

30:4-34, 30:4-34.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 30:4-34, 30:4-34.1 (County adjusters granted tenure)

LAWS 1981 CHAPTER 403

Bill No. A3274

Sponsor(s) T. Gallo and others

Date Introduced March 23, 1981

Committee: Assembly Municipal government

Senate County and Municipal Government

Amended during passage Yes ~~NO~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 25, 1981

Senate Dec. 3, 1981

Date of approval Jan. 6, 1982

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:

This bill provides tenure in office for county adjusters who have served continuously for 5 or more years even though they have held the position by virtue of holding other county office.

County adjusters who hold that position in the competitive class of the civil service are already protected under R.S. 11:22-41.

6/22/81

PP NOV 1982

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ASSEMBLY, No. 3274

STATE OF NEW JERSEY

INTRODUCED MARCH 23, 1981

By Assemblymen T. GALLO, COWAN, DORIA and JACKMAN

Referred to Committee on Municipal Government

AN ACT concerning county adjusters amending R. S. 30:4-34 and supplementing chapter 4 of Title 30 of the Revised Statutes.

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

1 1. R. S. 30:4-34 is amended to read as follows:

2 30:4-34. In each county where county counsel, county solicitor,
3 county clerk, county physician or county probation officer, or any
4 of their assistants is in charge and supervision of the preparation of
5 papers relating to the commitment of the **[tubercular,]** mentally ill
6 or mentally retarded, such person shall be known as "county
7 adjuster" and such duties shall, *except as otherwise provided in*
8 *section 2 of this amendatory and supplementary act*, continue to
9 pertain to the office of such county counsel, county solicitor, county
10 clerk, county physician or county probation officer or their suc-
11 cessors in office, but, notwithstanding the foregoing, in case any
12 other county official or employee shall be at the time of the adoption
13 of this act, in charge and supervision of the preparation of papers
14 relating to the commitment of the **[tubercular,]** mentally ill or
15 mentally retarded, the ***[board of chosen freeholders]*** **governing*
16 *body** of the county may designate that county official or employee
17 as county adjuster. In all other counties the judge of the **[County]**
18 *Superior Court*, with the consent of the ***[board of chosen free-**
19 **holders]*** **county governing body**, shall designate some county
19A official or employee as county adjuster.

20 The county adjuster shall have charge and supervision of the
21 preparation of papers relating to the commitment of the mentally
22 ill or mentally retarded in such county, and in cases arising in other
23 counties in which the legal settlement appears to be in his county.
24 Classification under civil service rules shall not be affected by

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

25 reason of such designation or additional duties, and additional com-
 26 pensation, if any, for such services may be fixed by the ***[board of**
 27 **chosen freeholders]*** *county governing body** and paid in the
 28 same manner as other county employees are paid. Each
 28A ***[board of chosen freeholders]*** *county governing body** shall
 29 notify the various institutions for the **[tubercular,]** mentally ill or
 30 mentally retarded, of the name and address of the county adjuster.

31 The judge of the Superior Court **[or County Court]** within the
 32 county may appoint the county adjuster to act as referee for the
 33 purpose of taking testimony bearing solely on the question of legal
 34 settlement and the financial ability of the patient or his legally
 35 responsible relatives to pay the cost of maintenance and shall make
 36 return to the court of his findings, conclusions and recommenda-
 37 tions. Such findings, conclusions and recommendations shall be
 38 subject to the approval of the court and shall not be effective until
 39 incorporated in an appropriate order or judgment of the court. The
 40 county adjuster, acting as such referee, may subpoena witnesses
 41 and compel their attendance on forms approved by the court.

1 2. (New section) A person who holds the position of county
 2 adjuster by virtue of holding one of the offices under R. S. 30:4-34
 3 and who has held the position of county adjuster continuously for
 4 5 years or more shall continue to hold the position of county
 5 adjuster, notwithstanding he is serving in one of the offices under
 6 R. S. 30:4-34 for a fixed term or at the pleasure of the ***[board of**
 7 **chosen freeholders or]*** governing body***[, as appropriate,]*** of the
 8 county, during good behavior and efficiency and shall not be removed
 9 therefrom ***[for political or other reasons]*** except for good cause.

1 3. This act shall take effect immediately.

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3274

STATE OF NEW JERSEY

DATED: JUNE 15, 1981

Assembly Bill No. 3274 would supplement R. S. 30:4-34 to grant tenure to any county adjuster who served continuously in that position for 5 or more years. Its provisions would apply to any eligible county adjuster who is serving or has served as the county counsel, county solicitor, county clerk, county physician or county probation officer or as assistant to these officers or employees. A county adjuster who has served continuously for 5 or more years would receive tenure notwithstanding the fact that the second office which he holds or has held a fixed term or a term determined by the county governing body.

The bill also amends R. S. 30:4-34 to delete references to the commitment of persons with tuberculosis and to institutions for the tubercular which are archaic and makes the language of the statute conform with the current structure of New Jersey's court system.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3274

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 16, 1981

Assembly Bill No. 3274 would supplement R. S. 40:4-34 to grant tenure to any county adjuster who served continuously in that position for 5 or more years. Its provisions would apply to any eligible county adjuster who is serving or has served as the county counsel, county solicitor, county clerk, county physician or county probation officer or as assistant to these officers or employees. A county adjuster who has served continuously for 5 or more years would receive tenure notwithstanding the fact that the second office which he holds or has held a fixed term or a term determined by the county governing body.

The bill also amends R. S. 30:4-34 to delete references to the commitment of persons with tuberculosis and to institutions for the tubercular which are archaic and makes the language of the statute conform with the current structure of New Jersey's court system.

The Senate committee amendments merely conform the bill with the provisions of the "Optional County Charter Law" (P. L. 1972, c. 154; C. 40:41A-1 et seq.).

FROM THE OFFICE OF
THE GOVERNOR 1-7-82

Under current law, banks are required to publish notices of unclaimed deposits twice in the fifth year of dormancy and twice in the tenth year. This bill repeals that requirement.

A-3580, sponsored by Assemblyman Albert Burstein (D-Bergen) revising the entire statutory law governing estates and trusts now set forth in Title 3A, and codifying them under a new Title 3B.

The revisions, needed to organize some of the confusing and obsolescent provisions cause by the many amendments to Title 3A since its enactment in 1951, places the sections of Title 3A in a more logical order, added some new provisions and repealing obsolete or superseded statutes.

The bill takes effect the first day of the fourth month following enactment.

A-3274, sponsored by Assemblyman Thomas A. Gallo (D-Hudson) granting tenure to certain county adjusters who have held their position for five or more years. Tenure would only be granted to those adjusters who hold other county offices, such as county counsel or county clerk.

County adjusters are in charge of preparing papers relating to the commitment of persons to institutions for the mentally ill. They also have duties regarding the billing of services provided at such institutions.

In some counties, the adjuster is ordinarily a part-time non-civil service position occupied by the county counsel or clerk, and ineligible for tenure. This bill makes them eligible.

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