

53:1-5.3

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2003 **CHAPTER:** 29
NJSA: 53:1-5.3 (State Police—employment titles)
BILL NO: S412 (Substituted for A1740)

SPONSOR(S): Bryant and others

DATE INTRODUCED: pre-filed

COMMITTEE: **ASSEMBLY:** Law and Public Safety

SENATE: Judiciary

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** October 28, 2002

SENATE: February 27, 2003

DATE OF APPROVAL: March 14, 2003

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (2nd reprint enacted)
(Amendments during passage denoted by superscript numbers)

S412

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

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

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

A1740

[SPONSORS STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)
Bill and Sponsors Statement identical to S412

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

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

P.L. 2003, CHAPTER 29, *approved March 14, 2003*

Senate, No. 412 (*Second Reprint*)

1 AN ACT concerning the State Police and supplementing Title 53 of the
2 Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The Superintendent shall prepare, or cause to be prepared,
8 and regularly update a catalogue which:

9 (1) Identifies each employment title and position ¹for enlisted
10 members¹ in the division; and

11 (2) Sets forth a job description for each such title and position,
12 including any special qualifications or skills that are necessary for
13 appointment to a particular title or position.

14 b. The catalogue prepared pursuant to subsection a. of this section,
15 shall, as are the lists of State and local employment titles and
16 positions, be made available to the public at designated locations.

17 c. ¹**[Whenever]** Except as provided in subsection d. of this section,
18 whenever¹ the superintendent shall determine that the effective
19 operation of the division, or one of its particular duties or
20 responsibilities, necessitates the establishment of a title or position,
21 either on a temporary or permanent basis, which is not set forth in the
22 catalogue prepared pursuant to subsection a. of this section, no
23 appointment to that special title or position shall be made until notice
24 of that special title or position shall be ¹**[conspicuously posted]** made
25 readily available to enlisted members¹ at division headquarters, each
26 troop headquarters and all other division facilities and adequate time
27 is given to permit interested and qualified ¹**[officers and troopers]**
28 enlisted members¹ to apply. The notice shall include, but not be
29 limited to, a description of the special title or position and the special
30 qualifications or skills that are necessary for appointment. ²The
31 requirements of this subsection shall not apply to titles or positions on
32 the Superintendent's executive staff which involve managerial
33 executive functions. For purposes of this section, "managerial
34 executive functions" means the formulation of management policies
35 and the direction of the effectuation of such management policies on
36 behalf of the Superintendent.²

37 ¹d. This section shall not apply to titles or positions established on
38 a temporary basis in order to respond to an emergency situation in

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 Senate SJU committee amendments adopted May 16, 2002.

² Assembly ALP committee amendments adopted October 21, 2002.

1 which immediate action is warranted in order to provide for or
2 maintain the public safety and to titles or positions where public
3 disclosure would jeopardize the safety of any person or jeopardize any
4 investigation in progress or be otherwise inappropriate based on a
5 bona fide law enforcement purpose or the public safety.¹

6 ²e. The information set forth in the catalogue prepared or updated
7 pursuant to subsection a. and in any notices provided pursuant to
8 subsection c. shall not be subject to collective negotiation or collective
9 bargaining. Nothing in this act shall be deemed to affect or impair any
10 rights which are subject to collective negotiation or collective
11 bargaining.²

12
13 2. This act shall take effect on the first day of the ¹[fourth] sixth¹
14 month following enactment.

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19 _____
19 Requires superintendent to prepare list of State Police employment
20 titles, positions and qualifications; thereafter requires postings for
21 certain specially created titles and positions.

SENATE, No. 412

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Senator WAYNE R. BRYANT

District 5 (Camden and Gloucester)

Senator SHARPE JAMES

District 29 (Essex and Union)

SYNOPSIS

Requires superintendent to prepare list of State Police employment titles, positions and qualifications; thereafter requires postings for certain specially created titles and positions.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S412 BRYANT, JAMES

2

1 AN ACT concerning the State Police and supplementing Title 53 of the
2 Revised Statutes.

3

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

6

7 1. a. The Superintendent shall prepare, or cause to be prepared,
8 and regularly update a catalogue which:

9 (1) Identifies each employment title and position in the division;
10 and

11 (2) Sets forth a job description for each such title and position,
12 including any special qualifications or skills that are necessary for
13 appointment to a particular title of position.

14 b. The catalogue prepared pursuant to subsection a. of this section,
15 shall, as are the lists of State and local employment titles and
16 positions, be made available to the public at designated locations.

17 c. Whenever the superintendent shall determine that the effective
18 operation of the division, or one of its particular duties or
19 responsibilities, necessitates the establishment of a title or position,
20 either on a temporary or permanent basis, which is not set forth in the
21 catalogue prepared pursuant to subsection a. of this section, no
22 appointment to that special title or position shall be made until notice
23 of that special title or position shall be conspicuously posted at
24 division headquarters, each troop headquarters and all other division
25 facilities and adequate time is given to permit interested and qualified
26 officers and troopers to apply. The notice shall include, but not be
27 limited to, a description of the special title or position and the special
28 qualifications or skills that are necessary for appointment.

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30 2. This act shall take effect on the first day of the fourth month
31 following enactment.

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STATEMENT

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36 This bill directs the Superintendent of State Police to prepare, and
37 regularly update, a catalogue listing every employment title and
38 position in the division and setting forth a job description for each
39 such title and position, including any special qualifications or skills that
40 are necessary for appointment to a particular title or position. The
41 catalogue, as are lists of State and local employment titles and
42 positions, is to be made available to the public at designated locations.

43 The bill also specifies that whenever the superintendent determines
44 that in order for the State Police to effectively operate, or fulfill a
45 particular responsibility or duty, it is necessary to establish, on either
46 a permanent or temporary basis, a title or position not included in the

S412 BRYANT, JAMES

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1 catalogue, no appointment to that special title or position can be made
2 until a notice announcing the special title or position has been
3 conspicuously posted at division headquarters, each troop
4 headquarters and all other division facilities and adequate time has
5 been given to permit interested and qualified officers and troopers to
6 apply. The information contained in the notice is to include, but not
7 be limited to, a description of the special title or position and the
8 special qualifications or skills that are necessary for appointment.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 412

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 16, 2002

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 412.

This bill directs the Superintendent of State Police to prepare, and regularly update, a catalogue listing every employment title and position in the division with a job description for each, including any special qualifications or skills that are necessary for appointment. The catalogue, as are lists of State and local employment titles and positions, is to be made available to the public at designated locations.

The bill also specifies that whenever the superintendent determines that it is necessary to establish, on either a permanent or temporary basis, a title or position not included in the catalogue, no appointment to that special title or position can be made until a notice has been made available and adequate time has been given to permit those interested to apply. The information shall include a description of the special title or position and the special qualifications or skills that are necessary for appointment.

The bill has been amended to add a new subsection d. to provide that the catalogue and notice requirements shall not apply to titles or positions: (1) established on a temporary basis to respond to an emergency situation in which immediate action is warranted to provide for or maintain the public safety and (2) where public disclosure would jeopardize the safety of any person or any investigation in progress or be otherwise inappropriate based on a bona fide law enforcement purpose or the public safety. The term "enlisted members" is incorporated into the bill to clarify that the bill is not applicable to civilian employees of the Division of State Police, who are in the career service or are unclassified under Title 11A, and references to "officers and troopers" are changed to "enlisted members" for the sake of uniformity. The effective date is delayed for six months instead of four months.

This bill was prefiled for introduction in the 2002 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 412

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 21, 2002

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 412 (1R).

Senate Bill No. 412 (1R), as amended and released by the committee, directs the Superintendent of State Police to prepare, and regularly update, a catalogue listing every employment title and position for enlisted members in the division with a job description for each, including any special qualifications or skills that are necessary for appointment. The catalogue, as other lists of State and local employment titles and positions, is to be made available to the public at designated locations.

The amended bill also specifies that whenever the superintendent determines that it is necessary to establish, on either a permanent or temporary basis, a title or position not included in the catalogue, no appointment to that special title or position can be made until a notice has been made readily available to enlisted members and adequate time has been given to permit those interested to apply. The information shall include a description of the special title or position and the special qualifications or skills that are necessary for appointment.

The amended bill also provides that these catalogue and notice requirements do not apply to titles or positions: (1) established on a temporary basis to respond to an emergency situation in which immediate action is warranted to provide for or maintain the public safety and (2) where public disclosure would jeopardize the safety of any person or any investigation in progress or be otherwise inappropriate based on a bona fide law enforcement purpose or the public safety.

As amended and released by the committee, this bill is identical to Assembly Bill No. 1740, also amended and released by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) specify that the notice requirements applicable to titles or

positions not included in the catalogue as required by the bill do not apply to titles or positions on the Superintendent's executive staff which involve managerial executive functions; "managerial executive functions" is defined as a the formulation of management policies and the direction of the effectuation of such management policies on behalf of the Superintendent;

(2) add a new subsection e. to section 1 of the bill specifying that the information in the catalogue and notifications required by the bill are not subject to collective negotiation or collective bargaining.

ASSEMBLY, No. 1740

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED FEBRUARY 4, 2002

Sponsored by:

Assemblyman CRAIG A. STANLEY

District 28 (Essex)

SYNOPSIS

Requires superintendent to prepare a list of State Police employment titles and positions and qualifications; thereafter, requires postings for certain specially created titles and positions.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the State Police and supplementing Title 53 of the
2 Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The Superintendent shall prepare, or cause to be prepared,
8 and regularly update a catalogue which:

9 (1) Identifies each employment title and position in the division;
10 and

11 (2) Sets forth a job description for each such title and position,
12 including any special qualifications or skills that are necessary for
13 appointment to a particular title of position.

14 b. The catalogue prepared pursuant to subsection a. of this section,
15 shall, as are the lists of State and local employment titles and
16 positions, be made available to the public at designated locations.

17 c. Whenever the superintendent shall determine that the effective
18 operation of the division, or one of its particular duties or
19 responsibilities, necessitates the establishment of a title or position,
20 either on a temporary or permanent basis, which is not set forth in the
21 catalogue prepared pursuant to subsection a. of this section, no
22 appointment to that special title or position shall be made until notice
23 of that special title or position shall be conspicuously posted at
24 division headquarters, each troop headquarters and all other division
25 facilities and adequate time is given to permit interested and qualified
26 officers and troopers to apply. The notice shall include, but not be
27 limited to, a description of the special title or position and the special
28 qualifications or skills that are necessary for appointment.

29
30 2. This act shall take effect on the first day of the fourth month
31 following enactment.

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STATEMENT

35

36 This bill directs the Superintendent of State Police to prepare, and
37 regularly update, a catalogue listing every employment title and
38 position in the division and setting forth a job description for each
39 such title and position, including any special qualifications or skills that
40 are necessary for appointment to a particular title or position. The
41 catalogue, as are lists of State and local employment titles and
42 positions, is to be made available to the public at designated locations.

43 The bill also specifies that whenever the superintendent determines
44 that in order for the State Police to effectively operate, or fulfill a
45 particular responsibility or duty, it is necessary to establish, on either
46 a permanent or temporary basis, a title or position not included in the

A1740 STANLEY

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1 catalogue, no appointment to that special title or position can be made
2 until a notice announcing the special title or position has been
3 conspicuously posted at division headquarters, each troop
4 headquarters and all other division facilities and adequate time has
5 been given to permit interested and qualified officers and troopers to
6 apply. The information contained in the notice is to include, but not
7 be limited to, a description of the special title or position and the
8 special qualifications or skills that are necessary for appointment.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1740

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 21, 2002

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 1740.

Assembly Bill No. 1740, as amended and released by the committee, directs the Superintendent of State Police to prepare, and regularly update, a catalogue listing every employment title and position in the division with a job description for each, including any special qualifications or skills that are necessary for appointment. The catalogue, as are lists of State and local employment titles and positions, is to be made available to the public at designated locations.

The amended bill also specifies that whenever the superintendent determines that it is necessary to establish, on either a permanent or temporary basis, a title or position not included in the catalogue, no appointment to that special title or position can be made until a notice has been made available and adequate time has been given to permit those interested to apply. The information shall include a description of the special title or position and the special qualifications or skills that are necessary for appointment.

As amended and released by the committee, this bill is identical to Senate Bill No. 412 (1R), also amended and released by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) specify that the notice requirements applicable to titles or positions not included in the catalogue do not apply to titles or positions on the Superintendent's executive staff which involve managerial executive functions; "managerial executive functions" is defined as the formulation of management policies and the direction of the effectuation of such management policies on behalf of the Superintendent;

(2) add a new subsection d. to section 1 to provide that the catalogue and notice requirements shall not apply to titles or positions: (a) established on a temporary basis to respond to an emergency situation in which immediate action is warranted to provide for or maintain the public safety and (b) where public disclosure would

jeopardize the safety of any person or any investigation in progress or be otherwise inappropriate based on a bona fide law enforcement purpose or the public safety;

(3) add a new subsection e. to section 1 of the bill specifying that the information in the catalogue and notifications required by the bill are not subject to collective negotiation or collective bargaining;

(4) incorporate the term "enlisted members" into the bill to clarify that the bill is not applicable to civilian employees of the Division of State Police, who are in the career service or are unclassified under Title 11A;

(5) change references to "officers and troopers" to "enlisted members" for the sake of uniformity;

(6) change the effective date of the bill from four to six months following enactment.