

2A:154-4

LEGISLATIVE HISTORY CHECK

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LAWS OF: 1999 **CHAPTER:** 218

NJSA: 2A:154-4 (Federal law enforcement officers—New Jersey arrests)

BILL NO: S160 (Substituted for A2698)

SPONSOR(S): Kyrillos and Palaia

DATE INTRODUCED: January 13, 1998

COMMITTEE: **ASSEMBLY:** Law & Public Safety

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 10, 1999

SENATE: June 21, 1999

DATE OF APPROVAL: September 22, 1999

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: 2nd reprint
(Amendments during passage denoted by superscript numbers)

S160

SPONSORS STATEMENT: (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENTS: [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

A2698

SPONSORS STATEMENT: (Begins on page 2 of original bill) [Yes](#)
Bill and Sponsors statement identical to S160

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)
Identical to Assembly Statement for S160-1R

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 1999, CHAPTER 218, *approved September 22, 1999*
Senate, No. 160 (*Second Reprint*)

1 AN ACT concerning certain federal law enforcement officers and
2 amending P.L.1983, c.268.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1983, c.268 (C.2A:154-5) is amended to read
8 as follows:

9 1. The following persons employed as full-time law enforcement
10 officers by the Federal Government, who are empowered to effect an
11 arrest with or without warrant for violations of the United States Code
12 and who are authorized to carry firearms in the performance of their
13 duties, shall be empowered to act as an officer for the arrest of
14 offenders against the laws of this State where the person reasonably
15 believes that a crime of the first, second or third degree is or is about
16 to be committed or attempted in his presence:

17 Federal Bureau of Investigation special agents;

18 United States Secret Service special agents;

19 Immigration and Naturalization Service special agents, investigators
20 and patrol officers;

21 United States Marshal Service deputies;

22 Drug Enforcement Administration special agents;

23 United States Postal inspectors;

24 ¹United States Postal police officers while in the performance of
25 their official duties:¹

26 United States Customs Service special agents, inspectors and patrol
27 officers;

28 United States General Services Administration special agents;

29 United States Department of Agriculture special agents;

30 Bureau of Alcohol, Tobacco and Firearms special agents;

31 Internal Revenue Service special agents and inspectors;

32 Department of the Interior special agents, investigators², park
33 police² and park rangers.

34 (cf: P.L.1983, c.268, s.1)

35

36 2. This act shall take effect immediately.

37

38

39

40 Authorizes certain federal law enforcement officers to make arrests for
41 violation of New Jersey law.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALP committee amendments adopted December 3, 1998.

² Assembly floor amendments adopted February 18, 1999.

SENATE, No. 160

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

Senator JOSEPH A. PALAIA

District 11 (Monmouth)

SYNOPSIS

Authorizes certain federal law enforcement officers to make arrests for violation of New Jersey law.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S160 KYRILLOS, PALAIA

2

1 **AN ACT** concerning certain federal law enforcement officers and
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12 and who are authorized to carry firearms in the performance of their
13 duties, shall be empowered to act as an officer for the arrest of
14 offenders against the laws of this State where the person reasonably
15 believes that a crime of the first, second or third degree is or is about
16 to be committed or attempted in his presence:

17 Federal Bureau of Investigation special agents;

18 United States Secret Service special agents;

19 Immigration and Naturalization Service special agents, investigators
20 and patrol officers;

21 United States Marshal Service deputies;

22 Drug Enforcement Administration special agents;

23 United States Postal inspectors;

24 United States Customs Service special agents, inspectors and patrol
25 officers;

26 United States General Services Administration special agents;

27 United States Department of Agriculture special agents;

28 Bureau of Alcohol, Tobacco and Firearms special agents;

29 Internal Revenue Service special agents and inspectors;

30 Department of the Interior special agents, investigators and park
31 rangers.

32 (cf: P.L.1983, c.268, s.1)

33

34 2. This act shall take effect immediately.

35

36

37

STATEMENT

38

39 This bill includes special agents, investigators and park rangers of
40 the Department of the Interior among those federal law enforcement
41 officers authorized to make arrests when a crime of the first, second
42 or third degree is committed or about to be committed in their
43 presence.

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

Matter underlined thus is new matter.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 160

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1998

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 160 and with committee amendments.

Senate Bill No. 160 amends section 1 of P.L.1983, c.268 (C.2A:154-5) to permit Department of the Interior special agents, investigators and park rangers who are empowered to effect an arrest for a violation of federal law and are authorized to carry firearms in the performance of their duties to make an arrest for a violation of State law if they believe that a crime of the first, second or third degree is or is about to be committed or attempted in their presence.

Section 1 of P.L.1983, c.268 (C.2A:154-5) currently authorizes the following full-time federal law enforcement officers to make an arrest if they believe a State crime of the first, second or third degree is or is about to be committed or attempted in their presence: 1) Federal Bureau of Investigation special agents; 2) United States Secret Service special agents; 3) Immigration and Naturalization Service special agents, investigators and patrol officers; 4) United States Marshal Service deputies; 5) Drug Enforcement Administration special agents; 6) United States Postal inspectors; 7) United States Customs Service special agents, inspectors and patrol officers; 8) United States General Services Administration special agents; 9) United States Department of Agriculture special agents; 10) Bureau of Alcohol, Tobacco and Firearms special agents; and 11) Internal Revenue Service special agents and inspectors.

The committee amended the bill to also include on the list of federal officers permitted to make arrests for violations of State law United States Postal police officers while in the performance of their official duties.

This bill is identical to Assembly Bill No. 2698, which also was reported by this committee on this date.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 160

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1998

The Senate Law and Public Safety Committee favorably reports Senate Bill No. 160.

This bill includes special agents, investigators and park rangers of the Department of the Interior among those federal law enforcement officers authorized to make arrests when a crime of the first, second or third degree is committed or about to be committed in their presence.

This bill was prefiled for introduction in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

STATEMENT TO
[First Reprint]
SENATE, No. 160

with Assembly Floor Amendments
(Proposed By Assemblyman AZZOLINA)

ADOPTED: FEBRUARY 18, 1999

Senate Bill No. 160 (1R) would permit Department of the Interior special agents, investigators and park rangers and United States postal police officers who are empowered to effect an arrest for a violation of federal law and are authorized to carry firearms in the performance of their duties to make an arrest for a violation of State law if they believe that a crime of the first, second or third degree is or is about to be committed or attempted in their presence.

This Assembly amendment would include Department of the Interior Park Police among those federal law enforcement officers so authorized.

ASSEMBLY, No. 2698

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED DECEMBER 3, 1998

Sponsored by:

Assemblyman JOSEPH AZZOLINA
District 13 (Middlesex and Monmouth)
Assemblyman STEVE CORODEMUS
District 11 (Monmouth)

Co-Sponsored by:

Assemblyman Thompson

SYNOPSIS

Authorizes certain federal law enforcement officers to make arrests for violation of New Jersey law.

CURRENT VERSION OF TEXT

As introduced.



A2698 AZZOLINA, CORODEMUS

2

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14 offenders against the laws of this State where the person reasonably
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16 to be committed or attempted in his presence:

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19 Immigration and Naturalization Service special agents, investigators
20 and patrol officers;

21 United States Marshal Service deputies;

22 Drug Enforcement Administration special agents;

23 United States Postal inspectors;

24 United States Customs Service special agents, inspectors and patrol
25 officers;

26 United States General Services Administration special agents;

27 United States Department of Agriculture special agents;

28 Bureau of Alcohol, Tobacco and Firearms special agents;

29 Internal Revenue Service special agents and inspectors;

30 Department of the Interior special agents, investigators and park
31 rangers.

32 (cf: P.L.1983, c.268, s.1)

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34 2. This act shall take effect immediately.

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STATEMENT

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39 This bill includes special agents, investigators and park rangers of
40 the Department of the Interior among those federal law enforcement
41 officers authorized to make arrests when a crime of the first, second
42 or third degree is committed or about to be committed in their
43 presence.

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

Matter underlined thus is new matter.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2698

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1998

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2698 and with committee amendments.

Assembly Bill No. 2696 amends section 1 of P.L.1983, c.268 (C.2A:154-5) to permit Department of the Interior special agents, investigators and park rangers who are empowered to effect an arrest for a violation of federal law and are authorized to carry firearms in the performance of their duties to make an arrest for a violation of State law if they believe that a crime of the first, second or third degree is or is about to be committed or attempted in their presence.

Section 1 of P.L.1983, c.268 (C.2A:154-5) currently authorizes the following full-time federal law enforcement officers to make an arrest if they believe a State crime of the first, second or third degree is or is about to be committed or attempted in their presence: 1) Federal Bureau of Investigation special agents; 2) United States Secret Service special agents; 3) Immigration and Naturalization Service special agents, investigators and patrol officers; 4) United States Marshal Service deputies; 5) Drug Enforcement Administration special agents; 6) United States Postal inspectors; 7) United States Customs Service special agents, inspectors and patrol officers; 8) United States General Services Administration special agents; 9) United States Department of Agriculture special agents; 10) Bureau of Alcohol, Tobacco and Firearms special agents; and 11) Internal Revenue Service special agents and inspectors.

The committee amended the bill to also include on the list of federal officers permitted to make arrests for violations of State law United States Postal police officers while in the performance of their official duties.

This bill is identical to Senate Bill No. 160, which also was reported by this committee on this date.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Gene Herman
609-777-2600

RELEASE: September 22, 1999

Gov. Christie Whitman today signed the following pieces of legislation:

S-1789, the New Jersey Homeless Youth Act, sponsored by Senators William L. Gormley (R-Atlantic) and Joseph F. Vitale (D-Middlesex) and Assembly Members Kenneth C. LeFevre (R-Atlantic) and Francis J. Blee (R-Atlantic), appropriates \$1 million to the Department of Human Services (DHS) to establish and support a comprehensive program for homeless youth. The Commissioner of the DHS will develop rules and regulations for the licensing of street outreach, basic center shelters and transitional living home programs.

Street outreach will enhance the homeless youth's accessibility to resources by locating, contacting and providing services to the youth through community-based, mobile outreach. Services may include assistance in finding shelter, food, clothing, medical care and counseling.

The basic center shelter program will provide a homeless youth with 24-hour, seven-day-a-week access to a stable out-of-home placement. Services may include family reunification, counseling, food, clothing, medical care, educational services and recreation. The shelter will help reunite the family unless it is not in the youth's best interest.

The transitional living home program will provide residential care and treatment services for up to 18 months to homeless youths between the ages of 16 and 21 who demonstrate the maturity to function with minimal adult supervision. The goal is to prepare the youth for independence and self-sufficiency. The legislation also eliminates the requirement in current law that prohibits homeless youths from obtaining emergency shelter without first obtaining either a court order or a guardian's permission.

S-160, sponsored by Senators Joseph M. Kyrillos, Jr. (R- Middlesex/Monmouth) and Joseph A. Palaia (R-Monmouth) and Assembly Members Joseph Azzolina (R-Middlesex/Monmouth) and Steve Corodemus (R-Monmouth), authorizes certain federal law enforcement officers to make arrests for violations of New Jersey law. The bill expands the list of federal law enforcement officers authorized to make arrests when serious state crimes are committed or about to be committed in their presence to include the Department of the Interior special agents, investigators, park police and park rangers and the United States postal police. The power of postal police officers is limited to offenses occurring on postal property while they are on duty.

S-995, sponsored by the late Senator Wynona M. Lipman (D- Essex/Union) and Senator Ronald L. Rice (D-Essex) and Assembly Member William D. Payne (D-Essex/Union), allows for the extension of property tax exemptions for certain non-profit housing corporations beyond the 35 year limit set by the 1991 Long Term Tax Exemption Law. The bill applies only to limited-dividend and non-profit housing corporations. This bill would allow a municipality to extend the term of any such tax exemption to coincide with the term of the housing corporation's mortgage financing. The mortgage duration and the

terms of any such extension shall be set forth in an agreement between the developer of the housing corporation and the affected municipality.

S-1133, sponsored by Senators Peter A. Inverso (R- Mercer/Middlesex) and Anthony R. Bucco (R-Morris) and Assembly Members Charlotte Vandervalk (R-Bergen), Steve Corodemus (R-Monmouth) and Neil M. Cohen (D-Union), provides a tax deduction to self-employers for 100% of the cost of health insurance. Under previous law, self-employers were treated the same as individuals could only deduct premiums in excess of 2% of their income as medical expense. This will change the tax treatment for self-employers to make it analogous to corporations. Under the law, corporations may deduct 100% of the cost of providing employee health insurance from their corporate income for the purpose of calculating the Corporate Business Tax.

S-585, sponsored by Senator Bernard F. Kenny, Jr. (D-Hudson) and Assembly Members Raul "Rudy" Garcia (D-Hudson) and Nicholas R. Felice (R-Bergen/Passaic), makes religious organizations, fraternal organizations, and certain educational institutions eligible for funding from the New Jersey Green Acres, Cultural Centers and Historic Preservation Bond Act of 1987, in addition to non-profit cultural centers that are currently eligible.

S-1448, sponsored by Senator Diane B. Allen (R-Burlington/Camden) and Assembly Members Rose Marie Heck (R-Bergen) and Jerry Green (D- Middlesex/Somerset/Union), appropriates \$95,000 to establish a permanent Council on Gender Parity in Labor and Education with the State Employment and Training Commission. The new council will help ensure that federal and state gender equity initiatives are implemented effectively in communities, schools and public agencies.

S-1960, sponsored by Senators Henry P. McNamara (R-Bergen/Passaic) and Robert E. Littell (R-Sussex/Hunterdon/Morris) and Assembly Members E. Scott Garrett (R-Sussex/Hunterdon/ Morris) and Guy R. Gregg (R- Sussex/Hunterdon/Morris), formalizes and makes permanent the municipal financial aid offset formula and program for the loss of property tax revenue as a result of the moratorium on the sale of watershed lands. For the last several years, the offset has been provided for through language inserted in the state annual Appropriations Act.

The amount of aid to be provided annually to every municipality where property is subject to the watershed moratorium is based on a formula of \$68.50 per acre of such lands in the municipality, to be adjusted annually by reference to the Consumer Price Index. The bill also appropriates \$3.4 million from the General Fund to the Department of Community Affairs for the purpose of providing watershed moratorium offset aid to qualifying municipalities for Fiscal Year 2000.

SCS for A-1983 and S-1237, sponsored by Assembly Members Francis J. Blee (R-Atlantic) and David W. Wolfe (R-Monmouth/Ocean) and Senators Wayne R. Bryant (D-Camden/Gloucester) and John J. Matheussen (R-Camden/Gloucester), creates the Higher Education Incentive Funding Program Act and appropriates \$5 million for state matching funds. The bill establishes within the Department of Treasury a program under which New Jersey's public and private institutions of higher education that receive substantial gifts of cash or marketable securities would qualify for state funds partially matching those gifts. The amount of matching funds payable would depend upon whether the gifts were endowment contributions or donations, and also upon the type of institution to which the gifts are made.

S-1074, sponsored by Senators Donald T. DiFrancesco (R- Middlesex/Morris/Somerset/Union) and Joseph M. Kyrillos, Jr. (R- Middlesex/Monmouth) and Assembly Members Joseph Azzolina (R- Middlesex/Monmouth) and Anthony Impreveduto (D-Bergen/Hudson, provides expanded sales and use tax exemptions for the film and video industry. Under current law, film production equipment including cameras, lighting equipment, sound recorders and film are exempt from the sales tax. This legislation expands the list to mirror those exempted in New York by exempting all products used and consumed directly and primarily in the production of a film. Newly tax exempt products include cars, lumber and supplies used in the production of a film. Tangible personal property incidental to the making of a film such as accommodations, prepared foods, and other products used by the film crew and actors and actresses would continue to be taxable.