

26:3A2-14.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 26:3A2-14.1 (Public health nurses -- certain -- appoint within classified Civil Service)

LAWS 1981 CHAPTER 309

Bill No. S517

Sponsor(s) Gregorio and A. Russo

Date Introduced Pre-filed

Committee: Assembly --

Senate State Gov't., Federal & Interstate Relations & Veterans Affairs

Amended during passage Yes ~~NO~~ Substituted for A1041 (bill & Assembly Committee statement attached)

Date of Passage: Assembly June 11, 1981 Renacted 11-30-81

Senate Nov. 10, 1980 Re-enacted 11-23-81

Date of approval Dec. 3, 1981

Following statements are attached if available:

Sponsor statement Yes ~~NO~~ (Below)

Committee Statement: Assembly Yes ~~NO~~

Senate Yes ~~NO~~

Fiscal Note Yes ~~NO~~

Veto Message Yes ~~NO~~

Message on signing Yes ~~NO~~

Following were printed:

Reports Yes ~~NO~~

Hearings Yes ~~NO~~

Sponsors' statement:

The purpose of this bill is to rectify an inequity which is the result of a rule issued by the Department of Civil Service preventing licensed nurses, already serving as public health nurses for a public health agency, from taking an open competitive civil service examination for those positions.

Rule, referred to in sponsors' statement, is actually a Civil Service classification (not formal rule)

6/22/81

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[SECOND OFFICIAL COPY REPRINT]

## SENATE, No. 517

## STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senators GREGORIO and A. RUSSO

A SUPPLEMENT to the "Local Health Services Act," approved  
March 3, 1976 (P. L. 1975, c. 329, C. 26:3A2-1 et seq.).

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

1 1. Any other law, rule or regulation *\*\*relating to the qualifica-*  
2 *tions required for appointment to any permanent position in*  
3 *accordance with the provisions of Title 11 (Civil Service) of the*  
4 *Revised Statutes\*\** to the contrary notwithstanding, any employee  
5 of a local health agency, created pursuant to the act to which this  
6 act is a supplement, who has served in a provisional status for  
7 more than 2 years as a public health nurse *\*\*and is holding such*  
8 *position on the effective date of this act\*\** **\*[in a county of the**  
9 **second class with more than 540,000 but less than 580,000 inhabi-**  
10 **tants, according to the 1970 Federal census,]\*** shall be **\*\*[in the**  
11 **classified service of the civil service and shall be appointed and hold**  
12 **his position]\*\*** *\*\*eligible to compete in appropriate examination*  
13 *for this position\*\** **\*[in said county]\*** in accordance with the  
14 provisions of Title 11, Civil Service**\*\*[\***, after taking the appro-  
15 **priate examination\*\*]\*\***.

1 2. This act shall take effect immediately.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.**

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

November 12, 1981

SENATE BILL NO. 517 (OCR)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 517 (OCR) with my objections for reconsideration.

Senate Bill No. 517 (OCR) would place in the classified Civil Service local public health nurses who have served provisionally for 2 years and have taken the appropriate examination.

I understand that the bill is intended to allow certain nurses to qualify for Civil Service without the prerequisite bachelor's degree. The affected nurses, who hold associate's degrees, were provisional employees when the educational requirements were upgraded to a bachelor's.

I do not object to a limited grandfather provision to do equity to individuals who had prepared for the exam before the upgrading. Accordingly, the bill should be limited to those persons holding provisional positions on the effective date of the act, and should not have continuing effect. Also, certain technical changes are necessary to satisfy the intent of the sponsor. As drafted, the bill does not clearly state that the affected nurses would be eligible to compete for the positions, notwithstanding their failure to meet the current educational requirements.

Accordingly, I herewith return Senate Bill No. 517 (OCR) for reconsideration and recommend that it be amended as follows:

Page 1, sec. 1, line 1: After "regulation" insert "relating to the qualifications required for appointment to any permanent position in accordance with the provisions of Title 11 (Civil Service) of the Revised Statutes"

Page 1, sec. 1, line 4: After "nurse" insert "and is holding such position on the effective date of this act"

Page 1, sec. 1, lines 7 & 8: Delete "in the classified service of the civil service and shall be appointed to hold his position" and insert "eligible to compete in the appropriate examination for this position"

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STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

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Page 1, sec. 1, lines 9 & 10: Delete ", after taking the appropriate examination"

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ Harold L. Hodes

CHIEF OF STAFF, SECRETARY

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

DECEMBER 3, 1981

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills into law:

S-1230, sponsored by Senator Frank Herbert (D-Bergen), which repeals the "Public Movers Act" of 1968 (that authorized the Board of Public Utility Commissioners to regulate public movers of household goods and special commodities) and replace it with the "Public Movers and Warehousemen Licensing Act," which authorizes the Director of the Division of Consumer Affairs to license and regulate public movers and warehousemen. It also creates a State Advisory Board to give the Director input from the industry and the public.

Governor Byrne conditionally vetoed the bill on April 27, saying that while he supported the goal of the legislation -- deregulation of the moving industry while still protecting the interests of the consumer -- the bill "(failed) to specify minimum standards for the issuance of a public movers license." He made the recommendations to correct that, and the Legislature concurred with his suggestions.

S-517, sponsored by Senator John Gregorio (D-Union), which amends the Local Health Services Act to permit local public health nurses who served provisionally for two years to be placed in classified Civil Service after taking the appropriate examination.

The bill is intended to allow certain nurses to qualify for Civil Service without the prerequisite Bachelor's Degree. The affected nurses, who hold Associate Degrees, were provisional employees when the educational degree requirements were upgraded.

Governor Byrne conditionally vetoed the act on November 12, saying that he had no objection to "a limited grandfather provision to do equity to individuals who had prepared for the exam before the upgrading...(but) the bill should be limited to those persons holding provisional positions on the effective date of the act, and should not have a continuing effect." He also suggested some technical amendments.

The Legislature concurred with the Governor's recommendations.

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ASSEMBLY, No. 1041

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1980

By Assemblymen LESNIAK and DEVERIN

Referred to Committee on Institutions, Health and Welfare

A SUPPLEMENT to the "Local Health Services Act," approved  
March 3, 1976 (P. L. 1975, c. 329, C. 26:3A2-1 et seq.).

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

1 1. Any other law, rule or regulation to the contrary notwith-  
2 standing, any employee of a local health agency, created pursuant  
3 to the act to which this act is a supplement, who\*, *as a registered*  
4 *nurse,\** has served in a provisional status for more than 2 years  
5 as a public health nurse in a county of the second class with more  
6 than 540,000 but less than 580,000 inhabitants, according to the  
7 1970 Federal census, shall be in the classified service of the civil  
8 service and shall be appointed and hold \***[his]**\* *\*their\** position  
9 in said county in accordance with the provisions of Title 11, Civil  
10 Service.

1 2. This act shall take effect immediately.

**EXPLANATION**—Matter enclosed in bold-faced brackets **[thus]** in the above bill  
is not enacted and is intended to be omitted in the law.

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ASSEMBLY INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO  
ASSEMBLY, No. 1041

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with Assembly committee amendment

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STATE OF NEW JERSEY

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DATED: APRIL 14, 1980

This bill mandates that any registered nurse who has served in a provisional status for more than 2 years as a public health nurse in a certain county be in the classified service of civil service and be appointed and hold their position pursuant to the provisions of Title 11 of Civil Service.

The committee agrees with the purpose of this legislation and released the bill with an amendment to clarify that public health nurses should be registered nurses.