

COMMITTEE STATEMENT:

ASSEMBLY: Yes

Identical to Assembly Statement to S2494

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: Yes

Identical to fiscal estimate for S2492

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

SENATE, No. 2494

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED SEPTEMBER 6, 2001

Sponsored by:

Senator RAYMOND J. ZANE

District 3 (Salem, Cumberland and Gloucester)

Senator LOUIS F. KOSCO

District 38 (Bergen)

Co-Sponsored by:

Assemblyman Kelly and Assemblywoman Heck

SYNOPSIS

Requires paid leave of absence to members of certain law enforcement and firefighter associations to attend State or national conventions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/18/2001)

S2494 ZANE, KOSCO

2

1 AN ACT concerning paid leave for members of certain law
2 enforcement and firefighter associations who attend conventions
3 and amending N.J.S.11A:6-10 and P.L.1977, c.347.

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

7
8 1. N.J.S.11A:6-10 is amended to read as follows:

9 11A:6-10. A leave of absence with pay shall be given to [every
10 employee] employees who [is a] are duly authorized [representative]
11 representatives of an employee organization defined as a
12 "representative" in subsection e. of section 3 of P.L.1941, c.100
13 (C.34:13A-3) and affiliated with the New Jersey [Patrolmen's]
14 Policemen's Benevolent Association, Inc., Fraternal Order of Police,
15 Firemen's Mutual Benevolent Association, Inc. [,] or the Professional
16 Fire Fighters Association of New Jersey [, the New Jersey Law
17 Enforcement Supervisors Association, the New Jersey Superior
18 Officers Law Enforcement Association, the New Jersey Superior
19 Officers Law Enforcement Association-Captains Unit, the
20 International Association of Women Police or the New Jersey State
21 Association of Chiefs of Police, or to any corrections officer who is a
22 member of the Italian American Police Society of New Jersey] to
23 attend any State or national convention of the organization, provided,
24 however, that no more than 10 percent of the employee organization's
25 membership shall be permitted such a leave of absence with pay,
26 except that no less than two and no more than 10 authorized
27 representatives shall be entitled to such leave, and for employee
28 organizations with more than 5,000 members, a maximum of 25
29 authorized representatives shall be entitled to such leave. The leave
30 of absence shall be for a period inclusive of the duration of the
31 convention with a reasonable time allowed for travel to and from the
32 convention, provided that such leave shall be for no more than seven
33 days. A certificate of attendance at the convention shall, upon request,
34 be submitted by the representative so attending.

35 (cf: P.L.2000, c.130, s.1)

36

37 2. Section 1 of P.L.1977, c.347 (C.40A:14-177) is amended to
38 read as follows:

39 The heads of the county offices of the several counties and the
40 head of every department, bureau and office in the government of the
41 various municipalities shall give a leave of absence with pay to [every
42 person] persons in the service of the county or municipality who [is

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 a] are duly authorized [representative] representatives of an employee
2 organization as defined in subsection e. of section 3 of P.L.1941,
3 c.100 (C.34:13A-3) and affiliated with the New Jersey State
4 [Patrolmen's] Policemen's Benevolent Association, Inc., Fraternal
5 Order of Police, [American Federation of Police Officers, Inc., Bronze
6 Shields, Inc., Batons, Vulcan Pioneers, a member organization of the
7 New Jersey Council of Charter Members of the National Black Police
8 Association, Inc.,] Firemen's Mutual Benevolent Association, Inc. [,
9 the Uniformed Firemen's Association, or the New Jersey State
10 Association of Chiefs of Police,] or Professional Fire Fighters
11 Association of New Jersey to attend any State or national convention
12 of such organization, provided, however, that no more than 10 percent
13 of the employee organization's membership shall be permitted such a
14 leave of absence with pay, except that no less than two and no more
15 than 10 authorized representatives shall be entitled to such leave, and
16 for employee organizations with more than 5,000 members, a
17 maximum of 25 authorized representatives shall be entitled to such
18 leave.

19 A certificate of attendance to the State convention shall, upon
20 request, be submitted by the representative so attending.

21 Leave of absence shall be for a period inclusive of the duration of
22 the convention with a reasonable time allowed for time to travel to and
23 from the convention, provided that such leave shall be for no more
24 than seven days.

25 (cf: P.L.1989, c.224, s.1)

26

27 3. This act shall take effect immediately.

28

29

30

STATEMENT

31

32 Under current law, a State, county or municipal employee, who
33 represents one of various enumerated professional organizations, is
34 entitled to paid leave to attend the State or national convention of the
35 organization. This bill would amend the current law to limit the
36 employees who are entitled to this benefit to those who represent the
37 New Jersey Policemen's Benevolent Association, Inc., the Fraternal
38 Order of Police, the Firemen's Mutual Benevolent Association and the
39 Professional Fire Fighters Association.

40 Specifically, the employee would be required to be a duly
41 authorized representative of an employee organization that is affiliated
42 with New Jersey Policemen's Benevolent Association, Inc., the
43 Fraternal Order of Police, the Firemen's Mutual Benevolent
44 Association or the Professional Fire Fighters Association. As defined
45 by the bill, an employee organization (also commonly referred to as a
46 collective bargaining agent or representative) includes any

1 organization, agency or person authorized or designated by a public
2 employer, public employee, group of public employees, or public
3 employee association to act on its behalf and represent it.

4 The bill also provides that no more than 10 percent of the employee
5 organization's membership shall be permitted a leave of absence with
6 pay, except that no less than two and no more than 10 authorized
7 representatives are entitled to leave, and for employee organizations
8 with more than 5,000 members, a maximum of 25 authorized
9 representatives are entitled to leave. The bill limits the leave of
10 absence to no more than seven days.

11 Under current law, State employees entitled to a leave of absence
12 with pay include duly authorized representatives of the New Jersey
13 Patrolmen's Benevolent Association, Inc., Fraternal Order of Police,
14 Firemen's Mutual Benevolent Association, Inc., Fire Fighters
15 Association of New Jersey, New Jersey Law Enforcement Supervisors
16 Association, the New Jersey Superior Officers Law Enforcement
17 Association, the New Jersey Superior Officers Law Enforcement
18 Association-Captains Unit, International Association of Women Police
19 or New Jersey State Association of Chiefs of Police, as well as a
20 corrections officer who is a member of the Italian American Police
21 Society of New Jersey.

22 County and municipal employees entitled to paid leave under
23 current law include representatives of the New Jersey State
24 Patrolmen's Benevolent Association, Inc., Fraternal Order of Police,
25 American Federation of Police Officers, Inc., Bronze Shields, Inc.,
26 Batons, Vulcan Pioneers, New Jersey Council of Charter Members of
27 the National Black Police Association, Inc., Firemen's Mutual
28 Benevolent Association, Inc., the Uniformed Firemen's Association, or
29 the New Jersey State Association of Chiefs of Police.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2494
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: OCTOBER 19, 2001

SUMMARY

Synopsis: Requires paid leave of absence to members of certain law enforcement and firefighter associations to attend State or national conventions.

Type of Impact: Expenditure increase, General Fund; county and municipal police and fire departments.

Agencies Affected: Department of Law and Public Safety, Division of State Police; county and municipal police and fire departments.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate	Indeterminate	Indeterminate
Local Cost	Indeterminate	Indeterminate	Indeterminate

- ! Amends current law for State, county or municipal employees to attend police or firefighter professional conventions.
- ! Sufficient information is lacking to permit an estimate of this bill.
- ! This bill may be subject to the State mandate, State pay requirement of the New Jersey Constitution.

BILL DESCRIPTION

Senate Bill No. 2494 of 2001 would amend the current law to limit paid leave for police officers and firefighters to attend professional conventions to those who represent the New Jersey Policemen's Benevolent Association, Inc., the Fraternal Order of Police, the Firemen's Mutual Benevolent Association and the Professional Fire Fighters Association.

Specifically, the employee would be required to be a duly authorized representative of one of these collective bargaining agents mentioned above. The bill limits to no more than 10 percent of the employee organization's membership, with a minimum of two and a maximum of 10 individuals, would be permitted a leave of absence with pay. For employee organizations

with more than 5,000 members, a maximum of 25 authorized representatives are entitled to leave. The bill limits the leave of absence to no more than seven days.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

Sufficient information is lacking to permit an estimate of this bill. OLS observes that an undetermined number of collective bargaining units have negotiated paid leave for police and firefighters to attend professional conventions.

OLS further notes that pursuant to Article VIII, Section II, paragraph 5 of the State Constitution, which prohibits the imposition of unfunded State mandates on local governments, a State appropriation may be required to defray county and municipal costs of administering juvenile offender record keeping under this bill.

Section: *Law and Public Safety*

Analyst: *James F. Vari*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2494

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2001

The Assembly State Government Committee reports favorably Senate Bill No. 2494.

Current statutes provide that a State, county or municipal employee who represents one of various enumerated professional organizations is entitled to paid leave to attend the State or national convention of the organization. This bill amends those statutes to limit the employees who are entitled to this benefit to those who represent the New Jersey Policemen's Benevolent Association, Inc., the Fraternal Order of Police, the Firemen's Mutual Benevolent Association and the Professional Fire Fighters Association.

Specifically, the employee will be required to be a duly authorized representative of an employee organization that is affiliated with New Jersey Policemen's Benevolent Association, Inc., the Fraternal Order of Police, the Firemen's Mutual Benevolent Association or the Professional Fire Fighters Association. As defined by the bill, an employee organization (also commonly referred to as a collective bargaining agent or representative) includes any organization, agency or person authorized or designated by a public employer, public employee, group of public employees, or public employee association to act on its behalf and represent it.

The bill also provides that no more than 10 percent of the employee organization's membership will be permitted a leave of absence with pay, except that no less than two and no more than 10 authorized representatives are entitled to leave, and for employee organizations with more than 5,000 members, a maximum of 25 authorized representatives are entitled to leave. The bill limits the leave of absence to no more than seven days.

This bill is the same as Assembly Bill No. 3729 of 2001.

CORRECTED COPY
LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2494
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: JANUARY 10, 2002

SUMMARY

Synopsis: Requires paid leave of absence to members of certain law enforcement and firefighter associations to attend State or national conventions.

Type of Impact: Expenditure increase, General Fund; county and municipal police and fire departments.

Agencies Affected: Department of Law and Public Safety, Division of State Police; county and municipal police and fire departments.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate	Indeterminate	Indeterminate
Local Cost	Indeterminate	Indeterminate	Indeterminate

- ! Amends current law for State, county or municipal employees to attend police or firefighter professional conventions.
- ! Sufficient information is lacking to permit an estimate of this bill.
- ! This bill may be subject to the State mandate, State pay requirement of the New Jersey Constitution.

BILL DESCRIPTION

Senate Bill No. 2494 of 2001 would amend the current law to limit paid leave for police officers and firefighters to attend professional conventions to those who represent the New Jersey Policemen's Benevolent Association, Inc., the Fraternal Order of Police, the Firemen's Mutual Benevolent Association and the Professional Fire Fighters Association.

Specifically, the employee would be required to be a duly authorized representative of one of these collective bargaining agents mentioned above. The bill limits to no more than 10 percent of the employee organization's membership, with a minimum of two and a maximum of 10 individuals, would be permitted a leave of absence with pay. For employee organizations

with more than 5,000 members, a maximum of 25 authorized representatives are entitled to leave. The bill limits the leave of absence to no more than seven days.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

Sufficient information is lacking to permit an estimate of this bill. OLS observes that an undetermined number of collective bargaining units have negotiated paid leave for police and firefighters to attend professional conventions.

OLS further notes that pursuant to Article VIII, Section II, paragraph 5 of the State Constitution, which prohibits the imposition of unfunded State mandates on local governments, a State appropriation may be required to defray county and municipal costs.

Section: *Law and Public Safety*

Analyst: *James F. Vari*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY, No. 3729

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JUNE 25, 2001

Sponsored by:

Assemblyman JOHN V. KELLY
District 36 (Bergen, Essex and Passaic)

Co-Sponsored by:

Assemblywoman Heck

SYNOPSIS

Requires paid leave of absence to members of certain law enforcement and firefighter associations to attend State or national conventions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/11/2001)

1 AN ACT concerning paid leave for members of certain law
2 enforcement and firefighter associations who attend conventions
3 and amending N.J.S.11A:6-10. and P.L.1977, c.347.

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

7
8 1. N.J.S.11A:6-10 is amended to read as follows:

9 11A:6-10. A leave of absence with pay shall be given to [every
10 employee] employees who [is a] are duly authorized [representative]
11 representatives of an employee organization defined as a
12 "representative" in subsection e. of section 3 of P.L.1941, c.100
13 (C.34:13A-3) and affiliated with the New Jersey [Patrolmen's]
14 Policemen's Benevolent Association, Inc., Fraternal Order of Police,
15 Firemen's Mutual Benevolent Association, Inc. [,] or the Professional
16 Fire Fighters Association of New Jersey [, the New Jersey Law
17 Enforcement Supervisors Association, the New Jersey Superior
18 Officers Law Enforcement Association, the New Jersey Superior
19 Officers Law Enforcement Association-Captains Unit, the
20 International Association of Women Police or the New Jersey State
21 Association of Chiefs of Police, or to any corrections officer who is a
22 member of the Italian American Police Society of New Jersey] to
23 attend any State or national convention of the organization, provided,
24 however, that no more than 10 percent of the employee organization's
25 membership shall be permitted such a leave of absence with pay,
26 except that no less than two and no more than 10 authorized
27 representatives shall be entitled to such leave, and for employee
28 organizations with more than 5,000 members, a maximum of 25
29 authorized representatives shall be entitled to such leave. The leave
30 of absence shall be for a period inclusive of the duration of the
31 convention with a reasonable time allowed for travel to and from the
32 convention, provided that such leave shall be for no more than seven
33 days. A certificate of attendance at the convention shall, upon request,
34 be submitted by the representative so attending.

35 (cf: P.L.2000, c.130, s.1)

36

37 2. Section 1 of P.L.1977, c.347 (C.40A:14-177) is amended to
38 read as follows:

39 The heads of the county offices of the several counties and the
40 head of every department, bureau and office in the government of the
41 various municipalities shall give a leave of absence with pay to [every
42 person] persons in the service of the county or municipality who [is

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 a] are duly authorized [representative] representatives of an employee
2 organization as defined in subsection e. of section 3 of P.L.1941,
3 c.100 (C.34:13A-3) and affiliated with the New Jersey State
4 [Patrolmen's] Policemen's Benevolent Association, Inc., Fraternal
5 Order of Police, [American Federation of Police Officers, Inc., Bronze
6 Shields, Inc., Batons, Vulcan Pioneers, a member organization of the
7 New Jersey Council of Charter Members of the National Black Police
8 Association, Inc.,] Firemen's Mutual Benevolent Association, Inc. [,
9 the Uniformed Firemen's Association, or the New Jersey State
10 Association of Chiefs of Police,] or Professional Fire Fighters
11 Association of New Jersey to attend any State or national convention
12 of such organization, provided, however, that no more than 10 percent
13 of the employee organization's membership shall be permitted such a
14 leave of absence with pay, except that no less than two and no more
15 than 10 authorized representatives shall be entitled to such leave, and
16 for employee organizations with more than 5,000 members, a
17 maximum of 25 authorized representatives shall be entitled to such
18 leave.

19 A certificate of attendance to the State convention shall, upon
20 request, be submitted by the representative so attending.

21 Leave of absence shall be for a period inclusive of the duration of
22 the convention with a reasonable time allowed for time to travel to and
23 from the convention, provided that such leave shall be for no more
24 than seven days.

25 (cf: P.L.1989, c.224, s.1)

26

27 3. This act shall take effect immediately.

28

29

30

STATEMENT

31

32 Under current law, a State, county or municipal employee, who
33 represents one of various enumerated professional organizations, is
34 entitled to paid leave to attend the State or national convention of the
35 organization. This bill would amend the current law to limit the
36 employees who are entitled to this benefit to those who represent the
37 New Jersey Policemen's Benevolent Association, Inc., the Fraternal
38 Order of Police, the Firemen's Mutual Benevolent Association and the
39 Professional Fire Fighters Association.

40 Specifically, the employee would be required to be a duly
41 authorized representative of an employee organization that is affiliated
42 with New Jersey Policemen's Benevolent Association, Inc., the
43 Fraternal Order of Police, the Firemen's Mutual Benevolent
44 Association or the Professional Fire Fighters Association. As defined
45 by the bill, an employee organization (also commonly referred to as a
46 collective bargaining agent or representative) includes any

1 organization, agency or person authorized or designated by a public
2 employer, public employee, group of public employees, or public
3 employee association to act on its behalf and represent it.

4 The bill also provides that no more than 10 percent of the employee
5 organization's membership shall be permitted a leave of absence with
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7 representatives are entitled to leave, and for employee organizations
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10 absence to no more than seven days.

11 Under current law, State employees entitled to a leave of absence
12 with pay include duly authorized representatives of the New Jersey
13 Patrolmen's Benevolent Association, Inc., Fraternal Order of Police,
14 Firemen's Mutual Benevolent Association, Inc., Fire Fighters
15 Association of New Jersey, New Jersey Law Enforcement Supervisors
16 Association, the New Jersey Superior Officers Law Enforcement
17 Association, the New Jersey Superior Officers Law Enforcement
18 Association-Captains Unit, International Association of Women Police
19 or New Jersey State Association of Chiefs of Police, as well as a
20 corrections officer who is a member of the Italian American Police
21 Society of New Jersey.

22 County and municipal employees entitled to paid leave under
23 current law include representatives of the New Jersey State
24 Patrolmen's Benevolent Association, Inc., Fraternal Order of Police,
25 American Federation of Police Officers, Inc., Bronze Shields, Inc.,
26 Batons, Vulcan Pioneers, New Jersey Council of Charter Members of
27 the National Black Police Association, Inc., Firemen's Mutual
28 Benevolent Association, Inc., the Uniformed Firemen's Association, or
29 the New Jersey State Association of Chiefs of Police.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 3729
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: OCTOBER 31, 2001

SUMMARY

Synopsis: Requires paid leave of absence to members of certain law enforcement and firefighter associations to attend State or national conventions.

Type of Impact: Expenditure increase, General Fund; county and municipal police and fire departments.

Agencies Affected: Department of Law and Public Safety, Division of State Police; county and municipal police and fire departments.

Office of Legislative Services Estimate

Fiscal Impact	Year 1	Year 2	Year 3
State Cost	Indeterminate	Indeterminate	Indeterminate
Local Cost	Indeterminate	Indeterminate	Indeterminate

- ! Amends current law for State, county or municipal employees to attend police or firefighter professional conventions.
- ! Sufficient information is lacking to permit an estimate of this bill.
- ! This bill may be subject to the State mandate, State pay requirement of the New Jersey Constitution.

BILL DESCRIPTION

Assembly Bill No. 3729 of 2001 would amend the current law to limit paid leave for police officers and firefighters to attend professional conventions to those who represent the New Jersey Policemen’s Benevolent Association, Inc., the Fraternal Order of Police, the Firemen’s Mutual Benevolent Association and the Professional Fire Fighters Association.

Specifically, the employee would be required to be a duly authorized representative of one of these collective bargaining agents mentioned above. The bill limits to no more than 10 percent of the employee organization’s membership, with a minimum of two and a maximum of 10 individuals, would be permitted a leave of absence with pay. For employee organizations with more than 5,000 members, a maximum of 25 authorized representatives are entitled to leave. The bill limits the leave of absence to no more than seven days.



FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

Sufficient information is lacking to permit an estimate of this bill. The Office of Legislative Services (OLS) observes that an undetermined number of collective bargaining units have negotiated paid leave for police and firefighters to attend professional conventions.

OLS further notes that pursuant to Article VIII, Section II, paragraph 5 of the State Constitution, which prohibits the imposition of unfunded State mandates on local governments, a State appropriation may be required to defray county and municipal costs of administering juvenile offender record keeping under this bill.

Section: *Law and Public Safety*

Analyst: *James F. Vari*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3729

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2001

The Assembly State Government Committee reports favorably Assembly Bill No. 3729.

Current statutes provide that a State, county or municipal employee who represents one of various enumerated professional organizations is entitled to paid leave to attend the State or national convention of the organization. This bill amends those statutes to limit the employees who are entitled to this benefit to those who represent the New Jersey Policemen's Benevolent Association, Inc., the Fraternal Order of Police, the Firemen's Mutual Benevolent Association and the Professional Fire Fighters Association.

Specifically, the employee will be required to be a duly authorized representative of an employee organization that is affiliated with New Jersey Policemen's Benevolent Association, Inc., the Fraternal Order of Police, the Firemen's Mutual Benevolent Association or the Professional Fire Fighters Association. As defined by the bill, an employee organization (also commonly referred to as a collective bargaining agent or representative) includes any organization, agency or person authorized or designated by a public employer, public employee, group of public employees, or public employee association to act on its behalf and represent it.

The bill also provides that no more than 10 percent of the employee organization's membership will be permitted a leave of absence with pay, except that no less than two and no more than 10 authorized representatives are entitled to leave, and for employee organizations with more than 5,000 members, a maximum of 25 authorized representatives are entitled to leave. The bill limits the leave of absence to no more than seven days.

This bill is the same as Senate Bill No. 2494 of 2001.

CORRECTED COPY
LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 3729
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: JANUARY 10, 2002

SUMMARY

Synopsis: Requires paid leave of absence to members of certain law enforcement and firefighter associations to attend State or national conventions.

Type of Impact: Expenditure increase, General Fund; county and municipal police and fire departments.

Agencies Affected: Department of Law and Public Safety, Division of State Police; county and municipal police and fire departments.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate	Indeterminate	Indeterminate
Local Cost	Indeterminate	Indeterminate	Indeterminate

- ! Amends current law for State, county or municipal employees to attend police or firefighter professional conventions.
- ! Sufficient information is lacking to permit an estimate of this bill.
- ! This bill may be subject to the State mandate, State pay requirement of the New Jersey Constitution.

BILL DESCRIPTION

Assembly Bill No. 3729 of 2001 would amend the current law to limit paid leave for police officers and firefighters to attend professional conventions to those who represent the New Jersey Policemen's Benevolent Association, Inc., the Fraternal Order of Police, the Firemen's Mutual Benevolent Association and the Professional Fire Fighters Association.

Specifically, the employee would be required to be a duly authorized representative of one of these collective bargaining agents mentioned above. The bill limits to no more than 10 percent of the employee organization's membership, with a minimum of two and a maximum of 10 individuals, would be permitted a leave of absence with pay. For employee organizations

with more than 5,000 members, a maximum of 25 authorized representatives are entitled to leave. The bill limits the leave of absence to no more than seven days.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

Sufficient information is lacking to permit an estimate of this bill. The Office of Legislative Services (OLS) observes that an undetermined number of collective bargaining units have negotiated paid leave for police and firefighters to attend professional conventions.

OLS further notes that pursuant to Article VIII, Section II, paragraph 5 of the State Constitution, which prohibits the imposition of unfunded State mandates on local governments, a State appropriation may be required to defray county and municipal costs.

Section: *Law and Public Safety*

Analyst: *James F. Vari*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

P.L. 2001, CHAPTER 309, *approved January 3, 2002*

Senate, No. 2494

1 **AN ACT** concerning paid leave for members of certain law
2 enforcement and firefighter associations who attend conventions
3 and amending N.J.S.11A:6-10 and P.L.1977, c.347.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
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8 1. N.J.S.11A:6-10 is amended to read as follows:

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20 International Association of Women Police or the New Jersey State
21 Association of Chiefs of Police, or to any corrections officer who is a
22 member of the Italian American Police Society of New Jersey] to
23 attend any State or national convention of the organization, provided,
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28 organizations with more than 5,000 members, a maximum of 25
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32 convention, provided that such leave shall be for no more than seven
33 days. A certificate of attendance at the convention shall, upon request,
34 be submitted by the representative so attending.

35 (cf: P.L.2000, c.130, s.1)

36

37 2. Section 1 of P.L.1977, c.347 (C.40A:14-177) is amended to
38 read as follows:

39 The heads of the county offices of the several counties and the
40 head of every department, bureau and office in the government of the
41 various municipalities shall give a leave of absence with pay to [every

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 person] persons in the service of the county or municipality who [is
2 a] are duly authorized [representative] representatives of an employee
3 organization as defined in subsection e. of section 3 of P.L.1941,
4 c.100 (C.34:13A-3) and affiliated with the New Jersey State
5 [Patrolmen's] Policemen's Benevolent Association, Inc., Fraternal
6 Order of Police, [American Federation of Police Officers, Inc., Bronze
7 Shields, Inc., Batons, Vulcan Pioneers, a member organization of the
8 New Jersey Council of Charter Members of the National Black Police
9 Association, Inc.,] Firemen's Mutual Benevolent Association, Inc. [,
10 the Uniformed Firemen's Association, or the New Jersey State
11 Association of Chiefs of Police,] or Professional Fire Fighters
12 Association of New Jersey to attend any State or national convention
13 of such organization, provided, however, that no more than 10 percent
14 of the employee organization's membership shall be permitted such a
15 leave of absence with pay, except that no less than two and no more
16 than 10 authorized representatives shall be entitled to such leave, and
17 for employee organizations with more than 5,000 members, a
18 maximum of 25 authorized representatives shall be entitled to such
19 leave.

20 A certificate of attendance to the State convention shall, upon
21 request, be submitted by the representative so attending.

22 Leave of absence shall be for a period inclusive of the duration of
23 the convention with a reasonable time allowed for time to travel to and
24 from the convention, provided that such leave shall be for no more
25 than seven days.

26 (cf: P.L.1989, c.224, s.1)

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28 3. This act shall take effect immediately.

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STATEMENT

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33 Under current law, a State, county or municipal employee, who
34 represents one of various enumerated professional organizations, is
35 entitled to paid leave to attend the State or national convention of the
36 organization. This bill would amend the current law to limit the
37 employees who are entitled to this benefit to those who represent the
38 New Jersey Policemen's Benevolent Association, Inc., the Fraternal
39 Order of Police, the Firemen's Mutual Benevolent Association and the
40 Professional Fire Fighters Association.

41 Specifically, the employee would be required to be a duly
42 authorized representative of an employee organization that is affiliated
43 with New Jersey Policemen's Benevolent Association, Inc., the
44 Fraternal Order of Police, the Firemen's Mutual Benevolent
45 Association or the Professional Fire Fighters Association. As defined
46 by the bill, an employee organization (also commonly referred to as a

1 collective bargaining agent or representative) includes any
2 organization, agency or person authorized or designated by a public
3 employer, public employee, group of public employees, or public
4 employee association to act on its behalf and represent it.

5 The bill also provides that no more than 10 percent of the employee
6 organization's membership shall be permitted a leave of absence with
7 pay, except that no less than two and no more than 10 authorized
8 representatives are entitled to leave, and for employee organizations
9 with more than 5,000 members, a maximum of 25 authorized
10 representatives are entitled to leave. The bill limits the leave of
11 absence to no more than seven days.

12 Under current law, State employees entitled to a leave of absence
13 with pay include duly authorized representatives of the New Jersey
14 Patrolmen's Benevolent Association, Inc., Fraternal Order of Police,
15 Firemen's Mutual Benevolent Association, Inc., Fire Fighters
16 Association of New Jersey, New Jersey Law Enforcement Supervisors
17 Association, the New Jersey Superior Officers Law Enforcement
18 Association, the New Jersey Superior Officers Law Enforcement
19 Association-Captains Unit, International Association of Women Police
20 or New Jersey State Association of Chiefs of Police, as well as a
21 corrections officer who is a member of the Italian American Police
22 Society of New Jersey.

23 County and municipal employees entitled to paid leave under
24 current law include representatives of the New Jersey State
25 Patrolmen's Benevolent Association, Inc., Fraternal Order of Police,
26 American Federation of Police Officers, Inc., Bronze Shields, Inc.,
27 Batons, Vulcan Pioneers, New Jersey Council of Charter Members of
28 the National Black Police Association, Inc., Firemen's Mutual
29 Benevolent Association, Inc., the Uniformed Firemen's Association, or
30 the New Jersey State Association of Chiefs of Police.

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35 Requires paid leave of absence to members of certain law enforcement
36 and firefighter associations to attend State or national conventions.

CHAPTER 309

AN ACT concerning paid leave for members of certain law enforcement and firefighter associations who attend conventions and amending N.J.S.11A:6-10 and P.L.1977, c.347.

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

1. N.J.S.11A:6-10 is amended to read as follows:

Leaves of absence for convention attendance.

11A:6-10. A leave of absence with pay shall be given to employees who are duly authorized representatives of an employee organization defined as a "representative" in subsection e. of section 3 of P.L.1941, c.100 (C.34:13A-3) and affiliated with the New Jersey Policemen's Benevolent Association, Inc., Fraternal Order of Police, Firemen's Mutual Benevolent Association, Inc. or the Professional Fire Fighters Association of New Jersey to attend any State or national convention of the organization, provided, however, that no more than 10 percent of the employee organization's membership shall be permitted such a leave of absence with pay, except that no less than two and no more than 10 authorized representatives shall be entitled to such leave, and for employee organizations with more than 5,000 members, a maximum of 25 authorized representatives shall be entitled to such leave. The leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for travel to and from the convention, provided that such leave shall be for no more than seven days. A certificate of attendance at the convention shall, upon request, be submitted by the representative so attending.

2. Section 1 of P.L.1977, c.347 (C.40A:14-177) is amended to read as follows:

C.40A:14-177 Attendance at State, national convention of certain organizations.

1. The heads of the county offices of the several counties and the head of every department, bureau and office in the government of the various municipalities shall give a leave of absence with pay to persons in the service of the county or municipality who are duly authorized representatives of an employee organization as defined in subsection e. of section 3 of P.L.1941, c.100 (C.34:13A-3) and affiliated with the New Jersey State Policemen's Benevolent Association, Inc., Fraternal Order of Police, Firemen's Mutual Benevolent Association, Inc. or Professional Fire Fighters Association of New Jersey to attend any State or national convention of such organization, provided, however, that no more than 10 percent of the employee organization's membership shall be permitted such a leave of absence with pay, except that no less than two and no more than 10 authorized representatives shall be entitled to such leave, and for employee organizations with more than 5,000 members, a maximum of 25 authorized representatives shall be entitled to such leave.

A certificate of attendance to the State convention shall, upon request, be submitted by the representative so attending.

Leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for time to travel to and from the convention, provided that such leave shall be for no more than seven days.

3. This act shall take effect immediately.

Approved January 3, 2002.