

53:1-11.14

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2004 **CHAPTER:** 82
NJSA: 53:1-11.14 (Authorizes State Police to assist Coast Guard)
BILL NO: A2927 (Substituted for S1551)

SPONSOR(S): Quigley and others

DATE INTRODUCED: May 27, 2004

COMMITTEE: **ASSEMBLY:** Homeland Security

SENATE: ----

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 24, 2004

SENATE: June 24, 2004

DATE OF APPROVAL: July 2, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)

A2927

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

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

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S1551

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

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

FLOOR AMENDMENT STATEMENT: 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. 2004, CHAPTER 82, *approved July 2, 2004*
Assembly, No. 2927 (*First Reprint*)

1 AN ACT concerning ¹[the] marine law enforcement¹ powers of ¹[law
2 enforcement officers within the Bureau of Marine Law Enforcement
3 in] members of¹ the Division of State Police ^{1,1} and amending
4 P.L.1986, c.150 ¹and R.S.53:2-1¹.

5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8

9 1. Section 5 of P.L.1986, c.150 (C.53:1-11.14) is amended to read
10 as follows:

11 5. Marine law enforcement officers within the bureau:

12 a. Shall have the powers of police officers as the superintendent
13 may prescribe;

14 b. Shall enforce the laws of this State on the waters of the State
15 and the land areas contiguous thereto;

16 c. Shall perform related law enforcement duties throughout the
17 State as the superintendent may prescribe;

18 d. Shall have the power to stop and board a vessel in the waters of
19 the State to determine whether the vessel complies with State and
20 federal boating safety laws and shall have the power to order a vessel
21 that does not comply with these laws to return immediately to shore;
22 and

23 e. Shall have the power, in accordance with applicable State and
24 federal laws, rules and regulations, to take appropriate action as
25 authorized by the United States Coast Guard to assist the United
26 States Coast Guard in the enforcement of any safety and security zone
27 established by the United States Coast Guard Captain of the Port for
28 the Port of New York and New Jersey or the Port of Philadelphia.

29 Nothing in this section shall limit the law enforcement authority of
30 a member of the State Police assigned to the bureau by the
31 superintendent, unless the superintendent shall so prescribe.

32 (cf: P.L.1986, c.150, s.5)

33

34 ¹2. R.S.53:2-1 is amended to read as follows:

35 53:2-1. The members of the State Police shall be subject to the call
36 of the Governor. They shall be peace officers of the State, shall
37 primarily be employed in furnishing adequate police protection to the
38 inhabitants of rural sections, shall give first aid to the injured and
39 succor the helpless, and shall have in general the same powers and
40 authority as are conferred by law upon police officers and constables.

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 AHS committee amendments adopted June 3, 2004.

1 They shall have power to prevent crime, to pursue and apprehend
2 offenders and to obtain legal evidence necessary to insure the
3 conviction of such offenders in the courts. They shall have power to
4 execute any lawful warrant or order of arrest issued against any
5 person, and to make arrests without warrant for violations of the law
6 committed in their presence, and for felonies committed the same as
7 are or may be authorized by law for other peace officers.

8 They may co-operate with any other State department, or any State
9 or local authority in detecting crime, apprehending criminals and
10 preserving law and order; but the State Police shall not be used as a
11 posse in any municipality except upon order of the Governor when
12 requested by the governing body of such municipality; provided,
13 however, that the Superintendent of State Police, or the person in
14 charge thereof, shall, upon request made to him by the superintendent
15 of elections of any county of this State, assign for use on any election
16 day officers and troopers, not to exceed fifteen in number in any one
17 county, to aid such superintendents of elections in the enforcement of
18 the election laws of this State.

19 They may act as inspectors of motor vehicles and as wardens in the
20 protection of the forests, and the fish and game of the State. With
21 respect to enforcement of the provisions of the "New Jersey Alcoholic
22 Beverage Control Act," Title 33 of the Revised Statutes, they shall
23 have all the powers conferred upon "officers" pursuant to that title.
24 They shall have the authority to investigate any offenses or violations
25 occurring on the waters of this State, as defined in section 1 of
26 P.L.1986, c.150 (C.53:1-11.10), and to stop and board a vessel in the
27 waters of the State to determine whether the vessel complies with
28 State and federal boating safety laws and shall have the power to order
29 a vessel that does not comply with these laws to return immediately to
30 shore. They shall have the authority, in accordance with applicable
31 State and federal laws, rules and regulations, to take appropriate
32 action as authorized by the United States Coast Guard to assist the
33 United States Coast Guard in the enforcement of any safety and
34 security zone established by the United States Coast Guard Captain of
35 the Port for the Port of New York and New Jersey or the Port of
36 Philadelphia. They shall have the authority to perform all of the duties
37 of members of the State Capitol Police Force as defined in section 2
38 of P.L.1977, c.135 (C.52:17B-9.2).¹
39 (cf: P.L.1997, c.19, s.3)

40

41 ¹[2.] 3.¹ This act shall take effect immediately.

42

43

44

45 Authorizes members of the State Police to assist the United States
46 Coast Guard in the enforcement of certain safety and security zones
47 established by the Coast Guard.

ASSEMBLY, No. 2927

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MAY 27, 2004

Sponsored by:

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Authorizes State marine police officers to assist the United States Coast Guard in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



A2927 QUIGLEY, VAN DREW

2

1 AN ACT concerning the powers of law enforcement officers within the
2 Bureau of Marine Law Enforcement in the Division of State Police
3 and amending P.L.1986, c.150.

4

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

7

8 1. Section 5 of P.L.1986, c.150 (C.53:1-11.14) is amended to read
9 as follows:

10 5. Marine law enforcement officers within the bureau:

11 a. Shall have the powers of police officers as the superintendent
12 may prescribe;

13 b. Shall enforce the laws of this State on the waters of the State
14 and the land areas contiguous thereto;

15 c. Shall perform related law enforcement duties throughout the
16 State as the superintendent may prescribe;

17 d. Shall have the power to stop and board a vessel in the waters of
18 the State to determine whether the vessel complies with State and
19 federal boating safety laws and shall have the power to order a vessel
20 that does not comply with these laws to return immediately to shore;
21 and

22 e. Shall have the power, in accordance with applicable State and
23 federal laws, rules and regulations, to take appropriate action as
24 authorized by the United States Coast Guard to assist the United
25 States Coast Guard in the enforcement of any safety and security zone
26 established by the United States Coast Guard Captain of the Port for
27 the Port of New York and New Jersey or the Port of Philadelphia.

28 Nothing in this section shall limit the law enforcement authority of
29 a member of the State Police assigned to the bureau by the
30 superintendent, unless the superintendent shall so prescribe.

31 (cf: P.L.1986, c.150, s.5)

32

33 2. This act shall take effect immediately.

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STATEMENT

37

38 This bill would authorize State marine police officers to assist the
39 United States Coast Guard in the enforcement of federal laws, rules
40 and regulations in "Safety and Security Zones" established by the
41 Coast Guard. These safety and security zones are actually regulated
42 navigation areas which were established around sensitive maritime
43 areas and facilities shortly after the terrorist attacks of September 11,

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.

1 2001.

2 Pursuant to the Coast Guard's rules and regulations, certain
3 restrictions are imposed upon vessel operations within these zones.

4 These restrictions are necessary to facilitate emergency response
5 and rescue activities in these critical zones and to safeguard people,
6 vessels and waterfront facilities from acts of sabotage or terrorism.
7 Safety and security zones have been established in the Port of New
8 York and New Jersey and the Port of Philadelphia.

9 Passage of this legislation will enable the State Police to partner
10 with the Coast Guard to more effectively monitor and regulate
11 waterborne activity that poses a potential hazard to national security
12 and to fulfill the Marine Police's vital mission of securing New Jersey's
13 ports and waterways.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2927

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 3, 2004

The Assembly Homeland Security and State Preparedness Committee reports favorably and with committee amendments Assembly Bill No. 2927.

This bill would authorize members of the State Police to assist the United States Coast Guard in the enforcement of federal laws, rules and regulations in "Safety and Security Zones" established by the Coast Guard for the Port of New York and New Jersey and the Port of Philadelphia. The Coast Guard established these zones, which regulate navigation and vessel operations around sensitive maritime areas and facilities, shortly after the terrorist attacks of September 11, 2001. The restrictions imposed in these zones help facilitate emergency response and rescue activities, as well as safeguard people, vessels and waterfront facilities from acts of sabotage and terrorism.

This legislation would enable the State Police to partner with the United States Coast Guard to more effectively monitor and regulate waterborne activity that poses a potential hazard to national security, and to fulfill the mission of the State Police to keep New Jersey's ports and waterways secure.

COMMITTEE AMENDMENTS:

The amendments broaden the scope of the original bill so that all members of the State Police, and not just those marine police officers within the State Police's Bureau of Marine Law Enforcement, would be authorized to assist the United States Coast Guard with respect to the designated "Safety and Security Zones." This change is reflected by the addition of a new section 2, which adds such expanded marine law enforcement authority to the statutory law listing the general powers and duties of the members of the State Police. See N.J.S.A. 53:2-1. The language of the committee amendments describing the aforementioned expanded authority is identical to the language set forth in the original bill for such expanded maritime authority (which, again, only affects marine police officers within the Bureau of Marine Law Enforcement).

This change would provide administrative and operational flexibility to the State Police, so that any member of the State Police could be assigned maritime duties, or otherwise participate in maritime activities, as deemed necessary to assist the Coast Guard in carrying out the provisions of the bill.

SENATE, No. 1551

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED MAY 6, 2004

Sponsored by:

Senator JOHN H. ADLER

District 6 (Camden)

Senator FRED MADDEN

District 4 (Camden and Gloucester)

SYNOPSIS

Authorizes State marine police officers to assist the United States Coast Guard in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



S1551 ADLER, MADDEN

2

1 AN ACT concerning the powers of law enforcement officers within the
2 Bureau of Marine Law Enforcement in the Division of State Police
3 and amending P.L. 1986, c.150.

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

7
8 1. Section 5 of P.L.1986, c.150 (C.53:1-11.14) is amended to read
9 as follows:

10 5. Marine law enforcement officers within the bureau:

11 a. Shall have the powers of police officers as the superintendent
12 may prescribe;

13 b. Shall enforce the laws of this State on the waters of the State
14 and the land areas contiguous thereto;

15 c. Shall perform related law enforcement duties throughout the
16 State as the superintendent may prescribe;

17 d. Shall have the power to stop and board a vessel in the waters of
18 the State to determine whether the vessel complies with State and
19 federal boating safety laws and shall have the power to order a vessel
20 that does not comply with these laws to return immediately to shore
21 ; and

22 e. Shall have the power, in accordance with applicable State and
23 federal laws, rules and regulations, to take appropriate action as
24 authorized by the United States Coast Guard to assist the United
25 States Coast Guard in the enforcement of any safety and security zone
26 established by the United States Coast Guard Captain of the Port for
27 the Port of New York and New Jersey or the Port of Philadelphia.

28 Nothing in this section shall limit the law enforcement authority of
29 a member of the State Police assigned to the bureau by the
30 superintendent, unless the superintendent shall so prescribe.

31 (cf: P.L.1986, c.150, s.5)

32

33 2. This act shall take effect immediately.

34

35

36 STATEMENT

37

38 This bill would authorize State marine police officers to assist the
39 United States Coast Guard in the enforcement of federal laws, rules
40 and regulations in "Safety and Security Zones" established by the
41 Coast Guard. These safety and security zones are actually regulated
42 navigation areas which were established around sensitive maritime
43 areas and facilities shortly after the terrorist attacks of September 11,
44 2001.

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

Matter underlined thus is new matter.

S1551 ADLER, MADDEN

3

1 Pursuant to the Coast Guard's rules and regulations, certain
2 restrictions are imposed upon vessel operations within these zones.

3 These restrictions are necessary to facilitate emergency response
4 and rescue activities in these critical zones and to safeguard people,
5 vessels and waterfront facilities from acts of sabotage or terrorism.
6 Safety and security zones have been established in the Port of New
7 York and New Jersey and the Port of Philadelphia.

8 Passage of this legislation will enable the State Police to partner
9 with the Coast Guard to more effectively monitor and regulate
10 waterborne activity that poses a potential hazard to national security
11 and to fulfill the Marine Police's vital mission of securing New Jersey's
12 ports and waterways.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1551

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 17, 2004

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably and with committee amendments Senate Bill No. 1551.

This bill would authorize members of the State Police to assist the United States Coast Guard in the enforcement of federal laws, rules and regulations in "Safety and Security Zones" established by the Coast Guard for the Port of New York and New Jersey and the Port of Philadelphia. The Coast Guard established these zones, which regulate navigation and vessel operations around sensitive maritime areas and facilities, shortly after the terrorist attacks of September 11, 2001. The restrictions imposed in these zones help facilitate emergency response and rescue activities, as well as safeguard people, vessels and waterfront facilities from acts of sabotage and terrorism.

This bill enables the State Police to partner with the United States Coast Guard to more effectively monitor and regulate waterborne activity that poses a potential hazard to national security, and to fulfill the mission of the State Police to keep New Jersey's ports and waterways secure.

The committee amended the bill to authorize all members of the State Police to assist the United States Coast Guard with respect to the designated "Safety and Security Zones." As introduced, the bill authorized only marine police officers within the State Police's Bureau of Marine Law Enforcement to provide this assistance. It is the committee's understanding that this change will provide administrative and operational flexibility to the State Police, so that any member of the State Police could be assigned maritime duties or otherwise participate in maritime activities as deemed necessary to assist the Coast Guard.

As amended and reported by the committee, this bill is identical to Assembly Bill No.2927 (1R).