

40:69A-207

LEGISLATIVE HISTORY CHECKLIST

HJSA 40:69A-207 (Allows municipal shade tree commissions to remain upon adoption of optional plan of Faulkner Act)
LAWS OF 1977 CHAPTER 392

Bill No. S1686

Sponsor(s) Dunn

Date Introduced Sept. 30, 1976

Committee: Assembly Municipal Government

Senate County & Municipal Government

Amended during passage Yes No

Date of Passage: Assembly January 9, 1978

Senate April 28, 1977

Date of approval February 23, 1978

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

Sponsor's Statement:

Section 17-58 of the Faulkner Act (C.40:69A-207) provides that all municipal offices existing prior to the adoption of an optional plan shall cease and determine.

This bill would allow the continuation of municipal shade tree commissions in those municipalities which have changed their form of government by adopting an optional plan under the Faulkner Act.

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SENATE, No. 1686

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 30, 1976

By Senator DUNN

Referred to Committee on County and Municipal Government

AN ACT to amend the "Optional Municipal Charter Law,"
approved June 8, 1950 (P. L. 1950, c. 210).

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

1 1. Section 17-58 of P. L. 1950, c. 210 (C. 40:69A-207) is amended
2 to read as follows:

3 17-58. At 12 o'clock noon on the effective date of an optional plan
4 adopted pursuant to this act, all offices then existing in such municipi-
5 pality shall be abolished and the terms of all elected and appointed
6 officers shall immediately cease and determine; provided, that noth-
7 ing in this section shall be construed to abolish the office or termi-
8 nate the term of office of any member of the board of education,
9 board of fire commissioners of a township fire district, trustees of
10 the free public library, commissioners of a local housing authority,
11 *members of a municipal shade tree commission*, board of managers
12 of a municipal hospital, municipal magistrates or of any official
13 or employee now protected by any tenure of office law, or of any
14 policeman, fireman, teacher, principal or school superintendent
15 whether or not protected by a tenure of office law. If the municipi-
16 pality is operating under the provisions of Title 11 of the Revised
17 Statutes (Civil Service) at the time of the adoption of an optional
18 plan under this act, nothing herein contained shall affect the tenure
19 of office of any person holding any position or office coming within
20 the provisions of said Title 11 as it applies to said officers and
21 employees. If the municipal clerk has, prior to the effective date
22 of the optional plan, acquired a protected tenure of office pursuant
23 to law, he shall become the first municipal clerk under the optional
24 plan.

25 Provision for officers and for the organization and administration

27 by resolution pending the adoption of ordinances, but any such
28 resolution shall expire not later than 30 days after the effective
29 date of the optional plan.

1 2. This act shall take effect immediately.

STATEMENT

Section 17-58 of the Faulkner Act (C. 40:69A-207) provides that all municipal offices existing prior to the adoption of an optional plan shall cease and determine.

This bill would allow the continuation of municipal shade tree commissions in those municipalities which have changed their form of government by adopting an optional plan under the Faulkner Act.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1686

—•—
STATE OF NEW JERSEY
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DATED: APRIL 18, 1977

Under existing law all offices are abolished and terms of all elected and appointed officials terminated, unless specifically otherwise provided by law, at 12:00 on the date that any of the plans of government adopted pursuant to the Optional Municipal Charter Law take effect.

The purpose of Senate Bill No. 1686 is to save from automatic abolition and automatic termination, respectively, the offices of municipal shade tree commissioners and the terms of office of said commissioners.

Municipal shade tree commissioners are established, organized and operated pursuant to chapter 64 of Title 40 of the Revised Statutes.