S T A T E O F N E W Y O R K

3523

2015-2016 Regular Sessions

I N S E N A T E

February 11, 2015

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend chapter 154 of the laws of 1921, relating to the Port Authority of New York and New Jersey, in relation to the designation as detective in certain instances

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 1 of chapter 154 of the laws of 1921, relating to the Port Authority of New York and New Jersey, is amended by adding a new article 15-C to read as follows:

ARTICLE XV-C

1. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "PORT AUTHORITY OF NEW YORK AND NEW JERSEY POLICE DEPARTMENT DESIGNATION AS DETECTIVE ACT."

2. LEGISLATIVE FINDINGS AND DECLARATION. A. THE LEGISLATURE HEREBY FINDS AND DECLARES THAT IT IS FREQUENTLY IMPRACTICABLE TO ASCERTAIN FITNESS FOR THE POSITION OF DETECTIVE WITHIN VARIOUS POLICE DEPARTMENTS AROUND THE STATE BY MEANS OF A COMPETITIVE EXAMINATION DUE TO THE UNIQUE NATURE OF THE DUTIES ASSIGNED AND THE INTANGIBLE PERSONAL QUALITIES NEEDED TO PERFORM SUCH DUTIES. THE LEGISLATURE FURTHER FINDS THAT COMPETITIVE EXAMINATION HAS NEVER BEEN EMPLOYED IN MANY POLICE DEPARTMENTS, TO ASCERTAIN FITNESS FOR THE POSITION OF DETECTIVE WITHIN SUCH POLICE DEPARTMENTS; SUCH FITNESS HAS ALWAYS BEEN DETERMINED BY EVALUATION OF THE CAPABILITIES OF AN INDIVIDUAL (WHO HAS IN ANY CASE RECEIVED PERMANENT APPOINTMENT TO THE POSITION OF POLICE OFFICER) BY SUPERVISORY PERSONNEL. THE LEGISLATURE FURTHER FINDS THAT AN INDIVIDUAL WHO PERFORMS IN AN INVESTIGATORY POSITION IN A MANNER SUFFICIENTLY SATISFACTORY TO THE APPROPRIATE SUPERVISORS TO HOLD SUCH AN ASSIGNMENT FOR A CUMULATIVE PERIOD OF EIGHTEEN MONTHS, HAS DEMONSTRATED FITNESS FOR THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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POSITION OF DETECTIVE WITHIN SUCH POLICE DEPARTMENT AT LEAST AS SUFFICIENTLY AS COULD BE ASCERTAINED BY MEANS OF A COMPETITIVE EXAMINATION.

B. IN THE JURISDICTION OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY POLICE DEPARTMENT, A JURISDICTION WHICH DOES NOT ADMINISTER EXAMINATIONS FOR DESIGNATION TO DETECTIVE, ANY PERSON WHO HAS RECEIVED PERMANENT APPOINTMENT TO THE POSITION OF POLICE OFFICER AND IS TEMPORARILY ASSIGNED TO THE DUTIES OF A DETECTIVE SHALL, WHENEVER SUCH ASSIGNMENT TO THE DUTIES OF A DETECTIVE EXCEEDS A CUMULATIVE PERIOD OF EIGHTEEN MONTHS, BE PERMANENTLY DESIGNATED AS A DETECTIVE AND RECEIVE THE COMPENSATION ORDINARILY PAID TO PERSONS IN SUCH DESIGNATION.

S 2. This act shall take effect upon the enactment into law by the state of New Jersey of legislation having an identical effect with this act, but if the state of New Jersey shall have already enacted such legislation this act shall take effect immediately. The chairman of the port authority shall notify the legislative bill drafting commission upon the occurrence of article 15-C in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.