5099

2011-2012 Regular Sessions

IN SENATE

May 3, 2011

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-B to read as follows:

23

5

7

8

9

11 12

13

14

15

16 17

18 19

20 21

ARTICLE XV-B

- 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 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 OUALITIES NEEDED TO PERFORM SUCH DUTIES. THE LEGISLATURE FURTHER FINDS THAT COMPETITIVE EXAMINATION HAS NEVER BEEN EMPLOYED IN MANY POLICE TO ASCERTAIN FITNESS FOR THE POSITION OF DETECTIVE WITHIN SUCH POLICE DEPARTMENTS; SUCH FITNESS HAS ALWAYS BEEN DETERMINED BY ATION 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 THATΑN INDIVIDUAL WHO PERFORMS IN AN INVESTIGATORY POSITION IN A MANNER SUFFICIENTLY SATISFAC-THE APPROPRIATE SUPERVISORS TO HOLD SUCH AN ASSIGNMENT FOR A

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

CUMULATIVE PERIOD OF EIGHTEEN MONTHS, HAS DEMONSTRATED FITNESS

LBD09540-01-1

S. 5099 2

5

6 7

8

9

1 POSITION OF DETECTIVE WITHIN SUCH POLICE DEPARTMENT AT LEAST AS SUFFI-2 CIENTLY 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.
- 10 S 2. This act shall take effect upon the enactment into law by the 11 state of New Jersey of legislation having an identical effect with this 12 act, but if the state of New Jersey shall have already enacted such 13 14 legislation this act shall take effect immediately. The chairman of the 15 port authority shall notify the legislative bill drafting commission 16 upon the occurrence of article 15-B in order that the commission may maintain an accurate and timely effective data base of the official text 17 of the laws of the state of New York in furtherance of effecting the 18 19 provisions of section 44 of the legislative law and section 70-b of the public officers law. 20