

40 A: 9-1.15

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A: 9-1.15

(Municipal water
utilities
employees--certain
delete residency
requirements)

LAWS OF: 1987

CHAPTER: 441

Bill No: A3615

Sponsor(s): Rafferty

Date Introduced: January 12, 1987

Committee: **Assembly:** Municipal Government

Senate: County & Municipal Government

Amended during passage: Yes Amendment during passage
denoted by asterisks

Date of Passage: **Assembly:** March 9, 1987

Senate: December 10, 1987

Date of Approval:

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

P. L. 1987, CHAPTER 441, *approved January 15, 1988*

1987 Assembly No. 3615 (*Official Copy Reprint*)

AN ACT concerning residency requirements for employees of municipal water ***[utilities]*** **works** in certain cases.

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

1 ***[1.** No current or prospective employee of a municipal water
2 utility shall be required to be a resident of the municipality as
3 a condition of employment for the utility if more than 25% of
4 the direct retail customers of the utility are located in any other
5 municipality or municipalities.]*

1 **1. Any municipal ordinance which requires that employees of*
2 *a municipal water works be municipal residents shall include a*
3 *provision which permits the municipality to hire a non-resident*
4 *if the municipality is unable to hire a qualified resident.**

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.

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendments adopted June 22, 1987.**

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ASSEMBLY, No. 3615
STATE OF NEW JERSEY

INTRODUCED JANUARY 12, 1987

By Assemblyman RAFFERTY

AN ACT concerning residency requirements for employees of municipal water utilities in certain cases.

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

1 1. No current or prospective employee of a municipal water
2 utility shall be required to be a resident of the municipality as a
3 condition of employment for the utility if more than 25% of the
4 direct retail customers of the utility are located in any other mu-
5 nicipality or municipalities.

1 2. This act shall take effect immediately.

STATEMENT

This bill prohibits a municipality from imposing a residency requirement on the employees of its municipal water utility if more than 25% of the customers of the utility are in other municipalities. The purpose of the bill is to facilitate the timely filling of essential vacancies in order to ensure the integrity of the service to the residents and businesses of any other municipality served by the utility.

LOCAL OFFICERS AND EMPLOYEES

Prohibits residency requirement for certain municipal water utility employees.

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3615

STATE OF NEW JERSEY

DATED: MARCH 5, 1987

The Assembly Municipal Government Committee favorably reports Assembly Bill No. 3615.

This bill prohibits a municipality from imposing a residency requirement on the employees of its municipal water utility if more than 25% of the customers of the utility are in other municipalities. Presently, pursuant to the provisions of section 1 of P. L. 1978, c. 63 (C. 40A:9-1.3), a municipality may require its employees to be residents of that municipality. Exceptions to the residency requirement have been granted by statute to police and firemen, and to certain specific officers such as the municipal attorney, auditor, engineer and health officer. The sponsor states that the purpose of this bill is to facilitate the timely filling of essential vacancies in order to ensure the integrity of the service to the residents and businesses of any other municipality served by the utility.

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SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3615

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 1987

The Senate County and Municipal Government Committee reports favorably and with committee amendments Assembly Bill No. 3615.

Assembly Bill No. 3615, Sca provides that any municipal ordinance which requires that employees of a municipal water works be municipal residents shall include a provision which permits the municipality to hire a non-resident if the municipality is unable to hire a qualified resident.

Assembly Bill No. 3615 prohibited a municipality from imposing a residency requirement on the employees of its municipal water utility if more than 25% of the direct retail customers of the utility are located in municipalities other than that in which the municipal water utility is situated.