

2A:158-1.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:158-1.1, 2A:158-15.1a

(Prosecutors - certain 3rd class counties - serve full time)

LAWS OF: 1983

CHAPTER: 300

Bill No: A3163

Sponsor(s): Littell and Haytaian

Date Introduced: February 14, 1983

Com mittee: Assembly: -----

Senate: Judiciary

A mended during passage: Yes

A mended during passage denoted by asterisks

Date of Passage:

Assembly: February 28, 1983

Senate: June 16, 1983

Date of Approval: August 8, 1983

Following statements are attached if available:

Sponsor statement:

Yes (Below)

Com mittee statement:

Assembly

No

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

~~No~~ Yes

Following were printed:

Reports:

No

Hearings:

No

Sponsor's statement:

This bill would require that the prosecutor of Sussex County serve on a full time basis beginning July 1, 1983.

8-8-83

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3163**STATE OF NEW JERSEY**

INTRODUCED FEBRUARY 14, 1983

By Assemblymen LITTELL and HAYTAIAN

AN ACT concerning ***[the office of county prosecutor]*** **prosecutors and assistant prosecutors** in certain counties and amending P. L. 1970, c. 6 **and P. L. 1976, c. 15**.

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

1 1. Section 1 of P. L. 1970, c. 6 (C. 2A:158-1.1) is amended to
2 read as follows:

1 1. Any person appointed to the office of county prosecutor shall
2 devote his entire time to the duties of his office and shall not engage
3 in the practice of law or other gainful employment, except those
4 appointed to that office in counties of the third class having a
5 population between 65,000 and 85,000 **[or between 90,000 and**
6 **130,000]**. **No exception to the requirement that a prosecutor serve*
7 *on a full-time basis shall be permitted on or after April 14, 1986.**

1 *2. Section 2 of P. L. 1976, c. 15 (C. 2A:158-15.1a) is amended
2 to read as follows:

3 2. The provisions of P. L. 1970, c. 6, s. 3 (C. 2A:158-15.1) shall
4 not apply to any assistant prosecutor in a county of the fifth class
5 having a population between 300,000 and 500,000 or to any assis-
6 tant prosecutor in a county of the sixth class, or to any assistant
7 prosecutor in a county of the third class having a population of
8 less than **[80,000]** *85,000*, or to any assistant prosecutor in a county
9 of the third class having a population in excess of **[120,000]**
10 *115,000*; provided, however, that the county prosecutor of any such
11 county, whether or not such county prosecutor is required to devote
12 his entire time to the duties of such office, where there appears to be

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 amendments adopted May 23, 1983.**

13 a reasonable necessity therefore and where approved by order of
14 the assignment judge, may direct that any assistant prosecutor
15 devote his entire time to the duties of such office and not engage in
16 the practice of law or other gainful employment.*

1 ***[2.]*** *3.* This act shall take effect July 1, 1983.

ASSEMBLY, No. 3163

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 14, 1983

By Assemblymen LITTELL and HAYTAIAN

AN ACT concerning the office of county prosecutor in certain
counties and amending P. L. 1970, c. 6.

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

1 1. Section 1 of P. L. 1970, c. 6 (C. 2A:158-1.1) is amended to
2 read as follows:

1 1. Any person appointed to the office of county prosecutor shall
2 devote his entire time to the duties of his office and shall not engage
3 in the practice of law or other gainful employment, except those
4 appointed to that office in counties of the third class having a
5 population between 65,000 and 85,000 **[or between 90,000 and**
6 **130,000]**.

1 2. This act shall take effect July 1, 1983.

STATEMENT

This bill would require that the prosecutor of Sussex county
serve on a full-time basis beginning July 1, 1983.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3163

STATE OF NEW JERSEY

DATED: MAY 19, 1983

Only two counties, Sussex and Warren, presently have part-time prosecutors. Assembly Bill No. 3163 would require that the prosecutor of Sussex county serve on a full-time basis beginning July 1, 1983 when the term of the present prosecutor will have expired.

The committee amendments would permit assistant prosecutors in Sussex county to serve on a part-time basis. The committee amendments would also require that the office of Warren county prosecutor be on a full-time basis after the term of the present prosecutor expires. This latter amendment is necessary to conform to the provisions of Assembly Bill No. 3163 which was also released by the committee.

BILLS SIGNED S-1618, A-1161, A-1812, A-3226, & A-3163

PAGE TWO

MONDAY, AUGUST 8, 1983

A-3226, sponsored by Assemblyman Michael Adubato, D-Essex, which increases the number of directors on the Board of the New Jersey Automobile Full Insurance Underwriting Association from 14 to 17. Of the three additional members, one would be appointed by the Speaker of the General Assembly and one by the President of the State Senate. The Director of the Division of Motor Vehicles would also serve as an ex officio member. The remaining 14 appointments would be made by the Governor as in the original law.

A-3163, sponsored by Assemblyman Robert E. Littell, R-Sussex, which will permit assistant prosecutors in Sussex County to remain on a part-time basis. State law normally requires that, when the county prosecutor is a full-time employee, that all assistant prosecutors be full-time as well.

#