

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 412

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 21, 2002

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 412 (1R).

Senate Bill No. 412 (1R), as amended and released by the committee, directs the Superintendent of State Police to prepare, and regularly update, a catalogue listing every employment title and position for enlisted members in the division with a job description for each, including any special qualifications or skills that are necessary for appointment. The catalogue, as other lists of State and local employment titles and positions, is to be made available to the public at designated locations.

The amended bill also specifies that whenever the superintendent determines that it is necessary to establish, on either a permanent or temporary basis, a title or position not included in the catalogue, no appointment to that special title or position can be made until a notice has been made readily available to enlisted members and adequate time has been given to permit those interested to apply. The information shall include a description of the special title or position and the special qualifications or skills that are necessary for appointment.

The amended bill also provides that these catalogue and notice requirements do not apply to titles or positions: (1) established on a temporary basis to respond to an emergency situation in which immediate action is warranted to provide for or maintain the public safety and (2) where public disclosure would jeopardize the safety of any person or any investigation in progress or be otherwise inappropriate based on a bona fide law enforcement purpose or the public safety.

As amended and released by the committee, this bill is identical to Assembly Bill No. 1740, also amended and released by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) specify that the notice requirements applicable to titles or

positions not included in the catalogue as required by the bill do not apply to titles or positions on the Superintendent's executive staff which involve managerial executive functions; "managerial executive functions" is defined as a the formulation of management policies and the direction of the effectuation of such management policies on behalf of the Superintendent;

(2) add a new subsection e. to section 1 of the bill specifying that the information in the catalogue and notifications required by the bill are not subject to collective negotiation or collective bargaining.