

13: 1A-6.1

LEGISLATIVE HISTORY CHECKLIST

HJSA 13:1A-6.1

LAWS OF 1977

CHAPTER 167 (Division of Fish, Game and Shell Fisheries -- certain employees -- power of arrest)

Bill No. A1887

Sponsor(s) Spizziri

Date Introduced April 8, 1976

Committee: Assembly Agriculture and Environment

Senate Agriculture and Environment

Amended during passage Yes

~~XXX~~

Amendments during passage denoted by asterisks. Substituted for S3021 (attached)

Date of Passage: Assembly Feb. 10, 1977

Senate May 5, 1977

Date of approval July 31, 1977

Following statements are attached if available:

Sponsor statement Yes ~~XXX~~

Committee Statement: Assembly Yes ~~XXX~~ 6-14-77 & 12-20-76

Senate ~~XXX~~ No

Fiscal Note ~~XXX~~ No

Veto message ~~XXX~~ No

Message on signing ~~XXX~~ No

Following were printed:

Reports ~~XXX~~ No

Hearings ~~XXX~~ No

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1887

STATE OF NEW JERSEY

INTRODUCED APRIL 8, 1976

By Assemblymen SPIZZIRI, KOZLOSKI, STEWART, SAXTON and RYS

Referred to Committee on Agriculture and Environment

AN ACT concerning the law enforcement officers of the Division of Fish, Game and Shell Fisheries and the Division of Parks and Forestry in the Department of Environmental Protection, amending R. S. 23:2-11 and supplementing Title 13 of the Revised Statutes.

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

1 1. The Commissioner of the Department of Environmental Protec-
2 tion shall have the power to vest in the conservation officers of the
3 Division of Fish, Game and Shell Fisheries and the park rangers,
4 park superintendents and law enforcement operation officers of
5 the Division of Parks and Forestry**, while such personnel are
6 on duty,** the power to arrest without warrant any person violating
7 any law of this State committed in their presence and bring the
8 offender before any court having jurisdiction to receive the com-
9 plaint of such violation. The Department of Environmental Protec-
10 tion, **[in consultation]** with **the approval of** the At-
11 torney General, shall establish and maintain a suitable law
12 enforcement training program for such personnel.

1 2. R. S. 23:2-11 is amended to read as follows:

2 R. S. 23:2-11. The deputy [wardens] conservation officers shall
3 have [all the powers and authority conferred on wardens] the
4 power and authority of conservation officers to enforce Title 23 and
5 the Fish and Game Code, and shall be subject to the regulations
6 provided by law for [wardens] the enforcement of the Title and
7 Code, but shall receive no salary or other compensation from the
8 State for the performance of duties of law enforcement. **[Deputy
9 conservation officers may carry a revolver while in the performance

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

10 of duty, provided they have completed a prescribed course of fire-
11 arm training approved by the Division of Fish, Game and Shell
12 Fisheries *and the Attorney General; provided, however, that the
13 Commissioner of Environmental Protection, with the approval of
14 the Attorney General, shall have adopted rules and regulations
15 setting forth standards for the use of such revolvers, including
16 (1) the unholstering of any such revolver; (2) the pointing of any
17 such revolver at any person; (3) the discharging of any such
18 revolver, and (4) the discharging of any such revolver at any
19 person*.]**

1 3. This act shall take effect immediately.

11 *arm training approved by the Division of Fish, Game and Shell*
12 *Fisheries.*

1 3. This act shall take effect immediately.

STATEMENT

On numerous occasions, in the performance of their normal duties, conservation officers and employees of the Division of Parks and Forestry (park rangers and park superintendents) have been, because of necessity, required to enforce State laws other than those concerning their normal duties. This bill is intended to clarify the authority of the conservation officers, deputy conservation officers and park rangers in enforcing the laws of the State.

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1887

STATE OF NEW JERSEY

DATED: JUNE 14, 1976

Assembly Bill No. 1887 would grant arrest powers to several categories of employees of the Department of Environmental Protection, including conservation officers of the Division of Fish, Game and Shell fisheries and park rangers, park superintendents and law enforcement operation officers of the Division of Parks and Forestry. In addition, the bill would also authorize on-duty deputy conservation officers to carry revolvers, provided that they have completed a firearms safety course approved by the Division of Fish, Game and Shell fisheries. These provisions are intended to facilitate the fulfillment of the respective functions and duties now required of such employees by law.

The Assembly Agriculture and Environment Committee adopted an amendment to this bill which requires (1) that the Attorney General also approve the firearms safety course to be taken by deputy conservation officers, and (2) that the Commissioner of Environmental Protection, with the approval of the Attorney General, promulgate rules and regulations establishing standards concerning the unholstering, use and discharge of revolvers by such officers.

REF. USE ONLY

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1887

[OFFICIAL COPY REPRINTS]

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 20, 1976

The Assembly Agriculture and Environment Committee statement dated June 14, 1976, adequately explains the provisions of this bill as it was then reported. On June 16, 1976, however, this bill was recommitted for further consideration by this committee. As a result of such consideration, additional amendments, adopted December 13, 1976, would limit the arrest powers of the several categories of employees of the Department of Environmental Protection to the time when such personnel are on duty, and delete the authorization which would have enabled deputy conservation officers to carry revolvers while in the performance of duty.

[OFFICIAL COPY REPRINT]
SENATE, No. 3021

STATE OF NEW JERSEY

INTRODUCED JANUARY 17, 1977

By Senator MARTINDELL

Referred to Committee on Energy and Environment

[AN ACT concerning State park rangers and amending R. S. 13:1-27.] **AN ACT concerning the law enforcement officers of the Division of Fish, Game and Shell Fisheries and the Division of Parks and Forestry in the Department of Environmental Protection, amending R. S. 23:2-11 and supplementing Title 13 of the Revised Statutes.**

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

1 ***[1. R. S. 13:1-27 is amended to read as follows:**

2 13:1-27. The **[board]** *Department of Environmental Protection*
 3 shall have the power to employ such persons as are necessary to
 4 carry out the provisions of this article and to fix their compensation.

5 Any **[employee]** *State park ranger* **[of the board]** charged by
 6 the **[board]** *department* with the custody, care or protection of the
 7 lands and other properties mentioned in this article may, *while he*
 8 *is on duty*, arrest, without warrant, any person taken by him in the
 9 act of violating *any of the laws of this State or any of the rules or*
 10 *regulations* **[made by the board]** *promulgated thereunder* **[for the**
 11 *protection of such lands or other properties made in accordance*
 12 *with the provisions of this article]* *within the property owned by*
 13 *the department or on public roads intersections or bordering said*
 14 *property* and shall proceed against such person in the maner pro-
 15 vided **[for in this article]** *by law. The department, with the*
 16 *approval of the Attorney General, shall establish and maintain a*
 17 *suitable law enforcement training program for such personnel.]**

1 *1. *The Commissioner of the Department of Environmental Pro-*
 2 *tection shall have the power to vest in the conservation officers of*
 3 *the Division of Fish, Game and Shell Fisheries and the park*
 4 *rangers, park superintendents and law enforcement operation offi-*

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 *cers of the Division of Parks and Forestry; while such personnel*
6 *are on duty, the power to arrest without warrant any person vio-*
7 *lating any law of this State committed in their presence and bring*
8 *the offender before any court having jurisdiction to receive*
9 *the complaint of such violation. The Department of Environmental*
10 *Protection, with the approval of the Attorney General, shall estab-*
11 *lish and maintain a suitable law enforcement training program*
12 *for such personnel.*

1 2. R. S. 23:2-11 is amended to read as follows:

2 R. S. 23:2-11. The deputy **[wardens]** *conservation officers* shall
3 have **[all the powers and authority conferred on wardens]** *the*
4 *power and authority of conservation officers to enforce Title 23*
5 *and the Fish and Game Code, and shall be subject to the regulations*
6 *provided by law for **[wardens]** the enforcement of the Title and*
7 *Code, but shall receive no salary or other compensation from the*
8 *State for the performance of duties of law enforcement.**

1 ***[2.]*** *3.* This act shall take effect immediately.

SENATE, No. 3021

STATE OF NEW JERSEY

INTRODUCED JANUARY 17, 1977

By Senator MARTINDELL

Referred to Committee on Energy and Environment

AN ACT concerning State park rangers and amending R. S. 13:1-27.

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

1 1. R. S. 13:1-27 is amended to read as follows:

2 13:1-27. The **[board]** *Department of Environmental Protection*
3 shall have the power to employ such persons as are necessary to
4 carry out the provisions of this article and to fix their compensation.

5 Any **[employee]** *State park ranger* **[of the board]** charged by
6 the **[board]** *department* with the custody, care or protection of the
7 lands and other properties mentioned in this article may, *while he*
8 *is on duty*, arrest, without warrant, any person taken by him in the
9 act of violating *any of the laws of this State or any of the rules or*
10 *regulations* **[made by the board]** *promulgated thereunder* **[for the**
11 *protection of such lands or other properties made in accordance*
12 *with the provisions of this article]* *within the property owned by*
13 *the department or on public roads intersections or bordering said*
14 *property* and shall proceed against such person in the maner pro-
15 vided **[for in this article]** *by law. The department, with the*
16 *approval of the Attorney General, shall establish and maintain a*
17 *suitable law enforcement training program for such personnel.*

1 2. This act shall take effect immediately.

STATEMENT

This bill will amend present law to authorize State park rangers to arrest persons violating State laws on property owned by the Department of Environmental Protection or on public roads intersecting or bordering such property. Such arrest powers are restricted to times when the rangers are on duty. The bill also requires the Department of Environmental Protection, with the approval of the Attorney General, to establish and maintain a suitable law enforcement training program for such personnel.

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

This legislation would assist local law enforcement personnel by authorizing State park rangers to enforce State laws in park areas and nearby roads. The bill is supported by the Attorney General and the Department of Environmental Protection.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE No. 3021

with Senate committee amendments

STATE OF NEW JERSEY

DATED: APRIL 20, 1977

Senate Bill No. 3021 concerning law enforcement officials of the Department of Environmental Protection was amended by the committee to make it identical with Assembly Bill No. 1887, also concerning law enforcement officials of that department, in order to combine the two bills into a single bill.