

CHAPTER 278 LAWS OF N. J. 1970

APPROVED 12/3/70

SENATE, No. 171

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1970 SESSION

By Senators McDERMOTT, RINALDO and LACORTE

AN ACT concerning executions against wages, debts, earnings, salaries, income or profits and amending section 2A:17-53 of the New Jersey Statutes.

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

1 1. Section 2A:17-53 of the New Jersey Statutes is amended to
2 read as follows:

3 2A:17-53. Any person, agent, treasurer or other fiduciary officer
4 of a private or public municipal corporation, including any county,
5 the State, or other governmental agency, to whom an execution
6 mentioned in section 2A:17-50 of this Title is presented, and who
7 shall at such time be indebted to the judgment debtor named in
8 such execution, or who shall become indebted to such judgment
9 debtor in the future, and while such execution shall remain a lien
10 upon such indebtedness, shall pay over to the officer presenting the
11 same, such amount of such indebtedness as such execution shall
12 prescribe, less 5%, which amount shall be on account of compensa-
13 tion to such person, agent, treasurer or other fiduciary officer, for
14 expense and services in payment of the execution, deductible from
15 each payment made, until such execution shall be wholly satisfied.
16 Such payment, together with the amount of said compensation,
17 shall be credited to the account of the judgment debtor in payment
18 of such execution and shall be a bar to any action [therefor] for
19 such payment, together with the amount of said compensation, by
20 any such judgment debtor.

1 2. This act shall take effect immediately.

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

FROM THE OFFICE OF THE GOVERNOR

DECEMBER 3, 1970

FOR RELEASE:
IMMEDIATE

Governor William T. Cahill today signed into law the following

bills:

- S-30 - which provides for an alternate organization meeting date, if necessary, for a county vocational school district.
- S-149 - which amends the "Optional Municipal Charter Law" (P.L. 1950, c. 210).
- S-171 - which permits any employer to deduct 5% from every payment made pursuant to a wage execution.
- S-739 - corrective legislation to combine into R.S. 43:21-19 the separate amendments to the unemployment compensation statutes pursuant to P.L. 1968, c. 360, 366, 469.
- S-837 - which prescribes the penalties for driving overweight vehicles on interstate bridges.

- A-201 - which grants tenure in office, position of employment of township superintendents and superintendents of public works in certain cases.
- A-843 - which empowers the Secretary of State, in lieu of the Governor, to void corporate charters and reinstate same.
- A-975 - which increases from \$50 to \$100 per day the fine for any person, firm or corporation to operate, or conduct any business, in any pharmacy or drug store without a permit issued by the Board of Pharmacy.
- A-1165 - which reinserts in the law words omitted from the printed copy of A-461 (P.L. 1970, c. 161), investment by insurance companies of variable accounts.
- A-1231 - which permits the Township of East Windsor to make permanent the appointment of David G. Betts to the police department.
- A-1297 - which appropriates \$75,000 for gypsy moth control (not to be used for the purchase and use of any long lasting (persistent) pesticides like DDT).

NOTATIONS

- S 139 Rinaldo, LaCorte, McDermott**
Pre-filed—Increases from 60 to 65 days the period of the time a board of adjustment has to render a decision on an appeal.
Jan. 26—Withdrawn from the files.
- S 140 Rinaldo, LaCorte, McDermott**
Pre-filed—Increases from 5% to 25% the percentage of inheritance tax receipts apportioned to the counties. (FN—Net loss, State—\$12,300,000)
Jan. 13—Taxation Com.
- S 141 Rinaldo**
Pre-filed—Permits a hospitalized emergency patient to apply for an absentee ballot 3 days prior to the election; effective July 1, 1970.
Jan. 13—Rev. & Amend. of Laws Com.
Mar. 12—Reported, 2nd reading.
- S 142 Rinaldo**
Pre-filed—Provides for payment of unused leave upon retirement of a county, municipal or school district employee; effective July 1, 1970. (FN—\$964,974)
Jan. 13—County & Mun. Gov't Com.
- S 143 Rinaldo**
Pre-filed—Requires the Port of New York Authority to file annual reports; effective upon enactment of similar legislation by the State of New York.
Jan. 13—Fed. & Interstate Rel. Com.
Feb. 9—Reported, 2nd reading.
Feb. 16—Laid over.
Mar. 9—Passed in Senate.
Mar. 9—Received in Assembly.
Mar. 9—Fed. & Interstate Rel. Com.
- S 144 Rinaldo**
Pre-filed—Requires the State Director of the Division of Budget and Accounting and the Comptroller of the State of New York to audit at least every 5 years the books of the Port of New York Authority; requires the Authority to submit copies of audits by persons not in employ of the Authority; effective upon enactment of similar legislation by the State of New York.
Jan. 13—Fed. & Interstate Rel. Com.
Feb. 9—Reported, 2nd reading.
May 11—Laid over.
- S 145 Hagedorn, Schiaffo, Knowlton, Dickinson, Maraziti, Sciro, Sisco, H. Kelly, Schoem**
Pre-filed—Requires the State Auditor to post-audit each of the principal departments in the executive branch of State government at least every 3 years.
Jan. 13—State Gov't Com.
- S 146 Knowlton**
Pre-filed—Appropriates \$20,000 to the commission created by SJR 19, 1969, to formulate legislation to provide means to rid business enterprises of personnel and financial connections with organized crime.
Apr. 6—Withdrawn from the files.
- S 147 Dumont, Beadleston, Stout**
Pre-filed—Requires a permit to be obtained prior to fish stocking fresh waters of the State.
Feb. 2—Passed in Senate.
Apr. 13—Passed in Assembly.
- S 148 Dumont, Stout**
Pre-filed—Prohibits the possession of any bait or lures other than those specified as legal while angling in waters designated as having such restrictions under the Fish and Game Code.
Feb. 2—Passed in Senate.
Apr. 13—Passed in Assembly.
- S 149 Dumont**
Pre-filed—Amends the "Optional Municipal Charter Law" (P.L. 1950, c. 210).
Mar. 9—Passed in Senate.
May 11—Passed in Assembly.
- S 150 Dumont**
Pre-filed—Requires the Transportation Department to reimburse the owner of property acquired for a project which is improved by a single-, 2-, or 3-family dwelling actually owned and occupied by the owner for not less than 1 year, the charge for financing the purchase of a comparable replacement dwelling over the finance charge that was payable on the acquired property. (FN—\$91,879)
Jan. 13—Transportation & Pub. Util. Com.
- S 151 Dickinson, Hagedorn, Knowlton, Schiaffo, Woodcock**
Pre-filed—Permits counties to appoint ombudsman.
Jan. 13—County & Mun. Gov't Com.
- S 152 Dickinson**
Pre-filed—Provides for the licensing, regulation and supervision of public adjusters and public adjuster solicitors.
Jan. 13—Commerce, Ind. & Professions Com.
- S 153 Lynch, Crabiel**
Pre-filed—Appropriates \$75,000 to provide a program of refresher courses for inactive registered nurses.
Jan. 13—Education Com.
- S 154 Ridolfi**
Pre-filed—Permits the establishment of an unlimited number of neighborhood education centers.
Jan. 13—Education Com.
- S 155 Knowlton, Woodcock, Schiaffo, Hagedorn**
Pre-filed—Requires certain undeveloped land held by the Palisades Interstate Park Commission to be used for park purposes in its natural state.
Jan. 13—Fed. & Interstate Rel. Com.
- S 156 White, H. Kelly**
Pre-filed—Provides that the value of residential property which is permitted to deteriorate after the date of the declaration of blight and prior to the date of the commencement of the action for condemnation, may be fixed and determined as of the date of the commencement of action.
Jan. 13—County & Mun. Gov't Com.

- S 157 White**
Pre-filed—Provides for the retirement of 3rd class county detectives.
Jan. 13—State Gov't Com.
- S 158 Guarini, Hauser, Musto, Dumont, Dickinson**
Pre-filed—Creates a 15 member War Veterans Commission in the Department of Institutions and Agencies, provides for the consolidation of all veterans facilities under the jurisdiction of the Commission.
Jan. 13—Institutions & Welfare Com.
- S 159 White**
Pre-filed—Provides that any person who remains in a public or business building after regular business hours, without permission, is guilty of a high misdemeanor.
Jan. 13—Rev. & Amend. of Laws Com.
- S 160 White, Wallwork, Giuliano, H. Kelly, Italiano, Miller, LaCorte**
Pre-filed—Increases from \$2,500 to \$5,000 the value of the real and personal assets of the estate of an intestate that shall go to the surviving spouse without administration and free from all debts of the intestate.
Jan. 13—Judiciary Com.
Feb. 9—Reported, 2nd reading.
Feb. 16—Passed in Senate.
Feb. 16—Received in Assembly.
Feb. 16—Judiciary Com.
May 14—Reported, 2nd reading.
- S 161 McDermott, LaCorte, Rinaldo**
Pre-filed—Permits a removed resident temporarily residing in a foreign country to vote in a Presidential election by absentee ballot.
Jan. 13—Judiciary Com.
Feb. 2—Reported, 2nd reading.
- S 162 Hauser, Musto**
Pre-filed—Provides that any veteran public employee having more than 30 years of creditable service and who was formerly a member of the pension fund may on application, be retired from service regardless of age. (FN—\$765,289)
Jan. 13—County & Mun. Gov't Com.
- S 163 H. Kelly, Miller, Italiano**
Pre-filed—Permits the closing and abolition of county tuberculosis hospitals.
Jan. 13—County & Mun. Gov't Com.
- S 164 Hauser, Musto**
Pre-filed—Provides for a lien for services of cleaning, pressing, dyeing, washing, laundering, alteration, repair or use of furnishings or materials or supplies upon any wearing apparel, draperies, curtains, carpets, slipcovers, furniture covers or storage thereof and sale for satisfaction thereof.
Jan. 13—Commerce, Ind. & Professions Com.
- S 165 McDermott, Rinaldo, LaCorte**
Pre-filed—Permits the construction of a passenger railroad station in Hillside Township. (FN—\$782,000)
Jan. 13—Transportation & Pub. Util. Com.
- S 166 McDermott, Giuliano, LaCorte, Farley, White, Rinaldo**
Pre-filed—Prescribes the causes for which and the manner in which the Supreme Court may remove a judge from office.
Mar. 9—Passed in Senate, Amended.
Apr. 27—Com. Sub. passed in Assembly.
May 4—Assembly Com. Sub. Passed in Senate, amended.
May 11—Senate amend. passed in Assembly.
- S 167 McDermott, LaCorte, Rinaldo**
Pre-filed—Provides for mechanic liens for non-payment of fringe benefits under collective bargaining agreements.
Jan. 13—Labor Relations Com.
- S 168 McDermott, LaCorte, Rinaldo**
Pre-filed—Establishes regional outdoor educational centers for the study of wildlife and nature, requires the attendance of all elementary school pupils at least once in each school year. (FN—\$3,930,000)
Jan. 13—Education Com.
- S 169 McDermott**
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- S 170 McDermott, LaCorte, Rinaldo, H. Kelly**
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Feb. 16—Passed in Senate.
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- S 171 McDermott, Rinaldo, LaCorte**
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Jan. 13—Rev. & Amend. of Laws Com.
Mar. 19—Reported, 2nd reading.
Apr. 6—Passed in Senate.
Apr. 6—Received in Assembly.
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May 14—Reported, 2nd reading.
- S 172 Guarini**
Pre-filed—Permits certain colleges and universities created by special charter to appoint or elect lay members to the board of trustees.
Jan. 13—No Ref., 2nd reading.
- S 173 McDermott, Woodcock, LaCorte, Rinaldo**
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