

11:22-44.7 and 11:22-44.8

LEGISLATIVE HISTORY CHECKLIST

NJSA: 11:22-44.7 and 11:22-44.8

(Civil Service - includes certain employees in youth houses)

LAWS OF: 1983

CHAPTER: 167

Bill No: A1269

Sponsor(s): Cowan and others

Date Introduced: May 13, 1982

Committee: Assembly: State Government, Civil Service, Elections, Pensions & Veterans Affairs

Senate: Institutions, Health and Welfare

Amended during passage: Yes // Amendments denoted by asterisks according to Governor's recommendations:

Date of Passage: Assembly: Sept. 30, 1982 Re-enacted 2-14-83

Senate: Dec. 6, 1982 Re-enacted 4-25-83

Date of Approval: May 3, 1983

Following statements are attached if available:

Sponsor statement:		Yes	// (Below)
Committee statement:	Assembly	Yes	//
	Senate	Yes	//
Fiscal Note:		///	No
Veto Message:		Yes	//
Message on Signing:		///	No <i>yes</i>
Following were printed:			
Reports:		///	No
Hearings:		///	No

Sponsors' statement:

This bill brings permanent employees of the Hudson County Youth House under Civil Service and subjects their employment to Subtitle 3 of Title II of the Revised Statutes if they were employed on or before January 1, 1982.

27
5-3-82

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1269

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1982

By Assemblymen COWAN, JACKMAN, T. GALLO, CHARLES,
DORIA and JANISZEWSKI

AN Act concerning certain employees of county youth houses in certain counties of the ***[second]*** *first* class***[**, amending R. S. 9:11-4]* and supplementing subtitle 3 of 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. R. S. 9:11-4 is amended to read as follows:

2 9:11-4. Upon the completion of the youth house buildings the
3 board of trustees may appoint two suitable persons as master and
4 matron and such other suitable teachers, attendants, officers and
5 employees as in their judgment may be necessary and proper and
6 with the approval of the **[**board of chosen freeholders**]** *governing*
7 *body of the county* fix their compensation and the compensation of
8 the secretary. Each appointee shall hold his office or position at
9 the pleasure of the board of trustees, *except that employees who*
10 *hold positions and employment in the classified service of Civil*
11 *Service shall be subject to the provisions of subtitle 3 of Title II*
12 *of the Revised Statutes.* Each person appointed as a teacher shall
13 hold a teacher's certificate equal or superior to a first grade
14 county certificate.

15 The board of trustees shall make proper and necessary rules
16 for the conduct and management of the youth house and care of
17 the inmates and shall prescribe the duties and powers of the
18 employees.

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

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted September 30, 1982.

**—Assembly amendment adopted in accordance with Governor's recommendations January 27, 1983.

19 The purpose of the youth house is to provide for the education
 20 and the moral and intellectual improvement of persons committed
 21 thereto. The board of trustees may, subject to the approval of
 22 the **[board of chosen freeholders]** *governing body of the county,*
 23 **prescribe a course of education and manual instruction and training**
 24 **for persons committed to the youth house, giving special attention**
 25 **to courses in industrial training and agriculture.]***

1 ***[2. (New section)]*** ***1.*** All permanent positions and employ-
 2 ments in county youth houses ***[before]*** **on** January 1, 1982 in
 3 counties of the ***[second]*** **first** class having a population of
 4 ***[556,972]*** **less than 600,000** inhabitants according to the 1980
 5 federal decennial census, established pursuant to R. S. 9:11-1
 6 et seq., which can be allocated to the classified service, in accord-
 7 ance with the provisions of Title ***[II]*** **11** of the Revised
 8 Statutes, shall be so allocated under appropriate titles by the
 9 Civil Service Commission, and, hereafter, these positions and
 10 employments shall be subject to the provisions of subtitle 3 of
 11 Title ***[II]*** **11** of the Revised Statutes.

1 ***[3. (New section)]*** ***2.*** Upon receipt from the Civil ***[Ser-**
 2 **VICES]*** **Service** Commission of a list of the positions and em-
 3 ployments so allocated to the classified service and their
 4 appropriate titles, the governing body of any county of the
 5 ***[second]*** **first** class with a population of ***[556,972]*** **less*
 6 *than 600,000** inhabitants according to the 1980 federal decennial
 7 census which has established a youth house in accordance with
 8 R. S. 9:11-1 et seq. shall certify to the Civil Service Commission
 9 within 30 days of receipt of the list, the names of all those
 10 employees then employed in the County Youth House in these
 11 allocated positions and employments who ***[have been]*** **were**
 11A permanently **so** employed ***[before]*** **on** January 1, 1982.
 11B ***[In lieu of this certification, the governing body, by resolution**
 12 **may authorize the certification to be made by the board of trustees**
 13 **of the county youth house.]*** The employees so certified shall be
 14 recorded, under these titles ****[without]**** ***after passing a quali-*
 15 *ifying*** examination, as having been permanently appointed in
 16 the classified service of Civil Service as of the date of their original
 17 appointment and shall thereafter be under and shall be subject to
 18 the provisions of subtitle 3 of Title 11 of the Revised Statutes
 19 relating to the classified service.

1 ***[4.]*** ***3.*** This act shall take effect immediately.

21 thereto. The board of trustees may, subject to the approval of
 22 the [board of chosen freeholders] *governing body of the county*,
 23 prescribe a course of education and manual instruction and training
 24 for persons committed to the youth house, giving special attention
 25 to courses in industrial training and agriculture.

1 2. (New section) All permanent positions and employments in
 2 county youth houses before January 1, 1982 in counties of the
 3 second class having a population of 556,972 inhabitants according
 4 to the 1980 federal decennial census, established pursuant to
 5 R. S. 9:11-1 et seq., which can be allocated to the classified service,
 6 in accordance with the provisions of Title II of the Revised Statutes,
 7 shall be so allocated under appropriate titles by the Civil Service
 8 Commission, and, hereafter, these positions and employments
 9 shall be subject to the provisions of subtitle 3 of Title II of the
 10 Revised Statutes.

1 3. (New section) Upon receipt from the Civil Services Com-
 2 mission of a list of the positions and employments so allocated to
 3 the classified service and their appropriate titles, the governing
 4 body of any county of the second class with a population of 556,972
 5 inhabitants according to the 1980 federal decennial census which
 6 has established a youth house in accordance with R. S. 9:11-1 et seq.
 7 shall certify to the Civil Service Commission within 30 days of
 8 receipt of the list, the names of all those employees then employed
 9 in the County Youth House in these allocated positions and employ-
 10 ments who have been permanently employed before January 1, 1982.
 11 In lieu of this certification, the governing body, by resolution may
 12 authorize the certification to be made by the board of trustees of
 13 the county youth house. The employees so certified shall be re-
 14 corded, under these titles without examination, as having been
 15 permanently appointed in the classified service of Civil Service
 16 as of the date of their original appointment and shall thereafter
 17 be under and shall be subject to the provisions of subtitle 3 of
 18 Title 11 of the Revised Statutes relating to the classified service.

1 4. This act shall take effect immediately.

STATEMENT

This bill brings permanent employees of the Hudson County Youth House under Civil Service and subjects their employment to subtitle 3 of Title 11 of the Revised Statutes if they were employed on or before January 1, 1982.

ASSEMBLY STATE GOVERNMENT, CIVIL SERVICE,
ELECTIONS, PENSIONS AND VETERANS AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1269
with Assembly committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 30, 1982

This bill would permanently allocate to the classified service of the Civil Service all permanent positions and employments which existed in the Hudson County Youth House on January 1, 1982 and which can be so allocated, making them subject to the provisions of the part of the Civil Service law dealing with counties, municipalities and school districts. It would also provide for the certification to the Civil Service Commission of the names of the employees who, on the date the certification is made, are employed in the allocated positions and who were permanently so employed on January 1, 1982, and for the extension, without examination and retroactive to the date of their permanent employment in their respective positions, of classified Civil Service coverage to the employees whose names are so certified.

COMMITTEE ACTION

The committee amended this bill to omit an amendatory section containing provisions inapplicable to the subject matter of the bill and to make technical changes in the title and in certain references.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1269

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1982

This bill places all job positions in the Hudson County Youth House that existed as of January 1, 1982 into the classified service of Civil Service. All current employees will be given permanent status and will thereafter be subject to Civil Service rules and regulations.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

January 27, 1983

ASSEMBLY BILL NO. 1269 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 1269 (OCR) with my recommendations for reconsideration.

This bill would permanently allocate to the classified service of Civil Service all permanent positions and employments which existed in the Hudson County Youth House on January 1, 1982 and which can be so allocated, making them subject to the provisions of the part of the Civil Service law dealing with counties, municipalities and school districts. It would also provide for the certification to the Civil Service Commission of the names of the employees who, on the date the certification is made, are employed in the allocated positions and who were permanently so employed on January 1, 1982, without examination and retroactive to the date of their permanent employment in their respective positions.

Prior to the adoption of the Optional County Charter Act by Hudson County, employees of the Hudson County Youth House were not subject to the provisions of Civil Service since they served at the pleasure of the Board of Trustees. With the adoption of the Optional County Charter Act approximately 7 years ago, the Youth House was disbanded as a semi-autonomous agency, thereby subjecting its employees to Civil Service law and rules. A similar circumstance existed for the employees of the Union County Park Commission, who were not subject to Civil Service until that County adopted a change in the form of government. In order to assist longtime employees of the Park Commission, the Legislature adopted P.L. 1981, c. 15, which generally provided that these individuals could receive a permanent appointment after having passed a qualifying examination rather than the competitive examination. I think the procedure for the Union County Park Commission should be adopted here. While the bill before me does not require any type of testing, I nonetheless believe that a qualifying test should be given to the individuals of the Hudson County Youth House to ensure fitness.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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Accordingly, I herewith return Assembly Bill No. 1269 (OCR) and recommend that it be amended as follows:

Page 2, Section 2, Line 14: Delete "without" and insert "after passing a qualifying"

Respectfully,

/s/ Thomas H. Kean
GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards
Chief Counsel to the Governor

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE, MAY 3, 1983

CONTACT: CARL GOLDEN

Governor Thomas H. Kean today signed the following bills:

A-272, sponsored by Assemblyman Walter Kern, R-Bergen, to ensure access to cable television service by tenants of condominium associations, housing cooperatives, and owners of mobile home parks.

A-1721, sponsored by Assemblyman Elliott Smith, R-Somerset, to permit assessments for a local improvement to be paid over a period of 20 years, rather than 10 years.

S-1763, sponsored by Senator Joseph Hirkala, D-Passaic, to authorize the Division of Motor Vehicles to issue special license plates to active members of a military reserve unit who are residents of New Jersey.

A-1512, sponsored by Assemblyman Joseph Patero, D-Somerset, to appropriate \$15 million from the Water Supply Bond Act to finance improvements to the Delaware and Raritan Canal.

A-1269, sponsored by Assemblyman Thomas Cowan, D-Hudson, placing certain employees of Hudson County Youth House under Civil Service.

S-1446, sponsored by Senator Wayne Dumont, R-Warren, which requires the tax court to send copies of judgments of notice to the collector and county tax administrator of the county in which the property at issue is situated.

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