

40A: 9-165

LEGISLATIVE HISTORY CHECKLIST

NJSA 40A:9-165 (Salary referenda-retroactivity)

Laws of 1976 Chapter 95

Bill No. S1152

Sponsor(s) Orechio, Lipman & Greenberg

Date Introduced Feb. 19, 1976

Committee: Assembly Municipal Government

Senate County & Municipal Government

Amended during passage Yes No

Date of passage: Assembly July 22, 1976

Senate May 3, 1976

Date of approval Sept. 21, 1976

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

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CHAPTER 95 LAWS OF N. J. 1976  
APPROVED 9-21-76

**SENATE, No. 1152**

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**STATE OF NEW JERSEY**

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INTRODUCED FEBRUARY 19, 1976

By Senators ORECHIO, LIPMAN and GREENBERG

Referred to Committee on County and Municipal Government

AN ACT concerning the procedure to fix and determine the salaries, wages or compensation of certain municipal officers and employees and supplementing chapter 9 of Title 40A of the New Jersey Statutes.

- 1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*
- 1 1. The provisions of N. J. S. 40A:9-165, as amended by P. L.  
2 1975, c. 215, shall be retroactive to September 1, 1974.
- 1 2. This act shall take effect immediately.

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**STATEMENT**

This bill makes retroactive to September 1, 1974 the provisions of P. L. 1975, c. 215, which excluded from the referendum provisions of N. J. S. 40A:9-165 the salaries of all municipal officers and employees in certain municipalities, except salaries of elected officials.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 1152**

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**STATE OF NEW JERSEY**

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DATED: JUNE 14, 1976

The intention of this bill is to make retroactive to September 1, 1974, the provisions of P. L. 1975, c. 215. This law excluded the salaries of nonelected municipal officers and employees from the referendum provisions of N. J. S. 40A :9-165. The law left the salaries of elected officials subject to referendum. When P. L. 1975, c. 215, was passed it was made retroactive to January 1, 1975.

The committee understood the sponsor's intention in submitting the bill to be that of rectifying a particular situation which developed in the city of Newark in 1974. A petition was filed opposing salary increases for members of the city council. The same petition also applied to the regular salary increments of 15 nonelected municipal employees. On referendum the question as to whether the salary increases should be given lost. All other nonelected city employees received their regular increments, but the 15 included in the petition did not. The main focus of the debate on the referendum was the salary increases for the members of the city council, and it was reported to the committee that few voters realized that the 15 nonelected officials were included.

The committee has been informed that the mayor and governing body of the city of Newark are in favor of this bill and that the money has been set aside to fund the salary increases. The committee believes that if this situation can be rectified by setting back the effective date of P. L. 1975, c. 215, by 4 months, such action should be taken.