

Repeals 40:103-1

LEGISLATIVE HISTORY CHECKLIST

(Cities -- repeal certain statutes relating to adoption of form of government)

WJSA Repeals 40:103-1

LAWS OF 1979

CHAPTER 20

Bill No. S1062

Sponsor(s) Parker & Dodd

Date Introduced April 20, 1978

Committee: Assembly Municipal Government

Senate County & Municipal Government

Amended during passage ~~Yes~~ No

Date of Passage: Assembly January 18, 1979

Senate September 18, 1978

Date of approval February 8, 1979

Following statements are attached if available:

Sponsor statement Yes ~~X~~

Committee Statement: Assembly Yes ~~X~~

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

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SENATE, No. 1062

STATE OF NEW JERSEY

INTRODUCED APRIL 20, 1978

By Senators PARKER and DODD

Referred to Committee on County and Municipal Government

AN ACT concerning cities and repealing certain statutes.

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

1 1. The following sections, acts, and parts of acts, together with  
2 all amendments and supplements thereto are hereby repealed  
3 entirely.

4 Revised Statutes sections:

5 40:103-1 (P. L. 1889, c. 127);

6 40:103-2 (P. L. 1902, c. 107);

7 40:103-3 (P. L. 1903, c. 168);

8 40:103-4 (P. L. 1908, c. 179);

9 40:104-1 (P. L. 1894, c. 62);

10 40:105-1 (P. L. 1912, c. 405);

11 40:106-1 (P. L. 1907, c. 99);

12 40:107-1 (P. L. 1899, c. 135);

13 40:109-1 (P. L. 1911, c. 365);

14 40:109-2 (P. L. 1929, c. 37);

15 40:110-1 (P. L. 1879, c. 84);

16 40:111-1 (P. L. 1878, c. 134);

17 40:112-1 (P. L. 1933, c. 352).

1 2. R. S. 40:103-5 (P. L. 1908, c. 250), together with all amend-  
2 ments and supplements thereto, is hereby repealed, except the  
3 supplement to that act, P. L. 1963, c. 149 (C. 40:103-5(71) et seq.),  
4 approved August 30, 1963, is hereby saved from repeal.

1 3. This act shall take effect immediately.

STATEMENT

This bill has been drafted by the Division of Law Revision of the Legislative Services Agency in furtherance of its duty to conduct a continuous examination of the general and permanent statutory law of this State.

The sections and acts to be repealed by this bill provide for the adoption of forms of government of cities. They are not in use today and their retention as part of the general and statutory law of this State is no longer necessary.

SENATE, No. 1062

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 1062**

**STATE OF NEW JERSEY**

DATED: JANUARY 9, 1979

This bill has been drafted by the Division of Law Revision of the Legislative Services Agency in furtherance of its duty to conduct a continuous examination of the general and permanent statutory law of this State.

The sections and acts to be repealed by this bill provide for the adoption of forms of government of cities. They are not in use today and their retention as part of the general and statutory law of this State is no longer necessary.

The sections repealed deal specifically with the following:

Revised Statutes sections:

*40:103-1 (P. L. 1889, c. 127)*. Referendum act for government of cities adopting it prior to October 1, 1890; appointment of boards by mayor; taxation and finance.

*40:103-2 (P. L. 1902, c. 107)*. Referendum act for government of cities; officers and boards; city a separate school district; general powers.

*40:103-3 (P. L. 1903, c. 168)*. Referendum act for government of cities; mayor and council; councilman at large; board of health; board of assessment and revision of taxes; general powers.

*40:103-4 (P. L. 1908, c. 179)*. Referendum act for government of cities; consolidated municipalities forming city; mayor, president of council and councilmen; government to change every 2 years; ordinances and improvements.

*40:104-1 (P. L. 1894, c. 62)*. Referendum act; mayor and council; powers; gas, electric light, water and sewer plants.

*40:105-1 (P. L. 1912, c. 405)*. Referendum act; mayor and council; officers and boards; civil service; ordinances, improvements and finance.

*40:106-1 (P. L. 1907, c. 99)*. Referendum act; mayor and council; commissioners of public safety, of public works and of streets and highways; improvements, ordinances and finance.

*40:107-1 (P. L. 1899, c. 135)*. Referendum act; adoption by cities, boroughs, townships and towns with more than 12,000 inhabitants; mayor and council; ordinances, improvements and finance.

*40:109-1 (P. L. 1911, c. 365)*. Certain cities to be governed by L. 1897, c. 30, p. 46; elections and proceedings validated.

*40:109-2 (P. L. 1929, c. 37)*. Tenure of office of treasurer in cities governed by L. 1897, c. 30, p. 46.

*40:110-1 (P. L. 1879, c. 84)*. Referendum act; wards; mayor and council; councilman at large; city judge; ordinances, taxation and improvements.

*40:111-1 (P. L. 1878, c. 134)*. Act regulating certain matters in cities which by the 1875 census had a population of less than 5,000; officers, ordinances, improvements and finance.

*40:112-1 (P. L. 1933, c. 352)*. Referendum act; mayor, council and councilman at large; commissioner of public works and buildings; commissioner of streets and highways; boards of assessors; general powers.

*R. S. 40:103-5 (P. L. 1908, c. 250)*. Referendum act for government of cities; mayor and council; officers and boards; government and finance.

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FEBRUARY 8, 1977 ~~2~~

Current motor vehicle laws provide that a person may obtain a special learner's permit at the age of 16 to be used in conjunction with a behind-the-wheel driving course by a licensed driver's school or in a driver's education program. At the age of 16-1/2, the person may retain possession of the permit and drive between sunrise and sunset with a licensed driver with at least three years of driving experience. At age 17 the holder of the permit may take the test for an operator's license.

However, for those who finish driving school before reaching the age of 16-1/2 a break occurs in which they may not practice driving. This bill eliminates that break by providing for the additional period of practice driving.

S-938, sponsored by Senator Barry Parker (R-Burlington), which permits municipalities to make special emergency appropriations and to update and make current any previous property tax reevaluation program ordered to be undertaken by the county board of taxation.

S-1060, also sponsored by Senator Parker, which repeals certain statutes concerning cities of the first class.

Jersey City and Newark, the only first class cities in the State, both adopted the Mayor-Council Plan C under the Optional Municipal Charter Law. As a result of these charter changes, sections of the law pertaining to first class cities are no longer applicable to these cities and, therefore, no longer necessary.

S-1061, also sponsored by Senator Parker, repeals sections and acts which establish the statutory framework for municipalities governed by Boards of Commissioners or improvement commissioners.

These sections are no longer in use today and are therefore no longer necessary.

S-1062, also sponsored by Senator Parker, which repeals certain sections and acts which provide for certain forms of city government.

These sections are no longer in use today and therefore are no longer necessary.