

2A: 158-1.1; 2A: 158-15.1a

LEGISLATIVE HISTORY CHECKLIST

HJSA 2A:158-1.1; 2A:158-15.1a (Prosecutors--Certain 3rd class counties
 --serve full time)
 LAIS OF 1980 CHAPTER 43
 Bill No. S1248
 Sponsor(s) Cafiero
 Date Introduced April 28, 1980
 Committee: Assembly Judiciary, Law, Public Safety & Defense
 Senate Law, Public Safety & Defense
 Amended during passage Yes No
 Date of Passage: Assembly June 12, 1980
 Senate May 15, 1980
 Date of approval June 23, 1980

Following statements are attached if available:

Sponsor statement	Yes	Yes (Below)
Committee Statement: Assembly	Yes	Yes
Senate	Yes	Yes
Fiscal Note	Yes	No
Veto message	Yes	No
Message on signing	Yes	Yes
Following were printed:		
Reports	Yes	No
Hearings	Yes	Yes

Sponsor's statement:

This bill provides that prosecutors appointed in the future in Cumberland County serve full time. In addition, the bill provides that the present assistant prosecutors may, with the concurrence of the assignment judge, be required to serve full time.

(over)

2/1/80

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Recommendation that prosecutors serve full time in:

974.90 Public hearing addressing the issue of crime in
C929 New Jersey...
1978a Dec. 1, 1978. Morristown, NJ.

SENATE, No. 1248

STATE OF NEW JERSEY

INTRODUCED APRIL 28, 1980

By Senator CAFIERO

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning county prosecutors and assistant county prosecutors 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:

3 1. Any person appointed on or after January 20, 1970 to the
4 office of county prosecutor of any of the following counties shall
5 devote his entire time to the duties of his office and shall not engage
6 in the practice of law or other gainful employment:

7 a. Counties of the first class;

8 b. Counties of the second class;

9 c. Counties of the third class having a population between
10 60,000 and 72,000 under the 1970 Federal census;

11 d. Counties of the third class having a population in excess of
12 **[170,000]** 120,000 under the 1970 Federal census;

13 e. Counties of the fifth class; and

14 f. Counties of the sixth class.

15 Any county prosecutor of any of the aforementioned counties in
16 office on the effective date of this 1980 amendatory act who shall
17 elect to devote his entire time to the duties of such office for the
18 remainder of his term may elect so to do by filing a written election
19 with the Governor, the Attorney General, the Secretary of State
20 and the clerk of the board of chosen freeholders.

1 2. Section 2 of P. L. 1976, c. 15 (C. 2A:158-15.1a) is amended to
2 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 of less than 150,000 under the 1960 Federal
6 census or to any assistant prosecutor in a county of the sixth class,
7 or to any assistant prosecutor in a county of the third class

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

8 having a population of less than 61,000 under the 1970 Federal
9 census, or to any assistant prosecutor in a county of the third
10 class having a population between ~~150,000~~ 120,000 and 175,000
11 under the 1970 Federal census; provided, however, that the county
12 prosecutor of any such county, whether or not such county prose-
13 cutor is required to devote his entire time to the duties of such
14 office, where there appears to be a reasonable necessity therefore
15 and where approved by order of the assignment judge, may direct
16 that any assistant prosecutor devote his entire time to the duties
17 of such office and not engage in the practice of law or other gainful
18 employment.

1 3. This act shall take effect immediately.

STATEMENT

This bill provides that prosecutors appointed in the future in Cumberland county serve full time. In addition, the bill provides that the present assistant prosecutors may, with the concurrence of the assignment judge, be required to serve full time.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
SENATE, No. 1248

STATE OF NEW JERSEY

DATED: JUNE 5, 1980

This bill provides that prosecutors appointed in the future in Cumberland county serve full time. In addition, the bill provides that the present assistant prosecutors may, with the concurrence of the assignment judge, be required to serve full time.

The Governor's office and the Attorney General's office have both indicated their support for the measure.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
SENATE, No. 1248

STATE OF NEW JERSEY

DATED: MAY 15, 1980

The statement appended to and printed with the bill adequately explains its provisions as reported.

The Governor's office and the Attorney General's office have both indicated their support for the measure.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JUNE 23, 1980

KATHRYN FORSYTH

Governor Brendan Byrne today signed S-1248, sponsored by Senator James S. Cafiero, (R-Cape May), which requires that the Cumberland County Prosecutor will become a full-time position.

The bill also provides that the assistant prosecutors in Cumberland County will not be automatically required to serve full time. They may be directed to do so, however, if the Prosecutor determines there is reasonable necessity for full time assistants, and the Assignment Judge concurs by order.

Enactment of the bill will leave only two counties, Warren and Sussex, with part time Prosecutors. Gloucester currently has a part time Prosecutor, but the position will become full time with the next appointment.

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