

11:22-2

LEGISLATIVE HISTORY CHECKLIST

WJSA 11:22-2 (Civil Service--unclassified position - confidential secretary for freeholders)

LAWS OF 1979 CHAPTER 290

Bill No. A772

Sponsor(s) Newman and Doyle

Date Introduced Feb. 16, 1978

Committee: Assembly County Government

Senate County and Municipal Government

Amended during passage Yes ~~xxx~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Nov. 30, 1978

Senate Jan. 30, 1979

Date of approval Jan. 14, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xxx~~ (Below)

Committee Statement: Assembly Yes ~~xxx~~

Senate Yes ~~xxx~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Sponsor's statement:

This bill establishes the position of confidential secretary or aid for each member of the board of freeholders in the unclassified civil service.

2/1/78

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ASSEMBLY, No. 772

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 16, 1978

By Assemblymen NEWMAN and DOYLE

Referred to Committee on County Government

AN ACT ****[establishing the position of confidential secretary
[or aide] to members of the board of freeholders in the un-
classified]**** **concerning**** civil service****,**** and
amending R. S. 11 :22-2.

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

1 1. R. S. 11 :22-2 is amended to read as follows:

2 11:22-2. The unclassified service shall not be subject to the
3 provisions of this subtitle and shall include the following:

4 a. Officers elected by popular vote;

5 b. Members of district boards of elections; employees in voting
6 machine departments and the chief deputy, chief clerk, secretary,
7 clerical and other assistants or employees appointed by the super-
8 intendants of elections and commissioners of registration in coun-
9 ties of the first class having less than 800,000 inhabitants, and by
10 the county boards of elections in all other counties and such of said
11 officers, assistants and employees as are appointed by superin-
12 tendents of elections in counties of the first class having more than
13 800,000 inhabitants to serve for terms of 6 months or less in any 1
14 year;

15 c. Appointments of the mayor;

16 d. Heads of municipal departments, the members of commissions
17 and boards elected by the board of aldermen, common council or
18 other governing body of any county, municipality or school district
19 operating under this subtitle;

20 e. Heads of such county departments as ***[shall be desig-
21 nated]*** **are created*** by the ***[board of chosen free-
22 holders]*** **administrative code of any county organized pur-
23 suant to any of the plans contained in the Optional County Charter

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

24 *Law (P. L. 1972, c. 154; C. 40:41A-1 et seq.)****, which departments
 25 shall not exceed 12 in number, and ***[if so provided in the
 26 administrative code of any county organized pursuant to any of
 27 the plans contained in the Optional County Charter Law (P. L.
 27A 1972, c. 154, C. 40:41A-1 et seq.),]*** the heads of any ***[desig-
 27B nated]*** divisions ****created**** within such departments; pro-
 27C vided, however, that the total number of positions created pur-
 27D suant to this subsection ****by the administrative code**** shall not
 27E exceed 20 in number;

28 f. Law officers of a county, municipality or school district operat-
 29 ing under this subtitle;

30 g. Teaching staff members, as defined in N. J. S. 18A:1-1, in the
 31 public schools and county superintendents and members and busi-
 32 ness managers of boards of education;

33 h. Police magistrates appointed by the mayor or other head
 34 officer of the municipality operating under this subtitle;

35 i. Officers and employees of county park commissioners in
 36 counties of the second class appointed under the provisions of
 37 sections 40:37-96 to 40:37-174 of the Title, Municipalities and
 38 Counties;

39 j. The superintendent of a county hospital for persons suffering
 40 from communicable diseases appointed under the provisions of
 41 R. S. 30:9-61 and 30:9-69; and

42 k. The deputy or first assistant of principal executive officers
 42A authorized by law to act generally for and in place of his principal;

43 l. The legal assistants of the law department of the counties,
 44 municipalities or school districts operating under this subtitle
 45 except as herein otherwise provided;

46 m. One secretary, clerk or executive director of each depart-
 47 ment, appointed board or commission authorized by law to appoint
 48 a secretary, clerk or executive director;

49 n. One secretary or confidential aide, if so provided in the ad-
 50 ministrative code of any county organized pursuant to any of the
 51 plans contained in the Optional County Charter Law, to be ap-
 52 pointed by each head of any county department or of any designated
 53 division within such department, when the head of any such divi-
 54 sion is an unclassified position;

55 o. One private secretary or clerk or stenographer of each judge
 56 or principal executive officer;

57 p. All officials of county or municipal institutions who must of
 58 necessity be physicians;

59 q. Offices or positions whose incumbents by specific statute serve
60 for fixed terms, or whose incumbents by specific statute serve at
61 the pleasure of the appointing authority;

62 r. One council secretary to the municipal council appointed by
63 the council in any city of the first class with a population of less
64 than 300,000; ***[and]***

64A ***s. All directors of municipal free public libraries in cities of
64B the first class having a population of not less than 350,000 in-
64C habitants;***

65 ****t. The following positions in school districts which have
66 been reorganized pursuant to P. L. 1975, c. 169 (C. 18A:17-1 et
67 seq.):

68 *Executive director of board affairs;*

69 *Executive director of personnel;*

70 *Executive director of the budget;*

71 *Executive director of purchasing;*

72 *Executive director of physical facilities;*

73 *Executive director of data processing;*

74 *Executive director of financial affairs;*

75 *Executive controller;*

76 *Executive director of internal audit; and*

77 *Public information officer; and*

78 ***[s.]*** ****[***t.***]**** ****u.**** One confidential sec-
79 retary **[or aide]**, for each member of the ***[county]*** board of
80 freeholders **of any county which has not adopted the provisions
81 of the Optional County Charter Law (P. L. 1972, c. 154,
82 C. 40A:41A-1 et seq.)**; *provided, however, that this subsection
83 shall not be construed so as to authorize a board of chosen free-
84 holders to increase the ****[present]**** number of secretaries
85 ****[now]**** attached to such board of chosen freeholders ***upon
86 the effective date of this amendatory act***;*

87 *[s.] ***[t.]*** ****[***u.***]**** ****v.***** Such other offi-
88 cers and positions not now included in the unclassified service by
89 this section or by any other statute, as the Civil Service Commis-
90 sion shall, from time to time, determine, according to law, to be in
91 the unclassified service.

1 2. This act shall take effect immediately.

ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 772

STATE OF NEW JERSEY

DATED: OCTOBER 19, 1978

The purpose of this bill is to establish the position of confidential secretary for members of boards of chosen freeholders. Confidential secretaries shall be in the unclassified civil service.

The committee, at the request of the sponsor, amended the bill to preclude freeholders from appointing confidential aides. It believed that authorizing the hiring of aides might be construed as creating a new job category and this is not the intent of the bill. Instead, the bill was meant to give a freeholder the option of having a secretary who was either in the classified service or in the non-classified service. This is consistent with the present right of mayors and judges to have one person in the non-classified service. The committee emphasizes that the bill establishes this option but the bill, in and of itself, does not permit a board to hire a larger number of secretaries than currently work for members of a board of chosen freeholders.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 772

with Assembly committee amendments, Assembly amendments and
Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 18, 1979

The Senate County and Municipal Government Committee includes herein the Assembly County Government Committee Statement for purposes of establishing legislative intent:

“The purpose of this bill is to establish the position of confidential secretary for members of boards of chosen freeholders. Confidential secretaries shall be in the unclassified civil service.

The committee, at the request of the sponsor, amended the bill to preclude freeholders from appointing confidential aides. It believed that authorizing the hiring of aides might be construed as creating a new job category and this is not the intent of the bill. Instead, the bill was meant to give a freeholder the option of having a secretary who was either in the classified service or in the non-classified service. This is consistent with the present right of mayors and judges to have one person in the non-classified service. The committee emphasizes that the bill establishes this option but the bill, in and of itself, does not permit a board to hire a larger number of secretaries than currently work for members of a board of chosen freeholders.”

Assembly Bill No. 772 was amended on the floor of the General Assembly to exclude from the provisions of the bill boards of chosen freeholders of counties which have adopted the provisions of the “Optional County Charter Law” (P. L. 1972, c. 154; C. 40:41A-1 et seq.).

The Senate committee amendments are technical and clarifying in nature, and would:

1. Bring the provisions of the bill into conformity with the latest amendments to R. S. 11:22-2 by P. L. 1978, c. 81; and,
2. Clarify the intent of the Assembly committee amendments by removing certain vague language contained therein, and substituting a more explicit time reference.