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[Third Reprint]

ASSEMBLY, No. 207

STATE OF NEW JERSEY
214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman PETER J. BIONDI

District 16 (Morris and Somerset)

Assemblyman ALBERT COUTINHO

District 29 (Essex and Union)

Co-Sponsored by:

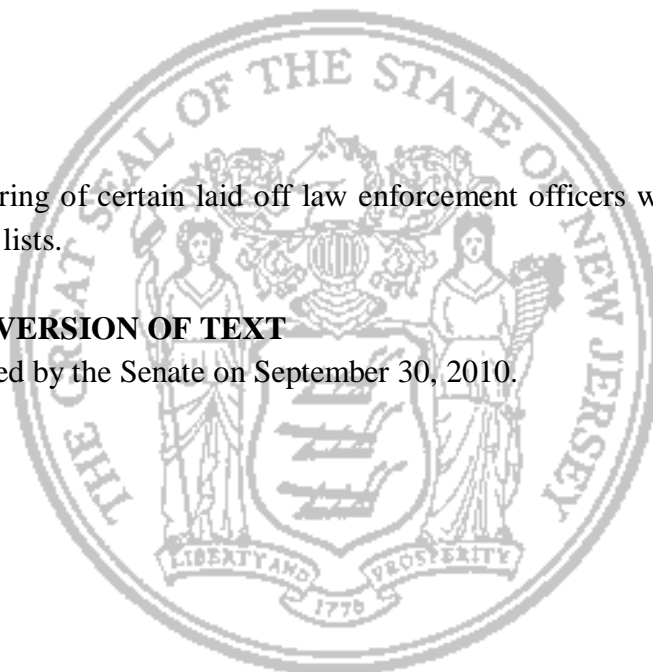
**Assemblywomen Rodriguez, Handlin, Assemblyman Scalera,
Assemblywoman Evans, Assemblymen Ramos, Conners, Senators
Norcross, Whelan, Rice, Ruiz, Assemblywoman Spencer and
Assemblyman O'Donnell**

SYNOPSIS

Permits hiring of certain laid off law enforcement officers without utilizing Civil Service lists.

CURRENT VERSION OF TEXT

As amended by the Senate on September 30, 2010.



(Sponsorship Updated As Of: 10/26/2010)

1 AN ACT concerning certain ¹[sheriff's officers and county
2 corrections] law enforcement¹ officers, amending P.L.1991,
3 c.299 and supplementing Title 40A of the New Jersey Statutes
4 and Title 52 of the Revised Statutes¹.

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

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

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

19 (1) was serving as a law enforcement officer in good standing in
20 any State, county or municipal law enforcement department or
21 agency, or county sheriff's office; and

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

29 (3) was, for reasons of economy, terminated as a law
30 enforcement officer within 60 months prior to the appointment.

31 b. A county **[or]** , municipality, or sheriff may employ such a
32 person notwithstanding that:

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

35 (2) the county **[or]** , municipality, or sheriff's office has
36 available to it an eligible or regular reemployment list of **[persons]**
37 law enforcement officers eligible for such appointments; and

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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLP committee amendments adopted September 13, 2010.

²Senate floor amendments adopted September 20, 2010.

³Senate floor amendments adopted September 30, 2010.

1 c. If a county or a sheriff determines to appoint a person
2 pursuant to the provisions of this act, **[it shall give]** first priority in
3 making such appointments shall be given to residents of the county.
4 A municipality making such an appointment shall give first priority
5 to residents of the municipality and second priority to residents of
6 the county not residing in the municipality.

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

12 The provisions of this section shall not apply to a sheriff's
13 investigator appointed pursuant to section 2 of P.L.1987, c.113
14 (C.40A:9-117a).

15 (cf: P.L.1996, c.13, s.1)

16

17 2. (New section) a. The provisions of any other law to the
18 contrary notwithstanding, the appointing authority of a county
19 correctional facility, be that the governing body of the county
20 pursuant to R.S.30:8-19 or the sheriff pursuant to R.S.30:8-17, may
21 appoint as a county correctional officer any person who:

22 (1) was serving as a county correctional officer in good standing
23 in any county correctional facility in this State; and

24 (2) satisfactorily completed a working test period in a county
25 correctional officer title or in a county which has adopted Title 11A,
26 Civil Service, of the New Jersey Statutes or satisfactorily completed
27 a comparable, documented probationary period in a county
28 correctional title in a county which has not adopted Title 11A, Civil
29 Service; and

30 (3) was, for reasons of economy, terminated as a county
31 correctional officer within 60 months prior to the appointment.

32 b. The appointing authority of a county correctional facility
33 may employ such a person notwithstanding that:

34 (1) Title 11A, Civil Service, of the New Jersey Statutes is
35 operative in that county;

36 (2) the appointing authority has available to it an eligible or
37 regular reemployment list of corrections officers eligible for such
38 appointments; and

39 (3) the appointed person is not on any eligible list. If the county
40 appointing authority is subject to the provisions of Title 11A, Civil
41 Service, it may not employ such a person if a special reemployment
42 list is in existence for the county corrections officer title to be filled.

43 c. If the county appointing authority determines to appoint a
44 person pursuant to the provisions of this act, it shall give first
45 priority in making such appointments to residents of the county.

46 d. The seniority, seniority-related privileges, and rank a county
47 corrections officer possessed with the employer who terminated the

1 officer's employment for reasons of economy shall not be
2 transferable to a new position when the officer is appointed to a
3 county corrections officer position pursuant to the provisions of this
4 section.

5
6 ¹3. (New section) a. Notwithstanding the provisions of any
7 other law to the contrary, the appointing authority of a State law
8 enforcement department or agency, other than the Division of State
9 Police ²but including the appointing authority of a State college or
10 university established pursuant to chapter 64 of Title 18A of the
11 New Jersey Statutes or of a public research university² , which
12 requires appointees to successfully complete, prior to their
13 appointment, a training course approved by the Police Training
14 Commission may appoint as a member or officer of the agency any
15 person who:

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

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

26 (3) was, for reasons of economy, terminated as a law
27 enforcement officer within 60 months prior to the appointment.

28 b. A department or agency may employ such a person
29 notwithstanding that:

30 (1) the appointment is subject to the provisions of Title 11A,
31 Civil Service, of the New Jersey Statutes;

32 (2) the department or agency has available to it an eligible or
33 regular reemployment list of law enforcement officers eligible for
34 such appointments; and

35 (3) the appointed person is not on any eligible list. The
36 department or agency may not employ such a person if a special
37 reemployment list is in existence for the law enforcement title to be
38 filled.

39 c. The seniority, seniority-related privileges and rank a law
40 enforcement officer possessed with the employer who terminated
41 the officer's employment for reasons of economy shall not be
42 transferable to a new position when the officer is appointed to a law
43 enforcement position pursuant to the provisions of this section.¹
44

45 ³4. (New section) a. The provisions of any other law to the
46 contrary notwithstanding, the appointing authority of a municipality
47 which, pursuant to N.J.S.40A:14-118, has established and maintains

1 a police force may reappoint as a member or officer of its municipal
2 police department or force any person who:

3 (1) did not hold a permanent appointment, but was serving as a
4 probationary officer or as an officer in a field working test period,
5 as prescribed by the Police Training Commission, in the police
6 department or force of that municipality;

7 (2) was, for reasons of economy, terminated as a law
8 enforcement officer within 60 months prior to the reappointment;
9 and

10 (3) was, at the time of termination, in good standing.

11 b. A municipality may reemploy such a person notwithstanding
12 that:

13 (1) Title 11A, Civil Service, of the New Jersey Statutes is
14 operative in municipality;

15 (2) the municipality has available to it an eligible or regular
16 reemployment list of persons eligible for such appointments; and

17 (3) the appointed person is not on any eligible list. A
18 municipality which has adopted Title 11A, Civil Service, may not
19 reemploy such a person if a special reemployment list is in
20 existence for the law enforcement title to be filled.

21 c. A law enforcement officer reemployed pursuant to this
22 section shall complete the remainder of any probationary or
23 working test period not completed at the time of his termination for
24 reasons of economy.³

25
26 '[3.]³[4.1] 5.'³ This act shall take effect on the first day of the
27 third month following enactment ³, except that section 4 shall take
28 effect immediately³.

ASSEMBLY, No. 207

STATE OF NEW JERSEY

214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman PETER J. BIONDI

District 16 (Morris and Somerset)

Co-Sponsored by:

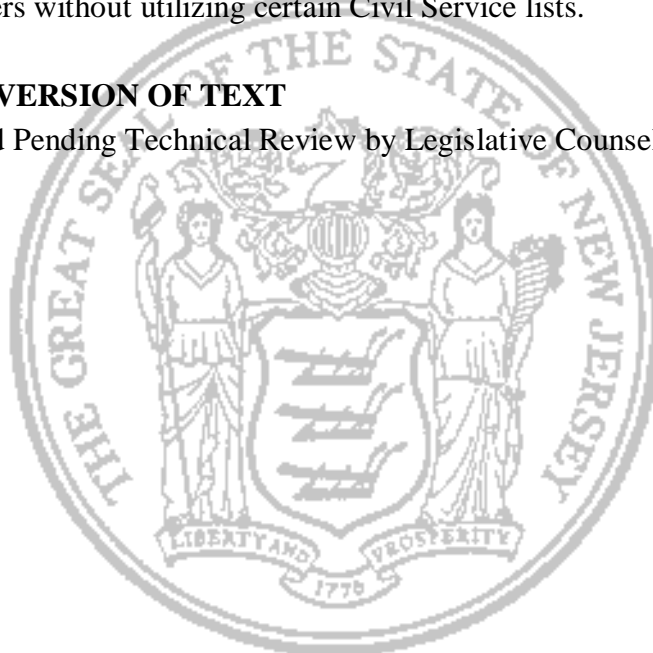
**Assemblywomen Rodriguez, Handlin, Assemblyman Scalera and
Assemblywoman Evans**

SYNOPSIS

Permits sheriffs, local police, and county corrections facilities to hire certain laid off officers without utilizing certain Civil Service lists.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 2/9/2010)

A207 CAPUTO, TUCKER

2

1 AN ACT concerning certain sheriff's officers and county corrections
2 officers, amending P.L.1991, c.299 and supplementing Title 40A
3 of the New Jersey Statutes.

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

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

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

18 (1) was serving as a law enforcement officer in good standing in
19 any State, county or municipal law enforcement department or
20 agency, or county sheriff's office; and

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

28 (3) was, for reasons of economy, terminated as a law
29 enforcement officer within 60 months prior to the appointment.

30 b. A county **[or]** , municipality, or sheriff may employ such a
31 person notwithstanding that:

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

34 (2) the county **[or]** , municipality, or sheriff's office has
35 available to it an eligible or regular reemployment list of **[persons]**
36 law enforcement officers eligible for such appointments; and

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

41 c. If a county or a sheriff determines to appoint a person
42 pursuant to the provisions of this act, **[it shall give]** first priority in
43 making such appointments shall be given to residents of the county.
44 A municipality making such an appointment shall give first priority

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 to residents of the municipality and second priority to residents of
2 the county not residing in the municipality.

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

8 The provisions of this section shall not apply to a sheriff's
9 investigator appointed pursuant to section 2 of P.L.1987, c.113
10 (C.40A:9-117a.

11 (cf: P.L.1996, c.13, s.1)

12

13 2. (New section) a. The provisions of any other law to the
14 contrary notwithstanding, the appointing authority of a county
15 correctional facility, be that the governing body of the county
16 pursuant to R.S.30:8-19 or the sheriff pursuant to R.S.30:8-17, may
17 appoint as a county correctional officer any person who:

18 (1) was serving as a county correctional officer in good standing
19 in any county correctional facility in this State; and

20 (2) satisfactorily completed a working test period in a county
21 correctional officer title or in a county which has adopted Title 11A,
22 Civil Service, of the New Jersey Statutes or satisfactorily completed
23 a comparable, documented probationary period in a county
24 correctional title in a county which has not adopted Title 11A, Civil
25 Service; and

26 (3) was, for reasons of economy, terminated as a county
27 correctional officer within 60 months prior to the appointment.

28 b. The appointing authority of a county correctional facility
29 may employ such a person notwithstanding that:

30 (1) Title 11A, Civil Service, of the New Jersey Statutes is
31 operative in that county;

32 (2) the appointing authority has available to it an eligible or
33 regular reemployment list of corrections officers eligible for such
34 appointments; and

35 (3) the appointed person is not on any eligible list. If the county
36 appointing authority is subject to the provisions of Title 11A, Civil
37 Service, it may not employ such a person if a special reemployment
38 list is in existence for the county corrections officer title to be filled.

39 c. If the county appointing authority determines to appoint a
40 person pursuant to the provisions of this act, it shall give first
41 priority in making such appointments to residents of the county.

42 d. The seniority, seniority-related privileges and rank a county
43 corrections officer possessed with the employer who terminated the
44 officer's employment for reasons of economy shall not be
45 transferable to a new position when the officer is appointed to a
46 county corrections officer position pursuant to the provisions of this
47 section.

1 3. This act shall take effect on the first day of the third month
2 following enactment.

3
4
5 STATEMENT

6
7 This bill adds the county sheriff to the law enforcement agencies
8 that are authorized to hire law enforcement officers that have been
9 laid off by other law enforcement agencies for reasons of economy,
10 without having to go through any Civil Service list of eligible
11 employees.

12 Under current law, county and municipal police forces are
13 authorized to hire laid off law enforcement officers without
14 utilizing any Civil Service lists, provided that the laid off officer
15 was in good standing as an employee at the time of the lay off and
16 had satisfactorily completed a working test period.

17 This bill amends the existing law to add the county sheriff to the
18 agencies that are statutorily authorized to hire laid off law
19 enforcement officers.

20 The bill also adds a new section of law to authorize the
21 appointing authority of each county correctional facility to hire
22 county corrections officers that have been laid off by other county
23 correctional facilities without having to go through any Civil
24 Service list of eligible employees. The authority to hire laid off
25 county corrections officers has to be extended under a separate
26 section of law since their training requirements and law
27 enforcement experiences are distinctly different from those of
28 sheriff's officers and county and municipal police officers. Because
29 of these differences, this bill also clarifies that the Civil Service
30 Commission may promulgate two separate reemployment lists: one
31 for law enforcement officers and one for corrections officers.
32 Having two separate lists allows for the Commission to choose the
33 person with the appropriate training for the position being filled.

34 The bill further clarifies that sheriff's officers are excluded from
35 the bill's provisions.

36 County sheriffs are authorized by law to appoint up to 15 percent
37 of the total number of sheriff's officers employed by the sheriff to
38 the position of sheriff's investigator. These sheriff's investigators
39 serve at the pleasure of the appointing sheriff and are specifically
40 included in the unclassified service of the civil service.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 207

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2010

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 207.

Assembly Bill No. 207 adds the county sheriff to the law enforcement agencies that are authorized to hire law enforcement officers that have been laid off by other law enforcement agencies for reasons of economy, without having to go through any Civil Service list of eligible employees.

Under current law, county and municipal police forces are authorized to hire laid off law enforcement officers without utilizing any Civil Service lists, provided that the laid off officer was in good standing as an employee at the time of the lay off and had satisfactorily completed a working test period.

This bill amends the existing law to add the county sheriff to the agencies that are statutorily authorized to hire laid off law enforcement officers.

The bill also adds a new section of law to authorize the appointing authority of each county correctional facility to hire county corrections officers that have been laid off by other county correctional facilities without having to go through any Civil Service list of eligible employees. The authority to hire laid off county corrections officers has to be extended under a separate section of law since their training requirements and law enforcement experiences are distinctly different from those of sheriff's officers and county and municipal police officers. Because of these differences, this bill also clarifies that the Civil Service Commission may promulgate two separate reemployment lists: one for law enforcement officers and one for corrections officers. Having two separate lists allows for the commission to choose the person with the appropriate training for the position being filled.

The bill further clarifies that sheriff's officers are excluded from the bill's provisions.

County sheriffs are authorized by law to appoint up to 15 percent of the total number of sheriff's officers employed by the sheriff to the position of sheriff's investigator. These sheriff's investigators serve at the pleasure of the appointing sheriff and are specifically included in the unclassified service of the civil service.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 207

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 2010

The Senate Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 207.

As amended and reported by the committee, this bill amends current law to add the county sheriffs to the law enforcement agencies that are authorized to hire law enforcement officers that have been laid off by other law enforcement agencies for reasons of economy, without having to go through any Civil Service list of eligible employees. The amended bill also supplements current law to permit State law enforcement departments and agencies to hire these law enforcement officers without having to go through any Civil Service list.

Under current law, county and municipal police forces are authorized to hire laid off law enforcement officers without utilizing any Civil Service lists, provided that the laid off officer was in good standing as an employee at the time of the lay off and had satisfactorily completed a working test period.

This bill amends the existing law to add the county sheriffs to the agencies that are statutorily authorized to hire laid off law enforcement officers.

The bill also adds a new section of law to authorize the appointing authority of each county correctional facility to hire county corrections officers that have been laid off by other county correctional facilities without having to go through any Civil Service list of eligible employees. The authority to hire laid off county corrections officers is extended under a separate section of law since their training requirements and law enforcement experiences are distinctly different from those of sheriff's officers and county and municipal police officers. Because of these differences, this bill also clarifies that the Civil Service Commission may promulgate two separate reemployment lists: one for law enforcement officers and one for corrections officers. Having two separate lists allows for the commission to choose the person with the appropriate training for the position being filled.

The bill further clarifies that sheriff's investigators are excluded from the bill's provisions. County sheriffs are authorized by law to appoint up to 15 percent of the total number of sheriff's officers employed by the sheriff to the position of sheriff's investigator. These sheriff's investigators serve at the pleasure of the appointing sheriff and are specifically included in the unclassified service of the civil service.

The committee amendments permit State law enforcement departments and agencies to hire law enforcement officers that have been laid off by other law enforcement agencies for reasons of economy without having to go through any Civil Service list of eligible employees.

As amended and reported by the committee, this bill is identical to Senate Bill No. 1800, which also was amended and reported by the committee on this same date.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 207

with Senate Floor Amendments
(Proposed by Senator NORCROSS)

ADOPTED: SEPTEMBER 20, 2010

This amendment clarifies that the bill's provisions are applicable to the nine State colleges or universities and to the three public research universities (Rutgers University, the New Jersey Institute of Technology, and the University of Medicine and Dentistry).

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 207

with Senate Floor Amendments
(Proposed by Senator RICE)

ADOPTED: SEPTEMBER 30, 2010

Assembly Bill No. 207 (2R) amends current law to add the county sheriffs to the law enforcement agencies that are authorized to hire law enforcement officers that have been laid off by other law enforcement agencies for reasons of economy, without having to go through any Civil Service list of eligible employees. The amended bill also supplements current law to permit State law enforcement departments and agencies to hire these law enforcement officers without having to go through any Civil Service list. In addition, the bill adds a new section of law to authorize the appointing authority of each county correctional facility to hire county corrections officers that have been laid off by other county correctional facilities without having to go through any Civil Service list of eligible employees.

This Senate amendment establishes a special reemployment list which would permit municipalities to reappoint certain nonpermanent police officers who were laid off for reasons of economy.

Under the amendment, municipalities would be permitted to reappoint provisional police officers and police officers who were serving in a field work test period, as prescribed by the Police Training Commission, who were laid-off for reasons of economy.

The amendment affords these officers a limited priority status for reemployment. Only the permanent law enforcement officers who were laid-off by the municipalities would have a higher priority for reappointment.

The amendments also clarify that a law enforcement reemployed under this bill must complete the remainder of any probationary or working test period not completed at the time of his termination.

SENATE, No. 1800

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MARCH 15, 2010

Sponsored by:

Senator DONALD NORCROSS

District 5 (Camden and Gloucester)

Senator JIM WHELAN

District 2 (Atlantic)

SYNOPSIS

Permits sheriffs, local police, and county corrections facilities to hire certain laid off officers without utilizing certain Civil Service lists.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/17/2010)

S1800 NORCROSS, WHELAN

2

1 AN ACT concerning certain sheriff's officers and county corrections
2 officers, amending P.L.1991, c.299 and supplementing Title 40A
3 of the New Jersey Statutes.

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

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

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

18 (1) was serving as a law enforcement officer in good standing in
19 any State, county or municipal law enforcement department or
20 agency, or county sheriff's office; and

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

28 (3) was, for reasons of economy, terminated as a law
29 enforcement officer within 60 months prior to the appointment.

30 b. A county **[or]** , municipality, or sheriff may employ such a
31 person notwithstanding that:

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

34 (2) the county **[or]** , municipality, or sheriff's office has
35 available to it an eligible or regular reemployment list of **[persons]**
36 law enforcement officers eligible for such appointments; and

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

41 c. If a county or a sheriff determines to appoint a person
42 pursuant to the provisions of this act, **[it shall give]** first priority in
43 making such appointments shall be given to residents of the county.

44 A municipality making such an appointment shall give first priority

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.

S1800 NORCROSS, WHELAN

1 to residents of the municipality and second priority to residents of
2 the county not residing in the municipality.

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

8 The provisions of this section shall not apply to a sheriff's
9 investigator appointed pursuant to section 2 of P.L.1987, c.113
10 (C.40A:9-117a).

11 (cf: P.L.1996, c.13, s.1)

12

13 2. (New section) a. The provisions of any other law to the
14 contrary notwithstanding, the appointing authority of a county
15 correctional facility, be that the governing body of the county
16 pursuant to R.S.30:8-19 or the sheriff pursuant to R.S.30:8-17, may
17 appoint as a county correctional officer any person who:

18 (1) was serving as a county correctional officer in good standing
19 in any county correctional facility in this State; and

20 (2) satisfactorily completed a working test period in a county
21 correctional officer title or in a county which has adopted Title 11A,
22 Civil Service, of the New Jersey Statutes or satisfactorily completed
23 a comparable, documented probationary period in a county
24 correctional title in a county which has not adopted Title 11A, Civil
25 Service; and

26 (3) was, for reasons of economy, terminated as a county
27 correctional officer within 60 months prior to the appointment.

28 b. The appointing authority of a county correctional facility
29 may employ such a person notwithstanding that:

30 (1) Title 11A, Civil Service, of the New Jersey Statutes is
31 operative in that county;

32 (2) the appointing authority has available to it an eligible or
33 regular reemployment list of corrections officers eligible for such
34 appointments; and

35 (3) the appointed person is not on any eligible list. If the county
36 appointing authority is subject to the provisions of Title 11A, Civil
37 Service, it may not employ such a person if a special reemployment
38 list is in existence for the county corrections officer title to be filled.

39 c. If the county appointing authority determines to appoint a
40 person pursuant to the provisions of this act, it shall give first
41 priority in making such appointments to residents of the county.

42 d. The seniority, seniority-related privileges, and rank a county
43 corrections officer possessed with the employer who terminated the
44 officer's employment for reasons of economy shall not be
45 transferable to a new position when the officer is appointed to a
46 county corrections officer position pursuant to the provisions of this
47 section.

1 3. This act shall take effect on the first day of the third month
2 following enactment.

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STATEMENT

6

7 Assembly Bill No. 207 adds the county sheriff to the law
8 enforcement agencies that are authorized to hire law enforcement
9 officers that have been laid off by other law enforcement agencies
10 for reasons of economy, without having to go through any Civil
11 Service list of eligible employees.

12 Under current law, county and municipal police forces are
13 authorized to hire laid off law enforcement officers without
14 utilizing any Civil Service lists, provided that the laid off officer
15 was in good standing as an employee at the time of the lay off and
16 had satisfactorily completed a working test period.

17 This bill amends the existing law to add the county sheriff to the
18 agencies that are statutorily authorized to hire laid off law
19 enforcement officers.

20 The bill also adds a new section of law to authorize the
21 appointing authority of each county correctional facility to hire
22 county corrections officers that have been laid off by other county
23 correctional facilities without having to go through any Civil
24 Service list of eligible employees. The authority to hire laid off
25 county corrections officers has to be extended under a separate
26 section of law since their training requirements and law
27 enforcement experiences are distinctly different from those of
28 sheriff's officers and county and municipal police officers. Because
29 of these differences, this bill also clarifies that the Civil Service
30 Commission may promulgate two separate reemployment lists: one
31 for law enforcement officers and one for corrections officers.
32 Having two separate lists allows for the commission to choose the
33 person with the appropriate training for the position being filled.

34 The bill further clarifies that sheriff's officers are excluded from
35 the bill's provisions.

36 County sheriffs are authorized by law to appoint up to 15 percent
37 of the total number of sheriff's officers employed by the sheriff to
38 the position of sheriff's investigator. These sheriff's investigators
39 serve at the pleasure of the appointing sheriff and are specifically
40 included in the unclassified service of the civil service.

41 changes required by technical review, which has been performed.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1800

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 2010

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1800.

As amended and reported by the committee, this bill amends current law to add the county sheriffs to the law enforcement agencies that are authorized to hire law enforcement officers that have been laid off by other law enforcement agencies for reasons of economy, without having to go through any Civil Service list of eligible employees. The amended bill also supplements current law to permit State law enforcement departments and agencies to hire these law enforcement officers without having to go through any Civil Service list.

Under current law, county and municipal police forces are authorized to hire laid off law enforcement officers without utilizing any Civil Service lists, provided that the laid off officer was in good standing as an employee at the time of the lay off and had satisfactorily completed a working test period.

This bill amends the existing law to add the county sheriffs to the agencies that are statutorily authorized to hire laid off law enforcement officers.

The bill also adds a new section of law to authorize the appointing authority of each county correctional facility to hire county corrections officers that have been laid off by other county correctional facilities without having to go through any Civil Service list of eligible employees. The authority to hire laid off county corrections officers is extended under a separate section of law since their training requirements and law enforcement experiences are distinctly different from those of sheriff's officers and county and municipal police officers. Because of these differences, this bill also clarifies that the Civil Service Commission may promulgate two separate reemployment lists: one for law enforcement officers and one for corrections officers. Having two separate lists allows for the commission to choose the person with the appropriate training for the position being filled.

The bill further clarifies that sheriff's investigators are excluded from the bill's provisions. County sheriffs are authorized by law to appoint up to 15 percent of the total number of sheriff's officers employed by the sheriff to the position of sheriff's investigator. These sheriff's investigators serve at the pleasure of the appointing sheriff and are specifically included in the unclassified service of the civil service.

The committee amendments permit State law enforcement departments and agencies to hire law enforcement officers that have been laid off by other law enforcement agencies for reasons of economy without having to go through any Civil Service list of eligible employees.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 207, which also was amended and reported by the committee on this same date.

STATEMENT TO
[First Reprint]
SENATE, No. 1800

with Senate Floor Amendments
(Proposed by Senator NORCROSS)

ADOPTED: SEPTEMBER 20, 2010

This amendment clarifies that the bill's provisions are applicable to the nine State colleges or universities and to the three public research universities (Rutgers University, the New Jersey Institute of Technology, and the University of Medicine and Dentistry).

STATEMENT TO
[Second Reprint]
SENATE, No. 1800

with Senate Floor Amendments
(Proposed by Senator RICE)

ADOPTED: SEPTEMBER 30, 2010

Senate Bill No. 1800 (2R) amends current law to add the county sheriffs to the law enforcement agencies that are authorized to hire law enforcement officers that have been laid off by other law enforcement agencies for reasons of economy, without having to go through any Civil Service list of eligible employees. The amended bill also supplements current law to permit State law enforcement departments and agencies to hire these law enforcement officers without having to go through any Civil Service list. In addition, the bill adds a new section of law to authorize the appointing authority of each county correctional facility to hire county corrections officers that have been laid off by other county correctional facilities without having to go through any Civil Service list of eligible employees.

This Senate amendment establishes a special reemployment list which would permit municipalities to reappoint certain nonpermanent police officers who were laid off for reasons of economy.

Under the amendment, municipalities would be permitted to reappoint provisional police officers and police officers who were serving in a field work test period, as prescribed by the Police Training Commission, who were laid-off for reasons of economy.

The amendment affords these officers a limited priority status for reemployment. Only the permanent law enforcement officers who were laid-off by the municipalities would have a higher priority for reappointment.

The amendments also clarify that a law enforcement reemployed under this bill must complete the remainder of any probationary or working test period not completed at the time of his termination.