

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

10239--A

Cal. No. 917

I N A S S E M B L Y

March 11, 2010

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

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

ARTICLE XV-B

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

8 2. LEGISLATIVE FINDINGS AND DECLARATION. A. THE LEGISLATURE HEREBY
9 FINDS AND DECLARES THAT IT IS FREQUENTLY IMPRACTICABLE TO ASCERTAIN
10 FITNESS FOR THE POSITION OF DETECTIVE WITHIN VARIOUS POLICE DEPARTMENTS
11 AROUND THE STATE BY MEANS OF A COMPETITIVE EXAMINATION DUE TO THE UNIQUE
12 NATURE OF THE DUTIES ASSIGNED AND THE INTANGIBLE PERSONAL QUALITIES
13 NEEDED TO PERFORM SUCH DUTIES. THE LEGISLATURE FURTHER FINDS THAT
14 COMPETITIVE EXAMINATION HAS NEVER BEEN EMPLOYED IN MANY POLICE DEPART-
15 MENTS, TO ASCERTAIN FITNESS FOR THE POSITION OF DETECTIVE WITHIN SUCH
16 POLICE DEPARTMENTS; SUCH FITNESS HAS ALWAYS BEEN DETERMINED BY EVALU-
17 ATION OF THE CAPABILITIES OF AN INDIVIDUAL (WHO HAS IN ANY CASE RECEIVED
18 PERMANENT APPOINTMENT TO THE POSITION OF POLICE OFFICER) BY SUPERVISORY
19 PERSONNEL. THE LEGISLATURE FURTHER FINDS THAT AN INDIVIDUAL WHO
20 PERFORMS IN AN INVESTIGATORY POSITION IN A MANNER SUFFICIENTLY SATISFAC-
21 TORY TO THE APPROPRIATE SUPERVISORS TO HOLD SUCH AN ASSIGNMENT FOR A
22 CUMULATIVE PERIOD OF EIGHTEEN MONTHS, HAS DEMONSTRATED FITNESS FOR THE
23 POSITION OF DETECTIVE WITHIN SUCH POLICE DEPARTMENT AT LEAST AS SUFFI-
24 CIENTLY AS COULD BE ASCERTAINED BY MEANS OF A COMPETITIVE EXAMINATION.

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

LBD16341-02-0

1 B. IN THE JURISDICTION OF THE PORT AUTHORITY OF NEW YORK AND NEW
2 JERSEY POLICE DEPARTMENT, A JURISDICTION WHICH DOES NOT ADMINISTER EXAM-
3 INATIONS FOR DESIGNATION TO DETECTIVE, ANY PERSON WHO HAS RECEIVED
4 PERMANENT APPOINTMENT TO THE POSITION OF POLICE OFFICER AND IS TEMPORAR-
5 ILY ASSIGNED TO THE DUTIES OF A DETECTIVE SHALL, WHENEVER SUCH ASSIGN-
6 MENT TO THE DUTIES OF A DETECTIVE EXCEEDS A CUMULATIVE PERIOD OF EIGH-
7 TEEN MONTHS, BE PERMANENTLY DESIGNATED AS A DETECTIVE AND RECEIVE THE
8 COMPENSATION ORDINARILY PAID TO PERSONS IN SUCH DESIGNATION.
9 S 2. This act shall take effect upon the enactment into law by the
10 state of New Jersey of legislation having an identical effect with this
11 act, but if the state of New Jersey shall have already enacted such
12 legislation this act shall take effect immediately. The chairman of the
13 port authority shall notify the legislative bill drafting commission
14 upon the occurrence of article 15-B in order that the commission may
15 maintain an accurate and timely effective data base of the official text
16 of the laws of the state of New York in furtherance of effecting the
17 provisions of section 44 of the legislative law and section 70-b of the
18 public officers law.