

40:82-2

LEGISLATIVE HISTORY CHECKLIST

(Municipal manager - allow nonresident - only at discretion of town council)

NJSA 40:82-2

LAWS 1982 CHAPTER 69

Bill No. A1761

Sponsor(s) Markert and Kosco

Date Introduced July 8, 1982

Committee: Assembly ---

Senate County and Municipal Government

Amended during passage Yes No Substituted for S1385 (not attached since identical to A1761)

Date of Passage: Assembly July 9, 1982

Senate July 12, 1982

Date of approval July 13, 1982

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

6/22/81

PP

ASSEMBLY, No. 1761

STATE OF NEW JERSEY

INTRODUCED JULY 8, 1982

By Assemblymen MARKERT and KOSCO

AN ACT concerning residency requirements and amending
R. S. 40:82-2.

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

1 1. R. S. 40:82-2 is amended to read as follows:

2 40:82-2. The municipal manager shall be a person, other than a
3 member of the municipal council, fully qualified to exercise the
4 powers and perform the duties hereinafter set forth. He need not
5 be a resident of the municipality at the time of his appointment but
6 shall become a resident thereof within 3 months after appointment
7 and continue a resident throughout his period of service; provided,
8 however, [that in any municipality with a population of less than
9 500] the municipal manager may reside outside of the municipality
10 with the approval of the municipal council.

1 2. This act shall take effect immediately.

STATEMENT

This bill would amend R. S. 40:82-2 to authorize the municipal council of any municipality which has adopted the "municipal manager form of government (1923)" to allow the municipal manager to live outside the municipality. The council in a municipality operating under any of the council-manager forms of government authorized by the "Optional Municipal Charter Law" (P. L. 1950, c. 210) may waive a residency requirement for the manager and it is the intent of this bill to establish the same procedure for municipalities which have adopted the "municipal manager form of government (1923)."

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

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**SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 1761

STATE OF NEW JERSEY

DATED: JULY 12, 1982

Assembly Bill No. 1761 amends the "municipal manager form of government law (1923)" to permit any municipality operating under that law to waive the requirement that the municipal manager reside within the municipality. Under the current law, this option is available only to municipalities with a population of under 500 persons.

As the sponsor notes, the intent of the bill is to provide the municipalities operating under the "municipal manager form of government (1923)" with the same option currently available to those municipalities operating under a council-manager plan under the "Optional Municipal Charter Law" (P. L. 1950, c. 210), thereby establishing a uniform policy in this regard.

The bill is identical to Senate Bill No. 1385 previously released by this committee on June 28, 1982.