effective immediately.

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