

2A:8-5
LEGISLATIVE HISTORY CHECKLIST

HJSA 2A:8-5 (Municipal Judge--Part-time--Appointment as full-time judge)

LAWS OF 1979 CHAPTER 257

Bill No. S3439

Sponsor(s) Perskie

Date Introduced Nov. 13, 1979

Committee: Assembly _____

Senate Judiciary

Amended during passage Yes Substituted for A3646 (not attached since identical to S3439)

Date of Passage: Assembly Dec. 10, 1979

Senate Dec. 3, 1979

Date of approval Dec. 24, 1979

Following statements are attached if available:

Sponsor statement	Yes	No
Committee Statement: Assembly	Yes	No
Senate	Yes	No
Fiscal Note	Yes	No
Veto message	Yes	No
Message on signing	Yes	No

Following were printed:

Reports	Yes	No
Hearings	Yes	No

9/1/79 EJ

SENATE, No. 3439

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 13, 1979

By Senator PERSKIE

Referred to Committee on Judiciary

AN ACT concerning municipal courts and amending N. J. S. 2A:8-5.

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

1 1. N. J. S. 2A:8-5 is amended to read as follows:

2 2A:8-5. Each **[**municipal court shall have a judge who shall be
3 known as the municipal magistrate. He**]** *judge of the municipal*
4 *court* shall serve for a term of 3 years from the date of his appoint-
5-6 ment and until his successor is appointed and qualified.

7 Any appointment to fill a vacancy caused other than by expiration
8 of term shall be made for the unexpired term only; *provided,*
9 *however, that if a municipality shall by ordinance require the judge*
10 *of the municipal court to devote full time to his duties, the first*
11 *appointment after such ordinance shall be for a full term of*
12 *3 years.* Each **[**magistrate**]** *judge* of a municipal court of a single
13 municipality shall be appointed as follows:

14 In municipalities governed by a mayor-council form of govern-
15 ment, by the mayor with the advice and consent of council;
16 provided, that in municipalities governed under the borough law
17 (chapters 86 to 94 of Title 40 of the Revised Statutes), if the
18 mayor fails to nominate a **[**magistrate**]** *judge* within 30 days after
19 the office becomes vacant, or the council fails to confirm any nomi-
20 nation made by the mayor within 30 days after the same is made,
21 then the council shall appoint the **[**magistrate**]** *judge*; and

22 In all other municipalities, by the governing body of the
23 municipality.

24 Each **[**magistrate**]** *judge* of a municipal court of two or more
25 municipalities shall be nominated and appointed by the Governor
26 with the advice and consent of the Senate.

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.

STATEMENT

Under N. J. S. 2A:8-5, the term of office for a municipal court judge is set at 3 years. Any appointment to fill a vacancy caused other than by the expiration of term is made for the unexpired term only. The purpose of this bill is to allow for an appointment for a full 3-year term if the vacancy occurs as the result of a municipality's requiring the judge of the municipal court to devote full time to his duties.

S. 3439 (1979)

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

DECEMBER 24, 1979

PATRICK SWEENEY

Governor Brendan Byrne today signed the following bills:

A-63, sponsored by Assemblyman Richard Codey (D-Essex), which amends the the "Savings and Loan Act" to permit savings and loan associations to offer non-commerical checking accounts.

Under the former law, only commerical banks and savings banks had been permitted to offer checking accounts.

The bill also repeals the authority of savings and loan associations to charge points in mortgage transactions.

According to the bill, checking accounts are limited in size to \$150,000. Withdrawals can be in the form of checks, drafts or electronic transfer orders.

The accounts may be interest or non-interest bearing and the association may impose service charges.

The prohibition on commerical accounts is consistent with the theory that savings and loans serve individual depositors and are not permitted to make commerical loans.

S-3018, sponsored by Senator Wynona M. Lipman (D-Essex), which extends the provisions of the Local Tax Authorization Act until January 1, 1982. The present authorization is due to expire on January 1, 1980.

Under this law, eligible municipalities have the authority to levy and raise local taxes on alcoholic beverages, parking, motor fuels, employer payrolls, occupancy and retail sales. Newark imposes taxes on payrolls and parking.

S-3439, sponsored by Senator Steven P. Perskie (D-Atlantic), which will amend the law governing terms and appointment of municipal court judges.

Under the former statute (N.J.S.2A; 8-5), a municipal court judge served for a three year term. If a vacancy occurred, the appointment to fill the vacancy was for the unexpired term.