

33: 1-25.1 and 33: 1-25.2

LEGISLATIVE HISTORY CHECKLIST

NJSA 33:1-25.1 and 33:1-25.2 (Police--permit officeholders in certain social organizations to have liquor licenses)

LAWS 1981 CHAPTER 267

Bill No. S1272

Sponsor(s) Skevin

Date Introduced May 15, 1981

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Law, Public Safety and Defense

Amended during passage  Yes  No

Date of Passage: Assembly June 11, 1981

Senate Sept. 22, 1980

Date of approval Aug. 24, 1981

Following statements are attached if available:

Sponsor statement  Yes  No

Committee Statement: Assembly  Yes  No

Senate  Yes  No

Fiscal Note  Yes  No

Veto Message  Yes  No

Message on signing  Yes  No

Following were printed:

Reports  Yes  No

Hearings  Yes  No

6/22/81

CHAPTER 267 LAWS OF N. J. 1981  
ASSEMBLED 8-24-81

SENATE, No. 1272

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1980

By Senator SKEVIN

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning alcoholic beverage control and supplementing  
Title 33 of the Revised Statutes.

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

1 1. Nothing within the provisions of Title 33 of the Revised  
2 Statutes or any regulation promulgated by the Division of Alco-  
3 holic Beverage Control in the Department of Law and Public  
4 Safety shall prohibit any regular police officer, peace officer or any  
5 other person whose powers or duties include the enforcement of the  
6 alcoholic beverage laws or regulations from assuming any leader-  
7 ship or titular position in any fraternal, veteran, religious, or  
8 similar type of nonprofit organization that is a club licensee.

1 2. Any nonprofit organization holding a club license shall name  
2 as the licensee a person other than a regular police officer, peace  
3 officer or any other person whose powers or duties include the  
4 enforcement of the alcoholic beverage laws or regulations.

1 3. This act shall take effect immediately.

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STATEMENT

This bill would allow law enforcement officers to assume leadership or titular positions in fraternal, veteran, religious or similar types of organizations holding an alcoholic beverage license. While nothing in the statutes specifically prohibits such activity, N. J. A. C. 13:2-23.31 has been interpreted by the Division of Alcoholic Beverage Control as prohibiting law enforcement officers from holding such positions. Under the current regulations, for example, a veterans of the armed forces is not allowed to be an officer in the American Legion simply because he is a police officer and the Legion Post has a liquor license. This bill would allow such a police officer to enjoy the same opportunities as other members of the organization.

Finally, this bill stipulates that the actual licensee of the organization shall not be a law enforcement officer or anyone whose duties include the enforcement of the alcoholic beverage control laws or regulations.

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SENATE LAW, PUBLIC SAFETY AND DEFENSE  
COMMITTEE

STATEMENT TO  
SENATE, No. 1272

STATE OF NEW JERSEY

DATED: JUNE 23, 1980

This bill would permit law enforcement officers to assume leadership or titular positions in fraternal, veteran, religious or similar types of organizations which have alcoholic beverage licenses. New Jersey Administrative Code 13:2-23.31 has been interpreted by the Division of Alcoholic Beverage Control as prohibiting law enforcement officers from holding such positions. Under these regulations, for example, a veteran of the armed forces is not allowed to be an officer in the American Legion simply because he is a police officer and the legion post has a liquor license. This bill would permit police officers to enjoy the same opportunities as other members of the organization, provided, however, that the actual licensee of the organization is not a police officer or a person whose duties include enforcement of the alcoholic beverage control laws and regulations.

The Attorney General's Office opposes the bill on the grounds that this creates a conflict of interest situation for such law enforcement officials.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

AUGUST 24, 1981

KATHRYN FORSYTH/DAVID DEMAIO

Governor Brendan Byrne today signed the following bills into law:

S-3025, sponsored by Senator Eugene Bedell (D-Monmouth), amends the Local Bond Law to permit a municipality's financial advisor to bid for its bonds at a public sale.

Under prior law, a town's financial advisor could not bid on bonds being offered by that municipality either at a public or private sale. This bill retains that prohibition for private sales, but permits the advisor to bid for the bonds at public sales.

S-3085, sponsored by Senator Frank Graves, Jr. (D-Passaic), permits the courts to postpone, suspend or revoke the driving privileges of a person who uses a motor vehicle in the course of committing a crime, a disorderly persons offense or a delinquent act.

This type of punishment would replace or be in addition to the dispositions currently available to the courts. Any suspension may not exceed two years.

S-3264, sponsored by Senator Steven Perskie (D-Atlantic), permits all honorably discharged veterans to receive special vendors' licenses.

Prior law restricted issuance to veterans who served in time of war or during war-like conditions. The county clerks issue the licenses.

S-1272, sponsored by Senator John Skevin (D-Bergen), permits a policeman to hold a titular office or leadership position in a fraternal, veterans or religious organization which has a club liquor license.

Under prior law, a policeman could not hold such a liquor license and therefore could not be head of a licensed club.

ACS for 1243, sponsored by Senator Matthew Feldman (D-Bergen), clarifies the responsibility for the conduct of municipal police forces by providing for a line of authority with respect to the police function in municipalities and by providing for the duties and responsibilities of police chiefs in those instances where that position is established by ordinance by the municipal governing body.