

40A:6-1 to 40A:6-8
to 40A:7-1 to 40A:7-8

LEGISLATIVE HISTORY CHECKLIST X

Enacted version not
attached

NJSA: 40A:6-1 to 40A:6-8; 40A:7-1 to 40A:7-28;
40A:13-1 to 40A:13-30

(Title 40A-- adds Chapters 6,7,13)

CHAPTER 181

Laws Of: 1979

Bill No: A580

Sponsor(s): Burstein

Date Introduced: February 6, 1978

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes Amendments during passage denoted
by asterisks.

Date of Passage: Assembly: April 26, 1979

Senate: June 14, 1979

Date of Approval: August 29, 1979

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill has been prepared by the Division of Law Revision of the Legislative Services Agency in furtherance of its duty to carry on a continuous revision of the revision statutes to form a part of Title 40A of the New Jersey Statutes. This bill does not make any substantive changes in existing law.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 580

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 26, 1979

This bill has been prepared by the Division of Law Revision of the Legislative Services Agency. The bill transfers those sections of law concerning the classification of counties and cities, the annexation of county and municipal land, and the determination of boundaries between counties and municipalities from Title 40 to 40A. The bill makes no substantive changes in existing law except for proposed revised section 40A:7-8 which outlines a procedure whereby court appointments are to be made in the event that the committee designated to report on the amount of indebtedness paid by an annexing county fails to issue its report. This procedure is identical to that which already exists in the case of municipal annexations.

The Assembly committee amendments bring the bill into conformity with the "Optional County Charter Law," P. L. 1972, c. 54 (C. 40:41A-1). Other amendments are technical.

ASSEMBLY COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 580

STATE OF NEW JERSEY

ADOPTED FEBRUARY 26, 1979

Amend page 1, article 1, line 3, omit "Boards of freeholders", insert "Governing bodies".

Amend page 2, section 40A:6-3, line 1, omit "Boards of freeholders", insert "Governing bodies".

Amend page 2, section 40A:6-3, lines 2 and 3, omit "board of chosen freeholders", insert "governing body".

Amend page 5, article 1, line 4, omit "freeholders", insert "governing body members".

Amend page 7, section 40A:7-4, line 1, omit "freeholders", insert "the governing body members".

Amend page 7, section 40A:7-4, lines 3 and 4, omit "board of chosen freeholders", insert "governing body".

Amend page 7, section 40A:7-4, line 5, omit "board of chosen freeholders", insert "governing body".

Amend page 13, section 40A:7-24, line 3, omit "municipality", insert "municipality".

Amend page 18, section 40A:13-3, line 4, omit "board of chosen freeholders", insert "governing body".

Amend page 19, section 40A:13-3, line 6, omit "board to the board of freeholders", insert "governing body to the governing body".

Amend page 19, section 40A:13-6, line 4, omit "boards of chosen freeholders", insert "governing bodies".

Amend page 20, section 40A:13-10, line 4, omit "County", insert "Superior".

Amend page 20, section 40A:13-10, line 8, omit "board of chosen freeholders", insert "governing body".

Amend page 20, section 40A:13-11, line 1, omit "County", insert "Superior".

Amend page 21, section 40A:13-12, line 2, omit "County", insert "Superior".

Amend page 21, section 40A:13-16, line 3, omit "County", insert "Superior".

Amend page 23, section 40A:13-22, lines 2 and 3, omit "boards of chosen freeholders", insert "governing bodies of the counties".

Amend page 23, section 40A:13-22, line 9, omit "respective boards of chosen freeholders", insert "governing bodies of the respective counties".

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SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO
ASSEMBLY, No. 580

with Assembly committee amendments and
Senate committee amendments

STATE OF NEW JERSEY

DATED: MAY 10, 1979

This bill has been prepared by the Division of Law Revision of the Legislative Services Agency. The bill transfers those sections of law concerning the classification of counties and cities, the annexation of county and municipal land, and the determination of boundaries between counties and municipalities from Title 40 to 40A. The bill makes no substantive changes in existing law except for proposed revised section 40A:7-8 which outlines a procedure whereby court appointments are to be made in the event that the committee designated to report on the amount of indebtedness paid by an annexing county fails to issue its report. This procedure is identical to that which already exists in the case of municipal annexations.

The Assembly committee amended the bill in an attempt to bring Law," (P. L. 1972, c. 54; C. 40:41A-1 et seq.), and to make several technical changes.

The Senate committee amendments would:

1. Clarify that only the Federal decennial census shall apply for purposes of population classification of counties and cities. This amendment would conform these provisions to those of the State Constitution (Article XI, Section V, paragraph 4) which concern legislative redistricting based upon the Federal decennial census, and would assure that no Federal 5-year census, which has been often proposed, would apply for these local classification purposes;

2. Modernize certain archaic language proposed to be transferred from R. S. 40:167-5 (an 1891 statute) to N. J. S. 40A:6-7; and,

3. Further conform the language of the bill to the provisions of the "Optional County Charter Law."

SENATE COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 580

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED MAY 10, 1979

Amend page 2, section 40A:6-1, line 3, after "Federal", insert "decennial".

Amend page 2, section 40A:6-2, line 3, after "Federal", insert "decennial".

Amend page 2, section 40A:6-3, line 3, after "I", insert "county".

Amend page 3, section 40A:6-4, line 3, after "Federal", insert "decennial".

Amend page 3, section 40A:6-6, line 1, after "Federal", insert "decennial".

Amend page 3, section 40A:6-7, line 6, after "shall", omit "only"; after "governed", insert "only".

Amend page 3, section 40A:6-7, line 11, omit ", except the said", insert "during a reasonable time until the newly applicable"; omit "accepted", insert "adopted".

Amend page 3, section 40A:6-7, line 12, omit "by", insert "of".

Amend page 7, section 40A:7-4, lines 8 and 8A, after "by", omit remainder of these lines, insert "said governing bodies in the manner otherwise provided by law for appointments thereof."

Amend page 19, section 40A:13-3, line 6, omit "presiding", insert "official designated as the chief executive".

Amend page 19, section 40A:13-6, lines 3 and 4, omit "presiding officers of the".

Amend page 20, section 40A:13-8, line 6, omit "boards of chosen freeholders", insert "governing bodies".

Amend page 20, section 40A:13-10, lines 9 and 10, omit "presiding", insert "official designated as the chief executive".

Amend page 20, section 40A:13-10, line 10, omit "board", insert "governing body".

Amend page 23, section 40A:13-22, line 5, after "adopt", omit "a", insert "an ordinance or"; after "resolution", insert ", as appropriate,".

Amend page 23, section 40A:13-22, line 9, omit "directors", insert "officials designated as the chief executive officers".

of claim within 90 days. This seems unusually harsh and is contrary to the concepts of justice.

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