

2A:18-13.3

LEGISLATIVE HISTORY CHECKLIST
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(Municipal court administrators--tenure)

NJSA: 2A:18-13.3

LAWS OF: 1997 **CHAPTER:** 389

BILL NO: S1931

SPONSOR(S): Matheussen

DATE INTRODUCED: March 20, 1997

COMMITTEE: **ASSEMBLY:** Local Government
SENATE: Judiciary

AMENDED DURING PASSAGE: Yes Amendments during passage denoted by
First reprint enacted superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** January 12, 1998
SENATE: March 20, 1997

DATE OF APPROVAL: January 19, 1998

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

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P.L. 1997, CHAPTER 389, *approved January 19, 1998*
Senate, No. 1931 (*First Reprint*)

1 AN ACT concerning the granting of tenure to full-time municipal court
2 administrators and amending P.L.1975, c.39.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹1. Section 1 of P.L.1953, c.168 (C.2A:8-13.1) is amended to read
8 as follows:

9 1. Any person holding office, position or employment as [clerk]
10 administrator of the municipal court in any borough who has held
11 such office, position or employment [and the office, position or
12 employment of clerk of the recorder's court in said borough]
13 continuously for [ten] five years or more and who has become
14 certified during that period shall hold and continue to hold said office,
15 position or employment during good behavior and shall not be
16 removed therefrom for political or other reasons except for good
17 cause, upon written charges and after a public, fair and impartial
18 hearing[; provided, however, that the governing body of the borough
19 shall first pass a resolution by a majority vote of its members
20 approving and authorizing the tenure of office herein provided, and
21 that any such person may be retired when he shall have attained
22 seventy years of age]¹.

23 (cf: P.L.1953, c.168, s.1)

24
25 ¹[1.] 2.¹ Section 1 of P.L.1975, c.39(C.2A:8-13.3) is amended to
26 read as follows:

27 1. Any person holding office, position or employment as full-time
28 [clerk] ¹[certified]¹ administrator of a municipal court who has held
29 such office, position or employment continuously for [10] five years
30 or more ¹and who has become certified during that period¹ shall hold
31 and continue to hold said office, position or employment during good
32 behavior and shall not be removed therefrom for political or other

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SJU committee amendments adopted June 5, 1997.

1 reasons except for good cause, upon written charges and after a
2 public, fair and impartial hearing ¹[; provided, however, that each
3 governing body in the case of a municipal court established for two or
4 more municipalities, has passed a resolution or resolutions by a
5 majority vote of the members thereof approving and authorizing the
6 tenure of office herein provided]¹.

7 (cf : P.L.1975, c. 39)

8

9 ¹[2.] 3.¹ This act shall take effect immediately.

10

11

12

13

14 Reduces continuous service requirement for tenure of municipal court
15 administrators to five years.

SENATE, No. 1931

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1997

By Senator MATHEUSSEN

1 AN ACT concerning the granting of tenure to full-time municipal court
2 administrators and amending P.L.1975, c.39.

3

4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1975, c.39(C. 2A:8-13.3) is amended to read
8 as follows:

9 1. Any person holding office, position or employment as full-time
10 **clerk** certified administrator of a municipal court who has held such
11 office, position or employment continuously for **10** five years or
12 more shall hold and continue to hold said office, position or
13 employment during good behavior and shall not be removed therefrom
14 for political or other reasons except for good cause, upon written
15 charges and after a public, fair and impartial hearing; provided,
16 however, that each governing body in the case of a municipal court
17 established for two or more municipalities, has passed a resolution or
18 resolutions by a majority vote of the members thereof approving and
19 authorizing the tenure of office herein provided.

20 (cf: P.L.1975, c. 39)

21

22 2. This act shall take effect immediately.

23

24

25

STATEMENT

26

27 Presently municipal court administrators achieve tenure in office
28 after ten years of service. This bill would reduce the service
29 requirement for tenure for municipal court administrators to five years.

30

31

32

33 Reduces continuous service requirement for tenure of municipal court
34 administrators to five years.

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

Matter underlined thus is new matter.

[Passed Both Houses]

[First Reprint]

SENATE, No. 1931

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1997

By Senator MATHEUSSEN, Assemblymen Arnone and Geist

1 AN ACT concerning the granting of tenure to full-time municipal court
2 administrators and amending P.L.1975, c.39.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 ¹1. Section 1 of P.L.1953, c.168 (C.2A:8-13.1) is amended to read
8 as follows:

9 1. Any person holding office, position or employment as **[clerk]**
10 administrator of the municipal court in any borough who has held
11 such office, position or employment **[and the office, position or**
12 **employment of clerk of the recorder's court in said borough]**
13 continuously for **[ten]** five years or more and who has become
14 certified during that period shall hold and continue to hold said office,
15 position or employment during good behavior and shall not be
16 removed therefrom for political or other reasons except for good
17 cause, upon written charges and after a public, fair and impartial
18 hearing**;** provided, however, that the governing body of the borough
19 shall first pass a resolution by a majority vote of its members
20 approving and authorizing the tenure of office herein provided, and
21 that any such person may be retired when he shall have attained
22 seventy years of age¹.

23 (cf: P.L.1953, c.168, s.1)

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25 ¹**[1.] 2.**¹ Section 1 of P.L.1975, c.39(C.2A:8-13.3) is amended to
26 read as follows:

27 1. Any person holding office, position or employment as full-time
28 **[clerk]** ¹**[certified]**¹ administrator of a municipal court who has held

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

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¹ Senate SJU committee amendments adopted June 5, 1997.

1 such office, position or employment continuously for **[10]** five years
2 or more ¹and who has become certified during that period¹ shall hold
3 and continue to hold said office, position or employment during good
4 behavior and shall not be removed therefrom for political or other
5 reasons except for good cause, upon written charges and after a
6 public, fair and impartial hearing ¹**[**; provided, however, that each
7 governing body in the case of a municipal court established for two or
8 more municipalities, has passed a resolution or resolutions by a
9 majority vote of the members thereof approving and authorizing the
10 tenure of office herein provided**]**¹.

11 (cf: P.L.1975, c. 39)

12

13 ¹**[2.] 3.**¹ This act shall take effect immediately.

14

15

16

17

18 Reduces continuous service requirement for tenure of municipal court
19 administrators to five years.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1931

STATE OF NEW JERSEY

DATED: DECEMBER 11, 1997

The Assembly Local Government Committee reports favorably Senate Bill No. 1931 (1R).

Senate Bill No. 1931 (1R) revises the tenure process for full-time municipal court administrators.

Under present law, a municipal court administrator is granted tenure in office after ten or more years of continuous service. Under the provisions of this bill, a municipal court administrator would gain tenure in office after five or more years of service provided that the administrator has become certified. The administrator need not be certified for any specific period of time in order to gain tenure.

The bill also removes current statutory language requiring the approval and authorization of the tenure of office of the municipal court administrator by the governing body, in the case of a borough, and by each governing body, in the case of a municipal court established for two or more municipalities.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1931

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 5, 1997

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1931.

Under present law, a municipal court administrator is granted tenure in office after ten or more years of continuous service. S-1931 would permit a municipal court administrator to gain tenure in office after five or more years of service provided that the administrator has become certified.

The committee adopted amendments adding a new section to the bill. This new section amends the present statute dealing with tenure for municipal court administrators in boroughs. The amendments also clarify that while an administrator has to be certified, the administrator need not be certified for any specific period of time in order to gain tenure. In addition, the amendments delete the present language requiring the governing body of a municipality to pass a resolution in order for an administrator to be granted tenure.

S-1931, sponsored by Senator John Mattheussen (R-Camden/Gloucester) and Assembly Members John Arnone (R-Monmouth) and George Geist (R-Camden/Gloucester), which reduces continuous service requirement for tenure of municipal court administrators to five years. Current law provides that the governing body pass a resolution authorizing tenure. The bill, an initiative of the AOC and MCAA, is intended to provide an incentive for certification and will, thus, help professionalize the position of municipal court administrator.

S-1962, sponsored by Senators Lou Bassano (R-Essex/Union) and Robert Singer (R-Burlington/Monmouth/Ocean) and Assembly Member Nick Felice (R-Bergen/Passaic), which reduces certain certificate of need application fees.

S-2007, sponsored by Senator Robert Littell (R-Sussex/Hunterdon/Hudson) and Assembly Members Guy Gregg (R-Sussex/Hunterdon/Morris) and Leonard Lance (R-Warren/Hunterdon/Mercer), which authorizes Division of Fish Game and Wildlife personnel to use certain weapons when controlling or conducting research on wildlife.

S-2010, sponsored by Senator Peter Inverso (R-Mercer/Middlesex) and Assembly Member Marion Crecco (R-Essex/Passaic), permits certain retired public employees who later become employed in a position covered by PERS to be enrolled in PERS. The bill is intended to apply to former members of the City of Newark Retirement System to enroll in PERS.

S-2028, sponsored by Senator Peter Inverso (R-Mercer/Middlesex) and Assembly Members Kip Bateman (R-Morris/Somerset) and Joel Weingarten (R-Essex/Union), which revises law on letters of credit. The bill replaces existing code with the Uniform Commercial Code Revised Chapter 5. The bill is intended to update the law to accommodate changes in technology in the banking industry.

S-2117, sponsored by Senator James Cafiero (R-Cape May/Atlantic/Cumberland) and Assembly Members Nick Asselta (R-Cape May/Atlantic/Cumberland) and John Gibson (R-Cape May/Atlantic/Cumberland), which allows retirees to purchase service credit for certain prior employment. The bill reopens the window of opportunity to purchase up to ten years of credit for past service for an additional 30 day period following the enactment of the bill.

S-2273, sponsored by Senator Leonard Connors (R-Atlantic/Burlington/Ocean) and Andrew Ciesla (R-Monmouth/Ocean) and Assembly Members Jeffrey Moran (R-Atlantic/Burlington/Ocean) and Chris Connors (R-Atlantic/Burlington/Ocean), which appropriates \$540,685 to the Department of Corrections from the 1982 Bond Act for renovation of the Ocean County Correctional Facility.

S-2336, sponsored by Senators Robert Singer (R-Burlington/Monmouth/Ocean) and John Adler (D-Camden) and Assembly Members Jeffrey Moran (R-Atlantic/Burlington/Ocean) and Anthony Impreveduto (D-Bergen/Hudson), which allows interior designers to enter into business relationships which architects under certain circumstances. The bill would change current law to allow interior designers to employ or be employed by licensed architects. The bill requires architects to exercise independent professional judgement when affiliated with an interior designer.

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