

40A:9-165

LEGISLATIVE HISTORY CHECKLIST

NJSA 40A:9-165

Laws of 1975 Chapter 215

Bill No. S3324

Sponsor(s) Feldman & Horn

Date Introduced July 31, 1975

Committee: Assembly Municipal Government

Senate -

Amended during passage Yes No

Date of passage: Assembly September 29, 1975

Senate August 4, 1975

Date of approval Sept. 29, 1975

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 215 75
APPROVED 1976-75

SENATE, No. 3324

STATE OF NEW JERSEY

INTRODUCED JULY 31, 1975

By Senators FELDMAN and HORN

(Without Reference)

AN ACT concerning the procedure to fix and determine the salaries, wages or compensation of certain municipal officers and employees and amending N. J. S. 40A:9-165.

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

1 1. N. J. S. 40A:9-165 is amended to read as follows:

2 40A:9-165. The governing body of a municipality, by ordinance,
3 shall fix and determine the salaries, wages or compensation to be
4 paid to the officers and employees of the municipality, including
5 the members of the governing body and the mayor or other chief
6 executive, who by law are entitled to salaries, wages, or compen-
7 sation. Such salaries, wages or compensation from time to time,
8 by ordinance, may be increased, decreased or altered but no such
9 ordinance shall reduce the salary of any appointed or elected tax
10 assessor or tax collector during the term for which he shall have
11 been appointed or elected *and, except with respect to an ordinance*
12 *or a portion thereof fixing salaries, wages or compensation of*
13 *elective officials, the ordinance shall take effect as provided therein.*
14 In municipalities wherein the provisions of Title 11 (Civil Service)
15 of the Revised Statutes are in operation, this section shall be sub-
16 ject thereto.

17 Where any such ordinance shall provide for increases in salaries,
18 wages or compensation *of elective officials, the ordinance or that*
19 *portion thereof which provides an increase for elective officials,*
20 **[it]** shall become operative in 20 days after the publication thereof,
21 after final passage, unless within said 20 days, a petition, signed
22 by voters of such municipality, equal in number to at least 5% of
23 the registered voters of the municipality, protesting against the

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

24 passage of such ordinance, be presented to the governing body, in
25 which case such ordinance shall remain inoperative unless and
26 until a proposition for the ratification thereof shall be adopted at
27 an election by a majority of the voters voting on said proposition.
28 The submission of the question to the voters shall be governed
29 by the provisions of Title 19 (Elections) of the Revised Statutes,
30 as in the case of public questions to be voted upon in a single
31 municipality.

1 2. This act shall take effect immediately and be retroactive to
2 January 1, 1975.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 3324

STATE OF NEW JERSEY

DATED: SEPTEMBER 22, 1975

Senate Bill No. 3324 exempts from the referendum provisions of N. J. S. 40A:9-165 all salary or wage ordinances of certain municipalities, except ordinances fixing the salaries, wages or compensation of elected officials of such municipalities. The salaries of elected officers would continue to require voter approval, upon the filing of an appropriate petition pursuant to N. J. S. 40A:9-165.

The provisions of this bill are retroactive to January 1, 1975.