

40A: 9-145

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A: 9-145.

(Municipal tax collectors-strengthen certification standards)

LAWS OF: 1985

CHAPTER: 9

Bill No: A1319

Sponsor(s): Girgenti

Date Introduced: February 23, 1985

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes

Substituted for S1236 (not attached since identical to A1319)

Date of Passage: Assembly: June 21, 1984

Senate: Nov. 19, 1984

Date of Approval: January 16, 1985

Following statements are attached if available:

Sponsor statement:

Yes

Also attached: Assembly Committee amendments, adopted 3-15-84 (with statement)

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

Following were printed:

Reports:

No

Hearings:

No

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1319

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 23, 1984

By Assemblyman GIRGENTI

AN ACT concerning municipal tax collectors, and amending P. L.
1979, c. 384.

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

1 ***[1. Section 3 of P. L. 1979, c. 384 (C. 40A:9-145.3) is amended**
2 **to read as follows:**

3 3. Upon the successful completion of the examination by an
4 applicant, *and upon furnishing proof of not less than two years'*
5 *experience as a municipal tax collector or full-time experience in*
6 *tax collection*, a tax collector certificate shall be issued to him, upon
7 the payment of an additional fee of \$25.00 to the order of the State
8 Treasurer.]*

1 *1. Section 2 of P. L. 1979, c. 384 (C. 40A:9-145.2) is amended
2 to read as follows:

3 2. Commencing on the effective date of this act, the director shall
4 hold examinations semi-annually, and at such other times as he
5 may determine appropriate, for certification as tax collector. An
6 applicant for examination shall furnish proof to the director, not
7 less than 30 days before an examination, that the applicant is not
8 less than 21 years of age, is a citizen of the United States, is of
9 good moral character, has obtained a certificate or diploma issued
10 after at least four years of study in an approved secondary school
11 or has received an academic education considered and accepted by
12 the Commissioner of Education as fully equivalent, and has gradu-
13 ated from a four year course at an institution of higher education
14 of recognized standing, *and has not less than two years' full-time*
15 *experience in tax collection.*

**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 March 15, 1984.**

16 An applicant who does not meet the college education require-
 17 ment may substitute on a year-to-year basis full-time experience
 18 in tax collection or accounting. An applicant who does not meet
 19 the college education *requirement* or full-time experience [require-
 20 ments] *requirement permitted as a substitution for the college edu-*
 21 *cation requirement* may substitute certificates of completion of
 22 municipal tax collection I, II and III courses offered through Rut-
 23 gers, The State University. The proofs required pursuant to this
 24 section shall be provided on such application forms and in such
 25 manner as shall be prescribed by the director. Each completed
 26 application form shall be accompanied by a fee in the amount of
 27 \$10.00 to the order of the State Treasurer. Examinations shall be
 28 written, or both written and oral, and shall be of such character as
 29 fairly to test and determine the qualifications, fitness and ability of
 30 the person tested to actually perform the duties of tax collector.*

1 2. Section 5 of P. L. 1979, c. 384 (C. 40A:9-145.5) is amended to
 2 read as follows:

3 5. Any tax collector certificate may be revoked or suspended by
 4 the director for dishonest practices, or willful or intentional
 5 failure, neglect or refusal to comply with the Constitution of the
 6 State of New Jersey or laws relating to the collection of taxes, or
 7 *inefficiency, or inability to properly fulfill the duties and functions*
 8 *of tax collector in compliance with laws and regulations pertaining*
 9 *thereto* or other good cause. The governing body or chief executive
 10 officer of any municipality may request a review by the director of
 11 the behavior or practices of a certified tax collector. No certificate
 12 shall be revoked or suspended except upon a proper hearing before
 13 the director or his designee after due notice. If the tax collector
 14 certificate of a person serving as tax collector shall be revoked, such
 15 person shall be removed from office by the director, his office shall
 16 be declared vacant, and such person shall not be eligible to hold that
 17 office, nor may he make application for recertification, for a period
 18 of five years from the date of such revocation.

1 3. This act shall take effect immediately **and shall apply to any*
 2 *applicant for examination whose application is submitted on or*
 3 *after the effective date of this act*.*

ASSEMBLY, No. 1319
STATE OF NEW JERSEY

INTRODUCED FEBRUARY 23, 1984

By Assemblyman GIRGENTI

AN ACT concerning municipal tax collectors, and amending P. L.
1979, c. 384.

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

1 1. Section 3 of P. L. 1979, c. 384 (C. 40A:9-145.3) is amended to
2 read as follows:

3 3. Upon the successful completion of the examination by an
4 applicant, *and upon furnishing proof of not less than two years'*
5 *experience as a municipal tax collector or full-time experience in*
6 *tax collection*, a tax collector certificate shall be issued to him, upon
7 the payment of an additional fee of \$25.00 to the order of the State
8 Treasurer.

1 2. Section 5 of P. L. 1979, c. 384 (C. 40A:9-145.5) is amended to
2 read as follows:

3 5. Any tax collector certificate may be revoked or suspended by
4 the director for dishonest practices, or willful or intentional
5 failure, neglect or refusal to comply with the Constitution of the
6 State of New Jersey or laws relating to the collection of taxes, *or*
7 *inefficiency, or inability to properly fulfill the duties and functions*
8 *of tax collector in compliance with laws and regulations pertaining*
9 *thereto* or other good cause. The governing body or chief executive
10 officer of any municipality may request a review by the director of
11 the behavior or practices of a certified tax collector. No certificate
12 shall be revoked or suspended except upon a proper hearing before
13 the director or his designee after due notice. If the tax collector
14 certificate of a person serving as tax collector shall be revoked, such

Matter printed in italics thus is new matter.

15 person shall be removed from office by the director, his office shall
16 be declared vacant, and such person shall not be eligible to hold that
17 office, nor may he make application for recertification, for a period
18 of five years from the date of such revocation.

1 3. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to strengthen the certification standards for municipal tax collectors by adding an experience requirement. This measure is intended to address situations where persons certified as tax collectors are unable to properly discharge their duties and responsibilities due to lack of experience in tax collection and administration.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1319

STATE OF NEW JERSEY

DATED: MARCH 15, 1984

Assembly Bill No. 1319, as received by the committee, would amend section 3 of P. L. 1979, c. 384 to require a person who has successfully completed a certification examination to also have two years' experience in tax collection before a tax collector certificate may be issued to that person.

In addition, the bill amends section 5 of P. L. 1979, c. 384 to permit the Director of the Division of Local Government Services to revoke or suspend a tax collector's certificate if the tax collector is found to be inefficient or unable to properly fulfill the duties and functions of his position.

The committee amendments, adopted at the sponsor's request, amends section 2 of P. L. 1979, c. 384 instead of section 3 so that the person applying for the certification examination must meet the additional requirement of two years' experience as a tax collector or two years' full-time experience in tax collection.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1319

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: September 13, 1984

Assembly Bill No. 1319 OCR would broaden the statutorily required qualifications for municipal tax collectors by amending P. L. 1979, c. 384 (C. 40A:9-145.1 et seq.) to condition the issuance of a tax collector's certificate additionally upon the applicant's furnishing proof of not less than two-years' experience as a municipal tax collector or full-time experience in tax collection. According to the sponsor, this measure "is intended to address situations where persons certified as tax collectors are unable to properly discharge their duties and responsibilities due to lack of experience in tax collection and administration." The bill would also stiffen the performance standards for municipal tax collectors by amending that statute to add to the existing grounds for revocation or suspension of a certificate inefficiency or inability to properly fulfill the duties and functions of the office as prescribed by law.



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
Contact: PAUL WOLCOTT
609-292-8956

TRENTON, N.J. 08625
Release: WED., JAN. 16, 1985

Governor Thomas H. Kean has signed the following bills:

A-683, sponsored by Assemblyman Nicholas Felice, R-Bergen, which establishes a procedure by which the Division of Youth and Family Services may recover full or partial reimbursement from the legally responsible person for the amounts spent for maintenance of a child in its custody. The bill authorizes the Division to seek a lien against the property of the responsible party and or obtain a court order to enforce collection.

A-1319, sponsored by Assemblyman John A. Girgenti, D-Passaic, which strengthens the certification standards for municipal tax collectors by requiring that applicants for the certification examination must furnish proof of two years full-time experience in tax collection.

A-1335, sponsored by Assemblywoman Barbara F. Kalik, D-Burlington, which amends the statute governing theft of services to make it a disorderly persons offense to obtain utility services, including electricity, gas, water or cable television services fraudulently from another individual. Previously, the statute applied only to services taken from a vendor.

S-812, sponsored by State Senator Donald T. DiFrancesco, R-Union, which makes technical amendments to the Motor Fuels Use Tax of 1963 and increases fees and penalties.

#