

40: 37-11.6

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:37-11.6 (County Park Police-- certain-- abolish)

LAWS OF: 1987 CHAPTER: 271

Bill No: S3136

Sponsor(s): Graves & Bubba

Date Introduced: March 26, 1987

Committee: Assembly: County Government

Senate: Law, Public Safety and Defense

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: August 3, 1987

Senate: June 8, 1987

Date of Approval: September 11, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

271 87
9-11 81

[OFFICIAL COPY REPRINT]
SENATE, No. 3136

STATE OF NEW JERSEY

INTRODUCED MARCH 26, 1987

By Senators GRAVES and BUBBA

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning certain county park police and supplementing
chapter 37 of Title 40 of the Revised Statutes.

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

1 1. a. When the governing body of a county abolishes a county
2 park commission, the governing body may, in its discretion, abolish
3 any county park police force which had been established by that
4 county park commission. Upon the abolition of a county park police
5 force, the governing body of the county shall authorize the county
6 sheriff to assign and supervise an appropriate number of sheriff's
7 officers to perform security duties for the county parks, provided
8 that the appropriate number of officers assigned to perform security
9 duties for county parks shall include all of the former county park
10 police officers who were transferred and given appointments as
11 sheriff's officers pursuant to subsection b. of this section. In assign-
12 ing the appropriate number of officers to perform security duties
13 in county parks, the sheriff shall determine the appropriate table
14 of organization, the number of officers to be assigned above the
15 number of former county park police officers, the rank of the officers
16 and any other rules and regulations the sheriff shall deem appro-
17 priate.

18 The sheriff shall not assign a county park police officer who was
19 transferred and given an appointment as a sheriff's officer pur-
20 suant to subsection b. of this section to duties other than security
21 duties in county parks without the consent of that officer. Any
22 officer assigned by the sheriff to perform park security duties shall

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:

*—Senate committee amendment adopted April 30, 1987.

23 maintain all the powers of a sheriff's officer as provided by law
24 and, in addition, shall acquire the power to preserve order in the
25 county parks, to secure and enforce the rules and regulations estab-
26 lished for the county parks, and to protect life and property in the
27 county parks. **A county park police officer who was transferred
27A and given an appointment as a sheriff's officer shall retain all of
27B the police power and authority that the officer had as a county park
27C police officer prior to the appointment as a sheriff's officer, includ-
27D ing any authority to bear and use a firearm.**

28 b. Notwithstanding any other provision of law to the contrary,
29 when a county park police force is abolished, any county park police
30 officer who was appointed and inservice on or before the date on
31 which the force is abolished shall be transferred to the county
32 sheriff's department and shall receive an immediate appointment
33 as a sheriff's officer. Such a new sheriff's officer shall acquire all
34 of the civil service rights and benefits which correspond to his new
35 rank within the sheriff's department and shall receive the com-
36 pensation and other monetary benefits corresponding to that rank.
37 A county park police officer who receives an appointment as a
38 sheriff's officer and who has not yet been certified by the Police
39 Training Commission within the Department of Law and Public
40 Safety as having satisfactorily completed a police training program
41 shall meet all the training requirements for a sheriff's officer within
42 six months of the date of appointment.

43 Upon appointment as a sheriff's officer pursuant to this subsec-
44 tion, a county park police officer with the rank of chief may be
45 demoted no more than one rank. A county park police officer with
46 the rank of captain may be demoted to the rank of lieutenant, an
47 officer with the rank of lieutenant may be demoted to the rank of
48 sergeant, and any other officer shall not be demoted to a rank lower
49 than a sergeant upon appointment as a sheriff's officer.

50 c. The provisions of this section shall be controlling over any
51 provision of current law which is inconsistent with the provisions
52 of this section in situations where a county park police force has
53 been abolished and the county sheriff has been authorized to pro-
54 vide security for county parks. It is the purpose of this act that a
55 county park police officer shall be appointed as a sheriff's officer
56 without any loss of seniority rights, or impairment of tenure or
57 retirement system rights.

58 d. Upon the enactment of this section into law, a county park
59 police officer with the rank of chief shall be given the option of
60 becoming a sheriff's officer pursuant to the provisions of this sec-
61 tion or of retiring from service. If the chief elects retirement, he

62 shall not be demoted but shall retain the rank of chief and shall
63 be given terminal leave for a period of one month for each five year
64 period of past service as a county park police officer. During the
65 terminal leave, the chief shall continue to receive full compensation
66 and shall be entitled to all benefits, including any increases in com-
67 pensation or benefits, that he may have been entitled to if he had
68 remained on active duty.

1 2. This act shall take effect immediately.

POLICE, SECURITY AND DEFENSE

Permits abolishing of county park police under certain conditions.

STATEMENT

This bill provides that when a county abolishes a county park commission, it may also abolish a county park police force which had been established by that commission. The governing body of a county shall then authorize the sheriff to assign sheriff's officers to perform county park security duties. In addition, the bill provides that any county park police officer who was appointed and in service on or before the date on which the county park police force is abolished shall be transferred to the sheriff's department and given immediate appointment as a sheriff's officer. Such a new sheriff's officer will acquire all civil service rights and benefits which accompany his new rank and will receive the compensation appropriate for that rank.

The bill requires that a former county park police officer be assigned by the sheriff to county park security duties and shall not be reassigned to other duties by the sheriff without his consent. A newly appointed sheriff's officer would have six months within which to meet all the training requirements for a sheriff's officer if the new officer has not already been certified by the Police Training Commission as having satisfactorily completed a police training course.

The bill further ensures that any former county park police officer who receives an appointment as a sheriff's officer pursuant to this bill will not suffer any loss of seniority rights, or impairment in tenure or retirement system rights.

It is the intent of this bill that no county park police officer suffer a loss of employment when a county park commission and county park police force is abolished. Rather, it is the purpose of this bill to ensure that a county park police officer who received an appointment and was in service on the date that this bill is enacted into law be transferred to the sheriff's department and given immediate appointment as a sheriff's officer.

POLICE, SECURITY AND DEFENSE

Permits abolishing of county park police under certain conditions.

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ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 3136

with Senate committee amendments.

STATE OF NEW JERSEY

DATED: JUNE 18, 1987

The Assembly County Government Committee reports Senate Bill No. 3136 Sca favorably.

Senate Bill No. 3136 Sca provides that when a county abolishes a county park commission, it may also abolish a county park police force which had been established by that commission. The governing body of a county shall then authorize the sheriff to assign sheriff's officers to perform county park security duties. In addition, the bill provides that any county park police officer who was appointed and in service on or before the date on which the county park police force is abolished shall be transferred to the sheriff's department and be given immediate appointment as a sheriff's officer. Such a new sheriff's officer will acquire all civil service rights and benefits which accompany his new rank and will receive the compensation appropriate for that rank.

The bill requires that a former county park police officer be assigned by the sheriff to county park security duties and shall not be reassigned to other duties by the sheriff without the officer's consent. A newly appointed sheriff's officer will have six months within which to meet all the training requirements for a sheriff's officer, if the new officer has not already been certified by the Police Training Commission as having satisfactorily completed a police training course.

In addition, the bill provides that a park police officer appointed a sheriff's officer will have all the power and authority which that person had as a park police officer, including any authority to bear and use a firearm. The bill further ensures that any former county park police officer who receives an appointment as a sheriff's officer pursuant to this bill will not suffer any loss of seniority rights, or impairment in tenure or retirement system rights.

According to the sponsor's statement, it is the intent of this bill that no county park police officer suffer a loss of employment when a county park commission and county park police force is abolished. Rather, it is the purpose of this bill to ensure that a county park police officer

who received an appointment and was in service on the date that this bill is enacted into law be transferred to the sheriff's department and given immediate appointment as a sheriff's officer.

This bill is identical to Assembly Bill No. 3956 with amendments adopted by this committee on June 18, 1987.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
SENATE, No. 3136

with Senate committee amendments

STATE OF NEW JERSEY

DATED: APRIL 30, 1987

The Senate Law, Public Safety and Defense Committee favorably reports Senate Bill No. 3136 with amendments.

As amended, this bill provides that when a county abolishes a county park commission, it may also abolish a county park police force which had been established by that commission. The governing body of a county shall then authorize the sheriff to assign sheriff's officers to perform county park security duties. In addition, the bill provides that any county park police officer who was appointed and in service on or before the date on which the county park police force is abolished shall be transferred to the sheriff's department and given immediate appointment as a sheriff's officer. Such a new sheriff's officer will acquire all civil service rights and benefits which accompany his new rank and will receive the compensation appropriate for that rank.

The bill requires that a former county park police officer be assigned by the sheriff to county park security duties and shall not be re-assigned to other duties by the sheriff without his consent. A newly appointed sheriff's officer would have six months within which to meet all the training requirements for a sheriff's officer if the new officer has not already been certified by the Police Training Commission as having satisfactorily completed a police training course.

The bill further ensures that any former county park police officer who receives an appointment as a sheriff's officer pursuant to this bill will not suffer any loss of seniority rights, or impairment in tenure or retirement system rights.

It is the intent of this bill that no county park police officer suffer a loss of employment when a county park commission and county park police force is abolished. It is the purpose of this bill to ensure that a county park police officer who received an appointment and was in service on the date that this bill is enacted into law be transferred to the sheriff's department and given immediate appointment as a sheriff's officer.

The committee amended the bill to state that a county park police officer who receives an appointment as a sheriff's officer would retain all the police power and authority the officer had as a county park police officer prior to the appointment as a sheriff's officer, including any authority to bear and use a firearm.

A-3011, sponsored by Assemblywoman Claire Farragher, R-Monmouth, appropriates \$50,000 to the Monmouth Arts Center for the installation of seats in the Count Basie Theater in Red Bank.

The legislation is effective immediately.

A-3897/S-3119, sponsored by Assemblyman Thomas Shusted, R-Camden, Assemblyman John Rocco, R-Camden and Senator John Russo, D-Ocean, provides that each party pay its own costs and attorney fees incurred in protesting the location or relocation of a motor vehicle franchise.

Further, the administrative hearing costs will be equally apportioned among the parties to the hearing.

The legislation is effective immediately.

S-114/A-2256, sponsored by the late Senator Joseph Hirkala, D-Passaic and Assemblyman Gerald Zecker, R-Passaic, exempts certain direct mail advertising processing services from state sales and use tax.

This legislation will allow direct-mail processors in New Jersey to compete for interstate business with out of state firms who are exempt from sales and use tax for advertising processing services in connection with out-of-state recipients.

The legislation is effective immediately.

S-3136, sponsored by Senator Frank Graves, D-Passaic, permits a county to abolish its county park police force when it has abolished its county park commission. County park officers would become sheriff's officers assigned to park duty.

This legislation affects Passaic County.

The legislation is effective immediately.

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