

53:6-1 to  
53:6-30

August 11, 1969

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Legislative Notes on R.S. 53:6-1 to 53:6-30  
("Mid - Atlantic States Police Compact")

Similar bills were:

1968 - S539

Introduced March 14th by Dickinson, Guarini, & Kay.  
Passed in Senate, amended.  
Received in Assembly - Died in Assembly,  
No statement.

1968 - A855

Introduced by Sumniski and others on June 10th.  
Died in Assembly.  
No statement.

L. 1969, Chapter 80 - S193

Introduced January 14, 1969 by Guarini and others.  
No statement.

Not amended *during passage*.

For background see:

974.90 N.J. Legislature. Joint Committee to Study Crime  
C929 and the System of Criminal Justice in N.J.  
1968a Public hearings . . . held March 26-28, April 2-5, 1968.  
Trenton, N.J. 1968.

974.90 N.J. Legislature. Joint Committee to Study Crime  
C929 and the System of Criminal Justice in N.J.  
1968c Report. (Trenton, N.J.) 1968.

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SENATE, No. 193

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1969 SESSION

By Senators GUARINI, DICKINSON and KAY

AN ACT providing for an interstate State Police compact between  
the State of New Jersey and other States.

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

PART I

COMPACT

ARTICLE I

PURPOSES

1 1.1. The purposes of this compact are to:

2 a. Detection and apprehension. Provide close and effective co-  
3 operation and assistance in detecting and apprehending those en-  
4 gaged in organized criminal activities.

5 b. Criminal intelligence bureau. Establish and maintain a cen-  
6 tral criminal intelligence bureau to gather, evaluate and dissem-  
7 inate to the appropriate law enforcement officers of the party States  
8 information concerning organized crime, its leaders and their asso-  
9 ciates.

ARTICLE II

ENTRY INTO FORCE AND WITHDRAWAL

1 2.1. Force and effect. This compact shall enter into force when  
2 enacted into law by any 2 of the States of Delaware, Maryland,  
3 New Jersey, New York and Pennsylvania. Thereafter, this compact  
4 shall become effective as to any other of the aforementioned States  
5 upon its enactment thereof.

1 2.2. Withdrawal. Any party State may withdraw from this com-  
2 pact by enacting a statute repealing the same, but no such with-  
3 drawal shall take effect until 1 year after the Governor of the with-  
4 drawing State has given notice in writing of the withdrawal to  
5 the Governors of all other party States. No withdrawal shall affect

6 any liability already incurred by or chargeable to a party State  
 7 prior to the time of such withdrawal, and any records, files or in-  
 8 formation obtained by officers or employees of a withdrawing State  
 9 shall continue to be kept, used and disposed of only in such manner  
 10 as is consistent with this compact and any rules or regulations  
 11 pursuant thereto.

### ARTICLE III

#### THE CONFERENCE

1 3.1. Mid-Atlantic State Police Administrator's Conference.  
 2 There is established the "Mid-Atlantic State Police Administra-  
 3 tors' Conference," hereinafter called the "conference," to be com-  
 4 posed of the administrative head of the State Police Department  
 5 of each party State.

1 3.2. Alternates. If authorized by the laws of his party State, the  
 2 administrative head of the State Police Department of a party  
 3 State may provide for the discharge of his duties and the perform-  
 4 ance of his functions on the conference, for periods none of which  
 5 shall exceed 15 days, by an alternate. No such alternate shall be  
 6 entitled to serve unless notification of his identity and appointment  
 7 shall have been given to the conference in such form as the confer-  
 8 ence may require.

1 3.3. Selection of alternates. An alternate serving pursuant to  
 2 subsection 3.2 of this article shall be selected only from among the  
 3 officers and employees of the State Police Department, the head  
 4 of which such alternate is to represent.

1 3.4. Vote. The members of the conference shall be entitled to  
 2 one vote each. No action of the conference shall be binding unless  
 3 taken at a meeting at which a majority of the total number of votes  
 4 on the conference are cast in favor thereof. Action of the confer-  
 5 ence shall be only at a meeting at which a majority of the members  
 6 of the conference, or their alternates, are present.

1 3.5. Seal. The conference shall have a seal.

1 3.6. Officers. The conference shall elect annually, from among its  
 2 members, a chairman, who shall not be eligible to succeed himself,  
 3 a vice chairman and a treasurer. The conference shall appoint an  
 4 executive secretary and fix his duties and compensation. Such  
 5 executive secretary shall serve at the pleasure of the conference,  
 6 and together with the treasurer shall be bonded in such amount as  
 7 the conference shall determine. The executive secretary also shall  
 8 serve as general secretary of the conference.

1 3.7. Personnel. Irrespective of the civil service, personnel or  
 2 other merit system laws of any of the party States, the executive

3 secretary, subject to the direction of the conference, shall appoint,  
4 remove or discharge such personnel as may be necessary for the  
5 performance of the conference functions and shall fix the duties  
6 and compensation of such personnel.

1 3.8. Employee benefits. The conference may establish and main-  
2 tain independently or in conjunction with any one or more of the  
3 party States, a suitable retirement system for its full-time em-  
4 ployees. Employees of the conference shall be eligible for social  
5 security coverage in respect of old age and survivor's insurance,  
6 provided that the conference takes such steps as may be necessary  
7 pursuant to the laws of the United States, to participate in such  
8 program of insurance as a governmental agency or unit. The con-  
9 ference may establish and maintain or participate in such addi-  
10 tional programs of employee benefits as may be appropriate. Em-  
11 ployment by the conference of a retired officer or employee of a  
12 party State shall not affect the pension or other retirement-con-  
13 nected benefits paid to such officer or employee by a party State.

1 3.9 Utilization of services. The conference may borrow, accept  
2 or contract for the services of personnel from any party State, the  
3 United States, or any subdivision or agency of the aforementioned  
4 governments, or from any agency of 2 or more of the party States  
5 or their subdivisions.

1 3.10. Acceptance of aid. The conference may accept for any of  
2 its purposes and functions under this compact any and all dona-  
3 tions, grants of money, equipment, supplies, materials and services,  
4 conditional or otherwise, from any State, the United States or any  
5 other governmental agency, or from any person, firm or corporation  
6 and may receive, utilize and dispose of the same. The conference  
7 shall publish in its annual report the terms, conditions, character  
8 and amount of any resources accepted by it pursuant hereto to-  
9 gether with the identity of the donor.

1 3.11. Facilities. The conference may establish and maintain such  
2 facilities as may be necessary for the transacting of its business.  
3 The conference may acquire, hold and convey real and personal  
4 property and any interest therein.

1 3.12. By-laws. The conference shall adopt by-laws for the con-  
2 duct of its business and shall have the power to amend and rescind  
3 these by-laws. The conference shall publish its by-laws in con-  
4 venient form and shall file a copy thereof and a copy of any amend-  
5 ment thereto, with the appropriate agency or officer in each of the  
6 party States. The by-laws shall provide for appropriate notice to  
7 the conference members of all conference meetings.

1 3.13. Annual report. The conference annually shall make to the  
2 Governor and Legislature of each party State a report covering  
3 the activities of the conference for the preceding year, and em-  
4 bodying such recommendations as may have been issued by the  
5 conference. The conference may make such additional reports as  
6 it may deem desirable.

#### ARTICLE IV

##### CONFERENCE POWERS

- 1 4.1. The conference shall have power to:
- 2 a. Mid-Atlantic Criminal Intelligence Bureau. Establish and  
3 operate a Mid-Atlantic Criminal Intelligence Bureau, hereinafter  
4 called "the bureau," in which shall be received, assembled and kept  
5 case histories, records, data, personal dossiers and other informa-  
6 tion concerning persons engaged or otherwise associated with or-  
7 ganized crime.
- 8 b. Identification. Consider and recommend means of identifying  
9 leaders and emerging leaders of organized crime and their asso-  
10 ciates.
- 11 c. Promote co-operation. Promote co-operation in law enforce-  
12 ment and make recommendations to the party States and other  
13 appropriate law enforcement authorities for the improvement of  
14 such co-operation.
- 15 d. Other powers. Do all things which may be necessary and in-  
16 cidental to the exercise of the foregoing powers.

#### ARTICLE V

##### DISPOSITION OF RECORDS AND INFORMATION

1 5.1. The bureau established and operated pursuant to Article IV  
2 of this compact is designated and recognized as the instrument for  
3 the performance of a central criminal intelligence service to the  
4 State Police Departments of the party States. The files, records,  
5 data and other information of the bureau and, when made pursuant  
6 to the by-laws of the conference, any copies thereof shall be avail-  
7 able only to duly designated officers and employees of the State  
8 Police Departments of the party States acting within the scope of  
9 their official duty. In the possession of the aforesaid officers and  
10 employees, such records, data and other information shall be sub-  
11 ject to use and disposition in the same manner and pursuant to  
12 the same laws, rules and regulations applicable to similar records,  
13 data and information of the officer's or employee's agency and the  
14 provision of this compact.

## ARTICLE VI

## ADDITIONAL MEETINGS AND SERVICES

1 6.1. The members of the conference from any 2 or more party  
2 States, upon notice to the chairman as to the time and purpose of  
3 the meeting, may meet as a section for the discussion of problems  
4 common to their States. Any 2 or more party States may designate  
5 the conference as a joint agency to maintain for them such addi-  
6 tional common services as they may deem desirable for combating  
7 organized crime. Except in those cases where all party States join  
8 in such designation for common services, the representative of any  
9 group of such designating States in the conference shall constitute  
10 a separate section of such conference for the performance of the  
11 common service or services so designated provided that, if any  
12 additional expense is involved, the State so acting shall provide  
13 the necessary funds for this purpose. The creation of such a sec-  
14 tion or joint agency shall not affect the privileges, powers, respon-  
15 sibilities or duties of the States participating therein as embodied  
16 in the other articles of this compact.

## ARTICLE VII

## FINANCE

1 7.1. Budget. The conference shall submit to the Governor or  
2 designated officer or officers of each party State a budget of its  
3 estimated expenditures for such period as may be required by  
4 the laws of that party State for presentation to the Legislature  
5 thereof.

1 7.2. Appropriations. Each of the conference's budgets of esti-  
2 mated expenditures shall contain specific recommendations of the  
3 amount or amounts to be appropriated by each of the party States.  
4 The total amount of appropriations under any such budget shall  
5 be apportioned among the party States as follows: One-third in  
6 equal shares;  $\frac{1}{3}$  divided among the party States in the proportions  
7 that their populations bear to the total population of all the party  
8 States; and  $\frac{1}{3}$  divided among the party States in the proportions  
9 that the major crimes committed in each party state bear to the  
10 total number of major crimes committed in all the party States. In  
11 determining population pursuant to this subsection, the most recent  
12 decennial census compiled by the United States Government shall  
13 be used. Numbers of major crimes shall be as reported in the most  
14 recent annual "Uniform Crime Report" compiled by the Federal  
15 Bureau of Investigation of the United States Department of Jus-  
16 tice, or by any agency which may assume responsibility for such  
17 compilation in the place of such bureau. In the event that any

18 source of information required to be used for the purpose of this  
 19 subsection shall be discontinued, the conference shall make its cal-  
 20 culations on the basis of the best alternative sources of information  
 21 and shall identify the sources used.

1 7.3. Pledge of credit. The conference shall not pledge the credit  
 2 of any party State. The conference may meet any of its obligations  
 3 in whole or in part with funds available to it under Article III,  
 4 subsection 3.10 of this compact, provided that the conference takes  
 5 specific action setting aside such funds prior to incurring any obli-  
 6 gation to be met in whole or in part in such manner. Except where  
 7 the conference makes use of funds available to it under Article III,  
 8 subsection 3.10 hereof, the conference shall not incur any obliga-  
 9 tion prior to the allotment of funds by the party States adequate  
 10 to meet the same.

1 7.4. Receipts and disbursements. The conference shall keep ac-  
 2 curate accounts of all receipts and disbursements. The receipts  
 3 and disbursements of the conference shall be subject to the audit  
 4 and accounting procedures established under its rules. However,  
 5 all receipts and disbursements of funds handled by the conference  
 6 shall be audited yearly by a qualified, public accountant and the  
 7 report of the audit shall be included in and become part of the  
 8 annual report of the conference.

1 7.5. Inspection of accounts. The accounts of the conference shall  
 2 be open at any reasonable time for inspection by duly constituted  
 3 officers of the party States and any persons authorized by the con-  
 4 ference.

1 7.6. Audit. Nothing contained herein shall be construed to pre-  
 2 vent conference compliance with laws relating to audit or inspection  
 3 of accounts by or on behalf of any government contributing to the  
 4 support of the conference.

## ARTICLE VIII

### CONSTRUCTION AND SEVERABILITY

1 8.1. This compact shall be liberally construed so as to effectuate  
 2 the purposes thereof. The provisions of this compact shall be  
 3 severable and if any phrase, clause, sentence or provision of this  
 4 compact is declared to be contrary to the Constitution of any State  
 5 or of the United States or the applicability thereof to any govern-  
 6 ment, agency, person or circumstance is held invalid, the validity  
 7 of the remainder of this compact and the applicability thereof to  
 8 any government, agency, person or circumstance shall not be af-  
 9 fected thereby. If this compact shall be held contrary to the Con-  
 10 stitution of any State participating herein, the compact shall re-

11 main in full force and effect as to the remaining party States and  
12 in full force and effect as to the State affected as to all severable  
13 matters.

PART II  
EFFECTUATION

ARTICLE IX

1 9.1. Compact entered into by State. The Mid-Atlantic State  
2 Police Compact is hereby entered into and enacted into law with  
3 any and all of the States legally joining therein in the form sub-  
4 stantially as foregoing.

1 9.2. Designation of alternate. The Superintendent of State  
2 Police is authorized to designate an alternate to serve in his place  
3 and stead on the Mid-Atlantic State Police Administrators' Con-  
4 ference as permitted by Article III, subsections 3.2 and 3.3 of the  
5 compact. However, it is the intention of the Legislature that such  
6 superintendent shall attend and participate in the work of the  
7 conference in person to the maximum extent practicable.

1 9.3. Retirement coverage. The employees of the Mid-Atlantic  
2 State Police Administrators' Conference may, upon the concluding  
3 of an agreement for coverage with the State Police Retirement  
4 System, be eligible for and covered by such system. Any such agree-  
5 ment shall provide, as nearly as may be, for the same ratio of  
6 employee contribution to total contribution as pertains for members  
7 of the State Police Retirement System generally.

8 The State Police Retirement System shall not conclude a retire-  
9 ment agreement pursuant to Article III, subsection 3.8, of the com-  
10 pact if the Mid-Atlantic State Police Administrators' Conference  
11 has in force a retirement agreement with any other party State.

1 9.4. Short title. This act shall be known and may be cited as  
2 the "Mid-Atlantic State Police Compact."

1 9.5. Effective date. This act shall take effect immediately.