

ASSEMBLY, No. 367

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman HOLZAPFEL

1 AN ACT concerning certain county health departments and amending
2 N.J.S.11A:3-5 and P.L.1975, c.329.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. N.J.S. 11A:3-5 is amended to read as follows:

8 11A:3-5. Political subdivision unclassified service. The political
9 subdivision unclassified service shall not be subject to the provisions
10 of this title unless otherwise specified and shall include the following:

11 a. Elected officials;

12 b. One secretary and one confidential assistant to each mayor;

13 c. Members of boards and commissions authorized by law;

14 d. Heads of institutions;

15 e. Physicians, surgeons and dentists;

16 f. Attorneys of a county, municipality or school district operating
17 under this title;

18 g. Teaching staff, as defined in N.J.S.18A:1-1, in the public schools
19 and county superintendents and members and business managers of
20 boards of education;

21 h. Principal executive officers;

22 i. One secretary, clerk or executive director to each department,
23 board and commission authorized by law to make the appointment;

24 j. One secretary or clerk to each county constitutional officer,
25 principal executive officer, and judge;

26 k. One deputy or first assistant to a principal executive officer who
27 is authorized by statute to act for and in place of the principal
28 executive officer;

29 l. No more than 12 county department heads and the heads of
30 divisions within such departments; provided that the total number of
31 unclassified positions created by the county administrative code
32 pursuant to this subsection shall not exceed 20;

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

Matter underlined thus is new matter.

- 1 m. One secretary or confidential assistant to each unclassified
2 department or division head established in subsection l.;
- 3 n. Employees of county park commissions, appointed pursuant to
4 R.S.40:37-96 through R.S.40:37-174, in counties of the second class;
- 5 o. Directors of free public libraries in cities of the first class having
6 a population of more than 300,000;
- 7 p. One secretary to the municipal council in cities of the first class
8 having a population of less than 300,000;
- 9 q. One secretary and one confidential aide for each member of the
10 board of freeholders other than the director, and one secretary and two
11 confidential aides for the freeholder director, of any county of the
12 second class with a population of at least 470,000 which has not
13 adopted the provisions of the "Optional County Charter Law,"
14 P.L.1972, c.154 (C.40:41A-1 et seq.) and one secretary or confidential
15 aide for each member of the board of freeholders of any other county
16 which has not adopted the provisions of the "Optional County Charter
17 Law";
- 18 r. In school districts organized pursuant to N.J.S.18A:17-1 et seq.,
19 the executive controller, public information officer and the executive
20 directors of board affairs, personnel, budget, purchasing, physical
21 facilities, data processing, financial affairs, and internal audit;
- 22 s. The executive director, assistant executive director, director of
23 staff operations, director of administration, director of redevelopment
24 and the urban initiatives coordinator of a local housing authority;
- 25 t. The sheriff's investigators of any county appointed pursuant to
26 P.L.1987, c.113 (C.40A:9-117a);
- 27 u. Any title as provided by statute or as the board may determine
28 in accordance with criteria established by rule; [and]
- 29 v. One confidential aide for each county clerk, in addition to the
30 titles included under subsection j. of this section; and
- 31 w. At the discretion of the county board of health in a county of
32 the fifth class having a population of between 340,000 and 500,000
33 according to the latest federal decennial census, the director of
34 personnel and up to two confidential assistants employed by the board.
35 (cf: P.L.1991, c.494, s.1)
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- 37 2. Section 14 of P.L.1975, c.329 (C.26:3A2-14) is amended to
38 read as follows:
- 39 14. Every local health agency shall be administered by a full-time
40 health officer. The health officer and other personnel employed by a
41 municipality, groups of municipalities or county which shall have
42 adopted, or which shall hereafter adopt, the provisions of the "Civil
43 Service Act," P.L.1986, c.112 (N.J.S.11A:1-1 et seq.), shall be
44 appointed in accordance with the provisions of that act, except that the
45 director of personnel and up to two confidential assistants employed
46 by a county board of health in a county of the fifth class having a

1 population of between 340,000 and 500,000 according to the latest
2 federal decennial census may, at the discretion of the board, be in the
3 political subdivision unclassified service. The health officer shall not
4 be prohibited from simultaneously performing other functions or
5 holding other titles within that governmental unit.
6 (cf: P.L.1993, c.64, s.2)

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8 3. This act shall take effect immediately.

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STATEMENT

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13 This bill provides that the director of personnel and up to two
14 confidential assistants employed by a county board of health in a
15 county of the fifth class having a population of between 340,000 and
16 500,000 according to the latest federal decennial census (currently
17 only Ocean County) may be in the political subdivision unclassified
18 service.

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23 Provides that certain county board of health employees may be in the
24 political subdivision unclassified service.