

2A:158-1.1
AND 15.1a

LEGISLATIVE HISTORY CHECKLIST

NJSA 2A:158-1.1; 2A:158-15.1a (Full-time prosecutor & asst. pros.
in Cape May)

Laws of 1976 Chapter 118

Bill No. S1624

Sponsor(s) Cafiero

Date Introduced August 12, 1976

Committee: Assembly -

Senate -

Amended during passage Yes No

Date of passage: Assembly October 7, 1976

Senate August 12, 1976

Date of approval Nov. 16, 1976

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

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Following were printed:

Reports Yes No

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CHAPTER 118 LAWS OF N. J. 1976
APPROVED 11-16-76

SENATE, No. 1624

STATE OF NEW JERSEY

INTRODUCED AUGUST 12, 1976

By Senator CAFIERO

(Without Reference)

AN ACT concerning county prosecutors and assistant county prosecutors of 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:

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 61,000
10 and 72,000 under the 1970 Federal census;

11 d. Counties of the third class having a population in excess of
12 175,000 under the 1970 Federal census; **[and]**

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 amendatory act who shall elect
17 to devote his entire time to the duties of such office for the remain-
18 der of his term may elect so to do by filing a written election with
19 the Governor, the Attorney General, the Secretary of State and the
20 clerk of the board of chosen freeholders.

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

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

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 provided, however, that the county prosecutor of any such county,
8 where there appears to be a reasonable necessity therefor and
9 where approved by order of the assignment judge, may direct that
10 any assistant prosecutor devote his entire time to the duties of such
11 office and not engage in the practice of law or other gainful
12 employment.

1 3. This act shall take effect immediately.

STATEMENT

This bill would require that any future prosecutor appointed in Cape May county serve full time.

Concern has been expressed that an adequate number of full-time assistant prosecutors will not be available in Cape May county to staff that office in conformity with the provisions of P. L. 1970, c. 6, s. 3 (C. 2A:158-15.1). The bill allows part-time assistant prosecutors to be employed, but permits the prosecutor with the concurrence of the assignment judge, to require full-time service.