

40A 63-7.1

LEGISLATIVE HISTORY CHECKLIST
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(Assistant municipal administrators)

NJSA: 40A:63-7.1

LAWS OF: 1993 **CHAPTER:** 75

BILL NO: A525

SPONSOR(S) Farragher

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Local Government
SENATE: Community Affairs

AMENDED DURING PASSAGE: Yes Amendments during passage
second reprint enacted denoted by supercript numbers

DATE OF PASSAGE: **ASSEMBLY:** June 11, 1993
SENATE: February 9, 1993

DATE OF APPROVAL: March 12, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

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

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[SECOND REPRINT]

ASSEMBLY, No. 525

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1992 SESSION

By Assemblywoman FARRAGHER

1 AN ACT permitting the appointment of assistant municipal
2 administrators in certain municipalities and supplementing
3 chapter 63 of Title 40A of the Revised Statutes.

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

7 1. a. The governing body of any township, by ordinance, may
8 create the office of assistant municipal administrator. The
9 primary function of the assistant municipal administrator shall be
10 to assist in the administration of the township under the direction
11 of the municipal administrator. The position of assistant
12 municipal administrator shall be an unclassified position in any
13 township which has adopted the provisions of Title 11A, Civil
14 Service, of the New Jersey Statutes.

15 b. During the absence or disability of the municipal
16 administrator, the assistant municipal administrator shall have all
17 the powers of the municipal administrator and shall perform the
18 functions and duties of the municipal administrator.

19 c. The assistant municipal administrator shall be appointed by
20 the ²[municipal administrator with the advice and consent of
21 the]² township governing body. The assistant municipal
22 administrator may be removed ²[with or without cause by the
23 municipal administrator, subject to the overriding of such a
24 decision]² by ²[a vote of 2/3 of the full membership of]² the
25 township governing body.

26 d. The assistant municipal administrator shall receive the
27 compensation ¹[provided for in the ordinance creating the office
28 and]¹ as may from time to time ¹[otherwise]¹ be directed by the
29 governing body by ordinance. The ordinance may provide that a
30 person appointed to the position of assistant municipal
31 administrator need not be a resident of the township.

32 2. a. The governing body of any village, by ordinance, may
33 create the office of assistant municipal administrator. The
34 primary function of the assistant municipal administrator shall be
35 to assist in the administration of the village under the direction
36 of the municipal administrator. The position of assistant
37 municipal administrator shall be an unclassified position in any
38 village which has adopted the provisions of Title 11A, Civil
39 Service, of the New Jersey Statutes.

40 b. During the absence or disability of the municipal
41 administrator, the assistant municipal administrator shall have all
42 the powers of the municipal administrator and shall perform 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.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALG committee amendments adopted June 1, 1992.

² Senate floor amendments adopted December 17, 1992.

1 functions and duties of the municipal administrator.
2 c. The assistant municipal administrator shall be appointed by
3 ²[the municipal administrator with the advice and consent of]²
4 the village governing body. The assistant municipal administrator
5 may be removed with or without cause by the ²[municipal
6 administrator, subject to the overriding of such a decision by a
7 vote of 2/3 of the full membership of the]² village governing body.
8 d. The assistant municipal administrator shall receive the
9 compensation ¹[provided for in the ordinance creating the office
10 and]¹ as may from time to time ¹[otherwise]¹ be directed by the
11 governing body by ordinance. The ordinance may provide that a
12 person appointed to the position of assistant municipal
13 administrator need not be a resident of the village.
14 3. This act shall take effect immediately.

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Permits appointment of assistant municipal administrators in
certain municipalities.

1 village governing body. The assistant municipal administrator
2 may be removed with or without cause by the municipal
3 administrator, subject to the overriding of such a decision by a
4 vote of 2/3 of the full membership of the village governing body.

5 d. The assistant municipal administrator shall receive the
6 compensation provided for in the ordinance creating the office
7 and as may from time to time otherwise be directed by the
8 governing body by ordinance. The ordinance may provide that a
9 person appointed to the position of assistant municipal
10 administrator need not be a resident of the village.

11 3. This act shall take effect immediately.

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14 STATEMENT

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16 This bill permits any municipality governed under the township
17 or village forms of government to appoint an assistant municipal
18 administrator.

19 The primary function of the assistant municipal administrator
20 is to assist in the administration of the township under the
21 direction of the municipal administrator. In townships or villages
22 which have adopted the provisions of Title 11A of the New Jersey
23 Statutes (Civil Service), the position of assistant municipal
24 administrator is to be in the unclassified service.

25 The bill provides that during the absence or disability of the
26 municipal administrator, the assistant municipal administrator
27 shall have all the powers of the municipal administrator and shall
28 perform the functions and duties associated with that position.

29 The municipal administrator shall appoint his assistant with the
30 advice and consent of the municipal governing body. The
31 assistant municipal administrator may be removed with or
32 without cause by the municipal administrator; however, that
33 decision may be overridden by a vote of 2/3 of the full
34 membership of the municipal governing body.

35 The ordinance creating the position of assistant municipal
36 administrator shall specify the compensation associated with the
37 position and may include a provision that allows the appointee to
38 be a non-resident.

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45 Permits appointment of assistant municipal administrators in
certain municipalities.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 525

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 1992

The Assembly Local Government Committee favorably reports Assembly Bill No. 525 with Assembly committee amendments.

Assembly Bill No. 525, as amended by the committee, permits any municipality governed under the township or village forms of government to appoint an assistant municipal administrator.

The primary function of the assistant municipal administrator is to assist in the administration of the township or village under the direction of the municipal administrator. In townships or villages which have adopted the provisions of Title 11A of the New Jersey Statutes (Civil Service), the position of assistant municipal administrator is to be in the unclassified service.

The bill provides that during the absence or disability of the municipal administrator, the assistant municipal administrator shall have all the powers of the municipal administrator and shall perform the functions and duties associated with that position.

The municipal administrator shall appoint his assistant with the advice and consent of the municipal governing body. The assistant municipal administrator may be removed with or without cause by the municipal administrator; however, that decision may be overridden by a vote of 2/3 of the full membership of the municipal governing body.

The ordinance creating the position of assistant municipal administrator may include a provision that allows the appointee to be a non-resident.

The committee amended the bill to clarify that the compensation paid to an assistant municipal administrator need not be set forth in the ordinance creating the office. The prevalent practice is for a municipality to annually adopt a salary ordinance setting forth a salary range for each position. The governing body then sets the salary for a specific office or position by resolution within the range authorized under the salary ordinance.

Assembly Bill No. 525 was pre-filed for introduction in the 1992-1993 Legislative session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 525

STATE OF NEW JERSEY

DATED: NOVEMBER 16, 1992

The Senate Community Affairs Committee favorably reports Assembly Bill No. 525 [1R]

Assembly Bill No. 525 [1R] permits any municipality governed under the township or village forms of government to appoint an assistant municipal administrator.

The primary function of the assistant municipal administrator is to assist in the administration of the township or village under the direction of the municipal administrator. In townships or villages which have adopted the provisions of Title 11A, Civil Service, of the New Jersey Statutes, the position of assistant municipal administrator is to be in the unclassified service.

The bill provides that during the absence or disability of the municipal administrator, the assistant municipal administrator shall have all the powers of the municipal administrator and shall perform the functions and duties associated with that position.

The municipal administrator shall appoint his assistant with the advice and consent of the municipal governing body. The assistant municipal administrator may be removed with or without cause by the municipal administrator; however, that decision may be overridden by a vote of 2/3 of the full membership of the municipal governing body.

The ordinance creating the position of assistant municipal administrator may include a provision that allows the appointee to be a non-resident.

Under the bill's provisions, the compensation paid to an assistant municipal administrator need not be set forth in the ordinance creating the office, but may be included in the salary ordinance adopted on an annual basis by most municipalities which sets forth a salary range for each position.