

40:68A-5 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:68A-5 et al

(Port authority-employees-
Civil Service coverage)

LAWS OF: 1984

CHAPTER: 116

Bill No: A2284

Sponsor(s): Pankok and Chinnici

Date Introduced: June 25, 1984

Committee: Assembly: /////

Senate: /////

Amended during passage: No

Date of Passage: Assembly: June 28, 1984

Senate: June 28, 1984

Date of Approval: August 3, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ Yes

Following were printed:

Reports: No

Hearings: No

ASSEMBLY, No. 2284

STATE OF NEW JERSEY

INTRODUCED JUNE 25, 1984

By Assemblymen PANKOK and CHINNICI

AN ACT concerning employees of port authorities and municipal port authorities and amending P. L. 1948, c. 349 and P. L. 1960, c. 192.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 5 of P. L. 1948, c. 349 (C. 40:68A-5) is amended to
2 read as follows:

3 5. (a) The powers of a port authority shall be vested in the
4 members thereof in office from time to time. A majority of the
5 entire authorized membership of a port authority shall constitute
6 a quorum at any meeting thereof. Action may be taken and mo-
7 tions and resolutions adopted by the port authority at any meeting
8 of the members thereof by vote of a majority of the members
9 present, unless in any case the bylaws of the port authority shall
10 require a larger number. The port authority may delegate to one
11 or more of its officers, agents or employees such powers and duties
12 as it may deem proper.

13 (b) Each member of a port authority shall hold office for the
14 term for which he was appointed and until his successor has been
15 appointed and has qualified.

16 (c) No member, officer or employee of a port authority shall
17 have or acquire any interest, direct or indirect, in the port facili-
18 ties or in any property included or planned to be included in the
19 port facilities or in any contract or proposed contract for materials
20 or services to be furnished to or used by the port authority, but
21 neither the holding of any office or employment in the government
22 of any municipality or under any law of the State nor the owning
23 of any property within the State shall be deemed a disqualification

Matter printed in italics thus is new matter.

24 for membership in or employment by a port authority. A member
25 of a port authority may be removed only by the governing body by
26 which he was appointed and only for inefficiency or neglect of duty
27 or misconduct in office and after he shall have been given a copy
28 of the charges against him and, not sooner than 10 days thereafter,
29 had opportunity in person or by counsel to be heard thereon by
30 such governing body.

31 (d) A port authority may reimburse its members for necessary
32 expenses incurred in the discharge of their duties. The ordinance
33 or parallel ordinances for the creation of a port authority may pro-
34 vide that the members of the port authority may receive compensa-
35 tion for their services within an annual and other limitations to be
36 stated in such ordinance or parallel ordinances, and in that event,
37 each member may receive from the port authority such compensa-
38 tion for his services as the port authority may determine within
39 the limitations stated in such ordinance or parallel ordinances. No
40 member of any port authority shall receive any compensation for
41 his services except as provided in this subsection.

42 (e) Every port authority, upon the first appointment of its mem-
43 bers and thereafter on or after the first day of February in each
44 year, shall annually elect from among its members a chairman and
45 a vice-chairman who shall hold office, until the first day of Febru-
46 ary next ensuing and until their respective successors have been
47 appointed and have qualified. Every port authority may also ap-
48 point and employ a secretary and such professional and technical
49 advisers and experts and such other officers, agents and employees
50 as it may require, and it shall determine their qualifications, duties
51 and compensation.

52 (f) (1) *Whenever the governing body of the municipality, or*
53 *the governing bodies of two or more municipalities, which estab-*
54 *lished the port authority have adopted the provisions of Title 11*
55 *of the Revised Statutes, all positions and employments of the port*
56 *authority shall be subject to the provisions of Title 11 of the Re-*
57 *vised Statutes and shall be allocated to appropriate titles by the*
58 *Civil Service Commission.*

59 (2) *The Civil Service Commission shall provide the port au-*
60 *thority with a list of the positions and employments allocated to*
61 *the classified service and the appropriate titles. Within 30 days*
62 *of the receipt of the list, the port authority shall certify to the*
63 *Civil Service Commission, the names of all those persons employed*
64 *with the port authority in the allocated positions and employments*
65 *on the effective date of this act. After passing a qualifying ex-*
66 *amination, the employees so certified shall be recorded, under the*
67 *appropriate titles, as having been permanently appointed in the*

68 *classified service of civil service as of the date of their original*
 69 *appointment. Thereafter, the employees shall be under and sub-*
 70 *ject to the provisions of Title 11 of the Revised Statutes.*

71 *Persons appointed and employed by the port authority after the*
 72 *effective date of this act shall be subject to the civil service ex-*
 73 *amination and appointment procedures of Title 11 of the Revised*
 74 *Statutes.*

1 2. Section 5 of P. L. 1960, c. 192 (C. 40:68A-33) is amended to
 2 read as follows:

3 5. a. Every municipal port authority, upon the first appoint-
 4 ment of its members and thereafter on or after February 1 in each
 5 year, shall annually elect from among its members a chairman and
 6 a vice-chairman who shall hold office until February 1 next ensuing
 7 and until their respective successors shall have been appointed and
 8 qualified. Every municipal port authority may also appoint and
 9 employ a secretary and a treasurer and it shall determine their
 10 qualifications, terms of office, duties and compensation. Such mu-
 11 nicipal port authority may also appoint and employ such other
 12 agents and employees as it may require and it shall determine
 13 their duties and compensation.

14 b. (1) *Whenever the governing body of the municipality which*
 15 *established the municipal port authority has adopted the provisions*
 16 *of Title 11 of the Revised Statutes, all positions and employments*
 17 *of the municipal port authority shall be subject to the provisions*
 18 *of Title 11 of the Revised Statutes and shall be allocated to appro-*
 19 *priate titles by the Civil Service Commission.*

20 (2) *The Civil Service Commission shall provide the municipal*
 21 *port authority with a list of the positions and employments allo-*
 22 *cated to the classified service and the appropriate titles. Within*
 23 *30 days of the receipt of the list, the municipal port authority shall*
 24 *certify to the Civil Service Commission the names of all those per-*
 25 *sons employed with the municipal port authority in the allocated*
 26 *positions and employments on the effective date of this act. After*
 27 *passing a qualifying examination, the employees so certified shall*
 28 *be recorded, under the appropriate titles, as having been perma-*
 29 *nently appointed in the classified service of civil service as of the*
 30 *date of their original appointment. Thereafter, the employees shall*
 31 *be under and subject to the provisions of Title 11 of the Revised*
 32 *Statutes.*

33 *Persons appointed and employed by the municipal port authority*
 34 *after the effective date of this act shall be subject to the civil ser-*
 35 *vice examination and appointment procedures of Title 11 of the*
 36 *Revised Statutes.*

1 3. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to provide civil service coverage to employees of port authorities and municipal port authorities where the municipality which created the authority is subject to the provisions of Title 11 of the Revised Statutes. Employees of these authorities as of the effective date of this act, who are in titles allocated by the Civil Service Commission to the classified service, would be recorded, after passing a qualifying examination, in the classified service as of the date of original employment. Employees appointed after that date would be subject to civil service examination and appointment procedures.

STATEMENT

The purpose of this bill is to provide civil service coverage to employees of port authorities and municipal port authorities where the municipality which created the authority is subject to the provisions of Title 11 of the Revised Statutes. Employees of these authorities as of the effective date of this act, who are in titles allocated by the Civil Service Commission to the classified service, would be recorded, after passing a qualifying examination, in the classified service as of the date of original employment. Employees appointed after that date would be subject to civil service examination and appointment procedures.

A2284 (1984)

Bills

Page Two

August 3, 1984

S-1634 clarifies the powers of a municipality to convey property when acting as a redevelopment agency by authorizing the sale without auction of property for the specific use as set out in a plan developed by the governing body.

S-1633 amends the Local Lands and Buildings Law to permit sale without public bid, requiring the land to be sold at "use value," that is, the value at which the municipality determines the land should be sold for specific redevelopment purposes. The bill also grants the municipality the right of first refusal in the case of subsequent resale by a private developer. The bill establishes the right of the municipality to repurchase the land from the redeveloper at the same price for which it was originally sold. Such right must be a condition of the deed transferring the property to the redeveloper.

The Governor also signed the following bills:

A-2284, sponsored by Assemblyman Thomas A. Pankok, D-Salem, which provides that employees of municipal port authorities shall be part of the Civil Service System in cases where the municipality creating the authority is already included in the Civil Service system.

A-1631, sponsored by Assemblyman Thomas J. Deverin, D-Middlesex, which requires every nursing home and residential health care facility to establish a written "heat emergency action plan" to deal with problems caused by very hot weather conditions. The plan must detail the procedures the facility will follow in the event of a heat emergency, which is defined as a condition in which the indoor temperature is 85 degrees fahrenheit for continuous period of four hours or longer.