7017

## 2013-2014 Regular Sessions

## IN ASSEMBLY

## April 29, 2013

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Governmental Employees

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:

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## 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."
- 8 LEGISLATIVE FINDINGS AND DECLARATION. A. THE LEGISLATURE HEREBY 2. FINDS AND DECLARES THAT IT IS FREQUENTLY IMPRACTICABLE TO ASCERTAIN 9 FITNESS FOR THE POSITION OF DETECTIVE WITHIN VARIOUS POLICE DEPARTMENTS 10 AROUND THE STATE BY MEANS OF A COMPETITIVE EXAMINATION DUE TO THE UNIQUE 11 NATURE OF THE DUTIES ASSIGNED AND 12 THEINTANGIBLE PERSONAL 13 NEEDED TO PERFORM SUCH DUTIES. THE LEGISLATURE FURTHER FINDS THAT COMPETITIVE EXAMINATION HAS NEVER BEEN EMPLOYED IN MANY 14 POLICE DEPART-ASCERTAIN FITNESS FOR THE POSITION OF DETECTIVE WITHIN SUCH 15 16 POLICE DEPARTMENTS; SUCH FITNESS HAS ALWAYS BEEN DETERMINED 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. THELEGISLATURE FURTHER FINDS THATANINDIVIDUAL PERFORMS IN AN INVESTIGATORY POSITION IN A MANNER SUFFICIENTLY SATISFAC-20
- 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.

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B. IN THE JURISDICTION OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY POLICE DEPARTMENT, A JURISDICTION WHICH DOES NOT ADMINISTER EXAM-INATIONS FOR DESIGNATION TO DETECTIVE, ANY PERSON WHO HAS RECEIVED PERMANENT APPOINTMENT TO THE POSITION OF POLICE OFFICER AND IS TEMPORAR-ILY ASSIGNED TO THE DUTIES OF A DETECTIVE SHALL, WHENEVER SUCH ASSIGN-MENT TO THE DUTIES OF A DETECTIVE EXCEEDS A CUMULATIVE PERIOD OF EIGH-TEEN 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-B 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.

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