

40A:9-80

LEGISLATIVE HISTORY CHECKLIST  
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(Register of deeds)

NJSA: 40A:9-80

LAWS OF: 1996 CHAPTER: 12

BILL NO: S513

SPONSOR(S): Bassano

DATE INTRODUCED: January 29, 1996

COMMITTEE: ASSEMBLY: ---

SENATE: Community Affairs

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

DATE OF PASSAGE: ASSEMBLY: March 18, 1996

SENATE: March 18, 1996

DATE OF APPROVAL: April 2, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes

FISCAL NOTE: ~~No~~ YES

VETO MESSAGE: No

MESSAGE ON SIGNING: YES

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

P.L. 1996, CHAPTER 12, *approved April 2, 1996*  
Senate No. 513 (*First Reprint*)

1 AN ACT concerning the office of register of deeds and mortgages in  
2 certain counties and amending N.J.S.40A:9-80.

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

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7 1. N.J.S.40A:9-80 is amended to read as follows:

8 40A:9-80. The office of register of deeds and mortgages heretofore  
9 established and now in existence in any county is confirmed and shall  
10 be continued until altered or abolished as provided by law, except that:

11 a. in a county in which the office of register of deeds and  
12 mortgages initially was established pursuant to P.L.1875, c.CXXXV  
13 (c.135), the office of register of deeds and mortgages shall be  
14 consolidated with the office of county clerk~~].~~ In any such county, the  
15 statutory provisions applicable to the powers, functions and duties of  
16 the register of deeds and mortgages shall pertain to the county clerk,  
17 pursuant to N.J.S.40A:9-87] <sup>1</sup>[effective January 1, 1996:]<sup>1</sup> and

18 b. in a county of the second class with a population density greater  
19 than 4,500 persons per square mile and a population between 490,000  
20 and 505,000 according to the most recent federal decennial census, the  
21 office of register of deeds and mortgages shall be consolidated with  
22 the office of county clerk upon the expiration of the term of office of  
23 the current register of deeds and mortgages or the occurrence of a  
24 vacancy prior to the expiration of the term of the current register of  
25 deeds and mortgages, whichever occurs first.

26 Upon the consolidation of the office of register of deeds and  
27 mortgages as provided herein, the office of register of deeds and  
28 mortgages in those counties shall be abolished, and the powers,  
29 functions, and duties of the register of deeds and mortgages shall  
30 pertain to the county clerk.

31 (cf: P.L.1995, c.90, s.1)

32 2. This act shall take effect immediately.

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37 Eliminates office of register of deeds and mortgages in Union County  
38 and consolidates register's powers and duties in county clerk.

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:

<sup>1</sup> Senate SCO committee amendments adopted March 7, 1996.

STATEMENT

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This bill would eliminate the county office of register of deeds and mortgages in a county of the second class with a population density greater than 4,500 persons per square mile and a population between 490,000 and 505,000 according to the most recent federal decennial census. Union County is the only county that meets these criteria.

The bill provides that the office of register of deeds and mortgages would be consolidated with the office of county clerk upon the expiration of the term of office of the current register of deeds and mortgages or the occurrence of a vacancy prior to the expiration of that term of office, whichever occurs first. The bill also provides that upon consolidation of the office of register of deeds and mortgages with the county clerk, the office of register of deeds and mortgages would be abolished and the powers, functions, and duties of that office will be given to the county clerk.



Eliminates office of register of deeds and mortgages in certain counties and consolidates register's powers and duties in county clerk.

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

**SENATE, No. 513**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 7, 1996

The Senate Community Affairs Committee reports favorably Senate, No. 513 with committee amendments.

This bill, as amended, would eliminate the county office of register of deeds and mortgages in a county of the second class with a population density greater than 4,500 persons per square mile and a population between 490,000 and 505,000 according to the most recent federal decennial census. Union County is the only county that meets these criteria.

As amended, the bill provides that the office of register of deeds and mortgages would be consolidated with the office of county clerk upon the expiration of the term of office of the current register of deeds and mortgages or the occurrence of a vacancy prior to the expiration of that term of office, whichever occurs first. The bill also provides that upon consolidation of the office of register of deeds and mortgages with the county clerk, the office of register of deeds and mortgages would be abolished and the powers, functions, and duties of that office will be given to the county clerk.

# LEGISLATIVE FISCAL ESTIMATE TO

[First Reprint]  
SENATE, No. 513

## STATE OF NEW JERSEY

DATED: April 16, 1996

*Senate Bill No. 513 (1R)* would consolidate the office of the register of deeds and mortgages in Union county with the office of the county clerk. The office of the register of deeds and mortgages was created in Union county by a legislative mandate in 1904.

The Office of Legislative Services (OLS) has been advised by the Union County clerk that the consolidation of these two offices would save Union County at least \$100,000 this year. It is anticipated that next year, the full-year savings will exceed this year's savings by several thousand dollars, but the clerk was unable to provide a specific figure at this time.

The Office of Legislative Services has no information that would indicate ~~cost savings~~ other than those indicated by the clerk.

~~The legislative fiscal estimate~~ has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

974,901  
G61



## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

**CONTACT: JAYNE REBOVICH**  
609-777-2600

**TRENTON, NJ 08625**

**RELEASE: TUESDAY**  
**APRIL 9, 1996**

Gov. Christie Whitman has signed legislation extending the reemployment period for hiring laid-off law enforcement officers. She also signed a bill eliminating the office of register of deeds and mortgages in Union County.

**A-1683/S-70**, increases from 36 to 60 months the period during which laid-off law enforcement officers are eligible for reemployment appointments under the state's special statewide law enforcement program.

Current law requires that the names of qualified law enforcement officers who are laid off for economic reasons are placed on a special reemployment list which is circulated by the Department of Personnel to local hiring authorities. The officers on list however are only eligible for reemployment during the first 36 months of their layoff. This legislation extends the eligibility period to 60 months to assist officers who did not find employment during the 36-month period.

The bill was sponsored by Assemblywoman Diane Allen and Assemblyman Carmine DeSopo (both R-Burlington/Camden) and Senators Jack Casey (D-Burlington/Camden) and Louis Kosco (R-Bergen).

**S-513/A-606**, consolidates the office of register of deeds and mortgages in Union County with the office of the county clerk. Because the state has, by constitutional amendment and law, recently assumed responsibilities and costs for certain parts of the judicial system, the county clerk has been relieved of certain responsibilities and is now in a position to assume those of the register of deeds and mortgages. The office of the register of deeds and mortgages was created in Union County by a legislative mandate so legislation, rather than action by the county, is required to abolish the office.

The bill was sponsored by Senator Louis Bassano (R-Essex/Union) and the late Assemblyman Monroe Jay Lustbader (R-Essex/Union).

[First Reprint]  
SENATE, No. 513

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator BASSANO

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2 certain counties and amending N.J.S.40A:9-80.

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5 of New Jersey:

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9 established and now in existence in any county is confirmed and shall  
10 be continued until altered or abolished as provided by law, except that:  
11 a. in a county in which the office of register of deeds and  
12 mortgages initially was established pursuant to P.L.1875, c.CXXXV  
13 (c.135), the office of register of deeds and mortgages shall be  
14 consolidated with the office of county clerk<sup>1</sup>. In any such county, the  
15 statutory provisions applicable to the powers, functions and duties of  
16 the register of deeds and mortgages shall pertain to the county clerk,  
17 pursuant to N.J.S.40A:9-87<sup>1</sup> [effective January 1, 1996;],<sup>1</sup> and

18 b. in a county of the second class with a population density greater  
19 than 4,500 persons per square mile and a population between 490,000  
20 and 505,000 according to the most recent federal decennial census, the  
21 office of register of deeds and mortgages shall be consolidated with  
22 the office of county clerk upon the expiration of the term of office of  
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27 mortgages as provided herein, the office of register of deeds and  
28 mortgages in those counties shall be abolished, and the powers,  
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31 (cf: P.L.1995, c.90, s.1)

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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<sup>1</sup> Senate SCO committee amendments adopted March 7, 1996.

1        2. This act shall take effect immediately.

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6        \_\_\_\_\_  
7        Eliminates office of register of deeds and mortgages in Union County  
and consolidates register's powers and duties in county clerk.



**SENATE COMMUNITY AFFAIRS COMMITTEE**

**AMENDMENTS**

to

**ADOPTED  
MAR 7 1996**

**SENATE, No. 513**  
(Sponsored By Senator BASSANO)

**REPLACE SECTION 1 TO READ:**

1. N.J.S.40A:9-80 is amended to read as follows:

40A:9-80. The office of register of deeds and mortgages heretofore established and now in existence in any county is confirmed and shall be continued until altered or abolished as provided by law, except that:

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b. in a county of the second class with a population density greater than 4,500 persons per square mile and a population between 490,000 and 505,000 according to the most recent federal decennial census, the office of register of deeds and mortgages shall be consolidated with the office of county clerk upon the expiration of the term of office of the current register of deeds and mortgages or the occurrence of a vacancy prior to the expiration of the term of the current register of deeds and mortgages, whichever occurs first.

Upon the consolidation of the office of register of deeds and mortgages as provided herein, the office of register of deeds and mortgages in those counties shall be abolished, and the powers, functions, and duties of the register of deeds and mortgages shall pertain to the county clerk.

(cf: P.L.1995, c.90, s.1)

**REPLACE SYNOPSIS TO READ:**

Eliminates office of register of deeds and mortgages in Union County and consolidates register's powers and duties in county clerk.