

40A:9-117 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:9-117 et al (County sheriff -- fix - compensation for sheriff officers)

LAWS OF: 1984 CHAPTER: 35

Bill No: S1060

Sponsor(s): Russo

Date Introduced: January 23, 1984

Committee: Assembly: /////

Senate: County and Municipal Government

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

Date of Passage: Assembly: March 20, 1984

Senate: March 1, 1984

Date of Approval: April 19, 1984

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill provides that the county sheriff shall fix the compensation of sheriffs officers in accordance with the county budget.

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SENATE, No. 1060

STATE OF NEW JERSEY

INTRODUCED JANUARY 23, 1984

By Senator RUSSO

Referred to Committee on County and Municipal Government

AN ACT concerning the office of county sheriff, and amending
N. J. S. 40A:9-117, P. L. 1972, c. 154 and P. L. 1982, c. 133.

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

1 1. N. J. S. 40A:9-117 is amended to read as follows:

2 40A:9-117. The sheriff shall select and employ the necessary
3 deputies, chief clerks and other personnel. **[**They shall receive such
4 compensation as shall be recommended by the sheriff and approved
5 by the governing body**]** *The sheriff shall fix the compensation they*
6 *shall receive in accordance with the ***[county]*** generally accepted*
7 *county salary ranges and within the confines of the sheriff's**
8 *budget *allocation set by the governing body**. The annual com-
9 pensation of the undersheriff shall not exceed 90% of the annual
10 compensation of the sheriff. The compensation of the personnel in
11 the office of sheriff shall be paid at the same time and in the same
12 manner as the county officers and employees are paid. The limita-
13 tions of the salaries set herein shall not be construed to restrict any
14 of said employees from participating in or benefiting from any
15 cost of living bonus or longevity program provided for or estab-
16 lished in the county.

1 2. Section 125 of P. L. 1972, c. 154 (C. 40:41A-125) is amended
2 to read as follows:

3 125. a. Adoption of the administrative code. Any time after 60
4 days from the date of the organization of the first board of chosen
5 freeholders elected under this act, the board of chosen freeholders
6 shall adopt an administrative code organizing the administration

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 February 27, 1984,

7 of the county government, setting forth the duties and responsi-
8 bilities and powers of all county officials and agencies, and the
9 manner of performance needed.

10 b. The administrative code may require that the county board
11 of taxation, county board of elections, jury commissioners of the
12 county, county clerk, surrogate and sheriff be subject to such an-
13 nual budgetary procedures and requirements as may be specified
14 therein. These procedures and requirements may include, but shall
15 not be limited to, the preparation and submission of an annual
16 budget in accordance with the provisions of the administrative
17 code, and the submission of such periodic budget reports as may be
18 provided therein. The administrative code may further provide
19 that the county board of taxation, county board of elections, jury
20 commissioners of the county, county clerk, surrogate and sheriff
21 shall be subject to such accounting controls, central purchasing
22 practices, personnel procedures [and regulations], and central
23 data processing services as are specified in the code, or in adminis-
24 trative orders adopted pursuant thereto; provided, however, that
25 nothing herein shall restrict or limit the authority of the county
26 board of taxation, county board of elections, jury commissioners of
27 the county, county clerk, surrogate and sheriff as the appointing
28 authority of their respective offices.

29 c. Nothing in the administrative code shall change the duties
30 or powers of county officers whose existence is mandated by the
31 Constitution or shall diminish the duties, responsibilities or powers
32 of any elected or appointed head of the executive branch or chief
33 assistant thereto or county administrator.

1 3. Section 1 of P. L. 1982, c. 133 (C. 40A:9-117.6) is amended
2 to read as follows:

3 1. The sheriff of each county shall, subject to [any personnel
4 policies established by the governing body] *the budget* of the
5 county, appoint such persons as may be necessary, to the position
6 of sheriff's officer, pursuant to the provisions of Title 11 of the Re-
7 vised Statutes, where applicable, to perform the duties involved in
8 attending the courts heretofore performed by court attendants, or
9 in serving court processes, or in the investigation and apprehension
10 of violators of the law, or in criminal identification, or in ballistics,
11 or in any related work which the sheriff shall, from time to time,
12 prescribe and as shall be determined to be appropriate by the
13 Civil Service Commission. Except as provided herein, no such
14 officer shall be assigned to any penal institution, jail, penitentiary,
15 county correction center, or workhouse for the purpose of guarding,
16 having custody of, or being charged with the rehabilitation of any

17 inmate housed therein, except upon emergency conditions. Any
18 sheriff's officer who, on the effective date of this act, is assigned
19 to any penal institution, jail, penitentiary, county correction center,
20 or workhouse for the purpose of guarding, having custody of, or
21 being charged with the rehabilitation of any inmate housed therein,
22 may continue to serve in such capacity until such officer is re-
23 assigned or terminated at which time the position shall be filled
24 with an individual in a title appropriate to the duties to be
25 performed.

1 4. Section 5 of P. L. 1982, c. 133 (C. 40A:9-117.10) is amended
2 to read as follows:

3 5. Sheriff's officers appointed under the provisions of this act
4 shall have the duties, benefits and powers conferred by law on
5 sheriff's officers, and their compensation shall be as [recommended
6 by the sheriff and approved by the governing body of the county,
7 pursuant to the budgetary procedures established for the county]
8 *fixed by the sheriff in accordance with the *[county]* *generally*
9 *accepted county salary ranges and within the confines of the sher-*
10 *iff's* budget *allocation set by the governing body*.*

1 5. This act shall take effect immediately.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
SENATE, No. 1060
with Senate committee amendment

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 1984

Senate Bill No. 1060 would transfer the power to fix the compensation of sheriff's officers and certain other sheriff's employees from the county governing body to the sheriff. The sheriff would be required to fix the compensation of these employees "in accordance with the county budget."

The Committee amendments would specify that the compensation shall be fixed by the sheriff in accordance with the generally accepted county salary ranges and within the confines of the sheriff's budget allocation set by the governing body.



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
Contact:

TRENTON, N.J. 08625
Release: *APRIL 19, 1984*

609-292-6000, Ext. 285

Governor Thomas H. Kean today signed legislation to provide that county sheriffs fix the salaries of their employees, rather than Boards of Freeholders.

The legislation, S-1060, was sponsored by Senator John Russo, D-Ocean.

The legislation, effective immediately, changes current law to permit sheriffs to set salaries of departmental employees in accordance with generally accepted county salary ranges and within the limits of departmental budgets.

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