

40A:5-17

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:5-17

(Claims--County appoints person to approve)

LAWS OF: 1985

CHAPTER: 127

Bill No: S141

Sponsor(s): Rand

Date Introduced: Pre-filed

Committee: Assembly: County Government and Regional Authorities

Senate: County and Municipal Government

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: February 4, 1985

Senate: September 20, 1984

Date of Approval: April 12, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill authorizes the governing body of any county to designate a person to approve claims when the governing body is not meeting. The board may also set a limit on the amount this designee may approve.

OFFICE OF THE CLERK OF THE LEGISLATURE
TREASURY DEPARTMENT
STATE HOUSE
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STATE HOUSE

127
APPROVED 4-12-85

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SENATE, No. 141

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senator RAND

AN ACT concerning county governing body expenditure procedures
and amending N. J. S. 40A:5-17.

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

1 1. N. J. S. 40A:5-17 is amended to read as follows:

2 40A:5-17. Approval and payment of claims and required general
3 books of account. a. Approval of claims.

4 The governing body shall approve or disapprove all claims. *In*
5 *the case of a county**, other than a county which has adopted a form
6 of government pursuant to the "Optional County Charter Law,"
7 *P. L. 1972, c. 154 (C. 40:41-1 et seq.)**, the governing body may, by
8 ***[ordinance or]*** resolution, designate ***[a]*** *one* person ***[for**
9 *the purpose of approving]** *who may approve* claims ***[when]***
10 *between meetings of* the governing body ***[is not meeting]***. *The*
11 *specified designee shall be chosen from the following positions: the*
12 *certified financial officer, chief fiscal officer, county administrator,*
13 *Director of Finance, treasurer or comptroller.* Any approval by*
14 *the designated person shall be presented to the county governing*
15 *body at its next meeting for ratification**, except that, prior to being
16 paid, such vouchers shall be brought to the attention of the free-
16A holder who has responsibility for the designee*. The county gov-
16B erning body may establish a maximum dollar amount for which
16C payment may be approved without prior approval of the governing
16D body. Claims shall be approved or disapproved in the manner pre-
16E scribed by rules made and promulgated by the bureau unless the
16F governing body adopts an ordinance or resolution, as may be appro-

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:

*—Senate committee amendments adopted June 28, 1984.

16G priate, in the case of a county, or an ordinance, in the case of a
16H municipality, including the following provisions:

17 (1) Designating an approval officer with the title of certifying
18 and approval officer;

19 (2) Prescribing the duties of the approval officer including the
20 making of certifications required by 40A:5-16b, ascertaining the
21 existence of proper and sufficient appropriations for the payments
22 to be made and determining that there is legal authority for the
23 payments, evidenced by action of a purchasing department or agent
24 or officer in respect to the goods or services ordered and the incur-
25 ring of the expense therefor;

26 (3) Prescribing the procedure for approving and certifying to
27 the proper officer claims for payments and drawing checks there-
28 for;

29 (4) Prescribing the procedure for certifying approved claims
30 to the governing body and regulating its action of approval or
31 disapproval thereon.

32 b. Payment of claims. A resolution or an ordinance adopted
33 pursuant to this section may also provide a method of disbursing
34 moneys or payment of claims approved but if it does not so pro-
35 vide the method shall be as follows:

36 (1) In the case of a county organized pursuant to the provisions
37 of the Optional County Charter Law (P. L. 1972, c. 154; C. 40:41A-1
38 et seq.), by check issued upon the requisition of and signed by the
39 chief executive officer and countersigned by the treasurer, and in
40 all other counties by check issued upon requisition of the clerk of
41 the board of chosen freeholders, signed by the county treasurer and
42 countersigned by such other officer or officers as are designated by
43 ordinance or resolution of the governing body;

44 (2) In the case of a municipality, by check drawn on the munici-
45 pality, signed by the mayor or other chief executive officer and the
46 municipal clerk and countersigned by such other officer or officers
47 as are designated by ordinance.

48 c. Required general books of account. The bureau shall pre-
49 scribe the kind and manner of keeping of general books of account
50 for the financial officers of the local units and said officers shall be
51 required to keep and maintain said books.

1 2. This act shall take effect immediately.

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24 or officer in respect to the goods or services ordered and the incur-
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42 countersigned by such other officer or officers as are designated by
43 ordinance or resolution of the governing body;

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46 municipal clerk and countersigned by such other officer or officers
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50 for the financial officers of the local units and said officers shall be
51 required to keep and maintain said books.

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STATEMENT

This bill authorizes the governing body of any county to desig-
nate a person to approve claims when the governing body is not
meeting. The board may also set a limit on the amount this des-
ignee may approve.

ASSEMBLY COUNTY GOVERNMENT AND
REGIONAL AUTHORITIES COMMITTEE

STATEMENT TO

SENATE, No. 141

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STATE OF NEW JERSEY

DATED: DECEMBER 13, 1984

Senate Bill No. 141 OCR would amend N. J. S. 40A:5-17 to permit the governing body of a county not operating under the provisions of the "Optional County Charter Law," P. L. 1972, c. 154 (C. 40:41A-1 et seq.) to designate a person to approve payment of claims when the governing body is not in session. Currently, the governing bodies of such counties must approve the payment of claims.

Under the provisions of the bill, the governing body shall select the person to approve claims from among six specified county financial officers. In addition, the governing body may establish a maximum dollar amount beyond which the selected person may not approve a claim.

The bill also requires that the selected person inform the freeholder to whom the person is responsible of the payment of any claim and that the person must present any claim approved to the governing body for ratification at its next meeting.

The Association of Counties and Camden county support the bill.

It is the committee's understanding that the use of claims in the legislation refers only to the payment of bills owed by the county.

The committee reported the bill favorably.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 141

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 28, 1984

Senate Bill No. 141 would amend N. J. S. 40A:5-17 to permit the governing body of a county to designate a person to approve payment of claims when the governing body is not in session. Currently, the governing body of a county or municipality must approve payment of claims.

Under the provisions of the bill, any claim approved for payment by the person designated must be presented to the governing body of the county for ratification at its next meeting. In addition, the governing body may establish a maximum dollar amount beyond which the designated person may not approve a claim.

The committee amended the bill (1) to require that the person designated to approve payment be chosen from among six specified county officers, (2) to require that, prior to being paid, vouchers be brought to the attention of the freeholder responsible for that person and (3) to limit the applicability of the bill to those counties which have not adopted a form of government pursuant to the provisions of the "Optional County Charter Law," P. L. 1972, c. 154 (C. 40:41A-1 et seq.).

A-2454, sponsored by Assemblyman Anthony P. Vainieri, D-Hudson, which allows the closed-circuit testimony of victims or witnesses age 16 or younger in sexual abuse cases.

AJR-20, sponsored by Assembly Speaker Alan J. Karcher, D-Middlesex, which requires the Commissioners of Human Services and Health to study the possibility of establishing a residential care facility for patients afflicted with Huntington's Disease, a progressive neurological degenerative disease, which normally requires institutional care in its later phases.

S-1737, sponsored by State Senator Wayne Dumont, Jr., R-Warren, which allows farm winery licensees to manufacture wine using up to 49 percent out-of-state grown grapes during the winery's first five years of operation.

S-1736, also sponsored by Senator Dumont, which allows farm winery license holders to sell their product at retail for off-premises consumption at one additional location other than their manufacturing facility.

S-1193, sponsored by State Senator Richard J. Codey, D-Essex, which increases the amount of the parimutuel pool at Garden State Race Track which must be deposited in a special trust account for the New Jersey Thoroughbred Breeders Program from .15 percent to .65 percent. The bill brings the contribution into line with contributions from other race tracks in the State.

S-526, also sponsored by Senator Codey, which requires that all racing stewards and judges at privately owned race tracks be appointed by the New Jersey Racing Commission. Under current law some stewards and judges are appointed by the Racing Commission and others by the race tracks.

S-141, sponsored by State Senator Walter Rand, D-Camden, which provides that in counties not governed under the Optional County Charter Law (16 of the 21 counties) the governing body may designate an individual to approve payment of claims when the governing body is not meeting.

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