

ASSEMBLY, No. 122

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Repeals sections of law pertaining to transfer of civil service and non-civil service employees of terminated local health agency to superseding agency.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning employees of local health agencies and
2 repealing sections 16 and 17 of P.L.1975, c.329.

3

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

6

7 1. Sections 16 and 17 of P.L.1975, c.329 (C.26:3A2-16 and
8 C.26:3A2-17) are repealed.

9

10 2. This act shall take effect immediately.

11

12

13

STATEMENT

14

15 This bill repeals sections 16 and 17 of P.L.1975, c.329
16 (C.26:3A2-16 and C.26:3A2-17), which provide that each full-time
17 employee of a local health agency whose employment is governed
18 by the provisions of the Civil Service law, and each full-time
19 employee for a period of 2 years or more of a local health agency
20 whose employment is not governed by the provisions of the Civil
21 Service law, and whose employment by such agency shall have
22 been terminated by reason of the assumption of its activities and
23 responsibilities by another local health agency, shall be transferred
24 to such other local agency, shall be assigned duties comparable to
25 those previously performed by the employee, and shall be entitled
26 to and credited with all rights and privileges accruing to the
27 employee by reason of his or her tenure in the previous office or
28 position, the same as if the entire period of previous employment
29 had been in the position to which the employee was transferred, as
30 well as compensation fixed at not less than the amount received by
31 the employee at the time of transfer.

32 Section 17 of P.L.1975, c.329 (C.26:3A2-17) also provides that
33 when a full-time employee for a period of 2 years or more of a local
34 health agency whose employment is not governed by the provisions
35 of the Civil Service law is transferred to a superseding health
36 department subject to the provisions of the Civil Service law, the
37 board shall forthwith certify to the Civil Service Commission (now
38 the Merit System Board) the entitlement of the employee to Civil
39 Service rights and privileges, and shall appropriately classify the
40 employee in the competitive civil service without examination. The
41 employee shall thereafter be subject to the provisions of the Civil
42 Service law with regard to the terms of his or her employment,
43 promotion, tenure, classification, compensation and like matters, as
44 well as compensation fixed at not less than the amount received by
45 the employee at the time of transfer.

46 It is the opinion of the sponsor that, as the State is urging smaller
47 municipalities to merge or share services in order to make
48 government in New Jersey more efficient and to lower the tax

A122 SPACE, WIRTHS

3

1 burden, and the Governor's budget proposal for Fiscal Year 2009
2 penalizes smaller municipalities by reducing their Consolidated
3 Municipal Property Tax Relief Aid to compel smaller municipalities
4 to consolidate, the above sections of law should be repealed to
5 allow municipalities and counties to achieve cost savings through
6 the consolidation of local health agencies at the county and regional
7 level. The sponsor argues that if a municipality will be penalized
8 with loss of aid for being too small, it ought to be given tools to
9 rectify the loss.