

11:9-10.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 11:9-10.1 (Civil Service appointment--allow certain appointments after expiration of employment list.)

Laws of 1977 Chapter 261

Bill No. A3157

Sponsor(s) Adubato

Date Introduced April 18

Committee: Assembly State Gov't, Federal & Interstate Relations
Senate -----

Amended during passage Yes No Assembly Committee substitute enacted.

Date of passage: Assembly Sept. 12, 1977

Senate Sept. 19, 1977

Date of approval October 16, 1977

Following statements are attached if available:

- Sponsor statement Yes No
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

10/4/76

261

10/16/77

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 3157**

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**STATE OF NEW JERSEY**

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ADOPTED JUNE 20, 1977

AN ACT concerning civil service and supplementing Title 11 of the  
Revised Statutes.

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

1 1. In the event that an error on the part of the appointing  
2 authority causes otherwise authorized appointments to be made  
3 after the expiration of an employment list but within 60 days after  
4 such expiration, such appointments shall be deemed to have been  
5 authorized and to have been validly made if the chief examiner  
6 and secretary, with the approval of the commission, shall determine  
7 that such error was the cause of such appointments being made  
8 after the expiration of an employment list. Such determination shall  
9 be entered in the minutes of the commission together with a state-  
10 ment as to the reasons therefor.

1 2. This act shall take effect immediately and shall be retroactive  
2 to October 1, 1975.

ASSEMBLY, No. 3157

STATE OF NEW JERSEY

INTRODUCED APRIL 18, 1977

By Assemblymen ADUBATO and CALI

Referred to Committee on State Government, Federal and  
Interstate Relations and Veterans Affairs

AN ACT concerning civil service and amending R. S. 11:9-10.

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

1 1. R. S. 11:9-10 is amended to read as follows:

2 11:9-10. The chief examiner and secretary shall, at the time an  
3 employment list is promulgated, provide by regulation, approved  
4 by the commission, the period during which this list shall remain  
5 in force. No employment list shall be promulgated for a period  
6 less than 6 months nor greater than 3 years *except where specifically*  
7 *extended by the Civil Service Commission for a period not in*  
8 *excess of 60 days.* The chief examiner and secretary may, with  
9 the approval of the commission, extend the period during which  
10 an employment list remains in force, by action taken before the  
11 expiration of the list and entered in the minutes of the commission  
12 together with his statement as to the reasons therefor. The chief  
13 examiner and secretary shall provide by rule, approved by the  
14 commission, for the consolidation, continuation and cancellation  
15 of employment lists and for the removal of names, for good cause,  
16 therefrom.

1 2. This act shall take effect immediately and shall be retroactive  
2 to October 1, 1975.

STATEMENT

There have been occasions where an appointing authority due to inadvertent error has made appointments after an eligible civil service list has expired. Appointments made after the expiration of an eligible civil service list are invalid. This bill would permit the Civil Service Commission to correct this inequity by granting short extensions to the duration of an employment list where eligible appointments have not been made on time due to inadvertent error by the appointing authority or the Department of Civil Service.

REFERENCE USE ONLY

ASSEMBLY STATE GOVERNMENT, FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS  
AFFAIRS COMMITTEE

STATEMENT TO  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 3157**

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**STATE OF NEW JERSEY**

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DATED: JUNE 27, 1977

The intent of this bill as introduced was to remedy a situation where an appointing authority, due to an inadvertent error, had made otherwise authorized appointments after an eligible civil service list had expired. The committee, with the sponsor's concurrence, produced a committee substitute which more explicitly addresses the particular situation described than does the original bill.

Under the Assembly Committee Substitute for Assembly Bill No. 3157, any appointments made within 60 days after the expiration of an employment list shall be deemed valid if the Chief Examiner and Secretary of the Civil Service Commission, with the approval of the commission, determines that an error on the part of the appointing authority was the cause of the appointments being made after the expiration of the employment list. The determination made and the reasons therefor are to be entered in the minutes of the commission.

This act would take effect immediately and be retroactive to October 1, 1975.