

ASSEMBLY, No. 1459

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 5, 1996

By Assemblymen DORIA and CHARLES

1 AN ACT concerning the appointment of executive assistants to mayors
2 in certain municipalities and amending P.L.1963, c.69 and
3 N.J.S.11A:3-5.

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

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8 1. Section 1 of P.L.1963, c.69 (C.40:69A-60.1) is amended to read
9 as follows:

10 1. a. The mayor of any municipality having a population of more
11 than 300,000, which, prior to January 9, 1982, had adopted the form
12 of government designated as "Mayor-Council Plan C" provided for in
13 article 5 of the act of which this act is a supplement, may appoint one
14 or two deputy mayors, a personal secretary, an executive secretary,
15 and aides, not exceeding 10 in number, who shall serve and be
16 removable at the pleasure of the mayor, and who shall serve in the
17 unclassified service of the civil service of the city and shall receive
18 such salary as shall be fixed by ordinance.

19 [No municipality shall adopt the provisions of this section on or
20 after the date occurring six months after the effective date of this
21 amendatory act.]

22 b. The mayor of any municipality having a population of more than
23 80,000, but less than 300,000, which, prior to January 9, 1982, had
24 adopted the form of government designated as "Mayor-Council Plan
25 C" provided for in article 5 of P.L.1950, c.210 (C.40:69A-55 et seq.),
26 may appoint one or two deputy mayors, a personal secretary, an
27 executive secretary, and aides not exceeding seven in number, who
28 shall serve and be removable at the pleasure of the mayor, and who
29 shall serve in the unclassified service of the civil service of the
30 municipality and shall receive such salary as shall be fixed by the
31 mayor.

32 c. The mayor of any municipality having a population of less than
33 80,000 persons according to the latest federal decennial census, which,
34 prior to January 9, 1982, had adopted the form of government

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 underlined thus is new matter.

1 designated as "Mayor-Council Plan C" provided for in article 5 of
2 P.L.1950, c.210 (C.40:69A-55 et seq.), may appoint one executive
3 assistant for every 20,000 persons residing in the municipality, who
4 shall serve and be removable at the pleasure of the mayor, and who
5 shall serve in the unclassified service of the civil service of the
6 municipality and shall receive such salary as shall be fixed by the
7 mayor.

8 (cf: P.L.1990, c.102, s.1)

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10 2. Section 2 of P.L.1963, c.69 (C.40:69A-60.2) is amended to read
11 as follows:

12 2. The mayor shall prescribe, in writing, the powers and duties of
13 the deputy or deputies, personal secretary, executive secretary,
14 executive assistants, and aides to the mayor.

15 (cf: P.L.1970, c.168, s.2)

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

18 11A:3-5. Political subdivision unclassified service. The political
19 subdivision unclassified service shall not be subject to the provisions
20 of this title unless otherwise specified and shall include the following:

21 a. Elected officials;

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

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

24 d. Heads of institutions;

25 e. Physicians, surgeons and dentists;

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

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

31 h. Principal executive officers;

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

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

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

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

43 m. One secretary or confidential assistant to each unclassified
44 department or division head established in subsection l.;

45 n. Employees of county park commissions, appointed pursuant to
46 R.S.40:37-96 through R.S.40:37-174, in counties of the second class;

- 1 o. Directors of free public libraries in cities of the first class having
2 a population of more than 300,000;
- 3 p. One secretary to the municipal council in cities of the first class
4 having a population of less than 300,000;
- 5 q. One secretary and one confidential aide for each member of the
6 board of freeholders other than the director, and one secretary and two
7 confidential aides for the freeholder director, of any county of the
8 second class with a population of at least 470,000 which has not
9 adopted the provisions of the "Optional County Charter Law,"
10 P.L.1972, c.154 (C.40:41A-1 et seq.) and one secretary or confidential
11 aide for each member of the board of freeholders of any other county
12 which has not adopted the provisions of the "Optional County Charter
13 Law";
- 14 r. In school districts organized pursuant to N.J.S.18A:17-1 et seq.,
15 the executive controller, public information officer and the executive
16 directors of board affairs, personnel, budget, purchasing, physical
17 facilities, data processing, financial affairs, and internal audit;
- 18 s. The executive director, assistant executive director, director of
19 staff operations, director of administration, director of redevelopment
20 and the urban initiatives coordinator of a local housing authority;
- 21 t. The sheriff's investigators of any county appointed pursuant to
22 P.L.1987, c.113 (C.40A:9-117a);
- 23 u. Any title as provided by statute or as the board may determine
24 in accordance with criteria established by rule; **[and]**
- 25 v. One confidential aide for each county clerk, in addition to the
26 titles included under subsection j. of this section; **and**
- 27 w. Executive assistants of a mayor appointed pursuant to
28 subsection c. of section 1 of P.L.1963, c.69 (C.40:69A-60.1).
29 (cf: P.L.1991, c.494, s.1)

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31 4. This act shall take effect immediately.

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STATEMENT

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36 This bill would permit mayors to appoint executive assistants in
37 those municipalities which, prior to January 9, 1982, had adopted the
38 form of government designated as "Mayor-Council Plan C" provided
39 for in article 5 of P.L.1950, c.210 (C.40:69A-55 et seq.), and which
40 have a population of less than 80,000 persons according to the latest
41 federal decennial census. The number of executive assistants that
42 could be appointed by a mayor under this bill would be one assistant
43 for every 20,000 persons residing in the municipality. The executive
44 assistants would serve at the pleasure of the mayor and their salaries
45 and duties would be set by the mayor. Except for one confidential
46 assistant, current law does not permit aides or assistants for mayors in

1 those municipalities which, prior to January 9, 1982, had adopted the
2 form of government designated as "Mayor-Council Plan C" provided
3 for in article 5 of P.L.1950, c.210 (C.40:69A-55 et seq.), and with a
4 population of less than 80,000 persons; however, various deputies,
5 secretaries and aides are permitted for mayors of similarly governed
6 municipalities with a population greater than 80,000 persons.

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12 Permits certain mayors to appoint executive assistants in municipalities
operating under mayor-council plan.