

December 14, 1971

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L.1971 - Chap.200 - S641, Beadleston and Hauser.
March 9, 1970 - Introduced.
April 2, 1970 - Passed Senate.
May 11, 1970 - Passed Assembly.
March 11, 1971 Returned with Governor's recommendations
March 22, 1971 Reenacted in Senate, amended.
April 29, 1971 Reenacted in Assembly.
June 9, 1971 Approved.

This was the first bill introduced on the subject. It was drafted by Law Revision and Legislative Services Commission.

[Bill, Statement, Governor's Veto enclosed.]

NJ N.J. County and Municipal Law Revision Commission.
KA6.2
40A:13 Preliminary Draft Title 40A... chapter 13
1961 Personnel 1961.
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This report made recommendations. However, it did not get to the bill drafting stage.

974.905 League of New Jersey Municipalities.
m95

Legislative Bulletin 6/4/70 opposed the bill because of comprehensive changes in the law covering officers and employees.

No other materials were found.

Statement to Senate No. 641:

This bill is one of a series of proposed revision statutes from a part of Title 40A of the New Jersey statutes. It was prepared by the Division of Law Revision of the Law Revision and Legislative Services Commission.

HP/EH
Encl.

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STATE OF NEW JERSEY



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SENATE NO. 641

INTRODUCED MARCH 9, 1970

By Senators BEADLESTON and HAUSER

Referred to Committee on County and Municipal Government

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17. Governor shall set aside a day each year for the commemoration
18. of the beginning of unified government in New Jersey and for
19. reflection upon the heritage with which we have been endowed
20. and for guidance and inspiration in our continuing pursuit of
21. liberty, prosperity and happiness; now, therefore,

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

Legislature and

AN ACT concerning county and municipal officers and employees, revising parts of the statutory law, and enacting an additional chapter to Title 40A of the New Jersey Statutes.

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

SECTION 1

TITLE 40A.

CHAPTER 9

OFFICERS AND EMPLOYEES

- A. Counties and Municipalities
- B. Counties
- C. Municipalities

A. ANALYSIS

- 40A:9-1 Residence of officers.
- 40A:9-2 Appointees to have the required qualifications in cases of scientific engineering skill.
- 40A:9-3 Discrimination by reason of age; exceptions.
- 40A:9-4 Dual office holding.
- 40A:9-5 Rights of certain employees transferred to other positions.
- 40A:9-6 De facto officers and employees; right to compensation.
- 40A:9-7 Leaves of absence with pay to certain officers and employees.
- 40A:9-8 Salaries; power of Civil Service Commission.
- 40A:9-9 Appointments; permanent and temporary.
- 40A:9-10 Compensation; exceptions.
- *40A:9-10.1 *Contracts for lesser salaries, wages or compensation.**
- 40A:9-11 Vacancies in office; causes; how filled; change of residence not to cause vacancy in certain cases.
- *40A:9-11.1 *Chapter 303 of the laws of 1970 saved from repeal.**
- 40A:9-12 Vacancies from any cause other than expiration of term to be filled for unexpired term.
- 40A:9-13 Contracts for group insurance.
- 40A:9-14 Insurance coverage for employees.
- 40A:9-15 Filing copies of contracts with State Employees Health Benefit Commission; report to Governor and Legislature.

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

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Amend p
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40A:9-16 Validation of prior contracts; amendment; modification.
 40A:9-17 Deductions for payment to credit unions.
 40A:9-18 Awards program; appropriations.
 40A:9-19 Section 40:11-17 of the Revised Statutes saved from repeal.
 40A:9-20 Chapter 181 of the laws of 1940 saved from repeal.
 40A:9-21 Chapter 10 of the laws of 1954 saved from repeal.
 40A:9-22 Statutes repealed.

40A:9-1 Residence of officers.
 Except in the case of counsel, attorney, engineer, ***[medical officer or other officer]*** *health officer, auditor or comptroller** who is a member of a profession, or as otherwise provided by law, every person holding an office, the authority and duties of which relate to a county only, or to a municipality only, shall reside within said county or municipality, as the case may be.

Any person holding or attempting to hold any such office in a county or municipality in violation hereof, may be ousted in a proceeding in lieu of prerogative writ.
 Source: R. S. 40:11-1 amended 1953, c. 37, s. 7; 40:46-14 amended 1949, c. 62*; 1970, c. 240*.

40A:9-2 Appointees to have the required qualifications in cases of scientific engineering skill.
 No person shall be appointed to or hold any office in a county or municipality in cases where scientific engineering skill is necessary, unless he has the required qualifications for personally performing the duties of such office.
 Source: R. S. 40:11-1 amended 1953, c. 37, s. 7.

40A:9-3 Discrimination by reason of age; exceptions.
 The board of chosen freeholders of any county, or the governing body of any municipality shall not make any rules or regulations designed to bar any person from holding a county or municipal position or employment or applying therefor, who is 40 years of age or more. This section shall be inapplicable to policemen or firemen or guards employed in the service of any county or municipal penal institution or to court attendants in first and second class counties whose duties require the custody and handling of prisoners.
 Source: R. S. 40:11-4 amended 1938, c. 336; 1951, c. 62, s. 1.

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 "40A:9-169", and insert "Not Enacted".
 Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".
 Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert {
 "40A:9-144.1
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 Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

40A:9-4 Dual office holding.

(1) It shall be lawful for a person to hold simultaneously an elective county office and an elective municipal office.

(2) It shall be lawful for a member of the Legislature of the State to hold simultaneously any elective or appointive office or position in county or municipal government.

(3) Nothing contained in this section shall be deemed to prevent the incumbent of any office from abstaining from voting in any matter in which he believes he has a conflict of duty or of interest, nor to prevent a challenge of a right to vote on that account under the principles of the common law or any statute.

(4) a. Nothing herein contained shall be deemed to repeal or supersede any statute prohibiting the dual holding of offices or positions.

b. This section shall apply to persons now holding elective offices or positions with the counties and municipalities or now serving as members of the Legislature of the State.

c. For the purposes of this section the term "elective office" shall mean an office to which an incumbent is elected by the vote of the general electorate.

Source: C. 40:11-1.1 (1962, c. 173, s. 1); C. 40:11-1.2 (1962, c. 173, s. 2); C. 40:11-1.3 (1962, c. 173, s. 3); C. 40:11-1.4 (1962, c. 173, s. 4).

40A:9-5 Rights of certain employees transferred to other positions.

Whenever heretofore or hereafter a transfer has been or shall be effected by appointment, assignment or promotion of a municipal employee to any other department or position in municipal employment, or to a position or department of the county government; or of a county employee to any other position or department in county employment, or to a department or position of a municipal government, in counties of the first or second class, the period of such prior service in said county or municipal employment, for any purpose whatsoever, shall be computed as if the whole period of employment of such employee had been in the service of the department, or in the position, to which the said employee had been transferred.

Source: R. S. 40:11-5.

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40A:9-6 De facto officers and employees; right to compensation.

Any person who has held or who may hereafter hold, de facto any office or position in the public service of any county or municipality, and who has or shall have performed the duties thereof, shall be entitled to the emoluments and compensation appropriate to such office or position for the time in fact so held and may recover therefor in any court of competent jurisdiction, notwithstanding any refusal or failure of any other person or office to approve or authorize the payment of said emoluments and compensation.

Source: R. S. 40:11-7.

40A:9-7 Leaves of absence with pay to certain officers and employees.

The board of chosen freeholders of any county, by resolution or the governing body of any municipality, by ordinance, may provide for granting leaves of absence with pay not exceeding one year, to any of its officers or employees who shall be injured or disabled resulting from or arising out of his employment, provided that the examining physician appointed by the county or municipality shall certify to such injury or disability.

Source: R. S. 40:11-8.

40A:9-8 Salaries; power of Civil Service Commission.

*[In any county or municipality operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes, the salaries paid to officers, and employees in the classified service shall be the amounts presented and approved by the Civil Service Commission, provided such commission has been or shall be requested by the proper authority in any such county or municipality to suggest standards of salaries to be paid to those filling offices and positions in the classified service.

If the Civil Service Commission shall recommend standard increases of salaries, based on length of service, meritorious advancement and efficiency, such standards shall be followed in such county or municipality.

Source: R. S. 40:11-14.]*

**Any county or municipality operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes may request the Civil Service Commission to recommend standard salaries to be paid to persons filling offices and positions in the classified service, and the county, by resolution, or the municipality, by ordinance, as the case may be, may adopt such recommendations.*

Source: R. S. 40:11-14.*

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert { "40A:9-144.1
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

40A:9-9 Appointments; permanent and temporary.

In addition to the officers and employees whose appointment is specifically provided for by law, the board of chosen freeholders of the county or the governing body of the municipality, as the case may be, may appoint or provide for the appointment of such other officers, agents and employees as may be required for the execution of the powers conferred upon said board or governing body or any board or officer of the county or municipality.

Whenever any officer or employee is temporarily absent, disabled or disqualified, the board of chosen freeholders of the county or the governing body of the municipality may designate some person to act in place of any such officer or employee during his temporary absence, disability or disqualification.

Source: R. S. 40:21-3; 40:46-13.

40A:9-10 Compensation; exceptions.

Except as otherwise provided by law, the board of chosen freeholders of the county or the governing body of the municipality shall fix the amount of salary, wages or other compensation to be paid to county and municipal officers and employees unless they are to serve without compensation.

Source: R. S. 40:21-13.

***40A:9-10.1 Contracts for lesser salaries, wages or compensation.**

The board of chosen freeholders of any county or the governing body of any municipality may enter into a contract with any officer or employee of the county or municipality, as the case may be, to perform the duties of his office, position or employment at a lesser salary, wage or compensation than otherwise fixed and when the contract shall be entered into, it shall control the amount of such salary.

Source: R. S. 40:21-15; 40:46-30.*

40A:9-11 Vacancies in office; causes; how filled; change of residence not to cause vacancy in certain cases.

Whenever a county or municipal officer who is required to be a resident shall cease to be a bona fide resident of the county or municipality, as the case may be, or whenever the resignation of any such officer shall have been accepted by the proper authority, his office shall immediately be deemed to be vacant. The county or municipality, by the proper authority, shall thereupon proceed to fill the vacancy in the manner prescribed by law.

A nonresident of any municipality may hold office as counsel, attorney, engineer ***[or health officer]*** *, *health officer, auditor or*

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comptroller* of such municipality and no such office shall be deemed vacated by a change of residence of any such person.
 Source: R. S. 40:21-5; 40:46-14 amended 1949, c. 62*; 1970, c. 240*.

***40A:9-11.1 Chapter 303 of the laws of 1970 saved from repeal.**
Chapter 303 of the laws of 1970 (C. 40:46-14.1) is saved from repeal. [The act saved from repeal by this section provides that a nonresident of any municipality within a county of the fourth class, pursuant to the 1960 Federal Census, may hold office as building inspector of such municipality and no such office shall be deemed vacant by reason of the removal or nonresidence of any such building inspector.]
 Source: C. 40:46-14.1 (1970, c. 303).*

40A:9-12 Vacancies from any cause other than expiration of term to be filled for unexpired term.
 In any county or municipality, whenever a vacancy in office occurs from any cause other than expiration of the term of office, such vacancy shall be filled for the unexpired term only.
 Source: R. S. 40:46-15.

40A:9-13 Contracts for group insurance.
 Any municipality, county, school district, or agency thereof, herein referred to as employers, may enter into contracts of group life, accidental death and dismemberment, hospitalization, medical, surgical, major medical expense or health and accident insurance with any insurance company or companies authorized to do business in this State or may contract with a nonprofit hospital service or medical service corporation with respect to the benefits which they are authorized to provide respectively. Such contract or contracts shall provide any one or more of such coverages for the employees of such employer and may include their dependents. "Dependents" shall include an employee's spouse and the employee's unmarried children, including stepchildren and legally adopted children, and, at the option of the employer and the carrier, foster children, under age 19 who live with the employee in a regular parent-child relationship, and may also include, at the option of the employer and the carrier, other unmarried children of the employee under the age of 23 who are dependent upon the employee for support and maintenance. A spouse or child enlisting or inducted into military service shall not be considered a dependent during such military service. Elected officials may be considered, at the option of the employer, to be "employees" for the purposes hereof, but "employees" shall not

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of 1970 saved from repeal. 1970 (C. 40:46-14.1) is saved from repeal by this section provides that a person within a county of the fourth class, as defined in the 1960 Census, may hold office as building commissioner and no such office shall be deemed to exist by reason of nonresidence of any such build-

303).*
other than expiration of term to be filled for
vacancy, whenever a vacancy in office occurs upon expiration of the term of office, shall be filled for the unexpired term only.

insurance.
A school district, or agency thereof, or a person, may enter into contracts of group insurance covering death, dismemberment, hospitalization, medical expense or health and accident insurance or companies authorized to do business with a nonprofit hospital service organization with respect to the benefits which shall be provided respectively. Such contract or contracts shall provide for one or more of such coverages for an employee and may include their dependents, including an employee's spouse and the employee's children, including stepchildren and legally adopted children, under the option of the employer and the employee, or any person under the age of 19 who live with the employee and the carrier, and may also include, at the option of the employer and the carrier, other unmarried persons under the age of 23 who are dependent upon the employee for support and maintenance. A spouse or dependent who is in military service shall not be covered by such military service. Elected officials shall have the option of the employer, to be "employees" hereof, but "employees" shall not

otherwise include persons employed on a short-term, seasonal, intermittent or emergency basis, persons compensated on a fee basis, or persons whose compensation from the public employer is limited to reimbursement of necessary expenses actually incurred in the discharge of their duties. "Employees" and "dependents" shall also not include persons, active or retired, who are otherwise eligible for coverage hereunder but who, although they meet the age eligibility requirement of the Federal Medicare Program, are not covered by the complete Federal Program. Retired employees and their dependents may continue to be covered if they were covered by a group contract or contracts or a group remittance plan of the employer as of September 20, 1967, or immediately prior to the employee's retirement. The contract shall exclude from eligibility for any coverage any class or classes of public employees who are eligible for like or similar coverage under another group contract covering such class or classes of employees and may condition the eligibility of any employee for coverage upon satisfying a waiting period stated in the contract. Nothing herein contained shall be deemed to authorize coverage of dependents of an employee under a group life insurance policy or to allow the issuance of a group life insurance policy on which the entire premium is to be derived from funds contributed by the insured employees.

The coverage of any employee, and of his dependents, if any, shall cease upon the discontinuance of his employment or upon cessation of active full-time employment in the classes eligible for coverage subject to such provision as may be made in any contract by his employer for limited continuance of coverage during disability, part-time employment, leave of absence other than leave for military service or layoff, and for continuance of coverage after retirement.

Any contract or contracts permitted hereunder shall contain limitations, exclusions or exceptions so as to avoid duplication of benefits or services otherwise available pursuant to accidental death and dismemberment, hospitalization, medical, surgical, major medical expense or health and accident coverage under any other law of this State or the coverage afforded under the laws of the United States, such as the Federal Medicare Program, and at the option of the employer and the carrier, group insurance or any other arrangement of coverage for individuals in a group, whether on an insured or uninsured basis.

Source: C. 40:11-15.1 (1960, c. 180, s. 1 amended 1964, c. 259, s. 1; 1967, c. 204, s. 1).

'40:46-30', omit

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The employer may reimburse the active employee for his
premium charges under Part B of the Federal Medicare Program
covering the employee alone.

Any contracts in effect on September 20, 1967 are hereby con-
firmed as good and effectual until the contract anniversary next
following the first anniversary of said date when such contracts,
exclusive of group life insurance, will have to be conformed to
satisfy the provisions hereof.

Source: C. 40:11-16.1 (1960, c. 180, s. 2 amended 1964, c. 259, s. 2;
1967, c. 204, s. 2); C. 40:11-16.1a (1967, c. 204, s. 3).

**40A:9-15 Filing copies of contracts with State Employees Health Benefit Com-
mission; report to Governor and Legislature.**

It shall be the duty of the executive officer of any employer who
hereafter enters into such a contract to file a copy thereof with the
State Employees Health Benefits Commission. The commission
shall prepare and file periodically and not less than every 2 years,
a report to the Governor and the Legislature as to such contracts
being entered into by employers and shall make such recom-
mendations concerning said contracts and the coverage thereunder
as it deems appropriate to achieve uniformity of coverage and
benefits for employees throughout the State.

Source: C. 40:11-16.2 (1964, c. 259, s. 3).

40A:9-16 Validation of prior contracts; amendment; modification.

Any such contract heretofore executed between an employer and
an authorized insurer which would be valid hereunder is hereby
validated and confirmed notwithstanding that such a contract
may not have been authorized or properly entered into.

Any such contract heretofore executed between an employer and
an authorized insurer which would be valid hereunder except for
the provisions requiring the payment of premiums by retired em-
ployees, is hereby validated and confirmed but such contracts
shall not be renewed or extended unless they are amended or
modified to be in accord with the provisions hereof.

It shall not be a defense to the payment or satisfaction of any
claim for benefits under any contract or policy hereby validated
and confirmed that such contract or policy was ultra vires, im-
properly entered into or otherwise not authorized by law.

Source: C. 40:11-16.3 (1964, c. 259, s. 4).

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40A:9-17 Deductions for payment to credit unions.

Whenever any person holding public office, position or employment, whose compensation is paid by any county or municipality or by any board, body, agency or commission thereof, or any board of education, shall indicate in writing to the proper disbursing officer his desire to have any deductions made from his compensation for payment to a credit union, organized under the laws of this State or of the United States, the membership of which is limited to public employees, such deductions shall be made by the proper disbursing officer, when directed so to do by resolution of the governing body of any county or municipality or by resolution of the board, body, agency or commission or board of education of which he is the disbursing officer, and shall be transmitted to the treasurer of the credit union. Any such written authorization may be withdrawn upon filing notice of such withdrawal with the proper disbursing officer.

Source: C. 40:11-26 (1966, c. 310).

40A:9-18 Awards program; appropriations.

The board of chosen freeholders of any county or the governing body of any municipality may, by resolution, establish an awards program or programs for county or municipal officers and employees, as the case may be, designed to promote efficiency and economy in governmental functions of the county or municipality and to reward individual officers and employees for heroism, efficiency, meritorious suggestions, professional accomplishments, performance of duty and for service. The board or governing body shall by such resolution provide for the administration of its awards program or programs by an officer or officers named therein and may provide for such advisory committee or committees to assist in the formulation and administration of such programs as they shall determine.

Awards, within available appropriations therefor, may be in the form of cash, medals, certificates, insignia, or other appropriate devices or tokens of appreciation as shall be provided for under an established awards program.

The board of chosen freeholders or governing body may appropriate funds necessary to carry out any program or programs established hereunder.

Source: C. 40:11-27 (1968, c. 91, s. 1); C. 40:11-28 (1968, c. 91, s. 2).

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"40A:9-144.1
40A:9-152
40A:9-152.1".
Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33
..... L. 1970, c. 281 40A:9-153.2"

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carry out any program or programs

c. 91, s. 1); C. 40:11-28 (1968, c. 91,

"40:46-30", omit

1952, c. 325, s. 1",

sert "C. 40:145-33

40A:9-19 Section 40:11-17 of the Revised Statutes saved from repeal.

Section 40:11-17 of the Revised Statutes is saved from repeal. [This section of the Revised Statutes saved from repeal by this section provides that the promulgation of the Federal census for the year 1930, or the passage of an act for the reclassification of counties, shall not affect the counties or municipalities as to the salaries of their officers or employees but such salaries shall continue at the same rate as on April 27, 1931, except the salaries of county clerks, registers of deeds and mortgages, sheriffs, and surrogates. The section further provided that the promulgation of said census shall not operate to fill any additional offices or employments, or grant any pensions or increase any pension payments.]

Source: R. S. 40:11-17 amended 1947, c. 363, s. 1; 1948, c. 45, s. 1.

40A:9-20 Chapter 181 of the laws of 1940 saved from repeal.

Chapter 181 of the laws of 1940 (C. 40:11-17.1) is saved from repeal. [The act saved from repeal by this section provides that the promulgation of the Federal census for the year 1940, or the passage of an act for the reclassification of counties, shall not affect the counties or municipalities as to the salaries of their officers or employees but such salaries shall continue at the same rate as on July 8, 1940, except the salaries of county clerks, registers of deeds and mortgages, sheriffs, and surrogates. The act further provided that the promulgation of said census shall not operate to fill any additional offices or employments, or grant any pensions or increase any pension payments.]

Source: C. 40:11-17.1 (1940, c. 181 amended 1947, c. 363, s. 2; 1948, c. 45, s. 2).

40A:9-21 Chapter 10 of the laws of 1954 saved from repeal.

Chapter 10 of the laws of 1954 (C. 40:11-17.5) is saved from repeal. [The act saved from repeal by this section provides that notwithstanding the provisions of any other law, the number of offices and employments, the granting of pensions or the amount thereof, the salary or compensation of any officer or employee, in any county of the second class having a population in excess of 500,000 and in any county of the fourth class having a population in excess of 45,000 and in any municipality in any such county, shall be governed and determined by the 1950 Federal census.]

Source: C. 40:11-17.5 (1954, c. 10).

40A:9-22 Statutes repealed.

The following sections, acts and parts of acts, together with all amendments and supplements thereto, are hereby repealed.

17 Governor shall set aside a day each year for the
18 of the beginning of unified government in New
19 reflection upon the heritage with which we have
20 and for guidance and inspiration in our continu
21 liberty, prosperity and happiness; now, therefore

1 BE IT ENACTED by the Senate and General Assembl
2 of New Jersey:

Revised Statutes Sections

Amend p 40:11-1 amended 1953, c. 37
 Schedule of A 40:11-2 amended 1953, c. 37
 "Section 40:11-4 amended 1938, c. 336; 1951, c. 62
 Amend p: 40:11-5 to 40:11-8 both inclusive
 Amend p: 40:11-14
 Amend p: 40:21-3
 Amend p: 40:21-5
 Amend p: 40:21-13
 enacted", a *40:21-15*
 Amend p 40:46-13
 "40A:9-45' 40:46-14 amended 1949, c. 62*; 1970, c. 240*
 40:46-15
 40:46-30

Pamphlet Laws

Laws of 1960, c. 180 (C. 40:11-15.1, C. 40:11-16.1)

Schedule of Amendments of Laws of 1960, c. 180.

Sections 1 and 2 amended by P. L. 1964, c. 259; 1967, c. 204
 Laws of 1962, c. 173 (C. 40:11-1.1 to C. 40:11-1.4 both inclusive)
 Laws of 1964, c. 259 (C. 40:11-16.2, C. 40:11-16.3)
 Laws of 1966, c. 310 (C. 40:11-26)
 Laws of 1967, c. 204, s. 3 (C. 40:11-16.1a)
 Laws of 1968, c. 91 (C. 40:11-27, C. 40:11-28)

B. ANALYSIS

Amend pa
 omit "40A:
 Amend p: 40A:9-23 Eligibility of members of the board of chosen free-
 holders for other offices or positions; conditions;
 exceptions.
 Amend p: 40A:9-24 Resignation of officers.
 "L. 1968, c. 40A:9-25 Removal of officers and employees; procedure.
 L. 1970, c. 40A:9-26 Clerk of board of chosen freeholders; term; duties;
 tenure; removal.
 Amend pa 40A:9-27 Treasurer; term; duties.
 insert "{40: 40A:9-28 Comptroller *["in certain counties]"; term; duties.
 Amend p: 40A:9-29 Auditor; term; duties.
 "{40A:9-14: 40A:9-30 Purchasing agent; term; duties.
 Amend pa 40A:9-31 General storekeeper; term; duties.
 "As am L. 40A:9-32 Superintendent of public works; appointment; bond.
 L. 40A:9-33 *["Nurses; compensation; duties]* *Blank*.

Amend pa
 Amend p
 "40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",
 omit "40A:9-152" and insert { "40A:9-144.1
 40A:9-152
 40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

; 1951, c. 62
sive

)*; 1970, c. 240*

-15.1, C. 40:11-16.1)

of 1960, c. 180.
y P. L. 1964, c. 259; 1967, c. 204

1-1.1 to C. 40:11-1.4 both inclusive)
-16.2, C. 40:11-16.3)
1-26)
40:11-16.1a)
-27, C. 40:11-28)

ANALYSIS

members of the board of chosen free-
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officers.
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of chosen freeholders; term; duties;
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in certain counties]*; term; duties.
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mpensation; duties]* *Blank*.

- 40A:9-34 Superintendent of child welfare; tenure of office in certain cases.
- 40A:9-35 Executive director of department of institutions of county of fifth class; tenure.
- 40A:9-36 Supervisor in certain counties.
- 40A:9-37 Supervisor; qualifications; election; term of office.
- 40A:9-38 Supervisor; powers and duties.
- 40A:9-39 Supervisor; investigation of conduct of appointed officers and employees and their removal for cause; judicial review.
- 40A:9-40 Supervisor's veto power; overruling of supervisor's veto by board of chosen freeholders.
- 40A:9-41 Vacancy in office of supervisor.
- 40A:9-42 Administrators; term; duties; compensation.
- 40A:9-43 Counsel; engineer; appointment; term.
- 40A:9-44 Road supervisor; appointment; term.
- 40A:9-45 ***[Chapter 400 of the laws of 1948 saved from repeal]***
Blank.
- 40A:9-46 Medical examiners.
- 40A:9-47 Assistant medical examiners, qualifications; toxicologists, scientific experts, clerical assistants and other personnel.
- 40A:9-48 Appointment of licensed physician to act in certain cases.
- 40A:9-49 Duties of officials in respect to unidentified or unclaimed dead bodies; burial; cost of burial.
- 40A:9-50 Court orders pertaining to disinterment of dead bodies and duties of officials therewith.
- 40A:9-51 Morgues, morgue keepers; appointments.
- 40A:9-52 Morgue keepers; duties; burial certificates; fees and expenses.
- 40A:9-53 Delivery of unidentified dead bodies for placing in the morgue.
- 40A:9-54 Unidentified dead bodies in morgues; disposition.
- 40A:9-55 Delivery of identified dead bodies to proper persons; records.
- 40A:9-56 Unidentified dead bodies; disposition where no morgue keepers.
- 40A:9-57 Police to report finding of dead body.

"40:46-30", omit

. 1952, c. 325, s. 1",

nsert "C. 40:145-33

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 18 of the beginning of unified government in New
 19 reflection upon the heritage with which we hav
 20 and for guidance and inspiration in our contin
 21 liberty, prosperity and happiness; now, therefo

1 BE IT ENACTED by the Senate and General Assem
 2 of New Jersey:

	40A:9-58	Disposition of personal property of unknown de cedent.
Amend p	40A:9-59	Shipwrecked bodies; reports.
Schedule of A	40A:9-60	Finder's expenses.
"Section	40A:9-61	Disposition of personal property found on ship wrecked bodies.
Amend p	40A:9-62	Medical examiner's records of shipwrecks.
Amend p	40A:9-63	County clerk; bond.
Amend	40A:9-64	County clerk's oath.
enacted",	40A:9-65	Performance of duties before giving bond; misde meanor.
Amend p	40A:9-66	Seals of county clerks.
"40A:9-45	40A:9-67	Supreme Court rules governing county clerks who ar attorneys at law.
Amend p	40A:9-68	Duties of county clerk for the courts.
insert "No	40A:9-69	Temporary clerks of courts.
Amend p	40A:9-70	Vacancy in office of county clerk other than by expira tion of term.
"1967, c. 2	40A:9-71	Moneys received by county clerk; depositories.
1970, c. 1	40A:9-72	Transfer of records and moneys of county clerk t successor in office.
Amend	40A:9-73	County clerk, powers of notary public or commissione of deeds.
L. 1970, c. 2	40A:9-74	Personnel in office of county clerk.
Amend p	40A:9-75	County clerk in certain counties may establish cour division and registry division.
omit "40A	40A:9-76	Salary of county clerk in certain counties.
Amend	40A:9-77	Compensation of deputy county clerks; chief clerk and other personnel.
Amend p	40A:9-77.1	Chapter 260 of the laws of 1969 saved from repeal.
"L. 1968,	40A:9-78	Section 4 of chapter 96 of the laws of 1959 saved from repeal.
L. 1970,	40A:9-79	Chapter 223 of the laws of 1939 saved from repeal.
Amend p	40A:9-80	Existing offices of registers of deeds and mortgage confirmed and continued.
insert "{4	40A:9-81	Establishment of office of register of deeds and mor gages in certain counties; referendum.
Amend	40A:9-82	Transfer of records and papers upon the establish ment of office of register of deeds and mortgages.
"{40A:9-1		
Amend p		
"As am I		
1		

Amend

Amend
"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit
"40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",
omit "40A:9-152" and insert { "40A:9-144.1
40A:9-152
40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

Personal property of unknown de-
 s; reports.
 Personal property found on ship-
 s records of shipwrecks.
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 Duties before giving bond; misde-
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 registry division.
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 he laws of 1969 saved from repeal.
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 the laws of 1939 saved from repeal.
 of registers of deeds and mortgages
 d continued.
 of office of register of deeds and mort-
 ain counties; referendum.
 rds and papers upon the establish-
 e of register of deeds and mortgages.

14

“40:46-30”, omit

1952, c. 325, s. 1”,

insert “C. 40:145-33

- 40A:9-83 Term of office of register of deeds and mortgages.
- 40A:9-84 Register of deeds and mortgages; bond.
- 40A:9-85 Register of deeds and mortgages; oath.
- 40A:9-86 Performance of duties before giving bond; misde-
meanor.
- 40A:9-87 Certain statutory provisions applicable to county
clerk where no register of deeds and mortgages.
- 40A:9-88 Vacancy in office of register of deeds and mortgages
other than by expiration of term.
- 40A:9-89 Board of chosen freeholders to furnish accommoda-
tions and equipment for register of deeds and
mortgages.
- 40A:9-90 Register of deeds and mortgages is the county record-
ing officer.
- 40A:9-91 Personnel in the office of register of deeds and
mortgages.
- 40A:9-92 Salary of register of deeds and mortgages in certain
counties.
- 40A:9-93 Compensation of deputy register of deeds and mort-
gages, chief clerks and employees.
- 40A:9-94 Eligibility for office of sheriff.
- 40A:9-95 Sheriff's bond.
- 40A:9-96 Sheriff's oath.
- 40A:9-97 Certificate for commission.
- 40A:9-98 Sheriff not to perform duties of office before giving
bond and taking oath; misdemeanor.
- 40A:9-99 Sheriff may act in certain cases where commission
delayed.
- 40A:9-100 Effective date of commission and expiration of term
of office.
- 40A:9-101 Failure of sheriff elect to qualify; effect.
- 40A:9-102 Vacancy in office, other than by expiration of term.
- 40A:9-103 Bond and oath of appointee to fill vacancy.
- 40A:9-104 Salary of sheriff in certain counties.
- 40A:9-105 Expenses payable to sheriffs.
- 40A:9-106 Uncollected fees credited to account of former sheriff.
- 40A:9-107 Sheriff to deliver to his successor moneys and papers.
- 40A:9-108 Sheriff not to hold other civil office.
- 40A:9-109 Amercement of sheriff, acting sheriff.

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1 BE IT ENACTED by the Senate and General Assem
 2 of New Jersey:

	40A:9-110	Amercement; court to designate enforcement officer.
	40A:9-111	Bonds taken by sheriffs.
Amend p	40A:9-112	*[Vacancy in office where sheriff fails to prevent lynching of person in custody]* *Blank*.
Schedule of A		
“Section	40A:9-113	Acting sheriff or newly-appointed or elected sheriff to execute uncompleted writs and processes.
Amend p	40A:9-114	Exercise of office pending new appointment or election.
Amend p	40A:9-115	Undersheriffs; appointments; oaths.
Amend	40A:9-116	Limitation on number of undersheriffs.
enacted”, :	40A:9-117	Undersheriffs, chief clerks and other personnel; compensation.
Amend j	40A:9-118	Compensation of criminal identification bureau personnel.
“40A:9-45	40A:9-119	Status of criminal identification bureau personnel.
Amend p	40A:9-120	Constables; appointment.
insert “No	40A:9-121	Constables; terms of office.
Amend j	40A:9-122	Annual charges payable by constables; badges.
“1967, c. 2	40A:9-123	Constables; vacancy.
1970, c. 1	40A:9-124	Constable’s oath.
Amend	40A:9-125	Constable’s bond.
L. 1970, c. 2	40A:9-126	Actions on constable’s bond.
	40A:9-126.1	Constable’s reports.
	40A:9-127	Moneys payable to or by constable in certain cases; jurisdiction of courts.
Amend p	40A:9-128	Statutes repealed.
omit “40A	40A:9-23	Eligibility of members of the board of chosen freeholders for other offices or positions; conditions; exceptions.
Amend j		No member of a board of chosen freeholders during the term for which he is elected shall be eligible for appointment to any office or position required to be filled by the board unless he shall resign and cease to be such a member at least 3 months prior to his appointment, except in cases where such office or position, by law, may be filled by a member of the board or the appointment is to the position of county counsel or county treasurer.
Amend j		Source: R. S. 40:21-1.
“L. 1968,	40A:9-24	Resignation of officers.
L. 1970, c.		Any *elective* county officer desirous of resigning shall send his resignation, in writing, to the Governor. All such resignations shall be filed in the office of the Secretary of State. No resignation made in any other way or pretended to be made, shall be valid.
Amend j		Source: C. 40:21-17.1 (1953, c. 37, s. 38).
insert “{4		
Amend		
“{40A:9-1		
Amend j		
“As am I		
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Amend		
Amend		

“40A:9-169”, and insert “Not Enacted”.

Amend page 88, 40:46-30, line 36, after “40:46-30”, omit “40A:9-170”, and insert “40A:9-10.1”.

Amend page 89, 40:145-14.5, line 21, after “L. 1952, c. 325, s. 1”, omit “40A:9-152” and insert { “40A:9-144.1
40A:9-152
40A:9-152.1”.

Amend page 89, after 40:145-22 and line 26, insert “C. 40:145-33

to designate enforcement officer.
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where sheriff fails to prevent lynch-
custody] * *Blank*.
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ointments; oaths.
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er desirous of resigning shall send his
Governor. All such resignations shall
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led to be made, shall be valid.
, c. 37, s. 38).

“40:46-30”, omit
1952, c. 325, s. 1”,

sert “C. 40:145-33

40A:9-25 Removal of officers and employees; procedure.

In any county wherein Title 11 (Civil Service) of the Revised Statutes is not operative and unless otherwise provided by law, any officer or employee of such county who shall be removable from his office or position only for cause, shall not be removed from his office or position until after written charges of the cause of complaint shall have been preferred against him, signed by the person making such charges. The complaint shall be filed with the board of chosen freeholders of such county and a copy thereof shall be served upon the officer or employee so charged, with notice of a designated time and place for the hearing thereon. At the hearing such officer or employee may be represented by counsel.

The said board and the person so charged shall have the power to subpoena witnesses and documentary evidence. The board shall prescribe the rules and regulations for the conduct of the hearing.

No officer or employee shall be removed from his office or position for political reasons.

Source: R. S. 40:21-4.

40A:9-26 Clerk of board of chosen freeholders; term; duties; tenure; removal.

The board of chosen freeholders of each county shall appoint a clerk to the board for a term of 3 years. He shall keep in a book the minutes and a record of the orders and proceedings of the board. He shall have custody of the official seal of the county and all records, documents and other official papers relating to the property and business of the county and perform such services as the board from time to time shall direct.

Any person, appointed to the office of clerk of a board of chosen freeholders, having held such office continuously for a term of 20 years from the date of his original appointment, shall not be removed from his office except for good cause shown after a fair and impartial hearing upon notice and before the entire board. Every such clerk shall hold his office during good behavior and shall not be removed except for cause as aforesaid.

Source: R. S. 40:21-18; 40:21-18.1.

40A:9-27 Treasurer; term; duties.

The board of chosen freeholders of each county shall appoint a county treasurer for a term of 3 years. Except as otherwise provided by law, the county treasurer shall be the custodian of all county funds and disburse said funds only on the order of the board. He shall collect and receive all moneys due the county.

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1 BE IT ENACTED by the Senate and General Assembl

2 of New Jersey.

Amend p
 Schedule of A
 "Section
 Amend p
 Amend p
 Amend :
 enacted", :
 Amend 1
 "40A:9-45
 Amend p
 insert "No
 Amend p
 "1967, c. 2
 1970, c. 1
 Amend :
 L. 1970, c. 3
 Amend p
 omit "40A
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 "L. 1968,
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 insert "{4
 Amend :
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 Amend p
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He shall keep adequate records and unless there is a county comptroller, at least once a month report to the board the receipts and disbursements made by him. Where there is a county comptroller the county treasurer shall report in such manner and at such time as the board shall direct. The county treasurer shall maintain general books of account in accordance with rules and regulation of the Local Finance Board in the Department of Community Affairs. The county treasurer shall perform such other duties as may be assigned to him from time to time by the board.

Source: R. S. 40:21-19 amended 1967, c. 103, s. 1.

40A:9-28 Comptroller ***[in certain counties]***; term; duties.

The board of chosen freeholders of any county ***[of the second class having a population of not less than 425,000 nor more than 500,000]*** may, by resolution, create the office of county comptroller and fix his duties and compensation. The county comptroller shall be elected by the board for a term of 3 years.

In any county in which the office of county comptroller is created he shall be responsible for rendering the reports and maintenance of the accounts otherwise required of the county treasurer.

Source: C. 40:21-19.1 (1967, c. 103, s. 2).

40A:9-29 Auditor; term; duties.

The board of chosen freeholders of any county may appoint county auditor to exercise supervision over the expenditure and receipt of moneys of the county.

His term of office shall be for 3 years.

Source: R. S. 40:21-20.

40A:9-30 Purchasing agent; term; duties.

The board of chosen freeholders of any county may appoint purchasing agent for a term of 3 years and authorize him to establish classifications and standards for the purchase of supplies and materials for the use of all county institutions, departments and buildings. The county purchasing agent, subject to directions of the board, shall make purchases, execute contracts and perform such functions and duties as may be required and necessary.

Source: R. S. 40:21-21.

40A:9-31 General storekeeper; term; duties.

The board of chosen freeholders of any county may appoint general storekeeper for a term of 3 years. The storekeeper shall be responsible for the keeping in good condition the materials a

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert { "40A:9-144.1
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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[1967, c. 103, s. 1.

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supplies sent to him and shall deliver such materials and supplies
to the county institutions, departments and officials according to
the directions of the board and upon proper requisition. He shall
perform such functions and duties as may be required and neces-
sary.

Source: R. S. 40:21-22.

40A:9-32 Superintendent of public works; appointment; bond.

In any county the board of chosen freeholders in their discretion,
by resolution, may provide for the appointment of a county
superintendent of public works. Upon any such appointment the
board shall fix the compensation and prescribe the powers, duties
and functions of said county superintendent. The term of office
of the county superintendent of public works shall be 3 years
from the date of his appointment and until his successor is chosen
and qualified. The said superintendent shall be required to furnish
a bond in such amount as the board shall fix. The bond shall be
subject to approval as to form by the board or the county counsel.

Source: R. S. 40:21-43; 40:21-44.

40A:9-33 * [Nurses; compensation; duties.

The board of chosen freeholders of any county may provide for
the employment of registered nurses if deemed necessary and re-
quired, fix their compensation and prescribe their duties and
functions.

Source: R. S. 40:21-45.]* *Blank.*

40A:9-34 Superintendent of child welfare; tenure of office in certain cases.

Any superintendent of child welfare in a county with a popula-
tion between 350,000 and 600,000, having been connected with the
welfare department of the county for at least 15 years, shall have
tenure in office and shall only be removed therefrom after due hear-
ing, upon notice and for just and sufficient cause.

Source: C. 40:21-47.1 (1939, c. 224).

40A:9-35 Executive director of department of institutions of county of fifth class; tenure.

Any person now holding office, position or employment as the
executive director of the department of institutions of a county
of the fifth class who shall have held such office, position or em-
ployment for at least 1 year from the date of his original appoint-
ment and who prior thereto served as an elective officer of said
county for a continuous period of at least 18 years shall continue
to hold the office, position or employment of executive director of

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the department of institutions of said county during good behavior and shall not be removed therefrom except for cause, and then only upon written charge or charges, specifying the cause or causes, filed with the clerk of the board of chosen freeholders, and after a public hearing thereon upon notice and with an opportunity to be heard in person or by counsel.

Source: C. 40:21-47.2 (1966, c. 169).

40A:9-36 Supervisor in certain counties.

In counties which had a population of over 600,000 according to the 1950 census, there shall be a chief executive officer to be known as the county supervisor.

Source: R. S. 40:21-48 amended 1961, c. 64, s. 1.

40A:9-37 Supervisor; qualifications; election; term of office.

The county supervisor shall be elected at large. He shall be a citizen and resident of the county in and for which he is elected. The candidate for county supervisor shall be nominated and voted for as provided in Title 19 (Elections) of the Revised Statutes. He shall take office on the first Monday in January next after his election and shall hold said office for 3 years and until his successor has been elected and qualified.

Source: R. S. 40:21-49.

40A:9-38 Supervisor; powers and duties.

The county supervisor shall cause the laws, ordinances and resolutions applicable to the county to be faithfully executed. He may recommend to the board of chosen freeholders such changes or additions to said ordinances or resolutions as he may deem proper. He shall report to the board at its first annual meeting in each year and at such other times, if deemed necessary, as to matters pertaining to the county and make such recommendations as may be deemed proper. He shall perform such other duties as may be provided by law.

Source: R. S. 40:21-50.

40A:9-39 Supervisor; investigation of conduct of appointed officers and employees and their removal for cause; judicial review.

The county supervisor may cause an investigation to be made of the conduct in office of any appointed county officer or employee. He may require such officers or employees to submit to him a written statement or statements under oath containing such information as he may call for relating to their conduct in their respective offices or employment. Upon notice and service of charges and an opportunity to be heard at a public hearing, the

"40A:9-169", and insert "Not Enacted".
 Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".
 Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert {
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of conduct of appointed officers and removal for cause; judicial review.

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county supervisor may remove any such officer or employee for cause. Pending the said hearing and determination the county supervisor may suspend the officer or employee involved. Said officer or employee shall have the right of judicial review in the Superior Court on both the law and the facts, subject to the rules of the court.

In any such investigation the county supervisor may take testimony and the procedure shall be in accordance with the County and Municipal Investigations Law (P. L. 1953, c. 38).

Source: R. S. 40:21-51; 40:21-52 amended 1953, c. 37, s. 35.

40A:9-40 Supervisor's veto power; overruling of supervisor's veto by board of chosen freeholders.

Every resolution or ordinance adopted by the board of chosen freeholders, before taking effect, shall be certified and presented to the county supervisor by the clerk of the board. Within 10 days thereafter, the county supervisor shall return it to the board either with his approval or disapproval and if disapproved, with his objections.

The board of chosen freeholders at their next meeting, after any resolution or ordinance shall have been disapproved and the objections entered on the minutes, shall proceed to reconsider the resolution or ordinance. A vote thereon shall be taken by the yeas and nays and entered in full on the minutes of the board. If 2/3 of all the members vote to override the objections, the resolution or ordinance shall take effect.

If the resolution or ordinance shall not be returned within 10 days it shall take effect as though approved by the county supervisor.

Source: R. S. 40:21-55; 40:21-56.

40A:9-41 Vacancy in office of supervisor.

Whenever a vacancy occurs in the office of county supervisor, during the term of office, by death, resignation or otherwise, the board of chosen freeholders shall appoint a person who is a citizen and resident of the county to fill such vacancy for the unexpired term. The said board may appoint one of their members to such office and the appointee upon assuming the duties of county supervisor shall thereupon cease to be a member of the board *such appointee shall be of the same political party as that of the previous incumbent*.

Source: R. S. 40:21-57 amended 1944, c. 61.

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40A:9-42 Administrators; term; duties; compensation.

The board of chosen freeholders of any county, other than county having a county supervisor, may by resolution create the office of county administrator, to act as the executive officer for the board to have such powers, perform such duties and to receive such compensation as the resolution creating such office shall provide and as may from time to time otherwise be directed by the board by resolution.

In any county creating the position of county administrator the board by majority vote of all its members shall appoint some suitably qualified person to such office for a term of 3 years and until appointment and qualification of his successor.

Source: C. 40:21-18.2 (1967, c. 220, s. 1); C. 40:21-18.3 (1967, 220, s. 2).

40A:9-43 Counsel; engineer; appointment; term.

In every county the board of chosen freeholders shall appoint a county counsel and a county engineer. The term of office of the county counsel shall be 3 years and of the county engineer 5 years.

Source: R. S. 40:21-59; 40:21-60 amended 1938, c. 268.

40A:9-44 Road supervisor; appointment; term.

The board of chosen freeholders of any county, by resolution may provide for the appointment of a county road supervisor and fix his compensation. Unless otherwise provided by law, his term of office shall be 5 years.

Source: R. S. 27:14-24 amended 1948, c. 111.

40A:9-45 * [Chapter 400 of the laws of 1948 saved from repeal.

Chapter 400 of the laws of 1948 (C. 40:21-21.1) is saved from repeal. [The act saved from repeal by this section provides that when any person holds employment under the board of chosen freeholders in any second-class county and such person has civil service status as assistant superintendent of the county department of weights and measures, and is an honorably discharged veteran of World War I and by temporary transfer has the position of assistant county purchasing agent, having held such position for a period of 5 years, he shall be permanently transferred to the position of assistant county purchasing agent of said county; provided such permanent transfer is approved by the board of chosen freeholders of said county and if approved, such employee shall hold said position with permanent civil service status.]

Source: C. 40:21-21.1 (1948, c. 400).] * *Blank* *.

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"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert { "40A:9-144.1
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40A:9-46 Medical examiners.

In every county the board of chosen freeholders shall appoint a county medical examiner or join in the appointment of an inter-county medical examiner in the manner and for the term provided by law. **He shall be a licensed physician, a resident of the county, of recognized ability and good standing in his community, with such training or experience as may be prescribed by standards promulgated by the State Medical Examiner by rule or regulation.**

Source: C. 52:17B-83 (1967, c. 234, s. 6).

40A:9-47 Assistant medical examiners, qualifications; toxicologists, scientific experts, clerical assistants and other personnel.

The county medical examiner of any county may, subject to the approval of the board of chosen freeholders, appoint such assistant medical examiners of the county, toxicologists, scientific experts, clerical assistants and other personnel as shall be deemed necessary and required, fix their compensation and prescribe their powers, duties and functions. The assistant medical examiners of the county shall have the same qualifications as the county medical examiner. The said personnel shall be under the direction and supervision of the county medical examiner.

Source: C. 40:21-30.3 (1944, c. 182, s. 3); C. 40:21-30.4 (1944, c. 182, s. 4); C. 40:21-30.5 (1944, c. 182, s. 5); R. S. 40:21-63 amended 1942, c. 51, s. 2; 40:21-64; 40:21-65; C. 52:17B-78 et seq. (1967, c. 234).

40A:9-48 Appointment of licensed physician to act in certain cases.

If the county medical examiner is unable to perform any duty imposed upon him as such medical examiner, by law, he may appoint a resident licensed physician to act for and in his behalf. The physician so appointed shall have all the powers of the county medical examiner and shall receive compensation for his services to be paid by the county.

Source: R. S. 40:21-27.

40A:9-49 Duties of officials in respect to unidentified or unclaimed dead bodies; burial; cost of burial.

The county medical examiner upon taking charge of unidentified or unclaimed dead bodies shall make burial arrangements. If the decedent left no ascertainable estate, the cost of the burial shall be borne by the county but if an estate able to pay for the burial is found, the cost thereof certified by the official in charge, shall be payable out of such estate.

Source: C. 40:21-30.12 (1944, c. 182, s. 12); R. S. 40:21-72.

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40A:9-50 Court orders pertaining to disinterment of dead bodies and duties of officials therewith.

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The Superior Court or the County Court of the county, upon the application of a proper party, may order the disinterment of any dead body, where an investigation of the cause of death is authorized, under the supervision and direction of the county medical examiner and authorize said official to remove the body to a public morgue for the purpose of examination or autopsy. The court shall direct the giving of or dispensing with notice.

Source: C. 40:21-30.11 (1944, c. 182, s. 11 amended 1953, c. 37, s. 32); R. S. 40:21-71 amended 1953, c. 37, s. 37.

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40A:9-51 Morgues, morgue keepers; appointments.

The board of chosen freeholders of any county, by resolution, may designate not more than 6 places to be used as county public morgues and provide for their maintenance and operation. The said board may appoint the morgue keepers for terms of 5 years from the date of their appointments. The morgue keepers shall be under the supervision and direction of the county medical examiner.

Source: C. 40:21-30.17 (1944, c. 182, s. 17 amended 1965, c. 11, s. 1); R. S. 40:21-77 amended 1942, c. 51, s. 3.

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40A:9-52 Morgue keepers; duties; burial certificates; fees and expenses.

The morgue keepers shall be required to provide suitable rooms for the holding of necessary examinations or autopsies. They shall dispose of the dead bodies as directed by the county medical examiner. The said county medical examiner shall grant burial certificates for the unknown or unclaimed dead only to the morgue keepers. The board of chosen freeholders shall fix and pay the fees and expenses incurred by the morgue keepers in the performance of their duties as such.

Source: C. 40:21-30.18 (1944, c. 182, s. 18); R. S. 40:21-38; 40:21-39; 40:21-40; 40:21-78.

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40A:9-53 Delivery of unidentified dead bodies for placing in the morgue.

In counties having morgue keepers, unidentified dead bodies shall be delivered to the morgue keeper, and if there be more than one, to the morgue keeper in the area where the body is at the time for such delivery. The morgue keeper shall receive and place the body in the morgue.

Source: R. S. 40:21-34.

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"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

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omit "40A:9-152" and insert {
"40A:9-144.1
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

Disinterment of dead bodies and duties of

County Court of the county, upon the order of the county medical examiner, may order the disinterment of any dead body on of the cause of death is authorized in the direction of the county medical examiner to remove the body to a public mortuary for examination or autopsy. The court shall act on the petition pending with notice.

c. 182, s. 11 amended 1953, c. 37, 1953, c. 37, s. 37.

Appointments.

Officers of any county, by resolution, may designate places to be used as county public mortuaries for maintenance and operation. The county medical examiners shall be appointed for terms of 5 years by the county medical examiners. The morgue keepers and direction of the county medical

c. 182, s. 17 amended 1965, c. 11, s. 1); c. 51, s. 3.

Burial certificates; fees and expenses.

County medical examiners shall be required to provide suitable rooms for examinations or autopsies. They shall act as directed by the county medical examiner shall grant burial certificates for unclaimed dead only to the morgue keepers. Freeholders shall fix and pay the fees of the morgue keepers in the performance of their duties.

c. 182, s. 18); R. S. 40:21-38;

Dead bodies for placing in the morgue.

Morgue keepers, unidentified dead bodies shall be placed in the morgue by the morgue keeper, and if there be more than one body in the area where the body is at the time the morgue keeper shall receive and place the

40A:9-54 Unidentified dead bodies in morgues; disposition.

Unidentified dead bodies shall be viewed by the county medical examiner or a regularly licensed and practicing physician deputed for that purpose by the county medical examiner. Thereafter the body shall be buried by the morgue keeper at the expense of the county.

Source: R. S. 40:21-35; 40:21-36.

40A:9-55 Delivery of identified dead bodies to proper persons; records.

If any dead body in a morgue received as being unidentified shall thereafter be identified, the morgue keeper, upon the order of the county medical examiner shall deliver such body to any proper person willing to accept the responsibility therefor. Said person shall state the name and last known residence of the deceased and acknowledge receipt of the body by signing for it in a book to be kept by the morgue keeper for that purpose.

The morgue keeper shall make and keep a record of all bodies received and their disposition.

Source: C. 40:21-30.19 (1944, c. 182, s. 19); R. S. 40:21-37; 40:21-39; 40:21-79.

40A:9-56 Unidentified dead bodies; disposition where no morgue keepers.

In any county where there is no morgue keeper, the procedure as to the disposition of unidentified dead bodies shall be as nearly similar as in counties having a morgue keeper and the duties which would have been performed by the morgue keeper, if there were one, shall be performed by the county medical examiner.

Source: C. 52:17B-78 et seq. (1967, c. 234).

40A:9-57 Police to report finding of dead body.

Where in any municipality the police ascertain the finding or discovery of an unidentified dead body, the chief of police or other police officer on duty shall forthwith notify the county medical examiner of such finding or discovery.

Source: R. S. 40:21-41.

40A:9-58 Disposition of personal property of unknown decedent.

The county medical examiner shall take charge of the personal property found on or pertaining to an unknown decedent. The said county medical examiner shall make an inventory of all such personal property and file a copy thereof with the clerk of the board of chosen freeholders. Within 20 days after the death, the said personal property with a copy of the inventory shall be delivered to the county treasurer. After 20 days following such

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delivery the county treasurer, in his discretion, may sell said property at public or private sale. If the proceeds of any such sale shall not be claimed by a personal representative of the decedent or person entitled thereto within ***[1 year]*** *2 years* after the sale, the said proceeds shall become the property of the county.

Source: R. S. 40:21-26; C. 40:21-30.13 (1944, c. 182, s. 13); R. S. 40:21-67; 40:21-73 amended 1942, c. 80.

40A:9-59 Shipwrecked bodies; reports.

When dead bodies shall be thrown upon the shores or coasts of this State by shipwreck, the county medical examiner of the county in which the bodies are found shall make a written report containing the name of the ship, the date of the wreck, and the place where it occurred, together with a detailed description of the bodies, and time and place of the burial. The report verified under oath shall be filed with the State Medical Examiner.

Source: R. S. 40:40-23.

40A:9-60 Finder's expenses.

Any person reporting the finding of a dead body, thrown upon the shores or coasts of this State by shipwreck, shall be entitled to reimbursement for his expenses in connection with such finding and reporting in an amount as approved either by the State Medical Examiner or county medical examiner and paid by the State Treasurer.

Source: R. S. 40:40-24.

40A:9-61 Disposition of personal property found on shipwrecked bodies.

The county medical examiner shall take possession of all moneys, goods or other personal property found on the body of any such shipwrecked person or which apparently belonged to said person and dispose of the same as herein provided. The county medical examiner shall utilize such personal property as may be reasonably necessary for or in connection with the burial of the body. The remainder of the property shall be delivered by either the State Medical Examiner or county medical examiner to the State Treasurer and if not claimed within ***[5]*** *2* years by persons entitled thereto such property shall escheat to the State.

Nothing contained herein shall be deemed to preclude relative or other persons being lawfully entitled thereto from taking charge of said moneys, goods or other personal property.

Source: R. S. 40:40-26; 40:40-27.

his discretion, may sell said property if the proceeds of any such sale shall be paid to the legal representative of the decedent one year after the date of the sale of the property of the county.

1930.13 (1944, c. 182, s. 13); R. S. 40:46-30, c. 80.

When a body is thrown upon the shores or coasts of the county, the medical examiner of the county shall make a written report containing the date of the wreck, and the place where the body was found, with a detailed description of the body. The report verified under oath by the Medical Examiner.

When a dead body, thrown upon the shores or coasts of the county by shipwreck, shall be entitled to a burial, the medical examiner in connection with such finding shall make a written report approved either by the State Medical Examiner and paid by the State

Property found on shipwrecked bodies.

The medical examiner shall take possession of all moneys, jewelry and personal property found on the body of any such person apparently belonged to said person in accordance with the provisions herein provided. The county medical examiner shall take possession of all personal property as may be reasonably found with the burial of the body. The property shall be delivered by either the State Medical Examiner to the State Treasurer or to the State Medical Examiner *5* years by persons entitled thereto to the State.

Nothing shall be deemed to preclude relatives of the decedent entitled thereto from taking charge of the property.

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40A:9-62 Medical examiner's records of shipwrecks.

Every county medical examiner shall record in a book kept for that purpose the time and place of burial of any shipwrecked body, the name of the ship or vessel, date and place of the wreck, and a detailed description of the body. The county medical examiner shall preserve any letters, writings, coins, metals, keepsakes or other articles which may aid in identification.

Source: R. S. 40:40-28.

40A:9-63 County clerk; bond.

Every person who shall be elected clerk of a county, before entering into his office shall give his bond to the State of New Jersey and the county as their interest may appear, with sufficient corporate surety, to be approved by the judge of the County Court if the county has only one county judge but if more than one county judge, by the county judge senior in service, in the sum of \$15,000.00 or in such greater sum not exceeding \$50,000.00 as the judge may order. The Superior Court assignment judge for the county instead of the county judge may fix the amount of, and approve such bond.

The bond shall be conditioned that he will well and truly execute the office of clerk of the county of _____ and _____ (insert name of county)

and faithfully, impartially and justly perform and execute all of the duties pertaining to such office, with respect to the State of New Jersey, the said county and all persons concerned.

The bond approved by the judge together with the oath of office, shall be filed in the office of the Secretary of State of New Jersey and duplicates with the clerk of the board of chosen freeholders of the county.

Source: R. S. 40:38-1 amended 1943, c. 21; 1953, c. 37, s. 98.

40A:9-64 County clerk's oath.

Every person elected or appointed to the office of county clerk, before entering upon the duties of his office, shall take the following oath:

"I, _____, county clerk of the county of _____ do solemnly swear (or affirm) (insert name of county)

to support the Constitution of this State and of the United States and perform the duties of my office as county clerk, faithfully, impartially and justly to the best of my ability."

Source: R. S. 40:38-1 amended 1943, c. 21; 1953, c. 37, s. 98.

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40A:9-65 Performance of duties before giving bond; misdemeanor.

If any person elected county clerk shall assume to perform any of the duties before giving bond as provided by law he shall be guilty of a misdemeanor.

Source: R. S. 40:38-2 amended 1953, c. 37, s. 99.

40A:9-66 Seals of county clerks.

Every county clerk shall have an official seal for the office of county clerk of the county. Until otherwise provided by law, the seals of the clerks of the respective counties now in use shall be continued to be used on official documents required to be sealed by the county clerk. The county clerk in office shall be the custodian of the said seal.

Source: R. S. 40:38-3.

40A:9-67 Supreme Court rules governing county clerks who are attorneys at law.

A county clerk who is an attorney at law shall be subject to the rules of the Supreme Court in respect to limitations upon his practice of law.

Source: R. S. 40:38-4 amended 1953, c. 37, s. 100.

40A:9-68 Duties of county clerk for the courts.

The county clerk shall perform for the Superior Court the duties pertaining thereto in their respective counties as prescribed by law and applicable to the Supreme Court rules for the administration of the courts.

The county clerk, either in person or by deputy, shall attend the sessions of the court of which he is clerk and of the Superior Court held in the county and keep the minutes of the proceedings of said courts. The clerk and his deputy shall be under the supervision of the assignment judge of the Superior Court for the county and the County Court judges. The minutes of said courts shall be open to the public at all proper and reasonable hours.

Source: R. S. 40:38-7 amended 1953, c. 37, s. 101; 40:38-8 amended 1953, c. 37, s. 102.

40A:9-69 Temporary clerks of courts.

If the county clerk or his deputy shall be absent at the sessions of said courts, the assignment judge of the Superior Court of the county may appoint a temporary clerk. The temporary clerk shall be under the supervision of the courts and shall perform such duties as shall be prescribed.

Source: R. S. 40:38-9.

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert { "40A:9-144.1
40A:9-152
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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40A:9-70 Vacancy in office of county clerk other than by expiration of term.

When a vacancy shall occur in the office of the county clerk of any county other than by expiration of term, the Governor shall fill such vacancy with the advice and consent of the Senate by appointment of a member of the same political party as that of the previous incumbent of the office, and the commission of said appointee shall expire when a successor is elected and qualified. The successor in such case shall be elected for a term of 5 years at the general election next succeeding the happening of the vacancy unless such vacancy shall occur within 37 days next preceding such election, in which case it shall be filled at the second succeeding general election.

Source: C. 40:38-8.1 (1948, c. 208 amended 1951, c. 122).

40A:9-71 Moneys received by county clerk; depositories.

The county clerk shall be responsible and liable for all moneys received by or deposited with him in his official capacity and in respect to moneys deposited in any court with him, he shall be entitled to retain therefrom fees comparable in amount as in the case of moneys paid into court and deposited with the Clerk of the Superior Court. The county clerk shall account to the county treasurer for all such fees so retained by him.

The Superior Court assignment judge of the county, in writing, shall designate a bank or banks or trust company or trust companies in this State in which the county clerk shall deposit all moneys received by him officially and prescribe the manner in which same may be withdrawn, subject to the Supreme Court rules and regulations applicable to him as clerk of a court. The clerk shall not be personally liable for the safekeeping of moneys so deposited.

Source: R. S. 40:38-10 amended 1953, c. 37, s. 103; 40:38-11 amended 1953, c. 37, s. 104.

40A:9-72 Transfer of records and moneys of county clerk to successor in office.

The county clerk, at the expiration of his term of office or other termination thereof, or his executor or administrator, if said county clerk shall die during said term, shall, in the presence of a Superior or County Court judge, transfer the official records, documents, books, papers or writings and all moneys deposited or held by or for him as such official to his successor in office. Upon said transfer the successor in office shall sign and acknowledge a receipt therefor. The Superior Court or County Court judge shall certify to such transfer and the certificate together with the receipt

“40:46-30”, omit
1952, c. 325, s. 1”,

sert “C. 40:145-33

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“40A :9-169”, and insert “Not Enacted”.

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Amend page 89, after 40:145-22 and line 26, insert “C. 40:145-33

shall forthwith be filed in the office of the Secretary of State under
the direction of the judge.

Source: R. S. 40:38-23 amended 1953, c. 37, s. 109; 40:38-24
amended 1953, c. 37, s. 110.

40A:9-73 County clerk, powers of notary public or commissioner of deeds.

A county clerk while in office may perform all the duties and
exercise the powers pertaining to the office of notary public or
commissioner of deeds and upon certifying to any acknowledgment
or affidavit shall affix to his signature the designation “county
clerk”.

Source: R. S. 40:38-12.

40A:9-74 Personnel in office of county clerk.

Every county clerk may appoint a deputy clerk to hold office
during the pleasure of the county clerk and upon occurrence of a
vacancy in the office of a county clerk by expiration of term, death,
resignation or otherwise, the deputy clerk shall have the same
powers and perform all the duties of the office of county clerk until
the vacancy is filled as provided by law.

During the absence or disability of the county clerk the deputy
clerk shall have the powers of the county clerk and perform the
duties of the office. *No additional compensation shall be paid for
such designation.*

The county clerk may appoint from among the employees in his
office special deputy clerks to serve during his pleasure and pre-
scribe their duties.

During the absence or disability of both the county clerk and
deputy clerk, the senior special deputy clerk shall have the powers
of the county clerk and perform the duties of the office.

The county clerk shall select and employ necessary clerks and
other employees. Every deputy clerk and special deputy clerks
shall take and subscribe before a judge of the County Court an
oath of office in like form and character as that required to be
taken by the county clerk. Appointments and oaths of office shall
be filed in the office of the county clerk.

Source: R. S. 40:38-25 amended 1953, c. 37, s. 111; 40:38-26
40:38-27 amended 1953, c. 37, s. 112; 40:38-28 amended 1948, c. 278

**40A:9-75 County clerk in certain counties may establish court division and
registry division.**

In any county having a population in excess of 400,000, and not
having a register of deeds and mortgages, the county clerk therei
may establish and maintain in his office 2 separate divisions to be
known, respectively, as the court division and registry division

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ed 1953, c. 37, s. 109; 40:38-24

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"40:46-30", omit
1952, c. 325, s. 1",

insert "C. 40:145-33

The county clerk may appoint a deputy county clerk for each
division who shall hold such office during the pleasure of the
county clerk but not beyond the term for which the county clerk
is elected. The compensation of said deputy county clerks shall
be fixed by the board of chosen freeholders of the county and paid
by the county. The deputy county clerks before entering upon
their duties shall take and subscribe an oath of office in similar
form and manner as in the case of county clerks. In performing
their duties the deputy clerks shall have the same powers as the
county clerk.

Source: C. 40:38-25.2 (1952, c. 96, s. 1); C. 40:38-25.3 (1952, c. 96,
s. 2); C. 40:38-25.4 (1952, c. 96, s. 3); C. 40:38-25.5 (1952, c. 96,
s. 4).

40A:9-76 Salary of county clerk in certain counties.

The board of chosen freeholders in each county, by resolution,
may fix the salary of the county clerk as follows:

In counties having a population in excess of 600,000, not
less than \$12,000.00 or more than *~~[\$20,000.00]~~* *\$24,000.00*
per annum;

In counties having a population in excess of 400,000, but
not more than 600,000, not less than \$12,000.00 or more than
~~[\$18,000.00]~~ *\$21,000.00* per annum;

In counties having a population in excess of 200,000, but
not more than 400,000, not less than \$10,000.00 or more than
~~[\$15,000.00]~~ *\$18,000.00* per annum;

*~~[In counties having a population in excess of 100,000, but
not more than 100,000, not less than \$7,500.00 or more than
\$12,000.00 per annum;]~~*

*In counties having a population of 200,000 or less, not less
than \$5,000.00 or more than \$15,000.00.*

In counties having a population in excess of 50,000, but
not more than 100,000, not less than \$7,500.00 or more than
\$11,000.00 per annum;

In counties having a population of not more than 50,000,
not less than \$5,000.00 or more than \$10,000.00 per annum.

Nothing in this section shall authorize the fixing of the salary
of any person holding the office of county clerk at any amount less
than that now payable pursuant to law, so long as the said person
shall hold such office during the present and any consecutively
ensuing term or terms, nor shall anything in this section authorize
the payment of any salary for which a range is established in an
amount less than the minimum of said range.

TO THE MEMBERS, IT IS RESOLVED AND DECLARED THAT THE

17 Governor shall set aside a day each year for the
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

The salary of said officer shall be paid by the proper county
disbursing officer in ***[equal semimonthly payments]*** **the same
manner as county officers and employees are paid**.

Source: C. 40:38-6.14 (1959, c. 96, s. 1 amended 1961, c. 15, s.
1967, c. 266, s. 1*; 1970, c. 144*); C. 40:38-6.15 (1959, c. 96, s. 2
C. 40:38-6.16 (1959, c. 96, s. 3).

40A:9-77 Compensation of deputy county clerks; chief clerks and other personnel.

The annual compensation of the deputy county clerk shall not
exceed $\frac{3}{4}$ of the annual compensation of the county clerk. The
annual compensation of any chief clerk in the office of county clerk
shall not exceed $\frac{3}{5}$ of the annual compensation of the county clerk.
The said compensations and that of all other personnel in the office
of the county clerk shall be fixed by the board of chosen freeholders
of the county upon the recommendation of the county clerk. The
compensation of the personnel in the office of the county clerk shall
be paid at the same time and in the same manner as county officers
and employees are paid. **The limitations of the salaries set here
shall not be construed to restrict any of said employees from
participating in or benefiting from any cost of living bonus
longevity program provided for or established in the county.**

Source: R. S. 40:38-28 amended 1948, c. 278*; C. 40:39-22 (19
c. 336)*.

40A:9-77.1 Chapter 260 of the laws of 1969 saved from repeal.

Chapter 260 of the laws of 1969 (C. 40:38-28.1) is saved from
repeal. [The act saved from repeal by this section provides that
in any county of the second class having a population in excess of
500,000, the limitations imposed, pursuant to section 40A:9-77,
the amount of salary payable to the first deputy county clerk or
any executive clerk or chief clerk in the office of the county clerk
shall not be construed to restrict any of said employees from
participating in or benefiting from any cost of living bonus
longevity program provided for or established in such county.]

Source: C. 40:38-28.1 (1969, c. 260).

40A:9-78 Section 4 of chapter 96 of the laws of 1959 saved from repeal.

Section 4 of chapter 96 of the laws of 1959 (C. 40:38-6.17)
saved from repeal. [Said section saved from repeal by this section
provided for the repeal of sundry sections of the Revised Statutes
the New Jersey Statutes and various acts pertaining to salaries
of surrogates, registers of deeds and mortgages, county clerks
and sheriffs.]

Source: C. 40:38-6.17 (1959, c. 96, s. 4).

shall be paid by the proper county semimonthly payments]* *the same employees are paid*.*

c. 96, s. 1 amended 1961, c. 15, s. 1; §*); C. 40:38-6.15 (1959, c. 96, s. 2);).

county clerks; chief clerks and other per-

of the deputy county clerk shall not pension of the county clerk. The hief clerk in the office of county clerk ual compensation of the county clerk. hat of all other personnel in the office ed by the board of chosen freeholders mendment of the county clerk. The l in the office of the county clerk shall in the same manner as county officers e limitations of the salaries set herein istrict any of said employees from g from any cost of living bonus or for or established in the county.*

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f 1969 (C. 40:38-28.1) is saved from a repeal by this section provides that lass having a population in excess of sed, pursuant to section 40A:9-77, on e to the first deputy county clerk or to clerk in the office of the county clerk, restrict any of said employees from ig from any cost of living bonus or l for or established in such county.] , c. 260).

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, c. 96, s. 4).

“40:46-30”, omit

1952, c. 325, s. 1”,

insert “C. 40:145-33

40A:9-79 Chapter 223 of the laws of 1939 saved from repeal.

Chapter 223 of the laws of 1939 (C. 40:38-25.1) is saved from repeal. [The act saved from repeal by this section provides that any deputy county clerk or deputy surrogate, having held said office in any county of the second class, who has attained the age of 51 years and has been continuously employed in such office for a period of at least 16 years, shall have tenure in office and shall not be removed therefrom, except after hearing and for good cause.]

Source: C. 40:38-25.1 (1939, c. 223).

40A:9-80 Existing offices of registers of deeds and mortgages confirmed and continued.

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.

Source: R. S. 40:39-1.

40A:9-81 Establishment of office of register of deeds and mortgages in certain counties; referendum.

In every county having a population of more than 250,000 there shall be a register of deeds and mortgages in and for such county; provided, in any such county wherein the office of register of deeds and mortgages has not been established, the question of the establishment of such office shall first have been submitted to and approved by the legal voters thereof. Where the question of the establishment of such office is to be submitted, it shall be submitted at the general election preceding the one at which the county clerk is to be elected in that county. The county clerk of every such county shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: “Shall the office of the register of deeds and mortgages be established and a register be elected in county next

(insert name of county)

year?” Immediately to the left of the question there shall be printed the words “Yes” and “No”, each with a square, in either of which the voter may make a cross (X), or a plus sign (+) or check mark (V) according to his choice. There shall also be printed the following: “Place a cross (X), or a plus sign (+) or check mark (V) in one of the above squares indicating your choice.” If voting machines are used, a vote of “Yes” or “No” shall be equivalent to such markings, respectively.

WHEREAS, IT IS FEASIBLE AND ADVISABLE UNDER THE

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The votes shall be canvassed and returned in the manner provided by law. If a majority of the legal voters, voting on the question, shall vote “Yes”, the office of register of deeds and mortgages shall be established and a register of deeds and mortgages shall be elected in such county at the next general election. If a majority of the legal voters voting on the question shall vote “No”, the office shall not be established and the county clerk shall continue to perform the duties of a county recording officer and the question shall not be submitted again to the legal voters of that county except upon a petition signed by 10% of the registered voters of the county and not until 5 years shall have elapsed since the prior referendum.

Source: R. S. 40:39-2 amended 1943, c. 92; 40:39-3; 40:39-4; 40:39-5; 40:39-6; 40:39-7.

40A:9-82 Transfer of records and papers upon the establishment of office of register of deeds and mortgages.

When the office of register of deeds and mortgages is established in any county and such a register therein has been elected, all official records, documents, papers or writings which are in the custody of the county clerk and would have been filed or deposited with the register of deeds and mortgages had there been one in office, shall be transferred by the county clerk to the said register of deeds and mortgages who shall give a receipt therefor.

Source: R. S. 40:39-8 amended 1953, c. 37, s. 113.

40A:9-83 Term of office of register of deeds and mortgages.

The register of deeds and mortgages shall be elected by the legal voters of the county for a term of 5 years. He shall be commissioned by the Governor and his commission shall be issued and bear date on the Tuesday next following his election.

Source: R. S. 40:39-9.

40A:9-84 Register of deeds and mortgages; bond.

Every person who shall be elected register of deeds and mortgages of a county, before entering into his office shall give his bond to the State of New Jersey and the county as their interest may appear, with sufficient corporate surety, to be approved by the county judge of the County Court if the county has only one county judge but if more than one county judge, by the judge senior in service, in the sum of \$15,000, or in such greater sum not exceeding \$50,000, as the judge may order. The Superior Court assignment judge for the county instead of the county judge may fix the amount of, and approve such bond.

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of the legal voters, voting on the
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Papers upon the establishment of office of mortgages.

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Register of deeds and mortgages.

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Mortgages; bond.

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Court if the county has only one county
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0, or in such greater sum not exceeding
order. The Superior Court assignment
l of the county judge may fix the amount

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1952, c. 325, s. 1”,

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The bond shall be conditioned that he will well and truly execute
the office of register of deeds and mortgages of the county of
..... and faithfully, impartially and justly
(insert name of county)

perform and execute all of the duties pertaining to such office, with
respect to the State of New Jersey, the said county and all persons
concerned.

The bond approved by the judge together with the oath of office
shall be filed in the office of the Secretary of State of New Jersey
and duplicates with the clerk of the board of chosen freeholders
of the county.

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114.

40A:9-85 Register of deeds and mortgages; oath.

Every person elected or appointed register of deeds and mort-
gages, before entering upon the duties of his office, shall take the
following oath:

“I,, register of deeds and mort-
gages of the county of do solemnly
(insert name of county)

swear (or affirm) to support the Constitution of this State and
the United States and perform the duties of my office as register
of deeds and mortgages faithfully, impartially and justly to the
best of my ability.”

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114.

40A:9-86 Performance of duties before giving bond; misdemeanor.

If any person elected register of deeds and mortgages shall
assume to perform any of the duties before giving bond as pro-
vided by law, he shall be guilty of a misdemeanor.

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114.

40A:9-87 Certain statutory provisions applicable to county clerk where no register of deeds and mortgages.

The statutory provisions applicable to powers, functions and
duties of the register of deeds and mortgages where there is such
a register shall pertain to the county clerk where there is no such
register.

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114; 40:39-16
amended 1953, c. 37, s. 117.

IN TESTIMONY WHEREOF, IT IS RESOLVED AND ORDERED THAT THE

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40A:9-88 Vacancy in office of register of deeds and mortgages other than by expiration of term.

When a vacancy shall occur in the office of the register of deeds and mortgages of any county other than by expiration of term, the Governor shall fill such vacancy with the advice and consent of the Senate, by appointment of a member of the same political party as that of the previous incumbent of the office, and the commission of said appointee shall expire when a successor is elected and qualified. The successor in such case shall be elected for a term of 5 years at the general election next succeeding the happening of the vacancy unless such vacancy shall occur within 37 days next preceding such election, in which case it shall be filled at the second succeeding general election.

Source: C. 40:38-8.1 (1948, c. 208 amended 1951, c. 122); R. S. 40:39-13.

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"40A:9-45

40A:9-89 Board of chosen freeholders to furnish accommodations and equipment for register of deeds and mortgages.

The board of chosen freeholders shall provide the register of deeds and mortgages with a suitable fireproof place separate and distinct from the office of the county clerk, together with suitable furniture and equipment, all of which shall be the property of the county. The board shall also provide said register with the necessary books and stationery. The records and documents in the office of said register shall be open to the public at all reasonable hours.

Source: R. S. 40:39-14 amended 1953, c. 37, s. 115.

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"1967, c. 2
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L. 1970, c. 3

40A:9-90 Register of deeds and mortgages is the county recording officer.

In counties having a register of deeds and mortgages the said register shall be the recording officer of the county as fully as the county clerk is the recording officer in counties not having a register of deeds and mortgages.

Source: R. S. 40:39-15 amended 1953, c. 37, s. 116; 40:39-16 amended 1953, c. 37, s. 117.

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40A:9-91 Personnel in the office of register of deeds and mortgages.

Every register of deeds and mortgages may appoint a deputy register of deeds and mortgages to hold office during the pleasure of the said register and upon the occurrence of a vacancy in the office of the register by expiration of term, death, resignation or otherwise, the deputy register shall have the same powers and perform all the duties of the office of the register of deeds and mortgages until the vacancy is filled as provided by law.

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"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",

omit "40A:9-152" and insert {
40A:9-144.1
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40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

ter of deeds and mortgages other than by in the office of the register of deeds other than by expiration of term, vacancy with the advice and consent of a member of the same political incumbent of the office, and the term expire when a successor is elected in such case shall be elected for a election next succeeding the happen- vacancy shall occur within 37 days in which case it shall be filled at the tion.

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“40:46-30”, omit 1952, c. 325, s. 1”,

insert “C. 40:145-33

During the absence or disability of the register of deeds and mortgages the deputy register shall have the powers of the register and perform the duties of the office. At the register’s request and under his supervision, the deputy register shall have full power to perform the duties of the office of register of deeds and mortgages including the signing of the name of the register of deeds and mortgages upon any or all documents left for recording or filing in said office to the same extent as the register of deeds and mortgages himself might sign. The said register may appoint from among the employees in his office special deputy registers to serve during his pleasure and prescribe their duties. During the absence or disability of both the register and the deputy register the senior special deputy register shall have the powers of the register and perform the duties of the office. The register shall select and employ the necessary clerks and other personnel. Every deputy register shall take and subscribe before a judge of a County Court an oath of office in like form and character as that required to be taken by the register. The oath of office of the deputy shall be filed in the office of the Secretary of State.

Source: R. S. 40:39-17; 40:39-18 amended 1953, c. 37, s. 118; 40:39-20.

40A:9-92 Salary of register of deeds and mortgages in certain counties.

The board of chosen freeholders in each county, by resolution, may fix the salary of the register of deeds and mortgages as follows:

In counties having a population in excess of 600,000, not less than \$12,000.00 or more than *~~[\$20,000.00]~~* *\$24,000.00* per annum;

In counties having a population in excess of 400,000, but not more than 600,000, not less than \$12,000.00 or more than *~~[\$18,000.00]~~* *\$21,000.00* per annum;

In counties having a population in excess of 200,000, but not more than 400,000, not less than \$10,000.00 or more than *~~[\$15,000.00]~~* *\$18,000.00* per annum;

*~~[In counties having a population in excess of 100,000, but not more than 200,000, not less than \$7,500.00 or more than \$12,000.00 per annum;~~

In counties having a population in excess of 50,000, but not more than 100,000, not less than \$7,500.00 or more than \$11,000.00 per annum;

17. Governor shall set aside a day each year for the c
18. of the beginning of unified government in New
19. reflection upon the heritage with which we have
20. and for guidance and inspiration in our contin
21. liberty, prosperity and happiness; now, therefore

1 BE IT ENACTED by the Senate and General Assembl
2 of New Jersey:

In counties having a population of not more than 50,000, not less than \$5,000.00 or more than \$10,000.00 per annum.]*

In counties having a population of 200,000 or less, not less than \$5,000.00 or more than \$15,000.00.

Nothing in this section shall authorize the fixing of the salary of any person holding the office of register of deeds and mortgages at any amount less than that now payable pursuant to law, so long as the said person shall hold such office during the present and any consecutively ensuing term or terms, nor shall anything in this section authorize the payment of any salary for which a range is established in an amount less than the minimum of said range.

The salary of said officer shall be paid by the proper county disbursing officer in **[equal semimonthly payments]** **the same manner as county officers and employees are paid**.

Source: C. 40:38-6.14 (1959, c. 96, s. 1 amended 1961, c. 15, s. 1; 1967, c. 266, s. 1*; 1970, c. 144*); C. 40:38-6.15 (1959, c. 96, s. 2); C. 40:38-6.16 (1959, c. 96, s. 3).

40A:9-93 Compensation of deputy register of deeds and mortgages, chief clerks and employees.

The annual compensation of the deputy register of deeds and mortgages shall not exceed 3/4 of the annual compensation of the register of deeds and mortgages. The annual compensation of any chief clerk in the office of the register of deeds and mortgages shall not exceed 3/5 of the annual compensation of the said register. The said compensations and that of all other personnel in the office of the register of deeds and mortgages shall be fixed by the board of chosen freeholders of the county upon the recommendation of the register of deeds and mortgages. The compensation of the personnel in the office of the register of deeds and mortgages shall be paid at the same time and in the same manner as the county officers and employees are paid. **The limitations of the salaries set herein shall not be construed to restrict any of said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in the county.**

Source: R. S. 40:39-21 amended 1948, c. 277*; C. 40:39-22 (1970, c. 336)*.

40A:9-94 Eligibility for office of sheriff.

No person shall be eligible to the office of sheriff of any county unless he shall have been a citizen of the United States and a resident of the county for at least 3 years next preceding his election.

Source: R. S. 40:41-1.

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"40A:9-169", and insert "Not Enacted".

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40A:9-152
40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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population of 200,000 or less, not less than \$15,000.00.*

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register of deeds and mortgages, chief clerks

of the deputy register of deeds and 1/4 of the annual compensation of the ages. The annual compensation of the register of deeds and mortgages shall be the same as the compensation of all other personnel in the office of mortgages shall be fixed by the board of county upon the recommendation of the register of deeds and mortgages shall be fixed in the same manner as the county d. *The limitations of the salaries set to restrict any of said employees from any cost of living bonus or for or established in the county.*
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eriff.
to the office of sheriff of any county citizen of the United States and a resident 3 years next preceding his election.

40A:9-95 Sheriff's bond.

Every sheriff shall enter into bond to the State of New Jersey and the county wherein he is sheriff, with sufficient corporate surety to be approved by the judge of the County Court if the county has only one county judge, but if more than one county judge, by the county judge senior in service, in the sum of \$15,000.00, or in such greater sum not exceeding \$50,000.00, as the said judge may order. The Superior Court assignment judge for the county, instead of the county judge, may fix the amount of, and approve such bond.

The bond shall be conditioned that he will well and truly execute the office of sheriff of the county of
(insert name of county)

and faithfully, impartially and justly perform all of the duties pertaining to such office, with respect to the State of New Jersey, the said county and all persons concerned.

The bond approved by the judge together with the oath of office, shall be filed in the office of the Secretary of State of New Jersey and duplicates with the clerk of the board of chosen freeholders of the county.

Source: R. S. 40:41-2 amended 1943, c. 22, s. 1; 1953, c. 37, s. 134; 40:41-3 amended 1943, c. 22, s. 2; 1953, c. 37, s. 135.

40A:9-96 Sheriff's oath.

Every person elected or appointed to the office of sheriff, before entering upon the duties of his office, shall take the following oath:

"I,, sheriff of the county of do solemnly swear (or affirm) to
(insert name of county)

support the Constitution of this State and of the United States and perform the duties of my office as sheriff, faithfully, impartially and justly to the best of my ability."

Source: R. S. 40:41-4 amended 1953, c. 37, s. 137.

40A:9-97 Certificate for commission.

The taking of the oath of office and the execution of the required bond by a newly elected sheriff shall be certified by the Superior or County Court judge, as the case may be, to the Governor in connection with the issuance of the sheriff's commission.

Source: R. S. 40:41-5 amended 1953, c. 37, s. 138.

"40:46-30", omit

1952, c. 325, s. 1",

insert "C. 40:145-33

17 Governor shall set aside a day each year for the
18 of the beginning of unified government in New
19 reflection upon the heritage with which we have
20 and for guidance and inspiration in our continuing
21 liberty, prosperity and happiness; now, therefore

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

40A:9-98 Sheriff not to perform duties of office before giving bond and taking oath; misdemeanor.

Amend p
Schedule of A
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If a sheriff elect shall perform any of the duties of his office before giving bond or taking the oath of office as provided by law, he shall be guilty of a misdemeanor.

Source: R. S. 40:41-9.

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40A:9-99 Sheriff may act in certain cases where commission delayed.

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enacted", :

If the receipt by a newly elected or appointed sheriff of his commission is delayed, the said sheriff may nevertheless act as said sheriff for a period not exceeding one month before receiving his said commission.

Source: R. S. 40:41-10.

Amend j
"40A:9-45

40A:9-100 Effective date of commission and expiration of term of office.

Amend p
insert "No

The commission of every newly elected sheriff shall bear date and take effect on the Wednesday after the first Tuesday succeeding his election and the term of his office shall be 3 years.

Source: R. S. 40:41-11.

Amend j
"1967, c. 2
1970, c. 1:

40A:9-101 Failure of sheriff elect to qualify; effect.

Amend j
L. 1970, c. 3

When any newly elected sheriff shall fail to qualify by giving the required bond and taking and subscribing his oath of office within 30 days following his election or within the time fixed by the court as herein provided, his office shall be deemed vacant. The Superior Court, for good cause shown, shall have jurisdiction to extend the time for qualification.

Source: R. S. 40:41-12.

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40A:9-102 Vacancy in office, other than by expiration of term.

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"L. 1968, c.
L. 1970, c

When a vacancy shall occur in the office of sheriff of any county, other than by expiration of term, the Governor shall fill such vacancy with the advice and consent of the Senate by appointment of a member of the same political party as that of the previous incumbent of the office, and the commission of said appointee shall expire when a successor is elected and qualified. The successor in such case shall be elected for a term of 3 years at the general election next succeeding the happening of the vacancy unless such vacancy shall occur within 37 days next preceding such election, in which case it shall be filled at the second succeeding general election.

Source: R. S. 40:41-14 amended 1948, c. 206; 1951, c. 120; 1953, c. 37, s. 139.

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"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

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ended 1948, c. 206; 1951, c. 120; 1953,

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1952, c. 325, s. 1”,

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40A:9-103 Bond and oath of appointee to fill vacancy.

Every person appointed by the Governor to fill a vacancy in the
office of sheriff, before proceeding to execute his office, shall give
the bond and take and subscribe the oath in the manner and form
prescribed for a sheriff elect.

Source: R. S. 40:41-15 amended 1953, c. 37, s. 140.

40A:9-104 Salary of sheriff in certain counties.

The board of chosen freeholders in each county, by resolution,
may fix the salary of the sheriff as follows:

In counties having a population in excess of 600,000, not
less than \$12,000.00 or more than ***[\$20,000.00]*** *\$24,000.00*
per annum;

In counties having a population in excess of 400,000, but
not more than 600,000 not less than \$12,000.00 or more than
[\$18,000.00] *\$21,000.00* per annum;

In counties having a population in excess of 200,000, but
not more than 400,000, not less than \$10,000.00 or more than
[\$15,000.00] *\$18,000.00* per annum;

***[In counties having a population in excess of 100,000, but
not more than 200,000, not less than \$7,500.00 or more than
\$12,000.00 per annum;**

In counties having a population in excess of 50,000, but
not more than 100,000, not less than \$7,500.00 or more than
\$11,000.00 per annum;

In counties having a population of not more than 50,000,
not less than \$5,000.00 or more than \$10,000.00 per annum.]*

*In counties having a population of 200,000 or less, not less
than \$5,000.00 or more than \$15,000.00.*

Nothing in this section shall authorize the fixing of the salary
of any person holding the office of sheriff at any amount less than
that now payable pursuant to law, so long as the said person shall
hold such office during the present and any consecutively ensuing
term or terms, nor shall anything in this section authorize the pay-
ment of any salary for which a range is established in an amount
less than the minimum of said range.

The salary of said officer shall be paid by the proper county dis-
bursing officer in ***[equal semimonthly payments]*** *the same
manner as county officers and employees are paid*.

Source: C. 40:38-6.14 (1959, c. 96, s. 1 amended 1961, c. 15, s. 1;
1967, c. 266, s. 1*; 1970, c. 144*); C. 40:38-6.15 (1959, c. 96, s. 2);
C. 40:38-6.16 (1959, c. 96, s. 3).

16 WHEREAS, IT IS REASONABLE and desirable that the
17 Governor shall set aside a day each year for the
18 of the beginning of unified government in New
19 reflection upon the heritage with which we have
20 and for guidance and inspiration in our contin
21 liberty, prosperity and happiness; now, therefore

1 BE IT ENACTED by the Senate and General Assem
2 of New Jersey:

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"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit
"40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",
omit "40A:9-152" and insert

{ "40A:9-144.1
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40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

40A:9-105 Expenses payable to sheriffs.

The sheriffs shall be entitled to receive in addition to the salaries provided by law, their actual expenses incurred by them personally in performing their duties such as transportation, telephone, telegraph and postal charges, to be paid by the board of chosen freeholders of the respective counties.

Source: R. S. 40:41-8.

40A:9-106 Uncollected fees credited to account of former sheriff.

All uncollected fees due for services rendered or expenses incurred by a deceased, disabled or disqualified sheriff shall be taxed and collected by the acting sheriff, or the newly appointed or elected sheriff and credited to the account of the former sheriff.

Source: R. S. 40:41-18.

40A:9-107 Sheriff to deliver to his successor moneys and papers.

When any person shall cease to hold the office of sheriff he shall deliver to his successor all processes, orders, mandates and papers of every kind remaining in his hands unexecuted or unreturned or otherwise outstanding and all moneys held by him as sheriff.

Source: R. S. 40:41-19.

40A:9-108 Sheriff not to hold other civil office.

No person shall hold any other civil office during the time he holds and exercises the office of sheriff and by acceptance of the latter office his former office shall be deemed vacated.

Source: R. S. 40:41-20.

40A:9-109 Amercement of sheriff, acting sheriff.

If a sheriff or acting sheriff fails to perform any duty imposed upon him by law in respect to writs of execution resulting in loss or damage to the judgment creditor, he shall be subject to amercement in the amount of such loss and damage to and for the use of the judgment creditor. Such amercement may be made by the court having jurisdiction of the judgment and proceedings for the enforcement thereof in an action or proceeding for amercement or in the nature of an amercement brought for the purpose. The court may proceed in a summary manner or otherwise. The delinquent sheriff or acting sheriff shall also be subject to attachment or punishment for contempt.

Source: R. S. 40:41-21 amended 1953, c. 37, s. 141.

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40A:9-110 Amercement; court to designate enforcement officer.

When an amercement or judgment or order in the nature of an amercement has been obtained against a sheriff or acting sheriff the court shall designate the officer to enforce such amercement.
Source: R. S. 40:41-22.

40A:9-111 Bonds taken by sheriffs.

All bonds required by law to be taken by the sheriff shall be recorded in the office of the county clerk in a book to be provided for that purpose, and upon being so recorded, shall have the force and effect of a recognizance. A copy of the bond duly certified by the county clerk shall be evidential in any court and have the same effect as if the original bond were produced and proven. Where the condition of any such bond shall have been fully complied with, the sheriff shall execute a warrant to cancel the bond and the record thereof. Any such bond may be cancelled and discharged by such warrant or by the County Court or the Superior Court and a notation of said discharge shall be entered in the said book.
Source: R. S. 40:41-23; 40:41-24; 40:41-25 amended 1953, c. 37, s. 142.

Source: R. S. 40:41-23; 40:41-24; 40:41-25 amended 1953, c. 37, s. 142.

40A:9-112 * [Vacancy in office where sheriff fails to prevent lynching of person in custody.

If any person shall be taken from the hands of a sheriff or his deputy having such person in custody and shall be lynched, it shall be prima facie evidence of failure on the part of the sheriff to do his duty, and upon the fact being made to appear to the Governor, he shall publish a proclamation declaring the office of sheriff vacant. The sheriff shall not thereafter be eligible to either election or reappointment to the office of sheriff.

Such former sheriff whose office has been declared vacant may, within 10 days after the publication of the Governor's proclamation, file with the Governor his petition for reinstatement to the office of sheriff, and shall give 10 days' notice of the filing of such petition to the county prosecutor of the county in which the lynching occurred, and to the Attorney General.

If the Governor, upon hearing the evidence and argument, if any presented, shall find that the former sheriff had done all in his power to protect the life of the prisoner and performed the duties required of him by law respecting the protection of prisoners, he may reinstate him and thereupon issue to him a certificate of reinstatement, to be effective immediately. The decision of the Governor shall be final.

Source: R. S. 40:41-27 amended 1953, c. 37, s. 143.]* *Blank.*

17 Governor shall set aside a day each year for the
18 of the beginning of unified government in New
19 reflection upon the heritage with which we have
20 and for guidance and inspiration in our continuing
21 liberty, prosperity and happiness; now, therefore

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

40A:9-113 Acting sheriff or newly appointed or elected sheriff to execute un-completed writs and processes.

All writs and processes remaining unexecuted which were in the hands of a sheriff at the time of his death, disability or disqualification, shall be executed or the execution thereof completed by the acting sheriff, if there be one, otherwise the newly appointed or elected sheriff.

All advertisements of sales of real and personal property shall be continued and adjournments of such sales may be made, of which all persons shall take notice without any other than the usual notice required by law for such advertisements, adjournments and sales. Said advertisements, adjournments and sales shall be made by the acting sheriff, if there be one, otherwise the newly appointed or elected sheriff as though the writs and processes had been directed and delivered to such acting sheriff or newly appointed or elected sheriff.

The acting sheriff or newly appointed or elected sheriff shall be entitled to the same fees for his services and be liable to all the penalties and consequences of law for neglect of duty, as if the writs and processes had been originally directed and delivered to him.

Source: R. S. 40:41-17.

40A:9-114 Exercise of office pending new appointment or election.

In any case of vacancy in the office of sheriff, the undersheriff, or if there be more than one undersheriff, the undersheriff who shall have been designated as acting sheriff shall act as sheriff and perform the duties of that office in the county until a new sheriff is appointed or elected and duly qualified.

In each county in which there is more than one undersheriff the sheriff shall designate annually one of the undersheriffs to be acting sheriff, by written designation filed with the county clerk, which designation may be revoked and a new designation made in similar manner. When the new sheriff shall be appointed or elected and duly qualified, the powers and duties of the undersheriff as acting sheriff shall cease.

Source: R. S. 40:41-16 amended 1952, c. 141.

40A:9-115 Undersheriffs; appointments; oaths.

The appointment of an undersheriff shall be by writing under the hand and seal of the sheriff. Every undersheriff, before he assumes his office, shall take and subscribe before a judge of the

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Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",
omit "40A:9-152" and insert {
40A:9-144.1
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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the office of sheriff, the undersheriff,
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e and subscribe before a judge of the

“40:46-30”, omit

. 1952, c. 325, s. 1”,

insert “C. 40:145-33

County Court of the county or a judge of the Superior Court, an
oath that he will well and faithfully, impartially and justly execute
the office of undersheriff, according to the best of his ability and
judgment. His appointment, with the certificate of his oath in-
dorsed thereon and attested by the judge, shall be filed in the office
of the county clerk. Nothing in this section shall prevent the
sheriff at his pleasure from removing an undersheriff.

Source: R. S. 40:41-28 amended 1953, c. 37, s. 144.

40A:9-116 Limitation on number of undersheriffs.

In all counties the sheriff may appoint not more than 2 under-
sheriffs. All such undersheriffs shall hold office during the
pleasure of the sheriff making the appointment, or his successor.
The undersheriffs shall be included in the unclassified service of
the civil service.

Source: R. S. 40:41-30.

40A:9-117 Undersheriffs, chief clerks and other personnel; compensation.

The sheriff shall select and employ the necessary deputies, chief
clerks and other personnel. They shall receive such compensation
as shall be recommended by the sheriff and approved by the board
of chosen freeholders. **The annual compensation of the under-
sheriff shall not exceed 3/4 of the annual compensation of the
sheriff. The compensation of the personnel in the office of sheriff
shall be paid at the same time and in the same manner as the county
officers and employees are paid. The limitations of the salaries set
herein shall not be construed to restrict any of said employees from
participating in or benefiting from any cost of living bonus or
longevity program provided for or established in the county.**

Source: R. S. 40:41-31*; C. 40:41-31.1 (1970, c. 337)*.

40A:9-118 Compensation of criminal identification bureau personnel.

In counties having criminal identification bureaus in the office
of the sheriffs of said counties, the board of chosen freeholders, by
resolution, shall provide for the appointment and duties of the
personnel of said bureau which may include according to the
determination of the said board, supervisors, chief identification
officer, deputy chief identification officers, identification officers,
identification clerks and junior identification clerks. The board of
chosen freeholders of said counties, by resolution, and upon recom-
mendation of the sheriff shall adopt a schedule of minimum and
maximum annual salaries for said personnel and provide for the
payment of said salaries in semimonthly installments by the county
treasurer or in the same manner as other county employees are

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1 BE IT ENACTED by the Senate and General Assem
2 of New Jersey:

paid. Annual increases or increments in their compensation may be provided for.

Amend p
Schedule of A

“Section

Amend p

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“40A :9-45

Amend p

insert “No

Amend p

“1967, c. 2
1970, c. 1

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“40A :9-169”, and insert “Not Enacted”.

Amend page 88, 40:46-30, line 36, after “40:46-30”, omit

“40A :9-170”, and insert “40A :9-10.1”.

Amend page 89, 40:145-14.5, line 21, after “L. 1952, c. 325, s. 1”,

omit “40A :9-152” and insert

{ “40A :9-144.1
40A :9-152
40A :9-152.1”.

Amend page 89, after 40:145-22 and line 26, insert “C. 40:145-33

Nothing contained herein shall be deemed to reduce the amount of any salaries being presently paid to the personnel of the criminal identification bureaus in said counties.

Source: C. 40:41-33.1 (1943, c. 191, s. 1 amended 1947, c. 256, s. 1; 1950, c. 277, s. 1; 1953, c. 341, s. 1); C. 40:41-33.2 (1943, c. 191, s. 2 amended 1947, c. 256, s. 2; 1950, c. 277, s. 2; 1953, c. 341, s. 2); C. 40:41-33.3 (1943, c. 191, s. 3 amended 1950, c. 277, s. 3; 1953, c. 341, s. 3); C. 40:41-33.4 (1943, c. 191, s. 4); C. 40:41-33.5 (1943, c. 191, s. 5 amended 1947, c. 256, s. 3; 1950, c. 277, s. 4; 1953, c. 341, s. 4; 1957, c. 155); C. 40:41-33.6 (1943, c. 191, s. 6 amended 1947, c. 256, s. 4; 1953, c. 341, s. 5); C. 40:41-33.7 (1943, c. 191, s. 7); C. 40:41-33.20 (1949, c. 35, s. 1).

40A:9-119 Status of criminal identification bureau personnel.

Identification clerks having served 5 years as such, shall be classified as identification officers and upon reaching such status shall receive the salaries of identification officers starting with the minimum annual salary for said identification officers.

Source: C. 40:41-33.8 (1943, c. 191, s. 8).

40A:9-120 Constables; appointment.

The governing body of any municipality, by resolution, may appoint not less than 2 nor more than 50 constables. To be eligible the persons to be appointed constables shall be residents and qualified voters of the municipality for at least 3 years prior to their appointment. Constables may exercise their functions and perform their duties anywhere in the county wherein the appointing municipality is located.

Source: R. S. 40:41-34; 40:41-35 amended 1943, c. 68; 1949, c. 76; 1967, c. 300.

40A:9-121 Constables; terms of office.

Every constable shall qualify within 30 days of the appointment and shall hold office for a term of 3 years unless the governing body by its resolution of appointment shall fix a one-year term.

Source: R. S. 40:41-36.

40A:9-122 Annual charges payable by constables; badges.

The governing body of any municipality, by resolution, may provide for an annual charge for the privilege of holding the office, to be paid by each constable in an amount not exceeding \$50.00. The municipality shall supply each constable with a badge

rements in their compensation may

all be deemed to reduce the amount
ntly paid to the personnel of the
in said counties.

. 191, s. 1 amended 1947, c. 256, s. 1;
, s. 1); C. 40:41-33.2 (1943, c. 191,
1950, c. 277, s. 2; 1953, c. 341, s. 2);
3 amended 1950, c. 277, s. 3; 1953,
43, c. 191, s. 4); C. 40:41-33.5 (1943,
6, s. 3; 1950, c. 277, s. 4; 1953, c. 341,
3.6 (1943, c. 191, s. 6 amended 1947,
); C. 40:41-33.7 (1943, c. 191, s. 7);
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constable in an amount not exceeding
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“40:46-30”, omit

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insert “C. 40:145-33

suitably inscribed, to be returned at the expiration of the con-
stable’s term.

Source: R. S. 40:41-37.

40A:9-123 Constables; vacancy.

Vacancies in the office of constable other than by expiration of
term resulting from death, resignation, or otherwise may be filled
for the unexpired term by the governing body of the municipality
within which the vacancy occurs.

Source: R. S. 40:41-38.

40A:9-124 Constable’s oath.

Every person appointed as a constable, before entering upon
the duties of his office, shall take, subscribe and file with the mu-
nicipal clerk the following oath:

“I,, constable of the county
of do solemnly swear (or affirm) to
(insert name of county)

support the Constitution of this State and of the United States
and to perform the duties of my office as constable, faithfully, im-
partially and justly to the best of my ability.”

The oath may be administered by the municipal clerk or by any
person authorized by law to administer oaths.

Source: R. S. 40:41-39.

40A:9-125 Constable’s bond.

Every person appointed as a constable, before entering upon
the execution of his office, shall give bond in such form and amount
as the governing body shall prescribe with sufficient surety to be
approved by said governing body.

The bond shall be filed in the office of the municipal clerk.

Source: R. S. 40:41-40.

40A:9-126 Actions on constable’s bond.

Actions on a constable’s bond may be prosecuted in the Superior
Court or a County Court in like manner as in the case of actions
on a sheriff’s bond. Applications incidental to such actions
may be made to the Superior Court or County Court in similar
manner as in the case of applications incidental to actions and
proceedings on official bonds as provided in Title 2A of the New
Jersey Statutes. In any such action or proceeding any party in
interest shall be entitled on demand to a jury trial. In any such
action or proceeding a municipality shall not be liable for costs
unless otherwise provided by the rules of the court.

TO THE SENATE, TO BE RECORDED AND FILED WITH THE CLERK OF THE SENATE

17 Governor shall set aside a day each year for the
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insert "{4
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Amend page 88, 40:46-30, line 36, after "40:46-30", omit
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Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",
omit "40A:9-152" and insert {
40A:9-144.1
40A:9-152
40A:9-152.1".
Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

If any person shall sustain loss by the neglect or default of any constable in the discharge of his official duties such person shall have an action in his own right upon the constable's bond.

Source: R. S. 40:41-41; 40:41-42 amended 1953, c. 37, s. 145; 40:41-43 amended 1953, c. 37, s. 146; 40:41-44 amended 1953, c. 37, s. 147.

40A:9-126.1 Constable's reports.

Every constable shall on or before the first Wednesday following the first Monday of every month file with the governing body by whom he was elected or appointed, a report of his official activities, other than in connection with court or judicial proceedings, for the month immediately past. The governing body shall forward a copy of the report to the municipal chief of police.

The report shall list the names and addresses of all persons contacted by the constable in his official capacity, together with the date, time and purpose of the contact. In addition the report shall contain an accurate statement of all fees collected by the constable and from whom and for what service each fee was collected.

The failure by a constable to file such a report, for 2 consecutive months, unless he was prevented from so doing by reason of his physical incapacity, shall result in his office being deemed vacant and he shall be barred from exercising the rights and privileges thereof.

Any constable who falsifies such a report shall be guilty of a misdemeanor.

Source: C. 40:41-50 (1969, c. 241, s. 1); C. 40:41-51 (1969, c. 241, s. 2); C. 40:41-52 (1969, c. 241, s. 3); C. 40:41-53 (1969, c. 241, s. 4).

40A:9-127 Moneys payable to or by constable in certain cases; jurisdiction of courts.

The Superior Court and the County Court of the county shall have jurisdiction over actions or proceedings involving money payable to or by a constable and may make appropriate orders and judgments, in a summary manner, in the case of absconding, insolvent, incapacitated or deceased constables.

Source: R. S. 40:41-46 amended 1953, c. 37, s. 149; 40:41-48; 40:41-49.

40A:9-128 Statutes repealed.

The following sections, acts and parts of acts, together with all amendments and supplements thereto, are hereby repealed.

loss by the neglect or default of any
his official duties such person shall
t upon the constable's bond.
1-42 amended 1953, c. 37, s. 145;
s. 146; 40:41-44 amended 1953, c. 37,

before the first Wednesday following
month file with the governing body by
dated, a report of his official activities,
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The governing body shall forward
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statement of all fees collected by the
and for what service each fee was

to file such a report, for 2 consecutive
months from so doing by reason of his
vacant in his office being deemed vacant
not exercising the rights and privileges

any person who files such a report shall be guilty of a
crime under C. 40:21-1 (1969, c. 241,
s. 1); C. 40:41-51 (1969, c. 241,
s. 3); C. 40:41-53 (1969, c. 241, s. 4).

Section 40:21-1 by constable in certain cases; jurisdiction of
the County Court of the county shall
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Section 40:21-1 amended 1953, c. 37, s. 149; 40:41-48;

Sections 40:21-1 and parts of acts, together with all
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“40:46-30”, omit
1952, c. 325, s. 1”,

insert “C. 40:145-33

Revised Statutes Sections

- 40:21-1, 40:21-2
- 40:21-4
- 40:21-6
- 40:21-7 amended 1953, c. 37
- *[40:21-15 to 40:21-17 both inclusive]*
- *40:21-16, 40:21-17*
- 40:21-18, 40:21-18.1
- 40:21-19 amended 1967, c. 103
- 40:21-20
- 40:21-21
- 40:21-22, 40:21-23
- 40:21-24 amended 1948, c. 78; 1953, c. 37
- 40:21-25 amended 1953, c. 37
- 40:21-26
- 40:21-27
- 40:21-28 amended 1953, c. 37
- 40:21-29, 40:21-30
- 40:21-31
- 40:21-32 amended 1953, c. 37
- 40:21-33 amended 1953, c. 37
- 40:21-34 to 40:21-47 both inclusive
- 40:21-48 amended 1961, c. 64
- 40:21-49 to 40:21-51 both inclusive
- 40:21-52 amended 1953, c. 37
- 40:21-54 to 40:21-56 both inclusive
- 40:21-57 amended 1944, c. 61
- 40:21-58, 40:21-59
- 40:21-60 amended 1938, c. 268
- 40:21-61 amended 1942, c. 51
- 40:21-62
- 40:21-63 amended 1942, c. 51
- 40:21-64 to 40:21-70 both inclusive
- 40:21-71 amended 1953, c. 37
- 40:21-72
- 40:21-73 amended 1942, c. 80
- 40:21-74 to 40:21-76 both inclusive
- 40:21-77 amended 1942, c. 51
- 40:21-78 to 40:21-79
- 40:38-1 amended 1943, c. 21; 1953, c. 37
- 40:38-2 amended 1953, c. 37
- 40:38-3
- 40:38-4 amended 1953, c. 37

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40:41-26
40:41-27 amended 1953, c. 37
40:41-28 amended 1953, c. 37
40:41-29 to 40:41-33 both inclusive
40:41-34
40:41-35 amended 1943, c. 68; 1949, c. 76; 1967, c. 300
40:41-36 to 40:41-41 both inclusive
40:41-42 amended 1953, c. 37
40:41-43 amended 1953, c. 37
40:41-44 amended 1953, c. 37
40:41-46 amended 1953, c. 37
40:41-48, 40:41-49

Pamphlet Laws

Laws of 1939, c. 224 (C. 40:21-47.1)
Laws of 1940, c. 87 (C. 40:41-3.1 to C. 40:41-3.4 both inclusive)
Laws of 1943, c. 191 (C. 40:41-33.1 to C. 40:41-33.15 both inclusive)

Schedule of Amendments of Laws of 1943, c. 191

Section 1 amended by P. L. 1947, c. 256; 1950, c. 277; 1953, c. 341
Section 2 amended by P. L. 1947, c. 256; 1950, c. 277; 1953, c. 341
Section 3 amended by P. L. 1950, c. 277; 1953, c. 341
Section 5 amended by P. L. 1947, c. 256; 1950, c. 277; 1953, c. 341;
1957, c. 155

Section 6 amended by P. L. 1947, c. 256; 1953, c. 341

Section 9 amended by P. L. 1947, c. 256

Section 10 amended by P. L. 1947, c. 256

Laws of 1944, c. 125 (C. 40:21-20.1 to C. 40:21-20.3 both inclusive)

Laws of 1944, c. 182 (C. 40:21-30.1 to C. 40:21-30.19 both inclusive)

Schedule of Amendments of Laws of 1944, c. 182

Section 11 amended by P. L. 1953, c. 37

Section 17 amended by P. L. 1965, c. 11

Laws of 1944, c. 252 (C. 40:38-29 to C. 40:39-31 both inclusive)

Laws of 1947, c. 256 (C. 40:41-33.16 to C. 40:41-33.19 both inclusive)

Laws of 1947, c. 403 (C. 40:21-26.6 to C. 40:21-26.10 both inclusive)

Schedule of Amendments of Laws of 1947, c. 403

Section 2 amended by P. L. 1951, c. 309

Laws of 1948, c. 78, s. 2 (C. 40:21-23.1)

Laws of 1948, c. 208 (C. 40:38-8.1) amended by P. L. 1951, c. 122

Laws of 1948, c. 314 (C. 40:38-32 to C. 40:38-34 both inclusive)

Schedule of Amendments of Laws of 1948, c. 314

Section 1 amended by P. L. 1951, c. 256; 1952, c. 178

“40:46-30”, omit

1952, c. 325, s. 1”,

insert “C. 40:145-33

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Laws of 1948, c. 400 (C. 40:21-21.1)
 Laws of 1949, c. 35 (C. 40:41-33.20 to C. 40:41-33.22 both inclusive)
 Laws of 1952, c. 96 (C. 40:38-25.2 to C. 40:38-25.5 both inclusive)
 Laws of 1953, c. 37, s. 38 (C. 40:21-17.1)
 Laws of 1959, c. 96, ss. 1, 2 and 3 (C. 40:38-6.14 to C. 40:38-6.16
 both inclusive)
 Schedule of Amendments **of Laws of 1959, c. 96**
 Section 1 amended by P. L. 1961, c. 15; 1967, c. 266*; 1970, c. 144*
 Laws of 1960, c. 19 (C. 40:21-24.1)
 Laws of 1966, c. 169 (C. 40:21-47.2)
 Laws of 1967, c. 220 (C. 40:21-18.2, C. 40:21-18.3)
 Laws of 1967, c. 103, s. 2 (C. 40:21-19.1)
 Laws of 1969, c. 241 (C. 40:41-50 to C. 40:41-53 both inclusive)
**Laws of 1970, c. 336 (C. 40:39-22)*
*Laws of 1970, c. 337 (C. 40:41-31.1)**

C. ANALYSIS

40A:9-129 Officials; facsimile of signatures; seal; statement of
 terms of office to be filed with Secretary of State.
 40A:9-130 Mayor; term.
 40A:9-131 Acting mayor.
 40A:9-132 Mayor to vote in certain cases.
 40A:9-133 Municipal clerk; term.
 40A:9-134 Municipal clerk; tenure of office.
 40A:9-135 Deputy municipal clerk.
 40A:9-136 Administrator; powers and duties.
 40A:9-137 Administrator; appointment; term of office.
 40A:9-138 Administrator; removal from office.
 40A:9-139 Attorney; appointment; term.
 40A:9-140 Engineer; appointment; term.
 40A:9-141 Tax collector; appointment.
 40A:9-142 Tax collector; term of office.
 40A:9-143 Collector of arrears of taxes.
 40A:9-144 Tenure of tax collector.
40A:9-144.1 Removal of tax collector; complaint; hearing.
 40A:9-145 Tenure for tax collectors completing certain courses
 of instructions.
 40A:9-146 Tax assessors; appointment.
 40A:9-147 Chapter 205 of the laws of 1968 saved from repeal.
 40A:9-148 Tax assessor; board of assessors; term of office.
 40A:9-149 Tax assessors; appointment by Governor in certain
 cases.

"40A:9-169", and insert "Not Enacted".
 Amend page 88, 40:46-30, line 36, after "40:46-30", omit
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1-21.1)*
33.20 to C. 40:41-33.22 both inclusive)
-25.2 to C. 40:38-25.5 both inclusive)
40:21-17.1)
and 3 (C. 40:38-6.14 to C. 40:38-6.16

ws of 1959, c. 96*
1961, c. 15; 1967, c. 266*; 1970, c. 144*

1-24.1)
:21-47.2)
21-18.2, C. 40:21-18.3)
: 40:21-19.1)
11-50 to C. 40:41-53 both inclusive)
39-22)
(1-31.1)*

ANALYSIS

file of signatures; seal; statement of
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; board of assessors; term of office.
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1952, c. 325, s. 1”,

nsert “C. 40:145-33

- 40A:9-150 ***[**Tenure of certain tax assessors and deputy assessors.**]*** *Chapter 211 of the laws of 1966 saved from repeal.*
- 40A:9-151 Tenure of tax assessors in certain cities having the municipal manager form of government; removal; complaint; hearing.
- 40A:9-152 Tenure of ***[**township**]*** *municipal* treasurer.
40A:9-152.1 Removal of municipal treasurer; complaint; hearing.
- 40A:9-153 ***[**Tenure of veterans in office, position or employment of city engineer in cities under municipal manager form of government; removal; complaint; hearing.**]*** *Chapter 190 of the laws of 1943 saved from repeal.*
- 40A:9-153.1 Section 40:145-13 of the Revised Statutes saved from repeal.
40A:9-153.2 Chapter 281 of the laws of 1970 saved from repeal.
- 40A:9-154 Poundkeepers.
- 40A:9-155 Members of governing body ineligible for certain office; exceptions.
- 40A:9-156 Effective and appointive officers; commencement of term of office; exceptions.
- 40A:9-157 Temporary appointments.
- 40A:9-158 Temporary leaves of absence; substitute.
- 40A:9-159 Leave of absence for certain officers and employees entering the armed forces of the United States.
- 40A:9-160 Leave of absence for employees who are members of the Legislature.
- 40A:9-160.1 Compensatory time off for employees who are members of certain volunteer organizations.
- 40A:9-161 Removal of officers and employees; procedure.
- 40A:9-162 Special elections and appointments to fill vacancies in governing body resulting from judicial action.
- 40A:9-163 Change in government; effect on officers.
- 40A:9-164 Delegates to certain conventions.
- 40A:9-165 Salaries, wages or compensation of mayor or other chief executive; officers and employees; exceptions; referendum.
- 40A:9-166 Section 3 of chapter 144 of the laws of 1962 saved from repeal.
- 40A:9-167 Referendum on ordinance fixing salaries, wages or compensation.
- 40A:9-168 Petition for referendum on salaries, wages or compensation.

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- 40A:9-169 *~~Limitation on salary changes of officers and employees.~~* *Blank.**
- 40A:9-170 *~~Contracts for lesser salaries, wages or compensation.~~* *Blank.**
- 40A:9-171 Compensation for services notwithstanding statute declared unconstitutional.
- 40A:9-172 Judicially determined illegal suspension or dismissal; officer or employee entitled to recover salary; proviso.
- 40A:9-173 Hospital service or medical service group insurance; authorization for deductions from salaries.
- 40A:9-174 Compensation for injury or death to member of governing body or other officer in performance of duty.
- 40A:9-175 Statutes repealed.
- 40A:9-129 **Officials; facsimile of signatures; seal; statement of terms of office to be filed with Secretary of State.**

In every municipality, the mayor or other chief executive and the clerk, upon taking office, shall each file with the Secretary of State a facsimile of his signature and in addition the clerk shall furnish an impression of the municipal seal and a statement of their terms of office, showing the commencement and expiration dates.

The Secretary of State shall cause to be printed the necessary blank forms and forward them to the aforesaid officials. The completed forms when filed shall be public records.

Source: R. S. 40:46-1.

40A:9-130 Mayor; term.

In every municipality, unless otherwise provided by law, the term of office for the mayor shall be *~~2~~* *4* years.

Source: R. S. 40:171-19 **amended 1970, c. 99, s. 3**.

40A:9-131 Acting mayor.

In every municipality, unless otherwise provided by law, if a vacancy occurs in the office of mayor, by reason of death, resignation or otherwise, the presiding officer of the governing body shall become the acting mayor until a successor is elected and qualified.

Source: R. S. 40:171-20.

40A:9-132 Mayor to vote in certain cases.

In every municipality, unless otherwise provided by law, if the governing body shall fail (a) to organize and elect a president or chairman at its annual meeting held for such purpose, (b) to fill any vacancy in office or position, (c) to adopt any resolution or

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",

omit "40A:9-152" and insert { "40A:9-144.1
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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ordinance or (d) to take any other action whatsoever, by reason
of a tie or insufficient vote among the members, the mayor shall
vote in aid of said organization, the election of candidates, ap-
pointments of officers or others, adoption of resolutions or ordi-
nances or the taking of any other action.

Source: R. S. 40:171-21; 40:171-22; 40:171-23; 40:171-24; C.
40:171-24.1 (1944, c. 90).

40A:9-133 Municipal clerk; term.

In every municipality there shall be a municipal clerk. When
so provided by law the municipal clerk shall be elected, otherwise
he shall be appointed by the governing body of the municipality.
Unless otherwise provided by law his term of office shall be 3
years. If elected, his term shall commence on January 1 following
his election and when appointed, his term shall run from January
1 in the year in which he was appointed.

Source: R. S. 40:73-7.

40A:9-134 Municipal clerk; tenure of office.

Any person holding the office of municipal clerk in any munici-
pality and having held such office continuously for 5 years from
the date of his original appointment or election shall have tenure
in such office and shall not be removed therefrom except for good
cause shown after a fair and impartial hearing.

Source: R. S. 40:46-7.

40A:9-135 Deputy municipal clerk.

The governing body of any municipality, by ordinance, may
create the office of deputy municipal clerk and provide for appoint-
ments thereto, his compensation, term thereof and the powers,
duties and functions of such office. During the absence or dis-
ability of the municipal clerk, the deputy municipal clerk shall
have all the powers of the municipal clerk and shall perform the
functions and duties of such office.

Source: C. 40:46-2.1 (1953, c. 322).

40A:9-136 Administrator; powers and duties.

The governing body of any municipality, by ordinance, may
create the office of municipal administrator to administer the
business affairs of the municipality, to have such powers and
perform such duties other than those required by law to be exer-
cised by the governing body itself or by another officer, board or
body, and receive such compensation as the ordinance creating
such office shall provide and as may from time to time otherwise

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be directed by the governing body by ordinance. **Such ordinance may provide that a person appointed to the office of municipal administrator need not be a resident of the municipality.**

Source: C. 40:46-2.2 (1968, c. 367, s. 1*; 1970, c. 146*).

40A:9-137 Administrator; appointment; term of office.

Appointment to the office of municipal administrator shall be made by the mayor or chief executive officer of the municipality with the advice and consent of the governing body. In townships and in municipalities with a commission form of government the municipal administrator shall be appointed by majority vote of the governing body. The term of office of the municipal administrator shall be at the pleasure of the governing body.

Source: C. 40:46-2.3 (1968, c. 367, s. 2).

40A:9-138 Administrator; removal from office.

The municipal administrator may be removed by a 2/3 vote of the governing body. The resolution of removal shall become effective 3 months after its adoption by the governing body. The governing body may provide that the resolution shall have immediate effect; provided, however, that the governing body shall cause to be paid to the administrator forthwith any unpaid balance of his salary and his salary for the next 3 calendar months following adoption of the resolution.

Source: C. 40:46-2.4 (1968, c. 367, s. 3).

40A:9-139 Attorney; appointment; term.

In every municipality the governing body, by ordinance, shall provide for the appointment of a municipal attorney who may be designated as the corporation counsel or municipal attorney and unless otherwise provided by law the term of office of the municipal attorney shall be 1 year.

Source: R. S. 40:46-4; 40:171-48.

40A:9-140 Engineer; appointment; term.

In every municipality the governing body, by ordinance, shall provide for the appointment of a municipal engineer and fix his compensation. Unless otherwise provided by law his term of office shall be 3 years.

Source: C. 40:46-6.23 (1960, c. 81, s. 1); C. 40:46-6.24 (1960, c. 81, s. 2); C. 40:46-6.25 (1960, c. 81, s. 3); R. S. 40:171-49.

40A:9-141 Tax collector; appointment.

The governing body of every municipality, **unless otherwise provided by law,** by ordinance, shall provide for the appointment

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

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or election of a municipal tax collector and fix his compensation*[, or some other official to perform the customary duties of such collector]*. The office of municipal tax collector and municipal treasurer, or municipal clerk may be held by the same person. *Any such ordinance may provide that the municipal tax collector or officer to whom the customary duties of a collector may be assigned shall be the tax collector of the municipality constituting the taxing district.]*

Source: R. S. 40:46-6.1 amended 1945, c. 138; 40:171-93.

40A:9-142 Tax collector; term of office.

Every municipal tax collector shall hold his office for a term of 4 years from the first day of January next following his election or appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term or until the earlier election and qualification of a successor.

Nothing herein contained shall affect any of the provisions of Title 11 (Civil Service) of the Revised Statutes.

Source: R. S. 40:46-6.1 amended 1945, c. 138.

40A:9-143 Collector of arrears of taxes.

The governing body of every municipality, by ordinance, may provide for the appointment of an officer to be designated as the “municipal collector of arrears of taxes”, fix his term of office and compensation, and prescribe his powers and duties.

Source: R. S. 40:171-94; 40:171-96; 40:171-97.

*[40A:9-144 Tenure of tax collector.

The governing body of any municipality, by ordinance, may confirm tenure in office to a person who has or shall have held the office of municipal tax collector for 5 consecutive years. Any such municipal tax collector after such confirmation shall continue to hold such office during good behavior and efficiency and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint, setting forth the charge or charges against him.

The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

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The person so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:46-6.15 (1947, c. 350, s. 2); C. 40:46-6.16 (1947, c. 350, s. 3); C. 40:46-6.17 (1947, c. 350, s. 4 amended 1953, c. 37, s. 165); C. 40:46-6.18 (1947, c. 350, s. 5); C. 40:46-6.19 (1947, c. 350, s. 6); C. 40:46-6.20 (1947, c. 350, s. 7); C. 40:46-6.21 (1947, c. 350, s. 8); C. 40:46-6.22 (1947, c. 350, s. 9); C. 40:46-6.22a (1965, c. 243).]*

***40A:9-144 Tenure of tax collector.**

Whenever a person has or shall have held the office of municipal tax collector for 10 consecutive years, the governing body of the municipality may grant tenure in office to such person. In the event the governing body fails to grant tenure in office to a municipal tax collector who has held that office for 10 consecutive years, a petition may be filed for a referendum vote on the question of whether the collector of taxes shall continue to hold office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him. The petition shall be signed by at least 10% of the registered voters of the municipality and filed with the municipal clerk. Upon the filing of the petition the question shall be submitted to the voters at the next general election which shall occur not less than 60 days thereafter. The municipal clerk shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: "Shall the collector of taxes continue to hold office during good behavior and efficiency and not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him?"

Immediately to the left of the question there shall be printed the words "Yes" and "No", each with a square, in either of which the voter may make a cross (X) or a plus sign (+) or check mark (✓) according to his choice. There shall also be printed the following: "Place a cross (X), or a plus sign (+) or check mark (✓) in one of the above squares indicating your choice." Where voting

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

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machines are used, voting thereon shall be equivalent to the fore-going.

The election shall be held in accordance with the general law relating to public questions to be voted on in a single municipality at elections as provided for by Title 19 (Elections) of the Revised Statutes.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:46-6.15 (1947, c. 350, s. 2); C. 40:46-6.16 (1947, c. 350, s. 3); C. 40:46-6.17 (1947, c. 350, s. 4 amended 1953, c. 37, s. 165); C. 40:46-6.18 (1947, c. 350, s. 5); C. 40:46-6.19 (1947, c. 350, s. 6); C. 40:46-6.20 (1947, c. 350, s. 7); C. 40:46-6.21 (1947, c. 350, s. 8); C. 40:46-6.22 (1947, c. 350, s. 9).*

***40A:9-144.1 Removal of tax collector; complaint; hearing.**

Any removal of a municipal tax collector having tenure in office shall be upon a written complaint setting forth the charge or charges against him.

The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

The person so charged and governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:145-14.5 (1952, c. 325, s. 1).*

40A:9-145 Tenure for tax collectors completing certain courses of instructions.

Any person who has held or shall have held the office of tax collector in any municipality for a continuous period of not less than 5 years or who ***[after February 19, 1966]*** shall be reelected or reappointed to said office upon the completion of one full term of 4 years, upon filing with the clerk of the municipality and with the Division of Local Finance in the Department of Community Affairs a certificate evidencing his satisfactory completion of a

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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

course of instruction in the functions and duties of tax collectors approved by the Division of Local Finance as said division shall by regulation provide, shall thereafter continue to hold such office during good behavior and shall not be removed therefrom except for good cause shown after a fair and impartial ***[trial]*** **hearing**, notwithstanding that said person was appointed or elected for a fixed term.

The term "tax collector" as used herein shall be construed to mean and include the official charged with the duty of collecting taxes upon real and personal property in each municipality.
Source: C. 40:46-6.22a (1965, c. 243).

40A:9-146 Tax assessors; appointment.

The governing body of every municipality, unless otherwise provided by law, shall ***[appoint]*** **provide for the appointment or election of** either one or more assessors of taxes or a board of assessors of taxes to consist of not less than 3 nor more than 9 members. The said governing body, by ordinance, shall determine the number and the amount of compensation of such assessors or members of the board of assessors. ***[If the terms of their offices shall not be provided by law, such term shall be fixed by said ordinance.]*** Any such ordinance shall be subject to alteration, modification or repeal.

Source: R. S. 40:145-19, 40:145-21, 40:145-22.

40A:9-147 Chapter 205 of the laws of 1968 saved from repeal.

Chapter 205 of the laws of 1968 (C. 40:46-6.2c) is saved from repeal. [The act saved from repeal by this section provides that in any municipality wherein tax assessors have been chosen from wards, the governing body, by ordinance, may provide for the appointment of a single assessor for the entire taxing district and fix his compensation for the term of office as provided by law. No such ordinance shall affect the term of any assessor in office on July 19, 1968.]

Source: C. 40:46-6.2c (1968, c. 205).

40A:9-148 Tax assessor; board of assessors; term of office.

Every municipal tax assessor shall hold his office for a term of 4 years from the first day of July next following his election or appointment.

Where there is a board of assessors the governing body of the municipality, by ordinance, shall arrange the terms of office of the members of such board in such manner that the terms of

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office of a majority of the members thereof shall not expire at the same time by providing staggered terms of office. To accomplish said purpose the terms may be of 1, 2 or 3 years, but when accomplished, appointments shall be for terms of 4 years.

Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term or until the election and qualification of a successor.

The term “tax assessor” as used herein shall mean and include assessors, members of the board of assessors, and all other persons charged with the duty of assessing property for taxation in municipalities.

Source: C. 40:46-6.2 (1938, c. 386, s. 1); C. 40:46-6.2a (1968, c. 35, s. 1); C. 40:46-6.2b (1968, c. 35, s. 2); C. 40:46-6.3 (1938, c. 386, s. 2).

40A:9-149 Tax assessors; appointment by Governor in certain cases.

In any municipality wherein there shall be the office of tax assessor and no qualified person shall be in such office on the first day of October to perform said duties or the tax assessor holding such office shall neglect or fail to assess the taxes as required by law, the Governor shall cause notice to be given to the mayor or other chief executive officer of the governing body that within 10 days after service of said notice he will appoint an assessor. At the expiration of the 10 days, if the Governor shall be satisfied that said vacancy still exists or the tax assessments were not made, the Governor shall appoint and commission an assessor to perform all the duties of such office. Such appointee shall receive the compensation provided by law for the tax assessor.

Source: R. S. 40:46-16.

***40A:9-150 Tenure of certain tax assessors and deputy assessors.**

Any person who has held the office of tax assessor or has been a member of a board of assessors in any municipality for a continuous period of not less than 10 years and whose office or position shall have been abolished as a result of a change in the form of government and who has been or shall be appointed assessor or deputy assessor in the same municipality and shall have served satisfactorily in that office or position for a period of 2 years, shall thereafter hold and continue to hold such office or position during good behavior and shall not be removed therefrom except for good cause shown after a fair and impartial trial notwithstanding that said person was appointed for a fixed term.

Source: C. 40:46-6.13a (1966, c. 211).]*

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***40A:9-150 Chapter 211 of the laws of 1966 saved from repeal.**

Chapter 211 of the laws of 1966 (C. 40:46-6.13a) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to certain municipal tax assessors whose office or position had been abolished as a result of a change in form of government and who subsequently were reappointed to the same office.]

Source: C. 40:46-6.13a (1966, c. 211).*

40A:9-151 Tenure of tax assessors in certain cities having the municipal manager form of government; removal; complaint; hearing.

In any city operating under the municipal manager form of government and having a population of more than 45,000, any person holding the office of tax assessor in such a municipality for 15 consecutive years shall continue to hold such office or position during good behavior and efficiency and shall not be removed therefrom except for inefficiency, incapacity, conduct unbecoming an assessor or other just cause and then only after public hearing upon a written complaint, signed by the person making such complaint, setting forth the charge or charges against him. A complaint may be made by any member of the municipal council or any other person.

The complaint shall be filed with the municipal clerk of said municipality and a certified copy thereof shall be served upon the person so charged with notice of a designated hearing date before the municipal council which shall be not less than 10 days from date of service of the complaint.

Source: C. 40:83-8 (1947, c. 362, s. 1); C. 40:83-9 (1947, c. 362, s. 2).

***40A:9-152 Tenure of township treasurer.**

The governing body of any municipality, by ordinance, may grant tenure in office to a person who has or shall have held the office of municipal treasurer for 15 consecutive years. Any such municipal treasurer so granted tenure shall continue to hold such office during good behavior and efficiency and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint, setting forth the charge or charges against him.

The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the governing body, which shall be not less than 10 days from the date of service

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",

omit "40A:9-152" and insert {
 "40A:9-144.1
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Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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... treasurer.

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of the complaint. The said hearing date shall be fixed by resolution of the governing body.

The person so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

The county court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:145-14.1 (1947, c. 331, s. 1); C. 40:145-14.2 (1947, c. 331, s. 2); C. 40:145-14.3 (1947, c. 331, s. 3); C. 40:145-14.5 (1952, c. 325, s. 1); C. 40:145-14.6 (1952, c. 325, s. 2).]*

***40A:9-152 Tenure of municipal treasurer.**

Whenever a person has or shall have held the office of municipal treasurer for 10 consecutive years, the governing body of the municipality may grant tenure in office to such person. In the event the governing body fails to grant tenure in office to a municipal treasurer who has held that office for 10 consecutive years, a petition may be filed for a referendum vote on the question of whether the municipal treasurer shall continue to hold office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him. The petition shall be signed by at least 10% of the registered voters of the municipality and filed with the municipal clerk. Upon the filing of the petition the question shall be submitted to the voters at the next general election which shall occur not less than 60 days thereafter. The municipal clerk shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: "Shall the municipal treasurer continue to hold office during good behavior and efficiency and not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him?"

Immediately to the left of the question there shall be printed the words "Yes" and "No", each with a square, in either of which the voter may make a cross (X), or a plus sign (+) or check mark (V) according to his choice. There shall also be printed the following: "Place a cross (X), or a plus sign (+) or check mark (V) in one of the above squares indicating your choice." Where voting machines are used, voting thereon shall be equivalent to the foregoing.

... "40:46-30", omit

... 1952, c. 325, s. 1",

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16 WHEREAS, IT IS REASONABLE AND DESIRABLE THAT THE GOV-
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The election shall be held in accordance with the general law relating to public questions to be voted on in a single municipality at elections as provided for by Title 19 (Elections) of the Revised Statutes.

“Section

Source: C. 40:145-14.1 (1947, c. 331, s. 1); C. 40:145-14.2 (1947, c. 331, s. 2); C. 40:145-14.3 (1947, c. 331, s. 3); C. 40:145-14.5 (1952, c. 325, s. 1); C. 40:145-14.6 (1952, c. 325, s. 2).*

Amend p

Amend

***40A:9-152.1 Removal of municipal treasurer; complaint; hearing.**

Amend
enacted”

Any removal of a municipal treasurer having tenure in office shall be upon a written complaint setting forth the charge or charges against him.

Amend

“40A:9-45

The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

Amend

insert “No

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The person so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

“1967, c. 3
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The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Amend

omit “40A

Source: C. 40:145-14.5 (1952, c. 325, s. 1).*

Amend

***[40A:9-153 Tenure of veterans in office, position or employment of city engineer in cities under municipal manager form of government; removal; complaint; hearing.**

Amend

“L. 1968,
L. 1970,

Any veteran of the Armed Forces of the United States honorably discharged and holding the office, position or employment of city engineer in any city governed under the municipal manager form of government law, having held said office, position or employment continuously for 15 years from the date of the original appointment as city engineer, under fixed or indefinite terms, or both, while said city was governed under the municipal manager form of government law or under any other law, shall hold his office, position or employment during good behavior and efficiency and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him.

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“40A:9-169”, and insert “Not Enacted”.

Amend page 88, 40:46-30, line 36, after “40:46-30”, omit

“40A:9-170”, and insert “40A:9-10.1”.

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Amend page 89, after 40:145-22 and line 26, insert “C. 40:145-33

and in accordance with the general law to be voted on in a single municipality by Title 19 (Elections) of the Revised

Statutes, c. 331, s. 1); C. 40:145-14.2 (1947, c. 947, c. 331, s. 3); C. 40:145-14.5 (1952, (152, c. 325, s. 2).*

Municipal treasurer; complaint; hearing.

Municipal treasurer having tenure in office
complaint setting forth the charge or

to be filed with the municipal clerk and a
certified copy thereof shall be served upon the
person so charged, with notice of a designated
hearing date before the members of the
governing body, which shall be not less than
10 days from the date of the original
appointment as city engineer, while said city
was governed under the municipal manager
government law or under any other law.]
Source: C. 40:83-6 (1943, c. 190, s. 1); C. 40:83-7 (1943, c. 190, s. 2).]*

and the governing body shall have the
right to be represented by counsel and the power to subpoena
witnesses and documentary evidence.

in the county in which said municipality is
located to review the determination of the
commissioner of public works and affirm,
modify or terminate the same.

1952, c. 325, s. 1).*

in office, position or employment of city engineer
municipal manager form of government; removal;
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Armed Forces of the United States honor-
ably discharged, holding the office, position or
employment of city engineer under the municipal
manager form of government, and having held
such office, position or employment of city
engineer under the municipal manager form of
government continuously for 15 years from the
date of the original appointment as city
engineer, while said city was governed under
the municipal manager government law or under
any other law, shall hold his office, position
or employment during good behavior and
efficiency therefrom except for just cause and
then upon a written complaint setting forth the
charge against him.

The complaint shall be filed with the city manager of said municipality, and a certified copy thereof shall be served upon the person so charged with notice of a designated hearing date before said city manager, which shall be not less than 10 days from date of service of the complaint.

The person so charged and the city manager shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

Source: C. 40:83-6 (1943, c. 190, s. 1); C. 40:83-7 (1943, c. 190, s. 2).]

***40A:9-153 Chapter 190 of the laws of 1943 saved from repeal.**

Chapter 190 of the laws of 1943 (C. 40:83-6 and C. 40:83-7) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to any veteran of the Armed Forces of the United States, honorably discharged, holding the office, position or employment of city engineer under the municipal manager form of government, and having held such office, position or employment of city engineer under the municipal manager form of government continuously for 15 years from the date of the original appointment as city engineer, while said city was governed under the municipal manager government law or under any other law.]

*Source: C. 40:83-6 (1943, c. 190, s. 1); C. 40:83-7 (1943, c. 190, s. 2).**

40A:9-153.1 Section 40:145-13 of the Revised Statutes saved from repeal.

Section 40:145-13 of the Revised Statutes is saved from repeal. [The section saved from repeal by this section provides for the term of office of certain appointive or elective officers in any township having a population in excess of 24,000, as determined by the last preceding Federal census, and not having the municipal manager form of government, but the provisions of said section shall not be applicable to any person now holding or who may hereafter hold said position or officer, having tenure therein. Said section also provides for the filling of a vacancy in an appointive office.]

Source: R. S. 40:145-13 amended 1969, c. 186.

***40A:9-153.2 Chapter 281 of the laws of 1970 saved from repeal.**

Chapter 281 of the laws of 1970 (C. 40:145-33) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to any person holding the office, position or employment of township supervisor or superintendent of public works

“40:46-30”, omit

1952, c. 325, s. 1”,

insert “C. 40:145-33

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of the township, and who has held or shall have held one or more such offices, positions or employments with or without additional service as assistant road supervisor or supervisor of public works department acting under appointment by the township committee for a continuous period of not less than 12 years from the date of his original appointment to any of them, and has or shall have held office, position or employment full time in the department of public works or road department in the township for a continuous period of not less than 12 years; provided he has qualified therefor on or prior to January 1, 1971. Said act shall not apply to any township which is subject to the provisions of Title 11, Civil Service, of the Revised Statutes.]

Source: C. 40:145-33 (1970, c. 281).*

40A:9-154 Poundkeepers.

Except as otherwise provided by law the governing body of any municipality, by ordinance, may provide for the appointment of poundkeepers as needed. The governing body shall determine the number required and their qualifications, terms of office and method of compensation and prescribe their powers, duties and functions.

Source: R. S. 40:46-9.

40A:9-155 Members of governing body eligible for certain offices; exceptions.

A member of the governing body of a municipality who resigns his office as such may be appointed to an office or position required to be filled by the governing body unless the office or position was created by ordinance adopted during the term of office of the member so resigning. In cases of any such appointment the salary of the holder of said office or position shall not be increased during the term of office of the member so resigning.

Source: R. S. 40:46-5 amended 1938, c. 149; 1948, c. 46; 1955, c. 131; 1967, c. 236, s. 1.

40A:9-156 Elective and appointive officers; commencement of term of office; exceptions.

Except as otherwise provided by law, the terms of office of all elective officers in any municipality shall commence at 12 o'clock noon on January 1 next succeeding their election and continue for the terms prescribed by law, except the term of office of the assessor shall commence on July 1 next following his election or appointment and continue for the prescribed number of years.

The terms of office of all officers appointed by the mayor or other chief executive officer or by the governing body of any municipi-

"40A:9-169", and insert "Not Enacted".
 Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".
 Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert {
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 Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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s held or shall have held one or more employments with or without additional supervisor or supervisor of public works appointment by the township committee not less than 12 years from the date of any of them, and has or shall have held at full time in the department of public works in the township for a continuous period provided he has qualified therefor on or before the act shall not apply to any township provisions of Title 11, Civil Service, of the

c. 281).*

ded by law the governing body of any municipality may provide for the appointment of the governing body shall determine the qualifications, terms of office and and prescribe their powers, duties and

g body eligible for certain offices; exceptions. Any governing body of a municipality who resigns is not appointed to an office or position required by law unless the office or position was created during the term of office of the person in whose stead any such appointment the salary or position shall not be increased during the term of office of the member so resigning.

enacted 1938, c. 149; 1948, c. 46; 1955, c.

ive officers; commencement of term of office;

vided by law, the terms of office of all officers of a municipality shall commence at 12 o'clock noon succeeding their election and continue until the expiration of the term of office by law, except the term of office of the mayor shall commence on July 1 next following his election or until the prescribed number of years.

officers appointed by the mayor or other officers appointed by the governing body of any municipi-

pality, except to fill vacancies, shall commence on January 1 of the year in which they are appointed and continue for the terms prescribed by law.

No appointment of any officer shall be made by the mayor or other chief executive officer or by the governing body of any municipality where the term of the office is to commence after the expiration of the term of the officer making the appointment or of any member of the governing body.

Source: R. S. 40:46-6 amended 1953, c. 37, s. 164.

40A:9-157 Temporary appointments.

Whenever any officer or employee of a municipality is temporarily absent, disabled or disqualified, the governing body of the municipality may designate some person to act in place of any such officer or employee during his temporary absence, disability or disqualification.

Source: R. S. 40:46-13.

40A:9-158 Temporary leave of absence; substitute.

The governing body of any municipality may grant temporary leave of absence, with pay, to any officer or employee receiving a fixed annual salary, wage or compensation. Such leaves of absence shall not exceed 3 months at any one time.

Where it is necessary to employ a substitute to perform the duties of such officer or employee during his absence, the amount of the compensation paid the substitute shall be deducted from the salary, wage or compensation of such officer or employee.

Source: R. S. 40:46-32.

40A:9-159 Leave of absence for certain officers and employees entering the armed forces of the United States.

Every officer or employee not holding his office, position or employment for a fixed term or period, upon entering the armed forces of the United States in time of war for the duration thereof, or for less period, shall be granted leave of absence until such time as he shall be honorably discharged from such service, and shall not be discharged or separated from his office, position or employment by reason of his entry into such service. Such leave of absence may be granted with or without pay as provided by law. Such officer or employee shall be entitled to resume the office, position or employment held by him at the time of entrance into such service, at any time within 3 months after receiving honorable discharge, provided he is not then incapacitated. If he be incapacitated at the time of such discharge, he shall be entitled

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to resume his office, position or employment at any time within 3 months after complete recovery therefrom, provided such complete recovery is within 2 years after his discharge. Upon resumption of his office, position or employment by such officer or employee, the service of the person temporarily filling said office, position or employment shall ***[immediately]*** *immediately* cease. If such officer or employee is one of a number of equal rank or like character, the person last appointed to fill any such office, position or employment shall be dismissed and placed upon a special eligible list, which list shall take precedence over all other lists and shall be entitled to reinstatement in the same office or employment as soon as any vacancy shall occur.

Source: R. S. 40:46-11.

40A:9-160 Leave of absence for employees who are members of the Legislature.

Any person employed by any municipality or agency thereof who is a member of the Senate or General Assembly of the State of New Jersey, shall be entitled to time off from his duties as such employee, without loss of pay, during the periods of his attendance at regular or special sessions of the Legislature and hearings or meetings of any legislative committee or commission.

Source: C. 40:46-32.1 (1968, c. 239).

40A:9-160.1. Compensatory time off for employees who are members of certain volunteer organizations.

The governing body of any municipality shall grant time off from work with pay for municipal employees who are members of a volunteer fire company serving the municipality, volunteers in first aid or rescue squads serving the municipality or volunteer drivers of municipally-owned or operated ambulances when such employees are called to respond to alarms occurring during the hours of their employment.

Source: C. 40:46-32.2 (1969, c. 287).

40A:9-161 Removal of officers and employees; procedure.

In any municipality wherein Title 11 (Civil Service) of the Revised Statutes is not operative and unless otherwise provided by law, no officer or employee of such municipality who has tenure in office shall be removed from his office or position except upon written charges, signed by the person making such charges. The complaint shall be filed with the governing body of such municipality and a copy thereof shall be served upon the officer or employee so charged, with notice of a designated time and place for the hearing thereon.

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert {
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The officer or employee so charged and the governing body shall
have the right to be represented by counsel and the power to
subpcna witnesses and documentary evidence. The governing
body shall prescribe rules and regulations for the conduct of the
hearing.

No such officer or employee shall be removed from his office or
position for political reasons or except as otherwise provided by
law, because of a change in the form of government.

Source: R. S. 40:46-8.

**40A:9-162 Special elections and appointments to fill vacancies in governing
body resulting from judicial action.**

Where a vacancy occurs in the membership of the governing
body of any municipality by virtue of a judicial determination
ousting from office the person who would otherwise have filled such
office, the Superior Court shall have jurisdiction to provide for a
special election to fill the vacancy and pending such election to
appoint an interim member to the said governing body upon such
conditions as the court shall prescribe.

Source: C. 40:46-16.1 (1964, c. 2, s. 1); C. 40:46-16.2 (1964, c. 2,
s. 2); C. 40:46-16.3 (1964, c. 2, s. 3); C. 40:46-16.4 (1964, c. 2, s. 4);
C. 40:46-16.5 (1964, c. 2, s. 5).

40A:9-163 Change in government; effect on officers.

Except as otherwise provided by law, whenever the form of gov-
ernment of any municipality shall be changed the municipal of-
ficers of such municipality, by whatever name they may be known,
shall be the officers of the said municipality with all the powers,
duties and functions of like officers in such municipality and shall
continue in office until the first election of officers to be held in such
municipality and until the newly elected officers have been elected
and qualified.

Source: R. S. 40:46-10.

40A:9-164 Delegates to certain conventions.

The governing body of any municipality, whenever they shall
deem it necessary, by resolution, may provide for the appointment
of not more than 5 citizens as delegates to represent the said
municipality at any industrial, commercial or civic assembly or
convention nonpolitical in character. Said delegates shall receive
no compensation but they shall be reimbursed by the municipality
for all expenses incurred by them in performing their duties as
such delegates.

Source: R. S. 40:72-20.

16 ...
17 Governor shall set aside a day each year for the
18 of the beginning of unified government in New
19 reflection upon the heritage with which we have
20 and for guidance and inspiration in our contin
21 liberty, prosperity and happiness; now, therefor

1 BE IT ENACTED by the Senate and General Assemi
2 of New Jersey:

40A:9-165 Salaries, wages or compensation of mayor or other chief executive, officers and employees; exceptions; referendum.

Amend p
Schedule of /
"Section
Amend p
Amend p
Amend
enacted",
Amend p

The governing body of a municipality, by ordinance, shall fix and determine the salaries, wages or compensation to be paid to the officers and employees of the municipality, including the members of the governing body and the mayor or other chief executive, who by law are entitled to salaries, wages or compensation. Such salaries, wages or compensation from time to time, by ordinance, may be increased, decreased or altered **but no such ordinance shall reduce the salary of any appointed or elected tax assessor or tax collector during the term for which he shall have been appointed or elected**. In municipalities wherein the provisions of Title 11 (Civil Service) of the Revised Statutes are in operation, this section shall be subject thereto.

"40A:9-45
Amend p
insert "No
Amend p
"1967, c. 1
1970, c. 1
Amend
L. 1970, c. 1

Where any such ordinance shall provide for increases in salaries, wages or compensaton, it shall become operative in **[10]* *20** days after the publication thereof, after final passage, unless within said **[10]* *20** days, a petition, signed by voters of such municipality, equal in number to at least 5% of the registered voters of the municipality, protesting against the passage of such ordinance, be presented to the governing body, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at an election by a majority of the voters voting on said proposition. The submission of the question to the voters shall be governed by the provisions of Title 19 (Elections) of the Revised Statutes, as in the case of public questions to be voted upon in a single municipality.

Amend p
omit "40A
Amend p
Amend p

Source: R. S. 40:46-23 amended 1947, c. 166, s. 1; 1948, c. 282, s. 1; 1958, c. 145, s. 1; 1962, c. 144, s. 1; 1965, c. 227; 40:46-26 amended 1942, c. 53, s. 1; 1944, c. 99, s. 1; 1947, c. 33; 1947, c. 166, s. 2; 1948, c. 282, s. 2; 1949, c. 271; 1952, c. 281; 1955, c. 175; 1962, c. 144, s. 2; C. 40:46-27.1 (1951, c. 339 amended 1962, c. 151; 1967, c. 299, s. 1).

"L. 1968,
L. 1970,
Amend p
insert "{4

40A:9-166 Section 3 of chapter 144 of the laws of 1962 saved from repeal.
Section 3 of chapter 144 of the laws of 1962 (C. 40:46-26.1) is saved from repeal.

Amend
"{40A:9-1
Amend p
"As am I
I

[The section saved from repeal by this section provides that in any municipality, in a county of the third class, wherein an ordinance was theretofore adopted for increases in salaries, wages or compensation payable to the members of the governing body and the mayor or other chief executive, who by law were entitled to salaries, wages or compensation, such ordinance shall remain in

Amend
Amend

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert {
"40A:9-144.1
40A:9-152
40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

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Amend F
 Schedule of A
 "Section
 Amend p
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 Amend p
 insert "No
 Amend j
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 1970, c. 1
 Amend :
 L. 1970, c. 3
 Amend F
 omit "40A
 Amend j
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 "L. 1968,
 L. 1970, c
 Amend F
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 Amend :
 "{40A:9-1
 Amend j
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 Amend :
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The referendum vote shall be binding during the period of 2 years following such vote.

Source: R. S. 40:46-27 amended 1941, c. 144; 1954, c. 271; 1955, c. 186; 1958, c. 145, s. 2.

40A:9-168 Petition for referendum on salaries, wages or compensation.

If there shall be submitted to the governing body of any municipality a petition signed by not less than 10% of the registered voters of the municipality, requesting the submission to the legal voters of the municipality the question of fixing the salaries, wages or compensation of the members of the governing body, officers or employees of said municipality in the amounts stated in the petition, the governing body shall cause the question to be submitted to the legal voters of the municipality at the next general election occurring more than 40 days after the submission of the petition to the governing body.

The result of the vote shall be binding upon the municipality for the following 2 years.

Nothing contained in this section shall be deemed to preclude a referendum vote upon an ordinance increasing salaries, wages or compensation provided by law.

Source: R. S. 40:46-28.

40A:9-169 *Limitation on salary changes of officers and employees.

The governing body of any municipality may only once in any fiscal year increase or decrease the salary of the municipal officers and employees, having tenure and holding their offices or positions during good behavior or for an indefinite term.

Source: R. S. 40:46-25.]* *Blank.*

40A:9-170 *Contracts for lesser salaries, wages or compensation.

The governing body of any municipality may enter into a contract with any officer or employee of the municipality to perform the duties of his office, position or employment at a lesser salary, wage or compensation than otherwise fixed and when the contract shall be entered into, it shall control the amount of such salary, wage or compensation.

Source: R. S. 40:46-30.]* *Blank.*

40A:9-171 Compensation for services notwithstanding statute declared unconstitutional.

Whenever a person shall have performed services for any municipality in an office or position created by or pursuant to a statute declared to be unconstitutional after the creation of the office or

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert { "40A:9-144.1
 40A:9-152
 40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

binding during the period of 2 years
ided 1941, c. 144; 1954, c. 271; 1955,

a on salaries, wages or compensation.
to the governing body of any municipi-
not less than 10% of the registered
requesting the submission to the legal
question of fixing the salaries, wages
members of the governing body, officers
municipality in the amounts stated in the
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the municipality at the next general
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an indefinite term.

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poyee of the municipality to perform
tion or employment at a lesser salary,
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all control the amount of such salary,

Blank.

ervices notwithstanding statute declared uncon-
have performed services for any mu-
tion created by or pursuant to a statute
onal after the creation of the office or

40:46-30", omit

52, c. 325, s. 1",

rt "C. 40:145-33

position, such person shall be compensated for his services prior
to the statute being declared to be unconstitutional.

Where the statute so declared to be unconstitutional did not fix
the compensation payable to the officer or employee, his compen-
sation for his said services shall be determined by the governing
body at the rate fixed for comparable services.

Source: R. S. 40:46-33.

**40A:9-172 Judicially determined illegal suspension or dismissal; officer or
employee entitled to recover salary; proviso.**

Whenever any municipal officer or employee shall be suspended
or dismissed from his office, employment or position and such
suspension or dismissal shall be judicially determined to be illegal,
said officer or employee shall be entitled to recover his salary from
the date of such suspension or dismissal, provided a written ap-
plication therefore shall be filed with the municipal clerk within
30 days after such judicial determination.

Source: R. S. 40:46-34 amended 1948, c. 163; 1948, c. 395.

**40A:9-173 Hospital service or medical service group insurance; authorization for
deductions from salaries.**

Municipal officers and employees participating in hospital or
medical service group insurance may authorize the governing body
of the municipality to deduct from their salaries premiums for
such insurance, and pay the amount thereof to the service corpora-
tions. The governing body, by resolution, may authorize such
deductions and provide for the said payments subject to such rules
and regulations as the governing body may prescribe in the reso-
lution.

No such resolution shall be deemed to impose any prospective
liability or responsibility upon the municipality as to future de-
ductions or payments.

Source: C. 40:46-37 (1941, c. 133, s. 1).

**40A:9-174 Compensation for injury or death to member of governing body or
other officer in performance of duty.**

The governing body of any municipality, by resolution, may pro-
vide for the payment of a sum not to exceed \$1,500.00 to any
officer of the municipality including a member of the governing
body who shall have been injured in the performance of duty as
such officer. In the event of the death of any such officer in the
performance of duty, a similar sum may be paid to the widow or
dependents.

Any such resolution shall prescribe the manner and method of
payment.

Source: R. S. 40:87-61.

10 WHEREAS, IT IS reasonable and desirable that the GOV-
17 Governor shall set aside a day each year for the con-
18 of the beginning of unified government in New Jer-
19 reflection upon the heritage with which we have b-
20 and for guidance and inspiration in our continuin-
21 liberty, prosperity and happiness; now, therefore,

1 BE IT ENACTED by the Senate and General Assembly
2 of New Jersey.

s and parts of acts, together with all
s thereto, are hereby repealed.

149; 1948, c. 46; 1955, c. 131; 1967,

7
138
inclusive

166; 1948, c. 282; 1958, c. 145; 1962,

53; 1944, c. 99; 1947, c. 33; 1947, c. 166;
; 1952, c. 281; 1955, c. 175; 1962, c. 144
144; 1954, c. 271; 1955, c. 186; 1958,

163; 1948, c. 395

h inclusive
both inclusive]*
c. 99
th inclusive*

46-6.2, C. 40:46-6.3)
:46-34.1)
46-37, C. 40:46-38)
40:83-6, C. 40:83-7]*
.71-24.1)
:46-6.13)

Laws of 1947, c. 331 (C. 40:145-14.1 to C. 40:145-14.4 both in-
clusive)
Laws of 1947, c. 350 (C. 40:46-6.14 to C. 40:46-6.22 both in-
clusive)

Schedule of Amendments of Laws of 1947, c. 350

Section 1 amended by P. L. 1951, c. 173
Section 4 amended by P. L. 1953, c. 37

Laws of 1947, c. 362 (C. 40:83-8, C. 40:83-9)
Laws of 1951, c. 339, c. 1 (C. 40:46-27.1 amended by P. L. 1962, c.
151; 1967, c. 299)
Laws of 1952, c. 325 (C. 40:145-14.5, C. 40:145-14.6)
Laws of 1953, c. 322 (C. 40:46-2.1)
Laws of 1960, c. 81 (C. 40:46-6.23 to C. 40:46-6.25 both inclusive)
Laws of 1964, c. 2 (C. 40:46-16.1 to C. 40:46-16.5 both inclusive)
Laws of 1965, c. 243 (C. 40:46-6.22a)
[Laws of 1966, c. 211 (C. 40:46-6.13a)]
Laws of 1968, c. 35 (C. 40:46-6.2a, C. 40:46-6.2b)
Laws of 1968, c. 205 (C. 40:46-6.2c)
Laws of 1968, c. 239 (C. 40:46-32.1)
Laws of 1968, c. 367 (C. 40:46-2.2 to C. 40:46-2.4 both inclusive)
*Schedule of Amendment of Laws of 1968, c. 367
Section 1 amended by P. L. 1970, c. 146*
Laws of 1969, c. 241 (C. 40:41-50 to C. 40:41-53 both inclusive)
Laws of 1969, c. 287 (C. 40:46-32.2)

SECTION 2

Effective Date.

This act shall take effect July 1, *[1970]* *1971*.

Note: The material in brackets in sections saving from repeal
Revised Statutes sections or acts or parts of acts are not part of
the law but are explanatory notes and are not to be omitted in
Pamphlet Laws.

10 WHEREAS, IT IS REASONABLE and desirable that the Le;
17 Governor shall set aside a day each year for the cor
18 of the beginning of unified government in New Je
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2 of New J.

40:46-30'', omit

52, c. 325, s. 1'',

rt "C. 40:145-33

Title ***[40.]*** *40A.* COUNTIES AND MUNICIPALITIES

Officers and Employees

Schedule of Allocations of Source Material

<i>Amend p</i>	<i>Source Sections</i>	<i>Revised Sections</i>
Schedule of /	R. S. 27:14-24	As am. L. 1948, c. 111 40A:9-44
“Section	R. S. 40:11-1	As am. L. 1953, c. 37, s. 7 { 40A:9-1 40A:9-2
Amend p	C. 40:11-1.1	L. 1962, c. 173, s. 1 40A:9-4
Amend	C. 40:11-1.2	L. 1962, c. 173, s. 2 40A:9-4
enacted”,	C. 40:11-1.3	L. 1962, c. 173, s. 3 40A:9-4
Amend j	C. 40:11-1.4	L. 1962, c. 173, s. 4 40A:9-4
“40A:9-45	R. S. 40:11-2	As am. L. 1953, c. 37, s. 8 Not Enacted
Amend p	R. S. 40:11-3	{ Repealed L. 1953, c. 37, s. 9
insert “No	R. S. 40:11-4	As am. L. 1938, c. 336; { 40A:9-3 L. 1951, c. 62, s. 1
Amend j	R. S. 40:11-5	40A:9-5
“1967, c. 2	R. S. 40:11-6	Not Enacted
1970, c. 1	R. S. 40:11-7	40A:9-6
Amend :	R. S. 40:11-8	40A:9-7
L. 1970, c. 3	R. S. 40:11-14	40A:9-8
Amend p	R. S. 40:11-15	As am. L. 1947, c. 231, s. 1; { Repealed L. 1960, c. 180, s. 3
omit “40A	C. 40:11-15.1	L. 1960, c. 180, s. 1; { 40A:9-13 As am. L. 1964, c. 259, s. 1; L. 1967, c. 204, s. 1
Amend j	R. S. 40:11-16	As am. L. 1949, c. 166, s. 1; { Repealed L. 1960, c. 180, s. 3
“L. 1968,	C. 40:11-16.1	L. 1960, c. 180, s. 2; { 40A:9-14 As am. L. 1964, c. 259, s. 2; L. 1967, c. 204, s. 2
L. 1970, c	C. 40:11-16.1a	L. 1967, c. 204, s. 3 40A:9-14
Amend p	C. 40:11-16.2	L. 1964, c. 259, s. 3 40A:9-15
insert “{40	C. 40:11-16.3	L. 1964, c. 259, s. 4 40A:9-16
Amend j		
“{40A:9-1		
Amend p		
“As am L		
I		

Amend
“40A:9-169”, and insert “Not Enacted”.

Amend page 88, 40:46-30, line 36, after “40:46-30”, omit
“40A:9-170”, and insert “40A:9-10.1”.

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40A:9-152
40A:9-152.1”.

Amend page 89, after 40:145-22 and line 26, insert “C. 40:145-33

COUNTIES AND MUNICIPALITIES

rs and Employees
 ocations of Source Material

	<i>Revised Sections</i>
L. 1948, c. 111	40A:9-44
L. 1953, c. 37, s. 7	{ 40A:9-1 40A:9-2
L. 1962, c. 173, s. 1	40A:9-4
L. 1962, c. 173, s. 2	40A:9-4
L. 1962, c. 173, s. 3	40A:9-4
L. 1962, c. 173, s. 4	40A:9-4
L. 1953, c. 37, s. 8	Not Enacted
	{ Repealed L. 1953, c. 37, s. 9
L. 1938, c. 336;	40A:9-3
L. 1951, c. 62, s. 1	40A:9-5
	Not Enacted
	40A:9-6
	40A:9-7
	40A:9-8
L. 1947, c. 231, s. 1;	{ Repealed
L. 1954, c. 129	{ L. 1960, c. 180, s. 3
L. 1960, c. 180, s. 1;	40A:9-13
L. 1964, c. 259, s. 1;	40A:9-13
L. 1967, c. 204, s. 1	40A:9-13
L. 1949, c. 166, s. 1;	{ Repealed
L. 1954, c. 165, s. 1	{ L. 1960, c. 180, s. 3
L. 1960, c. 180, s. 2;	40A:9-14
L. 1964, c. 259, s. 2;	40A:9-14
L. 1967, c. 204, s. 2	40A:9-14
L. 1967, c. 204, s. 3	40A:9-14
L. 1964, c. 259, s. 3	40A:9-15
L. 1964, c. 259, s. 4	40A:9-16

“40:46-30”, omit
 1952, c. 325, s. 1”,
 insert “C. 40:145-33

*Source
Sections*

*Revised
Sections*

R. S. 40:11-17	As am. L. 1947, c. 363, s. 1; L. 1948, c. 45, s. 1	40A:9-19
C. 40:11-17.1	L. 1940, c. 181; As am. L. 1947, c. 363, s. 2; L. 1948, c. 45, s. 2	40A:9-20
C. 40:11-17.2	L. 1952, c. 1, s. 1	Expired
C. 40:11-17.3	L. 1952, c. 1, s. 2; As am. L. 1953, c. 371	Expired
C. 40:11-17.4	L. 1952, c. 1, s. 3; As am. L. 1952, c. 359; L. 1953, c. 440; L. 1954, c. 9	Expired
C. 40:11-17.5	L. 1954, c. 10	40A:9-21
C. 40:11-26	L. 1966, c. 310	40A:9-17
C. 40:11-27	L. 1968, c. 91, s. 1	40A:9-18
C. 40:11-28	L. 1968, c. 91, s. 2	40A:9-18
R. S. 40:21-1		40A:9-23
R. S. 40:21-2		Not Enacted
R. S. 40:21-3		40A:9-9
R. S. 40:21-4		40A:9-25
R. S. 40:21-5		40A:9-11
R. S. 40:21-6		Not Enacted
R. S. 40:21-7	As am. L. 1953, c. 37, s. 27	Not Enacted
C. 40:21-7.1	L. 1956, c. 198	{ Repealed L. 1960, c. 169, s. 2
R. S. 40:21-8		{ Repealed L. 1960, c. 169, s. 2
R. S. 40:21-9	As am. L. 1952, c. 51	{ Repealed L. 1960, c. 169, s. 2
R. S. 40:21-10		{ Repealed L. 1960, c. 169, s. 2
R. S. 40:21-11		{ Repealed L. 1960, c. 169, s. 2
R. S. 40:21-12	As am. L. 1953, c. 37, s. 28	{ Repealed L. 1960, c. 169, s. 2

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	Source Sections	Revised Sections	Source Sections
Amend f	R. S. 40:21-13	40A:9-10	
Schedule of f	R. S. 40:21-14	Repealed	R. S. 40:2
"Section		L. 1960, c. 169, s. 2	
Amend p	C. 40:21-14.1	Repealed	R. S. 40:2
Amend f	L. 1957, c. 24	L. 1960, c. 169, s. 2	C. 40:2
Amend	R. S. 40:21-15	*[Not Enacted]*	thru
enacted",		*40A:9-10.1*	C. 40:2
Amend j	R. S. 40:21-16	Not Enacted	
"40A:9-45	R. S. 40:21-17	Not Enacted	
Amend p	C. 40:21-17.1	40A:9-24	C. 40:21
insert "No	R. S. 40:21-18	40A:9-26	
Amend j	R. S. 40:21-18.1	40A:9-26	
"1967, c. 2	C. 40:21-18.2	40A:9-42	
1970, c. 1	C. 40:21-18.3	40A:9-42	C. 40:21
Amend	R. S. 40:21-19	40A:9-27	
L. 1970, c. 2	C. 40:21-19.1	40A:9-28	
	R. S. 40:21-20	40A:9-29	
	C. 40:21-20.1	Not Enacted	
	C. 40:21-20.2	Not Enacted	C. 40:21-
	C. 40:21-20.3	Not Enacted	
	R. S. 40:21-21	40A:9-30	
	C. 40:21-21.1	*[40A:9-45]*	
		Not Enacted	C. 40:21-
	R. S. 40:21-22	40A:9-31	
		Not Enacted	
	R. S. 40:21-23	Superseded	C. 40:21-
		by L. 1967, c. 234	
		Not Enacted	
	C. 40:21-23.1	Superseded	C. 40:21-2
	L. 1948, c. 78, s. 2	by L. 1967, c. 234	R. S. 40:21-2
		Not Enacted	
	R. S. 40:21-24	Superseded	R. S. 40:21-2
	As am. L. 1948, c. 78, s. 1;	by L. 1967, c. 234	
	L. 1953, c. 37, s. 29	Not Enacted	
		Superseded	
		by L. 1967, c. 234	
		Not Enacted	
	C. 40:21-24.1	Superseded	R. S. 40:21-2
	L. 1960, c. 19	by L. 1967, c. 234	

Amend
"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert

{ "40A:9-144.1
40A:9-152
40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

	<i>Revised Sections</i>
.....	40A :9-10
.....	{ Repealed
.....	{ L. 1960,
.....	{ c. 169, s. 2
1957, c. 24	{ Repealed
.....	{ L. 1960,
.....	{ c. 169, s. 2
.....	{ * [Not Enacted] *
.....	{ *40A:9-10.1*
.....	Not Enacted
.....	Not Enacted
1953, c. 37, s. 38	40A:9-24
.....	40A:9-26
.....	40A:9-26
1967, c. 220, s. 1	40A:9-42
1967, c. 220, s. 2	40A:9-42
1967, c. 103, s. 1	40A:9-27
1967, c. 103, s. 2	40A:9-28
.....	40A:9-29
1944, c. 125, s. 1	Not Enacted
1944, c. 125, s. 2	Not Enacted
1944, c. 125, s. 3	Not Enacted
.....	40A:9-30
1948, c. 400	{ * [40A:9-45] *
.....	{ *Not Enacted*
.....	40A:9-31
.....	{ Not Enacted
.....	{ Superseded
.....	{ by L. 1967,
.....	{ c. 234
1948, c. 78, s. 2	{ Not Enacted
.....	{ Superseded
.....	{ by L. 1967,
.....	{ c. 234
1948, c. 78, s. 1;]	{ Not Enacted
1953, c. 37, s. 29]	{ Superseded
.....	{ by L. 1967,
.....	{ c. 234
1960, c. 19	{ Not Enacted
.....	{ Superseded
.....	{ by L. 1967,
.....	{ c. 234

40:46-30'', omit
 1952, c. 325, s. 1'',
 art "C. 40:145-33

<i>Source Sections</i>		<i>Revised Sections</i>
R. S. 40:21-25	As am. L. 1953, c. 37, s. 30	{ Not Enacted
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234
R. S. 40:21-26	.....	40A:9-58
C. 40:21-26.1	L. 1946, c. 304	{ Repealed
thru		
C. 40:21-26.5	.....	{ L. 1947,
.....	.....	{ c. 403, s. 6
C. 40:21-26.6	L. 1947, c. 403, s. 1	{ Not Enacted
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234
C. 40:21-26.7	L. 1947, c. 403, s. 2;]	{ Not Enacted
.....	As am. L. 1951, c. 309	
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234
C. 40:21-26.8	L. 1947, c. 403, s. 3	{ Not Enacted
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234
C. 40:21-26.9	L. 1947, c. 403, s. 4	{ Not Enacted
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234
C. 40:21-26.10	L. 1947, c. 403, s. 5	{ Not Enacted
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234
C. 40:21-26.11	L. 1947, c. 403, s. 6	Not Enacted
R. S. 40:21-27	.....	40A:9-48
R. S. 40:21-28	As am. L. 1953, c. 37, s. 31	{ Not Enacted
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234
R. S. 40:21-29	.....	{ Not Enacted
.....	.....	{ Superseded
.....	.....	{ by L. 1967,
.....	.....	{ c. 234

16 WHEREAS, IT IS REASONABLE AND DESIRABLE THAT THE DE
 17 Governor shall set aside a day each year for the co
 18 of the beginning of unified government in New J
 19 reflection upon the heritage with which we have l
 20 and for guidance and inspiration in our continuu
 21 liberty, prosperity and happiness; now, therefore,

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

	<i>Source Sections</i>	<i>Revised Sections</i>
Amend p Schedule of "Section Amend p Amend p Amend enacted", Amend "40A :9-45 Amend p insert "No Amend "1967, c. 1 1970, c. 1 Amend L. 1970, c. 1	R. S. 40:21-30	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.1 L. 1944, c. 182, s. 1	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.2 L. 1944, c. 182, s. 2	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.3 L. 1944, c. 182, s. 3	40A :9-47
	C. 40:21-30.4 L. 1944, c. 182, s. 4	40A :9-47
	C. 40:21-30.5 L. 1944, c. 182, s. 5	40A :9-47
	C. 40:21-30.6 L. 1944, c. 182, s. 6	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.7 L. 1944, c. 182, s. 7	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.8 L. 1944, c. 182, s. 8	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.9 L. 1944, c. 182, s. 9	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.10 L. 1944, c. 182, s. 10	Not Enacted Superseded by L. 1967, c. 234
	C. 40:21-30.11 L. 1944, c. 182, s. 11 As am. L. 1953, c. 37, s. 32	40A :9-50
	C. 40:21-30.12 L. 1944, c. 182, s. 12	40A :9-49
	C. 40:21-30.13 L. 1944, c. 182, s. 13	40A :9-58

Amend
"40A :9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit
"40A :9-170", and insert "40A :9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",
omit "40A :9-152" and insert { "40A :9-144.1
40A :9-152
40A :9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

<i>Revised Sections</i>	<i>Source Sections</i>	<i>Revised Sections</i>
..... { Not Enacted Superseded by L. 1967, c. 234	C. 40:21-30.14 L. 1944, c. 182, s. 14	{ Not Enacted Superseded by L. 1967, c. 234
L. 1944, c. 182, s. 1 { Not Enacted Superseded by L. 1967, c. 234	C. 40:21-30.15 L. 1944, c. 182, s. 15	{ Not Enacted Superseded by L. 1967, c. 234
L. 1944, c. 182, s. 2 { Not Enacted Superseded by L. 1967, c. 234	C. 40:21-30.16 L. 1944, c. 182, s. 16	{ Not Enacted Superseded by L. 1967, c. 234
L. 1944, c. 182, s. 3 40A :9-47	C. 40:21-30.17 L. 1944, c. 182, s. 17 As am. L. 1965, c. 11, s. 1	} 40A :9-51
L. 1944, c. 182, s. 4 40A :9-47	C. 40:21-30.18 L. 1944, c. 182, s. 18	40A :9-52
L. 1944, c. 182, s. 5 40A :9-47	C. 40:21-30.19 L. 1944, c. 182, s. 19	40A :9-55
L. 1944, c. 182, s. 6 { Not Enacted Superseded by L. 1967, c. 234	R. S. 40:21-31 R. S. 40:21-32 As am. L. 1953, c. 37, s. 33 R. S. 40:21-33 As am. L. 1953, c. 37, s. 34 R. S. 40:21-34 R. S. 40:21-35	Not Enacted Not Enacted Not Enacted 40A :9-53 40A :9-54
L. 1944, c. 182, s. 7 { Not Enacted Superseded by L. 1967, c. 234	R. S. 40:21-36 R. S. 40:21-37 R. S. 40:21-38	40A :9-54 40A :9-55 40A :9-52
L. 1944, c. 182, s. 8 { Not Enacted Superseded by L. 1967, c. 234	R. S. 40:21-39 R. S. 40:21-40 R. S. 40:21-41	{ 40A :9-52 40A :9-55 40A :9-52 40A :9-57
L. 1944, c. 182, s. 9 { Not Enacted Superseded by L. 1967, c. 234	R. S. 40:21-42 R. S. 40:21-43 R. S. 40:21-44	{ Not Enacted Transferred to Crimes Act 40A :9-32 40A :9-32
L. 1944, c. 182, s. 10 { Not Enacted Superseded by L. 1967, c. 234	R. S. 40:21-45 R. S. 40:21-46 R. S. 40:21-47	{ * [40A :9-33] * *Not Enacted* Not Enacted Not Enacted
L. 1944, c. 182, s. 11 } 40A :9-50	C. 40:21-47.1 L. 1939, c. 224	40A :9-34
L. 1953, c. 37, s. 32 } 40A :9-49	C. 40:21-47.2 L. 1966, c. 169	40A :9-35
L. 1944, c. 182, s. 12 } 40A :9-58	R. S. 40:21-48 As am. L. 1961, c. 64, s. 1	40A :9-36
L. 1944, c. 182, s. 13		

'40:46-30'', omit
952, c. 325, s. 1'',
ert "C. 40:145-33

10 WHEREAS, it is reasonable and desirable that the Le
17 Governor shall set aside a day each year for the co
18 of the beginning of unified government in New J
19 reflection upon the heritage with which we have l
20 and for guidance and inspiration in our continuu
21 liberty, prosperity and happiness; now, therefore,

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

	<i>Source Sections</i>	<i>Revised Sections</i>	
Amend I	R. S. 40:21-49	40A:9-37	
Schedule of I	R. S. 40:21-50	40A:9-38	
"Section	R. S. 40:21-51	40A:9-39	I
Amend p	R. S. 40:21-52	40A:9-39	
Amend I	R. S. 40:21-53	Repealed L. 1953, c. 37, s. 36	F
Amend			R
enacted",	R. S. 40:21-54	Not Enacted	
Amend I	R. S. 40:21-55	40A:9-40	R
"40A:9-45	R. S. 40:21-56	40A:9-40	
Amend I	R. S. 40:21-57	40A:9-41	
Amend I	R. S. 40:21-58	Not Enacted	
insert "No	R. S. 40:21-59	40A:9-43	R.
Amend I	R. S. 40:21-60	40A:9-43	
"1967, c. 2	R. S. 40:21-61	Not Enacted Superseded by L. 1967, c. 234	R.
1970, c. 1			
Amend	R. S. 40:21-62	Not Enacted Superseded by L. 1967, c. 234	R.
L. 1970, c. 2			R.
Amend I	R. S. 40:21-63	40A:9-47	C.
omit "40A	R. S. 40:21-64	40A:9-47	
Amend I	R. S. 40:21-65	40A:9-47	R. S.
Amend I	R. S. 40:21-66	Not Enacted Superseded by L. 1967, c. 234	R. S.
"L. 1968,			R. S.
L. 1970, c.	R. S. 40:21-67	40A:9-58	R. S.
Amend I	R. S. 40:21-68	Not Enacted Superseded by L. 1967, c. 234	R. S.
insert "{4				R. S.
Amend	R. S. 40:21-69	Not Enacted Superseded by L. 1967, c. 234	C.
"{40A:9-1			
Amend I			
"As am I			
I			
Amend			

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert { "40A:9-144.1
40A:9-152
40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

	<i>Revised Sections</i>
.....	40A :9-37
.....	40A :9-38
.....	40A :9-39
1953, c. 37, s. 35	40A :9-39
.....	{ Repealed
.....	L. 1953,
.....	c. 37, s. 36
.....	Not Enacted
.....	40A :9-40
.....	40A :9-40
1944, c. 61	40A :9-41
.....	Not Enacted
.....	40A :9-43
1938, c. 268	40A :9-43
.....	{ Not Enacted
.....	Superseded
.....	by L. 1967,
.....	c. 234
.....	{ Not Enacted
.....	Superseded
.....	by L. 1967,
.....	c. 234
.....	40A :9-47
.....	40A :9-47
.....	40A :9-47
.....	{ Not Enacted
.....	Superseded
.....	by L. 1967,
.....	c. 234
.....	40A :9-58
.....	{ Not Enacted
.....	Superseded
.....	by L. 1967,
.....	c. 234
.....	{ Not Enacted
.....	Superseded
.....	by L. 1967,
.....	c. 234

<i>Source Sections</i>		<i>Revised Sections</i>
R. S. 40:21-70	.....	{ Not Enacted
		Superseded
		by L. 1967,
		c. 234
R. S. 40:21-71	As am. L. 1953, c. 37, s. 37	40A :9-50
R. S. 40:21-72	.....	40A :9-49
R. S. 40:21-73	As am. L. 1942, c. 80	40A :9-58
R. S. 40:21-74	.....	{ Not Enacted
		Superseded
		by L. 1967,
		c. 234
R. S. 40:21-75	.....	{ Not Enacted
		Superseded
		by L. 1967,
		c. 234
R. S. 40:21-76	.....	{ Not Enacted
		Superseded
		by L. 1967,
		c. 234
R. S. 40:21-77	As am. L. 1942, c. 51, s. 3	40A :9-51
R. S. 40:21-78	.....	40A :9-52
R. S. 40:21-79	.....	40A :9-55
C. 40:21-80	L. 1938, c. 54	{ Not Enacted
	As am. L. 1940, c. 134	Reallocated to
	L. 1947, c. 212	C. 30:8-13.1
R. S. 40:38-1	As am. L. 1943, c. 21;	{ 40A :9-63
	L. 1953, c. 37, s. 98	40A :9-64
R. S. 40:38-2	As am. L. 1953, c. 37, s. 99	40A :9-65
R. S. 40:38-3	.....	40A :9-66
R. S. 40:38-4	As am. L. 1953, c. 37, s. 100	40A :9-67
R. S. 40:38-5	As am. L. 1944, c. 68;	{ Repealed
	L. 1947, c. 198	L. 1959,
		c. 96, s. 4
R. S. 40:38-6	.....	{ Repealed
		L. 1959,
		c. 96, s. 4
C. 40:38-6.1	L. 1945, c. 62	{ Repealed
		L. 1959,
		c. 96, s. 4

40:46-30", omit
 1952, c. 325, s. 1",
 art "C. 40:145-33

17. WHEREAS, IT IS reasonable and desirable that the LE
 17. Governor shall set aside a day each year for the co
 18. of the beginning of unified government in New Je
 19. reflection upon the heritage with which we have t
 20. and for guidance and inspiration in our continui
 21. liberty, prosperity and happiness; now, therefore,
 1 BE IT ENACTED by the Senate and General Assembly
 2 of New Jersey.

	<i>Source Sections</i>		<i>Revised Sections</i>	<i>Source Sections</i>
Amend I Schedule of A "Section	C. 40:38-6.2	L. 1946, c. 197; As am. L. 1953, c. 61	Repealed L. 1959, c. 96, s. 4	C.
Amend p	C. 40:38-6.3	L. 1948, c. 303	Repealed L. 1959, c. 96, s. 4	C. R. S.
Amend I	C. 40:38-6.4	L. 1951, c. 244, s. 1	Repealed L. 1959, c. 96, s. 4	R. S. C.
Amend enacted",	C. 40:38-6.5	L. 1951, c. 242	Repealed L. 1959, c. 96, s. 4	R. S. R. S.
Amend I "40A:9-45	C. 40:38-6.6	L. 1952, c. 88, s. 1	Repealed L. 1959, c. 96, s. 4	R. S. R. S.
Amend p insert "No	C. 40:38-6.7	L. 1952, c. 88, s. 2	Repealed L. 1959, c. 96, s. 4	R. S.
Amend I "1967, c. 2 1970, c. 1	C. 40:38-6.8	L. 1952, c. 98, s. 1	Repealed L. 1959, c. 96, s. 4	R. S.
Amend I L. 1970, c. 3	C. 40:38-6.9	L. 1952, c. 98, s. 2	Repealed L. 1959, c. 96, s. 4	R. S. 4
Amend p omit "40A	C. 40:38-6.10	L. 1953, c. 179	Repealed L. 1959, c. 96, s. 4	R. S. 4 R. S. 4
Amend I	C. 40:38-6.11	L. 1954, c. 202	Repealed L. 1959, c. 96, s. 4	R. S. 40
Amend I "L. 1968, L. 1970, c	C. 40:38-6.12	L. 1954, c. 256, s. 1	Repealed L. 1959, c. 96, s. 4	R. S. 40 R. S. 40
Amend I insert "{40	C. 40:38-6.13	L. 1955, c. 247, s. 1	Repealed L. 1959, c. 96, s. 4	R. S. 40 R. S. 40
Amend I "{40A:9-14	C. 40:38-6.14	L. 1959, c. 96, s. 1; As am. L. 1961, c. 15, s. 1; L. 1967, c. 266, s. 1*; 1970, c. 144*	40A:9-76 40A:9-92 40A:9-104	R. S. 40: R. S. 40: R. S. 40:
Amend I "As am L I	C. 40:38-6.15	L. 1959, c. 96, s. 2	40A:9-76 40A:9-92 40A:9-104	C. 40:

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert {
 "40A:9-144.1
 40A:9-152
 40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

	<i>Revised Sections</i>
. 1946, c. 197; 1953, c. 61	{ Repealed L. 1959, c. 96, s. 4
. 1948, c. 303	{ Repealed L. 1959, c. 96, s. 4
. 1951, c. 244, s. 1	{ Repealed L. 1959, c. 96, s. 4
. 1951, c. 242	{ Repealed L. 1959, c. 96, s. 4
. 1952, c. 88, s. 1	{ Repealed L. 1959, c. 96, s. 4
. 1952, c. 88, s. 2	{ Repealed L. 1959, c. 96, s. 4
. 1952, c. 98, s. 1	{ Repealed L. 1959, c. 96, s. 4
. 1952, c. 98, s. 2	{ Repealed L. 1959, c. 96, s. 4
. 1953, c. 179	{ Repealed L. 1959, c. 96, s. 4
. 1954, c. 202	{ Repealed L. 1959, c. 96, s. 4
. 1954, c. 256, s. 1	{ Repealed L. 1959, c. 96, s. 4
L. 1955, c. 247, s. 1	{ Repealed L. 1959, c. 96, s. 4
L. 1959, c. 96, s. 1; L. 1961, c. 15, s. 1; L. 1967, c. 266, s. 1*; 1970, c. 144*	{ 40A :9-76 40A :9-92 40A :9-104
L. 1959, c. 96, s. 2	{ 40A :9-76 40A :9-92 40A :9-104

“40:46-30”, omit
1952, c. 325, s. 1”,
sert “C. 40:145-33
”

<i>Source Sections</i>	<i>Revised Sections</i>
C. 40:38-6.16 L. 1959, c. 96, s. 3	{ 40A :9-76 40A :9-92 40A :9-104
C. 40:38-6.17 L. 1959, c. 96, s. 4	40A :9-78
R. S. 40:38-7 As am. L. 1953, c. 37, s. 101	40A :9-68
R. S. 40:38-8 As am. L. 1953, c. 37, s. 102	40A :9-68
C. 40:38-8.1 L. 1948, c. 208; As am. L. 1951, c. 122	{ 40A :9-70 40A :9-88
R. S. 40:38-9	40A :9-69
R. S. 40:38-10 As am. L. 1953, c. 37, s. 103	40A :9-71
R. S. 40:38-11 As am. L. 1953, c. 37, s. 104	40A :9-71
R. S. 40:38-12	40A :9-73
R. S. 40:38-13	{ Not Enacted Superseded by L. 1960, c. 169
R. S. 40:38-14	{ Not Enacted Superseded by L. 1960, c. 169
R. S. 40:38-15	{ Not Enacted Superseded by L. 1960, c. 169
R. S. 40:38-16 As am. L. 1953, c. 37, s. 105	Not Enacted
R. S. 40:38-17 As am. L. 1953, c. 37, s. 106	Not Enacted
R. S. 40:38-18	{ Repealed L. 1953, c. 37, s. 107
R. S. 40:38-19	Not Enacted
R. S. 40:38-20	Not Enacted
R. S. 40:38-21	Not Enacted
R. S. 40:38-22	{ Repealed L. 1953, c. 37, s. 108
R. S. 40:38-23 As am. L. 1953, c. 37, s. 109	40A :9-72
R. S. 40:38-24 As am. L. 1953, c. 37, s. 110	40A :9-72
R. S. 40:38-25 As am. L. 1953, c. 37, s. 111	40A :9-74
C. 40:38-25.1 L. 1939, c. 223	40A :9-79

WHEREAS, IT IS REASONABLE AND DESIRABLE THAT THE I
17 Governor shall set aside a day each year for the c
18 of the beginning of unified government in New
19 reflection upon the heritage with which we have
20 and for guidance and inspiration in our continu
21 liberty, prosperity and happiness; now, therefore

1 BE IT ENACTED by the Senate and General Assemb
2 of New Jersey:

	<i>Source Sections</i>	<i>Revised Sections</i>	
Amend I	C. 40:38-25.2	L. 1952, c. 96, s. 1	40A:9-75
Schedule of	C. 40:38-25.3	L. 1952, c. 96, s. 2	40A:9-75
"Section	C. 40:38-25.4	L. 1952, c. 96, s. 3	40A:9-75
Amend I	C. 40:38-25.5	L. 1952, c. 96, s. 4	40A:9-75
Amend I	R. S. 40:38-26		40A:9-74
Amend	R. S. 40:38-27	As am. L. 1953, c. 37, s. 112	40A:9-74
enacted",	R. S. 40:38-28	As am. L. 1948, c. 278	{ 40A:9-74 40A:9-77
Amend	C. 40:38-28.1	L. 1969, c. 260	40A:9-77.1
Amend	C. 40:38-29	L. 1944, c. 252, s. 1	Not Enacted
"40A:9-45	C. 40:38-30	L. 1944, c. 252, s. 2	Not Enacted
Amend I	C. 40:38-31	L. 1944, c. 252, s. 3	Not Enacted
insert "Nc	C. 40:38-32	L. 1948, c. 314, s. 1; ... As am. L. 1951, c. 256; ... L. 1952, c. 178	Not Enacted
Amend I	C. 40:38-33	L. 1948, c. 314, s. 2	Not Enacted
"1967, c. 3	C. 40:38-34	L. 1948, c. 314, s. 3	Not Enacted
1970, c. 1	R. S. 40:39-1		40A:9-80
Amend	R. S. 40:39-2	As am. L. 1943, c. 92	40A:9-81
L. 1970, c. 3	R. S. 40:39-3		40A:9-81
	R. S. 40:39-4		40A:9-81
	R. S. 40:39-5		40A:9-81
Amend I	R. S. 40:39-6		40A:9-81
omit "40A	R. S. 40:39-7		40A:9-81
Amend	R. S. 40:39-8	As am. L. 1953, c. 37, s. 113	40A:9-82
	R. S. 40:39-9		40A:9-83
	R. S. 40:39-10	As am. L. 1953, c. 37, s. 114	{ 40A:9-84 40A:9-85 40A:9-86 40A:9-87
Amend I	R. S. 40:39-11		{ Repealed L. 1959, c. 96, s. 4
"L. 1968, L. 1970,	C. 40:39-11.1	L. 1955, c. 247, s. 4	{ Repealed L. 1959, c. 96, s. 4
Amend I	R. S. 40:39-12		{ Repealed L. 1959, c. 96, s. 4
insert "{4			
Amend			
"{40A:9-1			
Amend I			
"As am I			
Amend			
Amend			

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert { "40A:9-144.1
40A:9-152
40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

	<i>Revised Sections</i>
1952, c. 96, s. 1	40A:9-75
1952, c. 96, s. 2	40A:9-75
1952, c. 96, s. 3	40A:9-75
1952, c. 96, s. 4	40A:9-75
	40A:9-74
1953, c. 37, s. 112	40A:9-74
1948, c. 278	{ 40A:9-74 40A:9-77
1969, c. 260	40A:9-77.1
1944, c. 252, s. 1	Not Enacted
1944, c. 252, s. 2	Not Enacted
1944, c. 252, s. 3	Not Enacted
1948, c. 314, s. 1;	} Not Enacted
1951, c. 256;	
1952, c. 178	
1948, c. 314, s. 2	Not Enacted
1948, c. 314, s. 3	Not Enacted
	40A:9-80
1943, c. 92	40A:9-81
	40A:9-81
	40A:9-81
	40A:9-81
	40A:9-81
1953, c. 37, s. 113	40A:9-82
	40A:9-83
	{ 40A:9-84 40A:9-85 40A:9-86 40A:9-87
	{ Repealed L. 1959, c. 96, s. 4
1955, c. 247, s. 4	{ Repealed L. 1959, c. 96, s. 4
	{ Repealed L. 1959, c. 96, s. 4

<i>Source Sections</i>		<i>Revised Sections</i>
C. 40:39-12.1	L. 1952, c. 87, s. 1	{ Repealed L. 1959, c. 96, s. 4
C. 40:39-12.2	L. 1952, c. 87, s. 2	
R. S. 40:39-13		{ Repealed L. 1959, c. 96, s. 4
R. S. 40:39-14	As am. L. 1953, c. 37, s. 115	
R. S. 40:39-15	As am. L. 1953, c. 37, s. 116	40A:9-88
R. S. 40:39-16	As am. L. 1953, c. 37, s. 117	40A:9-89
R. S. 40:39-17		40A:9-90
R. S. 40:39-18	As am. L. 1953, c. 37, s. 118	{ 40A:9-87 40A:9-90
		40A:9-91
R. S. 40:39-19		{ Not Enacted Superseded by L. 1960, c. 169
R. S. 40:39-20		40A:9-91
R. S. 40:39-21	As am. L. 1948, c. 277	40A:9-93
C. 40:39-22	L. 1970, c. 336	{ 40A:9-77 40A:9-93*
R. S. 40:40-22		Not Enacted
R. S. 40:40-23		40A:9-59
R. S. 40:40-24		40A:9-60
R. S. 40:40-25		Not Enacted
R. S. 40:40-26		40A:9-61
R. S. 40:40-27		40A:9-61
R. S. 40:40-28		40A:9-62
R. S. 40:41-1		40A:9-94
R. S. 40:41-2	As am. L. 1943, c. 22, s. 1; L. 1953, c. 37, s. 134	{ 40A:9-95
R. S. 40:41-3	As am. L. 1943, c. 22, s. 2; L. 1953, c. 37, s. 135	{ 40A:9-95
C. 40:41-3.1	L. 1940, c. 87, s. 1	Not Enacted
C. 40:41-3.2	L. 1940, c. 87, s. 2	Not Enacted
C. 40:41-3.3	L. 1940, c. 87, s. 3	Not Enacted
C. 40:41-3.4	L. 1940, c. 87, s. 4	Not Enacted
R. S. 40:41-4	As am. L. 1953, c. 37, s. 137	40A:9-96
R. S. 40:41-5	As am. L. 1953, c. 37, s. 138	40A:9-97
R. S. 40:41-6	As am. L. 1944, c. 69; L. 1947, c. 197	{ Repealed L. 1959, c. 96, s. 4

40:46-30", omit

52, c. 325, s. 1",

rt "C. 40:145-33

17. Governor shall set aside a day each year for the con-
 18. of the beginning of unified government in New Jer-
 19. reflection upon the heritage with which we have b-
 20. and for guidance and inspiration in our continui-
 21. liberty, prosperity and happiness; now, therefore,

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

	<i>Source Sections</i>	<i>Revised Sections</i>
Amend 1 Schedule of "Section	R. S. 40:41-7	Repealed L. 1959, c. 96, s. 4
Amend 1	C. 40:41-7.1 L. 1945, c. 63	Repealed L. 1959, c. 96, s. 4
Amend 1	C. 40:41-7.2 L. 1948, c. 302	Repealed L. 1959, c. 96, s. 4
Amend enacted",	As am. L. 1948, c. 399	
Amend 1 "40A:9-45	C. 40:41-7.3 L. 1951, c. 244, s. 3	Repealed L. 1959, c. 96, s. 4
Amend 1 insert "No	C. 40:41-7.4 L. 1951, c. 240	Repealed L. 1959, c. 96, s. 4
Amend 1 "1967, c. 2 1970, c. 1	C. 40:41-7.5 L. 1952, c. 85	Repealed L. 1959, c. 96, s. 4
Amend 1 L. 1970, c. 3	C. 40:41-7.6 L. 1952, c. 85	Repealed L. 1959, c. 96, s. 4
Amend 1	C. 40:41-7.7 L. 1952, c. 99	Repealed L. 1959, c. 96, s. 4
Amend 1 omit "40A	C. 40:41-7.8 L. 1952, c. 99	Repealed L. 1959, c. 96, s. 4
Amend 1	C. 40:41-7.9 L. 1953, c. 180	Repealed L. 1959, c. 96, s. 4
Amend 1 "L. 1968, L. 1970, c	C. 40:41-7.10 L. 1954, c. 201	Repealed L. 1959, c. 96, s. 4
Amend 1 insert "{40	C. 40:41-7.11 L. 1954, c. 256, s. 3	Repealed L. 1959, c. 96, s. 4
Amend 1 "40A:9-1	C. 40:41-7.12 L. 1955, c. 247, s. 3	Repealed L. 1959, c. 96, s. 4
Amend 1	R. S. 40:41-8	40A:9-105
Amend 1	R. S. 40:41-9	40A:9-98
"As am L I	R. S. 40:41-10	40A:9-99

Amend 1
"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit
"40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1",
omit "40A:9-152" and insert { "40A:9-144.1
40A:9-152
40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

	<i>Revised Sections</i>	<i>Source Sections</i>	<i>Revised Sections</i>
	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-11	40A:9-100
		R. S. 40:41-12	40A:9-101
		R. S. 40:41-13	Not Enacted
945, c. 63	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-14	As am. L. 1948, c. 206; L. 1951, c. 120; L. 1953, c. 37, s. 139
			40A:9-102
948, c. 302	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-15	As am. L. 1953, c. 37, s. 140
948, c. 399		R. S. 40:41-16	As am. L. 1952, c. 141
		R. S. 40:41-17	40A:9-103
		R. S. 40:41-18	40A:9-114
		R. S. 40:41-19	40A:9-113
951, c. 244, s. 3	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-20	40A:9-106
		R. S. 40:41-21	40A:9-107
		R. S. 40:41-22	40A:9-108
951, c. 240	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-23	40A:9-109
		R. S. 40:41-24	40A:9-110
		R. S. 40:41-25	As am. L. 1953, c. 37, s. 142
952, c. 85	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-26	40A:9-111
			40A:9-111
			40A:9-111
952, c. 85	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-27	As am. L. 1953, c. 37, s. 143
			Not Enacted Covered by 2A:99-1
			[40A:9-112] *Not Enacted*
952, c. 99	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-28	As am. L. 1953, c. 37, s. 144
		R. S. 40:41-29	40A:9-115
		R. S. 40:41-30	Not Enacted
		R. S. 40:41-31	40A:9-116
952, c. 99	Repealed L. 1959, c. 96, s. 4	C. 40:41-31.1	L. 1970, c. 337
		R. S. 40:41-32	40A:9-117*
			Not Enacted
953, c. 180	Repealed L. 1959, c. 96, s. 4	R. S. 40:41-33	Not Enacted Superseded by L. 1943, c. 191
954, c. 201	Repealed L. 1959, c. 96, s. 4	C. 40:41-33.1	L. 1943, c. 191, s. 1; As am. L. 1947, c. 256, s. 1; L. 1950, c. 277, s. 1; L. 1953, c. 341, s. 1
			40A:9-118
954, c. 256, s. 3	Repealed L. 1959, c. 96, s. 4	C. 40:41-33.2	L. 1943, c. 191, s. 2; As am. L. 1947, c. 256, s. 2; L. 1950, c. 277, s. 2; L. 1953, c. 341, s. 2
			40A:9-118
955, c. 247, s. 3	Repealed L. 1959, c. 96, s. 4	C. 40:41-33.3	L. 1943, c. 191, s. 3; As am. L. 1950, c. 277, s. 3; L. 1953, c. 341, s. 3
			40A:9-118
	40A:9-105		
	40A:9-98		
	40A:9-99		

10:46-30", omit
52, c. 325, s. 1",

17 Governor shall set aside a day each year for the con
18 of the beginning of unified government in New Je
19 reflection upon the heritage with which we have t
20 and for guidance and inspiration in our continui
21 liberty, prosperity and happiness; now, therefore,

rt "C. 40:145-33

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

	<i>Source Sections</i>	<i>Revised Sections</i>
Amend p	C. 40:41-33.4	L. 1943, c. 191, s. 4
Schedule of	C. 40:41-33.5	L. 1943, c. 191, s. 5;
“Section	As am.	L. 1947, c. 256, s. 3;
Amend p		L. 1950, c. 277, s. 4;
Amend p		L. 1953, c. 341, s. 4;
Amend p		L. 1957, c. 155
Amend	C. 40:41-33.6	L. 1943, c. 191, s. 6;
enacted”,	As am.	L. 1947, c. 256, s. 4;
Amend p		L. 1953, c. 341, s. 5
Amend p	C. 40:41-33.7	L. 1943, c. 191, s. 7
Amend p	C. 40:41-33.8	L. 1943, c. 191, s. 8
“40A :9-45	C. 40:41-33.9	L. 1943, c. 191, s. 9;
Amend p	As am.	L. 1947, c. 256, s. 5
insert “No	C. 40:41-33.10	L. 1943, c. 191, s. 10;
Amend p	As am.	L. 1947, c. 256, s. 6
Amend p	C. 40:41-33.11	L. 1943, c. 191, s. 11
“1967, c. 2	C. 40:41-33.12	L. 1943, c. 191, s. 12
1970, c. 1	C. 40:41-33.13	L. 1943, c. 191, s. 13
Amend	C. 40:41-33.14	L. 1943, c. 191, s. 14
L. 1970, c. 3	C. 40:41-33.15	L. 1943, c. 191, s. 15
Amend p	C. 40:41-33.16	L. 1947, c. 256, s. 7
omit “40A	C. 40:41-33.17	L. 1947, c. 256, s. 8
Amend p	C. 40:41-33.18	L. 1947, c. 256, s. 9
Amend p	C. 40:41-33.19	L. 1947, c. 256, s. 10
Amend p	C. 40:41-33.20	L. 1949, c. 35, s. 1
Amend p	C. 40:41-33.21	L. 1949, c. 35, s. 2
Amend p	C. 40:41-33.22	L. 1949, c. 35, s. 3
Amend p	R. S. 40:41-34	
“L. 1968,	R. S. 40:41-35	As am. L. 1943, c. 68;
L. 1970, c. 4		L. 1949, c. 76;
Amend p		L. 1967, c. 300
insert “{4	R. S. 40:41-36	
Amend p	R. S. 40:41-37	
Amend p	R. S. 40:41-38	
“{40A :9-1	R. S. 40:41-39	
Amend p	R. S. 40:41-40	
Amend p	R. S. 40:41-41	
“As am L	R. S. 40:41-42	As am. L. 1953, c. 37, s. 145
I	R. S. 40:41-43	As am. L. 1953, c. 37, s. 146
Amend p	R. S. 40:41-44	As am. L. 1953, c. 37, s. 147

“40A :9-169”, and insert “Not Enacted”.

Amend page 88, 40:46-30, line 36, after “40:46-30”, omit “40A :9-170”, and insert “40A :9-10.1”.

Amend page 89, 40:145-14.5, line 21, after “L. 1952, c. 325, s. 1”, omit “40A :9-152” and insert { “40A :9-144.1
40A :9-152
40A :9-152.1”.

Amend page 89, after 40:145-22 and line 26, insert “C. 40:145-33

	<i>Revised Sections</i>
1943, c. 191, s. 4	40A:9-118
1943, c. 191, s. 5;	40A:9-118
1947, c. 256, s. 3;	
1950, c. 277, s. 4;	
1953, c. 341, s. 4;	
1957, c. 155	
1943, c. 191, s. 6;	40A:9-118
1947, c. 256, s. 4;	
1953, c. 341, s. 5	
1943, c. 191, s. 7	40A:9-118
1943, c. 191, s. 8	40A:9-119
1943, c. 191, s. 9;	Not Enacted
1947, c. 256, s. 5	
1943, c. 191, s. 10;	Not Enacted
1947, c. 256, s. 6	
1943, c. 191, s. 11	Not Enacted
1943, c. 191, s. 12	Not Enacted
1943, c. 191, s. 13	Not Enacted
1943, c. 191, s. 14	Not Enacted
1943, c. 191, s. 15	Not Enacted
1947, c. 256, s. 7	Not Enacted
1947, c. 256, s. 8	Not Enacted
1947, c. 256, s. 9	Not Enacted
1947, c. 256, s. 10	Not Enacted
1949, c. 35, s. 1	40A:9-118
1949, c. 35, s. 2	Not Enacted
1949, c. 35, s. 3	Not Enacted
	40A:9-120
1943, c. 68;	40A:9-120
1949, c. 76;	
1967, c. 300	
	40A:9-121
	40A:9-122
	40A:9-123
	40A:9-124
	40A:9-125
	40A:9-126
L. 1953, c. 37, s. 145	40A:9-126
L. 1953, c. 37, s. 146	40A:9-126
L. 1953, c. 37, s. 147	40A:9-126

40:46-30', omit
 1952, c. 325, s. 1',

ert "C. 40:145-33

<i>Source Sections</i>	<i>Revised Sections</i>
R. S. 40:41-45	{ Repealed L. 1953, c. 37, s. 148 40A:9-127
R. S. 40:41-46 As am. L. 1953, c. 37, s. 149	
R. S. 40:41-47	{ Repealed L. 1953, c. 37, s. 150 40A:9-127 40A:9-127
R. S. 40:41-48	
R. S. 40:41-49	40A:9-127
C. 40:41-50	L. 1969, c. 241, s. 1
C. 40:41-51	L. 1969, c. 241, s. 2
C. 40:41-52	L. 1969, c. 241, s. 3
C. 40:41-53	L. 1969, c. 241, s. 4
R. S. 40:46-1	40A:9-129
R. S. 40:46-2	{ Repealed L. 1960, c. 169, s. 2 40A:9-135
C. 40:46-2.1	
C. 40:46-2.2	L. 1953, c. 322
	L. 1968, c. 367, s. 1*; L. 1970, c. 146
C. 40:46-2.3	L. 1968, c. 367, s. 2
C. 40:46-2.4	L. 1968, c. 367, s. 3
R. S. 40:46-3	Not Enacted
R. S. 40:46-4	40A:9-139
R. S. 40:46-5	{ As am. L. 1938, c. 149; L. 1948, c. 46; L. 1955, c. 131; L. 1967, c. 236, s. 1 40A:9-155
R. S. 40:46-6	
R. S. 40:46-6.1	
C. 40:46-6.2	
C. 40:46-6.2a	L. 1938, c. 386, s. 1
C. 40:46-6.2b	L. 1968, c. 35, s. 1
C. 40:46-6.2c	L. 1968, c. 35, s. 2
C. 40:46-6.3	L. 1968, c. 205
C. 40:46-6.13	L. 1968, c. 386, s. 2
C. 40:46-6.13a	L. 1947, c. 192
C. 40:46-6.14	L. 1966, c. 211
	L. 1947, c. 350, s. 1;
	As am. L. 1951, c. 173
C. 40:46-6.15	L. 1947, c. 350, s. 2
C. 40:46-6.16	L. 1947, c. 350, s. 3

17 Governor shall set aside a day each year for the co
 18 of the beginning of unified government in New J
 19 reflection upon the heritage with which we have
 20 and for guidance and inspiration in our continui
 21 liberty, prosperity and happiness; now, therefore,

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

	<i>Source Sections</i>	<i>Revised Sections</i>	
Amend	C. 40:46-6.17	L. 1947, c. 350, s. 4; As am. L. 1953, c. 37, s. 165	40A:9-144
Schedule of	C. 40:46-6.18	L. 1947, c. 350, s. 5	40A:9-144
"Sector	C. 40:46-6.19	L. 1947, c. 350, s. 6	40A:9-144
Amend	C. 40:46-6.20	L. 1947, c. 350, s. 7	40A:9-144
Amend	C. 40:46-6.21	L. 1947, c. 350, s. 8	40A:9-144
Amend	C. 40:46-6.22	L. 1947, c. 350, s. 9	40A:9-144
Amend	C. 40:46-6.22a	L. 1965, c. 243	*[40A:9-144]*
enacted",	C. 40:46-6.23	L. 1960, c. 81, s. 1	40A:9-140
Amend	C. 40:46-6.24	L. 1960, c. 81, s. 2	40A:9-140
"40A:9-45	C. 40:46-6.25	L. 1960, c. 81, s. 3	40A:9-140
Amend	R. S. 40:46-7		40A:9-134
Amend	R. S. 40:46-8		40A:9-161
insert "No	R. S. 40:46-9		40A:9-154
Amend	R. S. 40:46-10		40A:9-163
Amend	R. S. 40:46-11		40A:9-159
"1967, c. 1	R. S. 40:46-12		Not Enacted
1970, c. 1	R. S. 40:46-13		40A:9-9
Amend	R. S. 40:46-14	As am. L. 1949, c. 62*; L. 1970, c. 240	40A:9-157
L. 1970, c. 1	*C. 40:46-14.1	L. 1970, c. 303	40A:9-1
Amend	R. S. 40:46-15		* 40A:9-11
Amend	R. S. 40:46-16		40A:9-11.1*
omit "40A	C. 40:46-16.1	L. 1964, c. 2, s. 1	40A:9-12
Amend	C. 40:46-16.2	L. 1964, c. 2, s. 2	40A:9-149
Amend	C. 40:46-16.3	L. 1964, c. 2, s. 3	40A:9-162
Amend	C. 40:46-16.4	L. 1964, c. 2, s. 4	40A:9-162
Amend	C. 40:46-16.5	L. 1964, c. 2, s. 5	40A:9-162
Amend	R. S. 40:46-17		Not Enacted
"L. 1968,	R. S. 40:46-18		Not Enacted
L. 1970,	R. S. 40:46-19		Repealed
Amend	R. S. 40:46-20	As am. L. 1940, c. 257, s. 14; L. 1952, c. 52	L. 1960, c. 169, s. 2
insert "{4	R. S. 40:46-21		Repealed
Amend	R. S. 40:46-22	As am. L. 1953, c. 37, s. 166	L. 1960, c. 169, s. 2
"{40A:9-1			Repealed
Amend			L. 1960, c. 169, s. 2
"As am L			Repealed
I			L. 1960, c. 169, s. 2

"40A:9-169", and insert "Not Enacted".

Amend page 88, 40:46-30, line 36, after "40:46-30", omit "40A:9-170", and insert "40A:9-10.1".

Amend page 89, 40:145-14.5, line 21, after "L. 1952, c. 325, s. 1", omit "40A:9-152" and insert

{	40A:9-144.1
	40A:9-152
}	40A:9-152.1".

Amend page 89, after 40:145-22 and line 26, insert "C. 40:145-33

	<i>Revised Sections</i>
1947, c. 350, s. 4; 1953, c. 37, s. 165	} 40A :9-144
1947, c. 350, s. 5 1947, c. 350, s. 6 1947, c. 350, s. 7 1947, c. 350, s. 8 1947, c. 350, s. 9	
1965, c. 243	} * [40A :9-144] *
1960, c. 81, s. 1 1960, c. 81, s. 2 1960, c. 81, s. 3	
	40A :9-145 40A :9-140 40A :9-140 40A :9-140 40A :9-134 40A :9-161 40A :9-154 40A :9-163 40A :9-159 Not Enacted
	} 40A :9-9 40A :9-157
1949, c. 62*; 1970, c. 240	
1970, c. 303	} * 40A :9-11 40A :9-11.1*
	40A :9-12 40A :9-149 40A :9-162 40A :9-162 40A :9-162 40A :9-162 40A :9-162 40A :9-162
	} Repealed L. 1960, c. 169, s. 2
1940, c. 257, s. 14; 1952, c. 52	
	} Repealed L. 1960, c. 169, s. 2
1953, c. 37, s. 166	
	} Repealed L. 1960, c. 169, s. 2

<i>Source Sections</i>		<i>Revised Sections</i>
R. S. 40:46-23	As am. L. 1947, c. 166, s. 1; L. 1948, c. 282, s. 1; L. 1958, c. 145, s. 1; L. 1962, c. 144, s. 1; L. 1965, c. 227	} 40A :9-165
R. S. 40:46-24		
R. S. 40:46-25		} Blank * [40A :9-169] * * <i>Not Enacted</i> *
R. S. 40:46-26	As am. L. 1942, c. 53, s. 1; L. 1944, c. 99, s. 1; L. 1947, c. 33; L. 1947, c. 166, s. 2; L. 1948, c. 282, s. 2; L. 1949, c. 271; L. 1952, c. 281; L. 1955, c. 175; L. 1962, c. 144, s. 2	
C. 40:46-26.1	L. 1962, c. 144, s. 3	40A :9-166
R. S. 40:46-27	As am. L. 1941, c. 144; L. 1954, c. 271; L. 1955, c. 186; L. 1958, c. 145, s. 2	} 40A :9-167
C. 40:46-27.1	L. 1951, c. 339;	
	As am. L. 1962, c. 151; L. 1967, c. 299, s. 1	40A :9-165
R. S. 40:46-28		40A :9-168
C. 40:46-28.1	L. 1945, c. 277	} Repealed L. 1958, c. 145, s. 3
C. 40:46-28.2	L. 1951, c. 327	
C. 40:46-28.3	L. 1951, c. 327	} Repealed L. 1958, c. 145, s. 3
R. S. 40:46-29		
R. S. 40:46-30		} Repealed L. 1958, c. 145, s. 3 Not Enacted * [40A :9-170] * *40A :9-10.1*
R. S. 40:46-31		
R. S. 40:46-32		} Repealed L. 1960, c. 169, s. 2 40A :9-158
C. 40:46-32.1	L. 1968, c. 239	
C. 40:46-32.2	L. 1969, c. 287	40A :9-160 40A :9-160.1

40:46-30", omit
52, c. 325, s. 1",
rt "C. 40:145-33

17. WHEREAS, IT IS REASONABLE AND DESIRABLE THAT THE LE
17. Governor shall set aside a day each year for the co
18. of the beginning of unified government in New J
19. reflection upon the heritage with which we have l
20. and for guidance and inspiration in our continui
21. liberty, prosperity and happiness; now, therefore,

1 BE IT ENACTED by the Senate and General Assembly
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STATE OF NEW JERSEY



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SENATE NO. 641

INTRODUCED MARCH 9, 1970

By Senators BEADLESTON and HAUSER

Referred to Committee on County and Municipal Government

March 8, 1

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions classified service. The provisions of 104:2.2

AN Act concerning county and municipal officers and employees, revising parts of the statutory law, and enacting an additional chapter to Title 40A of the New Jersey Statutes.

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

SECTION 1

TITLE 40A.

CHAPTER 9

OFFICERS AND EMPLOYEES

- A. Counties and Municipalities
- B. Counties
- C. Municipalities

A. ANALYSIS

- 40A:9-1 Residence of officers.
- 40A:9-2 Appointees to have the required qualifications in cases of scientific engineering skill.
- 40A:9-3 Discrimination by reason of age; exceptions.
- 40A:9-4 Dual office holding.
- 40A:9-5 Rights of certain employees transferred to other positions.
- 40A:9-6 De facto officers and employees; right to compensation.
- 40A:9-7 Leaves of absence with pay to certain officers and employees.
- 40A:9-8 Salaries; power of Civil Service Commission.
- 40A:9-9 Appointments; permanent and temporary.
- 40A:9-10 Compensation; exceptions.
- 40A:9-11 Vacancies in office; causes; how filled; change of residence not to cause vacancy in certain cases.
- 40A:9-12 Vacancies from any cause other than expiration of term to be filled for unexpired term.
- 40A:9-13 Contracts for group insurance.
- 40A:9-14 Insurance coverage for employees.
- 40A:9-15 Filing copies of contracts with State Employees Health Benefit Commission; report to Governor and Legislature.

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- 40A:9-16 Validation of prior contracts; amendment; modification.
- 40A:9-17 Deductions for payment to credit unions.
- 40A:9-18 Awards program; appropriations.
- 40A:9-19 Section 40:11-17 of the Revised Statutes saved from repeal.
- 40A:9-20 Chapter 181 of the laws of 1940 saved from repeal.
- 40A:9-21 Chapter 10 of the laws of 1954 saved from repeal.
- 40A:9-22 Statutes repealed.

40A:9-1 Residence of officers.

Except in the case of counsel, attorney, engineer, medical officer or other officer who is a member of a profession, or as otherwise provided by law, every person holding an office, the authority and duties of which relate to a county only, or to a municipality only, shall reside within said county or municipality, as the case may be.

Any person holding or attempting to hold any such office in a county or municipality in violation hereof, may be ousted in a proceeding in lieu of prerogative writ.

Source: R. S. 40:11-1 amended 1953, c. 37, s. 7; 40:46-14 amended 1949, c. 62.

40A:9-2 Appointees to have the required qualifications in cases of scientific engineering skill.

No person shall be appointed to or hold any office in a county or municipality in cases where scientific engineering skill is necessary, unless he has the required qualifications for personally performing the duties of such office.

Source: R. S. 40:11-1 amended 1953, c. 37, s. 7.

40A:9-3 Discrimination by reason of age; exceptions.

The board of chosen freeholders of any county, or the governing body of any municipality shall not make any rules or regulations designed to bar any person from holding a county or municipal position or employment or applying therefor, who is 40 years of age or more. This section shall be inapplicable to policemen or firemen or guards employed in the service of any county or municipal penal institution or to court attendants in first and second class counties whose duties require the custody and handling of prisoners.

Source: R. S. 40:11-4 amended 1938, c. 336; 1951, c. 62, s. 1.

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40A:9-4 Dual office holding.

(1) It shall be lawful for a person to hold simultaneously an elective county office and an elective municipal office.

(2) It shall be lawful for a member of the Legislature of the State to hold simultaneously any elective or appointive office or position in county or municipal government.

(3) Nothing contained in this section shall be deemed to prevent the incumbent of any office from abstaining from voting in any matter in which he believes he has a conflict of duty or of interest, nor to prevent a challenge of a right to vote on that account under the principles of the common law or any statute.

(4) a. Nothing herein contained shall be deemed to repeal or supersede any statute prohibiting the dual holding of offices or positions.

b. This section shall apply to persons now holding elective offices or positions with the counties and municipalities or now serving as members of the Legislature of the State.

c. For the purposes of this section the term "elective office" shall mean an office to which an incumbent is elected by the vote of the general electorate.

Source: C. 40:11-1.1 (1962, c. 173, s. 1); C. 40:11-1.2 (1962, c. 173, s. 2); C. 40:11-1.3 (1962, c. 173, s. 3); C. 40:11-1.4 (1962, c. 173, s. 4).

40A:9-5 Rights of certain employees transferred to other positions.

Whenever heretofore or hereafter a transfer has been or shall be effected by appointment, assignment or promotion of a municipal employee to any other department or position in municipal employment, or to a position or department of the county government; or of a county employee to any other position or department in county employment, or to a department or position of a municipal government, in counties of the first or second class, the period of such prior service in said county or municipal employment, for any purpose whatsoever, shall be computed as if the whole period of employment of such employee had been in the service of the department, or in the position, to which the said employee had been transferred.

Source: R. S. 40:11-5.

its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in classified service. The provisions of 40A:9-8 of the bill appear to require

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40A:9-6 De facto officers and employees; right to compensation.

Any person who has held or who may hereafter hold, de facto, any office or position in the public service of any county or municipality, and who has or shall have performed the duties thereof, shall be entitled to the emoluments and compensation appropriate to such office or position for the time in fact so held and may recover therefor in any court of competent jurisdiction, notwithstanding any refusal or failure of any other person or officer to approve or authorize the payment of said emoluments and compensation.

Source: R. S. 40:11-7.

40A:9-7 Leaves of absence with pay to certain officers and employees.

The board of chosen freeholders of any county, by resolution, or the governing body of any municipality, by ordinance, may provide for granting leaves of absence with pay not exceeding one year, to any of its officers or employees who shall be injured or disabled resulting from or arising out of his employment, provided that the examining physician appointed by the county or the municipality shall certify to such injury or disability.

Source: R. S. 40:11-8.

40A:9-8 Salaries; power of Civil Service Commission.

In any county or municipality operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes, the salaries paid to officers, and employees in the classified service shall be the amounts presented and approved by the Civil Service Commission, provided such commission has been or shall be requested by the proper authority in any such county or municipality to suggest standards of salaries to be paid to those filling offices and positions in the classified service.

If the Civil Service Commission shall recommend standards for increase of salaries, based on length of service, meritorious action and efficiency, such standards shall be followed in such county or municipality.

Source: R. S. 40:11-14.

40A:9-9 Appointments; permanent and temporary.

In addition to the officers and employees whose appointment is specifically provided for by law, the board of chosen freeholders of the county or the governing body of the municipality, as the case may be, may appoint or provide for the appointment of such other

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officers, agents and employees as may be required for the execution of the powers conferred upon said board or governing body or any board or officer of the county or municipality.

Whenever any officer or employee is temporarily absent, disabled or disqualified, the board of chosen freeholders of the county or the governing body of the municipality may designate some person to act in place of any such officer or employee during his temporary absence, disability or disqualification.

Source: R. S. 40:21-3; 40:46-13.

40A:9-10 Compensation; exceptions.

Except as otherwise provided by law, the board of chosen freeholders of the county or the governing body of the municipality shall fix the amount of salary, wages or other compensation to be paid to county and municipal officers and employees unless they are to serve without compensation.

Source: R. S. 40:21-13.

40A:9-11 Vacancies in office; causes; how filled; change of residence not to cause vacancy in certain cases.

Whenever a county or municipal officer who is required to be a resident shall cease to be a bona fide resident of the county or municipality, as the case may be, or whenever the resignation of any such officer shall have been accepted by the proper authority, his office shall immediately be deemed to be vacant. The county or municipality, by the proper authority, shall thereupon proceed to fill the vacancy in the manner prescribed by law.

A nonresident of any municipality may hold office as counsel, attorney, engineer or health officer of such municipality and no such office shall be deemed vacated by a change of residence of any such person.

Source: R. S. 40:21-5; 40:46-14 amended 1949, c. 62.

40A:9-12 Vacancies from any cause other than expiration of term to be filled for unexpired term.

In any county or municipality, whenever a vacancy in office occurs from any cause other than expiration of the term of office, such vacancy shall be filled for the unexpired term only.

Source: R. S. 40:46-15.

40A:9-13 Contracts for group insurance.

Any municipality, county, school district, or agency thereof, herein referred to as employers, may enter into contracts of group life, accidental death and dismemberment, hospitalization, medical,

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-3...

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surgical, major medical expense or health and accident insurance with any insurance company or companies authorized to do business in this State or may contract with a nonprofit hospital service or medical service corporation with respect to the benefits which they are authorized to provide respectively. Such contract or contracts shall provide any one or more of such coverages for the employees of such employer and may include their dependents. "Dependents" shall include an employee's spouse and the employee's unmarried children, including stepchildren and legally adopted children, and, at the option of the employer and the carrier, foster children, under age 19 who live with the employee in a regular parent-child relationship, and may also include, at the option of the employer and the carrier, other unmarried children of the employee under the age of 23 who are dependent upon the employee for support and maintenance. A spouse or child enlisting or inducted into military service shall not be considered a dependent during such military service. Elected officials may be considered, at the option of the employer, to be "employees" for the purposes hereof, but "employees" shall not otherwise include persons employed on a short-term, seasonal, intermittent or emergency basis, persons compensated on a fee basis, or persons whose compensation from the public employer is limited to reimbursement of necessary expenses actually incurred in the discharge of their duties. "Employees" and "dependents" shall also not include persons, active or retired, who are otherwise eligible for coverage hereunder but who, although they meet the age eligibility requirement of the Federal Medicare Program, are not covered by the complete Federal Program. Retired employees and their dependents may continue to be covered if they were covered by a group contract or contracts or a group remittance plan of the employer as of September 20, 1967, or immediately prior to the employee's retirement. The contract shall exclude from eligibility for any coverage any class or classes of public employees who are eligible for like or similar coverage under another group contract covering such class or classes of employees and may condition the eligibility of any employee for coverage upon satisfying a waiting period stated in the contract. Nothing herein contained shall be deemed to authorize coverage of dependents of an employee under a group life insurance policy or to allow the issuance of a group life insurance policy on which the entire premium is to be derived from funds contributed by the insured employees.

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The coverage of any employee, and of his dependents, if any, shall cease upon the discontinuance of his employment or upon cessation of active full-time employment in the classes eligible for coverage subject to such provision as may be made in any contract by his employer for limited continuance of coverage during disability, part-time employment, leave of absence other than leave for military service or layoff, and for continuance of coverage after retirement.

Any contract or contracts permitted hereunder shall contain limitations, exclusions or exceptions so as to avoid duplication of benefits or services otherwise available pursuant to accidental death and dismemberment, hospitalization, medical, surgical, major medical expense or health and accident coverage under any other law of this State or the coverage afforded under the laws of the United States, such as the Federal Medicare Program, and at the option of the employer and the carrier, group insurance or any other arrangement of coverage for individuals in a group, whether on an insured or uninsured basis.

Source: C. 40:11-15.1 (1960, c. 180, s. 1 amended 1964, c. 259, s. 1; 1967, c. 204, s. 1).

40A:9-14 Insurance coverage for employees.

Any employer entering into such a contract is hereby authorized to pay part or all of the premiums or charges for such contracts and may appropriate out of its general funds any money necessary to pay such premiums or charges or portions thereof. The contribution required of any employee toward the cost of such coverage may be deducted from the pay, salary or other compensation of such employee upon an authorization in writing made to the appropriate disbursing officer.

The continuance of coverage after retirement of any employee may be provided at such rates and under the conditions as shall be prescribed in the contract subject, however, to the requirements hereinafter set forth in this section. The contribution required of any retired employee toward the cost of such coverage may be paid by him to his former employer or in such other manner as the employer shall direct.

Retired employees shall be required to pay for the entire cost of coverage for themselves and their dependents at rates which are deemed to be adequate to cover the benefits, as affected by Medicare, of such retired employees and their dependents on the basis of the utilization of services which may be reasonably expected

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-2 of the bill

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of such older age classification; provided, however, that the total rate payable by such a retired employee for himself and his dependents, for coverage under the contract and for Part B of Medicare, shall not exceed by more than 25%, the total amount that would have been required to have been paid by the employee and his employer for the coverage maintained had he continued in office or active employment and he and his dependents were not eligible for Medicare benefits.

Nothing herein shall be construed as compelling an employer to pay any portion of the premiums or charges attributable to such contracts.

“Medicare” as used herein means the coverage provided under Title XVIII of the Social Security Act as amended in 1965, or its successor plan or plans.

In the event an insurance company issues a group insurance policy to an employer which includes 2 or more of the coverages authorized hereby, such insurance company shall at the end of each policy year furnish to the employer a summary of the cost of each such coverage.

The employer may reimburse the active employee for his premium charges under Part B of the Federal Medicare Program covering the employee alone.

Any contracts in effect on September 20, 1967 are hereby confirmed as good and effectual until the contract anniversary next following the first anniversary of said date when such contracts, exclusive of group life insurance, will have to be conformed to satisfy the provisions hereof.

Source: C. 40:11-16.1 (1960, c. 180, s. 2 amended 1964, c. 259, s. 2; 1967, c. 204, s. 2); C. 40:11-16.1a (1967, c. 204, s. 3).

40A:9-15 Filing copies of contracts with State Employees Health Benefit Commission; report to Governor and Legislature.

It shall be the duty of the executive officer of any employer who hereafter enters into such a contract to file a copy thereof with the State Employees Health Benefits Commission. The commission shall prepare and file periodically and not less than every 2 years, a report to the Governor and the Legislature as to such contracts being entered into by employers and shall make such recommendations concerning said contracts and the coverage thereunder as it deems appropriate to achieve uniformity of coverage and benefits for employees throughout the State.

Source: C. 40:11-16.2 (1964, c. 259, s. 3).

40A:9-16 Validation of prior contracts; amendment; modification.

Any such contract heretofore executed between an employer and an authorized insurer which would be valid hereunder is hereby validated and confirmed notwithstanding that such a contract may not have been authorized or properly entered into.

Any such contract heretofore executed between an employer and an authorized insurer which would be valid hereunder except for the provisions requiring the payment of premiums by retired employees, is hereby validated and confirmed but such contracts shall not be renewed or extended unless they are amended or modified to be in accord with the provisions hereof.

It shall not be a defense to the payment or satisfaction of any claim for benefits under any contract or policy hereby validated and confirmed that such contract or policy was ultra vires, improperly entered into or otherwise not authorized by law.

Source: C. 40:11-16.3 (1964, c. 259, s. 4).

40A:9-17 Deductions for payment to credit unions.

Whenever any person holding public office, position or employment, whose compensation is paid by any county or municipality or by any board, body, agency or commission thereof, or any board of education, shall indicate in writing to the proper disbursing officer his desire to have any deductions made from his compensation for payment to a credit union, organized under the laws of this State or of the United States, the membership of which is limited to public employees, such deductions shall be made by the proper disbursing officer, when directed so to do by resolution of the governing body of any county or municipality or by resolution of the board, body, agency or commission or board of education of which he is the disbursing officer, and shall be transmitted to the treasurer of the credit union. Any such written authorization may be withdrawn upon filing notice of such withdrawal with the proper disbursing officer.

Source: C. 40:11-26 (1966, c. 310).

40A:9-18 Awards program; appropriations.

The board of chosen freeholders of any county or the governing body of any municipality may, by resolution, establish an awards program or programs for county or municipal officers and employees, as the case may be, designed to promote efficiency and economy in governmental functions of the county or municipality and to reward individual officers and employees for heroism,

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efficiency, meritorious suggestions, professional accomplishments, performance of duty and for service. The board or governing body shall by such resolution provide for the administration of its awards program or programs by an officer or officers named therein and may provide for such advisory committee or committees to assist in the formulation and administration of such programs as they shall determine.

Awards, within available appropriations therefor, may be in the form of cash, medals, certificates, insignia, or other appropriate devices or tokens of appreciation as shall be provided for under an established awards program.

The board of chosen freeholders or governing body may appropriate funds necessary to carry out any program or programs established hereunder.

Source: C. 40:11-27 (1968, c. 91, s. 1); C. 40:11-28 (1968, c. 91, s. 2).

40A:9-19 Section 40:11-17 of the Revised Statutes saved from repeal.

Section 40:11-17 of the Revised Statutes is saved from repeal. [This section of the Revised Statutes saved from repeal by this section provides that the promulgation of the Federal census for the year 1930, or the passage of an act for the reclassification of counties, shall not affect the counties or municipalities as to the salaries of their officers or employees but such salaries shall continue at the same rate as on April 27, 1931, except the salaries of county clerks, registers of deeds and mortgages, sheriffs, and surrogates. The section further provided that the promulgation of said census shall not operate to fill any additional offices or employments, or grant any pensions or increase any pension payments.]

Source: R. S. 40:11-17 amended 1947, c. 363, s. 1; 1948, c. 45, s. 1.

40A:9-20 Chapter 181 of the laws of 1940 saved from repeal.

Chapter 181 of the laws of 1940 (C. 40:11-17.1) is saved from repeal. [The act saved from repeal by this section provides that the promulgation of the Federal census for the year 1940, or the passage of an act for the reclassification of counties, shall not affect the counties or municipalities as to the salaries of their officers or employees but such salaries shall continue at the same rate as on July 8, 1940, except the salaries of county clerks, registers of deeds and mortgages, sheriffs, and surrogates. The act further provided that the promulgation of said census shall not

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Source: C. 40:11-17.1 (1940, c. 181 amended 1947, c. 363, s. 2; 1948, c. 45, s. 2).

40A:9-21 Chapter 10 of the laws of 1954 saved from repeal.

Chapter 10 of the laws of 1954 (C. 40:11-17.5) is saved from repeal. [The act saved from repeal by this section provides that notwithstanding the provisions of any other law, the number of offices and employments, the granting of pensions or the amount thereof, the salary or compensation of any officer or employee, in any county of the second class having a population in excess of 500,000 and in any county of the fourth class having a population in excess of 45,000 and in any municipality in any such county, shall be governed and determined by the 1950 Federal census.]

Source: C. 40:11-17.5 (1954, c. 10).

40A:9-22 Statutes repealed.

The following sections, acts and parts of acts, together with all amendments and supplements thereto, are hereby repealed.

Revised Statutes Sections

- 40:11-1 amended 1953, c. 37
- 40:11-2 amended 1953, c. 37
- 40:11-4 amended 1938, c. 336; 1951, c. 62
- 40:11-5 to 40:11-8 both inclusive
- 40:11-14
- 40:21-3
- 40:21-5
- 40:21-13
- 40:46-13
- 40:46-14 amended 1949, c. 62
- 40:46-15

Pamphlet Laws

Laws of 1960, c. 180 (C. 40:11-15.1, C. 40:11-16.1)

Schedule of Amendments of Laws of 1960, c. 180.

Sections 1 and 2 amended by P. L. 1964, c. 259; 1967, c. 204

Laws of 1962, c. 173 (C. 40:11-1.1 to C. 40:11-1.4 both inclusive)

Laws of 1964, c. 259 (C. 40:11-16.2, C. 40:11-16.3)

Laws of 1966, c. 310 (C. 40:11-26)

Laws of 1967, c. 204, s. 3 (C. 40:11-16.1a)

Laws of 1968, c. 91 (C. 40:11-27, C. 40:11-28)

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- 40A:9-49 Duties of officials in respect to unidentified or un-claimed dead bodies; burial; cost of burial.
- 40A:9-50 Court orders pertaining to disinterment of dead bodies and duties of officials therewith.
- 40A:9-51 Morgues, morgue keepers; appointments.
- 40A:9-52 Morgue keepers; duties; burial certificates; fees and expenses.
- 40A:9-53 Delivery of unidentified dead bodies for placing in the morgue.
- 40A:9-54 Unidentified dead bodies in morgues; disposition.
- 40A:9-55 Delivery of identified dead bodies to proper persons; records.
- 40A:9-56 Unidentified dead bodies; disposition where no morgue keepers.
- 40A:9-57 Police to report finding of dead body.
- 40A:9-58 Disposition of personal property of unknown decedent.
- 40A:9-59 Shipwrecked bodies; reports.
- 40A:9-60 Finder's expenses.
- 40A:9-61 Disposition of personal property found on shipwrecked bodies.
- 40A:9-62 Medical examiner's records of shipwrecks.
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- 40A:9-73 County clerk, powers of notary public or commissioner of deeds.
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- 40A:9-75 County clerk in certain counties may establish court division and registry division.
- 40A:9-76 Salary of county clerk in certain counties.
- 40A:9-77 Compensation of deputy county clerks; chief clerks and other personnel.
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- 40A:9-78 Section 4 of chapter 96 of the laws of 1959 saved from repeal.
- 40A:9-79 Chapter 223 of the laws of 1939 saved from repeal.
- 40A:9-80 Existing offices of registers of deeds and mortgages confirmed and continued.
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40A:9-23 Eligibility of members of the board of chosen freeholders for other offices or positions; conditions; exceptions.

No member of a board of chosen freeholders during the term for which he is elected shall be eligible for appointment to any office or position required to be filled by the board unless he shall resign and cease to be such a member at least 3 months prior to his appointment, except in cases where such office or position, by law, may be filled by a member of the board or the appointment is to the position of county counsel or county treasurer.

Source: R. S. 40:21-1.

40A:9-24 Resignation of officers.

Any county officer desirous of resigning shall send his resignation, in writing, to the Governor. All such resignations shall be filed in the office of the Secretary of State. No resignation made in any other way or pretended to be made, shall be valid.

Source: C. 40:21-17.1 (1953, c. 37, s. 38).

40A:9-25 Removal of officers and employees; procedure.

In any county wherein Title 11 (Civil Service) of the Revised Statutes is not operative and unless otherwise provided by law, any officer or employee of such county who shall be removable from his office or position only for cause, shall not be removed from his office or position until after written charges of the cause of complaint shall have been preferred against him, signed by the person making such charges. The complaint shall be filed with the board of chosen freeholders of such county and a copy thereof shall be served upon the officer or employee so charged, with notice of a designated time and place for the hearing thereon. At the hearing such officer or employee may be represented by counsel.

The said board and the person so charged shall have the power to subpoena witnesses and documentary evidence. The board shall prescribe the rules and regulations for the conduct of the hearing.

No officer or employee shall be removed from his office or position for political reasons.

Source: R. S. 40:21-4.

40A:9-26 Clerk of board of chosen freeholders; term; duties; tenure; removal.

The board of chosen freeholders of each county shall appoint a clerk to the board for a term of 3 years. He shall keep in a book the minutes and a record of the orders and proceedings of the board. He shall have custody of the official seal of the county and

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all records, documents and other official papers relating to the property and business of the county and perform such services as the board from time to time shall direct.

Any person, appointed to the office of clerk of a board of chosen freeholders, having held such office continuously for a term of 20 years from the date of his original appointment, shall not be removed from his office except for good cause shown after a fair and impartial hearing upon notice and before the entire board. Every such clerk shall hold his office during good behavior and shall not be removed except for cause as aforesaid.

Source: R. S. 40:21-18; 40:21-18.1.

40A:9-27 Treasurer; term; duties.

The board of chosen freeholders of each county shall appoint a county treasurer for a term of 3 years. Except as otherwise provided by law, the county treasurer shall be the custodian of all county funds and disburse said funds only on the order of the board. He shall collect and receive all moneys due the county. He shall keep adequate records and unless there is a county comptroller, at least once a month report to the board the receipts and disbursements made by him. Where there is a county comptroller, the county treasurer shall report in such manner and at such times as the board shall direct. The county treasurer shall maintain general books of account in accordance with rules and regulations of the Local Finance Board in the Department of Community Affairs. The county treasurer shall perform such other duties as may be assigned to him from time to time by the board.

Source: R. S. 40:21-19 amended 1967, c. 103, s. 1.

40A:9-28 Comptroller in certain counties; term; duties.

The board of chosen freeholders of any county of the second class having a population of not less than 425,000 nor more than 500,000 may, by resolution, create the office of county comptroller and fix his duties and compensation. The county comptroller shall be elected by the board for a term of 3 years.

In any county in which the office of county comptroller is created he shall be responsible for rendering the reports and maintenance of the accounts otherwise required of the county treasurer.

Source: C. 40:21-19.1 (1967, c. 103, s. 2).

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40A:9-29 Auditor; term; duties.

The board of chosen freeholders of any county may appoint a county auditor to exercise supervision over the expenditure and receipt of moneys of the county.

His term of office shall be for 3 years.

Source: R. S. 40:21-20.

40A:9-30 Purchasing agent; term; duties.

The board of chosen freeholders of any county may appoint a purchasing agent for a term of 3 years and authorize him to establish classifications and standards for the purchase of supplies and materials for the use of all county institutions, departments and buildings. The county purchasing agent, subject to directions of the board, shall make purchases, execute contracts and perform such functions and duties as may be required and necessary.

Source: R. S. 40:21-21.

40A:9-31 General storekeeper; term; duties.

The board of chosen freeholders of any county may appoint a general storekeeper for a term of 3 years. The storekeeper shall be responsible for the keeping in good condition the materials and supplies sent to him and shall deliver such materials and supplies to the county institutions, departments and officials according to the directions of the board and upon proper requisition. He shall perform such functions and duties as may be required and necessary.

Source: R. S. 40:21-22.

40A:9-32 Superintendent of public works; appointment; bond.

In any county the board of chosen freeholders in their discretion, by resolution, may provide for the appointment of a county superintendent of public works. Upon any such appointment the board shall fix the compensation and prescribe the powers, duties and functions of said county superintendent. The term of office of the county superintendent of public works shall be 3 years from the date of his appointment and until his successor is chosen and qualified. The said superintendent shall be required to furnish a bond in such amount as the board shall fix. The bond shall be subject to approval as to form by the board or the county counsel.

Source: R. S. 40:21-43; 40:21-44.

40A:9-33 Nurs

The board of the employment functions, required, fix the functions.

Source: R. S. 40:21-23.

40A:9-34 Superin

Any superintendent between 35 and 40 years of age, welfare department, tenure in office and resignation, upon notice.

Source: C. 40:21-24.

40A:9-35 Executive class; t

Any person now in the executive director class of the fifth class v employment for at least one year and who price of the county for a continuous term of office, to hold the office, of the department of in and shall not be re only upon written causes, filed with the after a public hearing to be heard in person.

Source: C. 40:21-47.

40A:9-36 Supervisor in c

In counties which had a population of more than 10,000 in the 1950 census, there shall be one county supervisor as the county supervisor.

Source: R. S. 40:21-48.

40A:9-37 Supervisor; qual

The county supervisor shall be a qualified citizen and resident of the county. The candidate for county supervisor shall be as provided in Title 40A, Chapter 9.

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40A:9-33 Nurses; compensation; duties.

The board of chosen freeholders of any county may provide for the employment of registered nurses if deemed necessary and required, fix their compensation and prescribe their duties and functions.

Source: R. S. 40:21-45.

40A:9-34 Superintendent of child welfare; tenure of office in certain cases.

Any superintendent of child welfare in a county with a population between 350,000 and 600,000, having been connected with the welfare department of the county for at least 15 years, shall have tenure in office and shall only be removed therefrom after due hearing, upon notice and for just and sufficient cause.

Source: C. 40:21-47.1 (1939, c. 224).

40A:9-35 Executive director of department of institutions of county of fifth class; tenure.

Any person now holding office, position or employment as the executive director of the department of institutions of a county of the fifth class who shall have held such office, position or employment for at least 1 year from the date of his original appointment and who prior thereto served as an elective officer of said county for a continuous period of at least 18 years shall continue to hold the office, position or employment of executive director of the department of institutions of said county during good behavior and shall not be removed therefrom except for cause, and then only upon written charge or charges, specifying the cause or causes, filed with the clerk of the board of chosen freeholders, and after a public hearing thereon upon notice and with an opportunity to be heard in person or by counsel.

Source: C. 40:21-47.2 (1966, c. 169).

40A:9-36 Supervisor in certain counties.

In counties which had a population of over 600,000 according to the 1950 census, there shall be a chief executive officer to be known as the county supervisor.

Source: R. S. 40:21-48 amended 1961, c. 64, s. 1.

40A:9-37 Supervisor; qualifications; election; term of office.

The county supervisor shall be elected at large. He shall be a citizen and resident of the county in and for which he is elected. The candidate for county supervisor shall be nominated and voted for as provided in Title 19 (Elections) of the Revised Statutes.

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He shall take office on the first Monday in January next after his election and shall hold said office for 3 years and until his successor has been elected and qualified.

Source: R. S. 40:21-49.

40A:9-38 Supervisor; powers and duties.

The county supervisor shall cause the laws, ordinances and resolutions applicable to the county to be faithfully executed. He may recommend to the board of chosen freeholders such changes or additions to said ordinances or resolutions as he may deem proper. He shall report to the board at its first annual meeting in each year and at such other times, if deemed necessary, as to matters pertaining to the county and make such recommendations as may be deemed proper. He shall perform such other duties as may be provided by law.

Source: R. S. 40:21-50.

40A:9-39 Supervisor; investigation of conduct of appointed officers and employees and their removal for cause; judicial review.

The county supervisor may cause an investigation to be made of the conduct in office of any appointed county officer or employee. He may require such officers or employees to submit to him a written statement or statements under oath containing such information as he may call for relating to their conduct in their respective offices or employment. Upon notice and service of charges and an opportunity to be heard at a public hearing, the county supervisor may remove any such officer or employee for cause. Pending the said hearing and determination the county supervisor may suspend the officer or employee involved. Said officer or employee shall have the right of judicial review in the Superior Court on both the law and the facts, subject to the rules of the court.

In any such investigation the county supervisor may take testimony and the procedure shall be in accordance with the County and Municipal Investigations Law (P. L. 1953, c. 38).

Source: R. S. 40:21-51; 40:21-52 amended 1953, c. 37, s. 35.

40A:9-40 Supervisor's veto power; overruling of supervisor's veto by board of chosen freeholders.

Every resolution or ordinance adopted by the board of chosen freeholders, before taking effect, shall be certified and presented to the county supervisor by the clerk of the board. Within 10 days thereafter, the county supervisor shall return it to the board either

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with his approval or disapproval and if disapproved, with his objections.

The board of chosen freeholders at their next meeting, after any resolution or ordinance shall have been disapproved and the objections entered on the minutes, shall proceed to reconsider the resolution or ordinance. A vote thereon shall be taken by the yeas and nays and entered in full on the minutes of the board. If $\frac{2}{3}$ of all the members vote to override the objections, the resolution or ordinance shall take effect.

If the resolution or ordinance shall not be returned within 10 days it shall take effect as though approved by the county supervisor.

Source: R. S. 40:21-55; 40:21-56.

40A:9-41 Vacancy in office of supervisor.

Whenever a vacancy occurs in the office of county supervisor, during the term of office, by death, resignation or otherwise, the board of chosen freeholders shall appoint a person who is a citizen and resident of the county to fill such vacancy for the unexpired term. The said board may appoint one of their members to such office and the appointee upon assuming the duties of county supervisor shall thereupon cease to be a member of the board.

Source: R. S. 40:21-57 amended 1944, c. 61.

40A:9-42 Administrators; term; duties; compensation.

The board of chosen freeholders of any county, other than a county having a county supervisor, may by resolution create the office of county administrator, to act as the executive officer for the board to have such powers, perform such duties and to receive such compensation as the resolution creating such office shall provide and as may from time to time otherwise be directed by the board by resolution.

In any county creating the position of county administrator the board by majority vote of all its members shall appoint some suitably qualified person to such office for a term of 3 years and until appointment and qualification of his successor.

Source: C. 40:21-18.2 (1967, c. 220, s. 1); C. 40:21-18.3 (1967, c. 220, s. 2).

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40A:9-43 Counsel; engineer; appointment; term.

In every county the board of chosen freeholders shall appoint a county counsel and a county engineer. The term of office of the county counsel shall be 3 years and of the county engineer 5 years. Source: R. S. 40:21-59; 40:21-60 amended 1938, c. 268.

40A:9-44 Road supervisor; appointment; term.

The board of chosen freeholders of any county, by resolution, may provide for the appointment of a county road supervisor and fix his compensation. Unless otherwise provided by law, his term of office shall be 5 years.

Source: R. S. 27:14-24 amended 1948, c. 111.

40A:9-45 Chapter 400 of the laws of 1948 saved from repeal.

Chapter 400 of the laws of 1948 (C. 40:21-21.1) is saved from repeal. [The act saved from repeal by this section provides that when any person holds employment under the board of chosen freeholders in any second-class county and such person has civil service status as assistant superintendent of the county department of weights and measures, and is an honorably discharged veteran of World War I and by temporary transfer has the position of assistant county purchasing agent, having held such position for a period of 5 years, he shall be permanently transferred to the position of assistant county purchasing agent of said county; provided such permanent transfer is approved by the board of chosen freeholders of said county and if approved, such employee shall hold said position with permanent civil service status.]

Source: C. 40:21-21.1 (1948, c. 400).

40A:9-46 Medical examiners.

In every county the board of chosen freeholders shall appoint a county medical examiner or join in the appointment of an inter-county medical examiner in the manner and for the term provided by law.

Source: C. 52:17B-83 (1967, c. 234, s. 6).

40A:9-47 Assistant medical examiners, qualifications; toxicologists, scientific experts, clerical assistants and other personnel.

The county medical examiner of any county may, subject to the approval of the board of chosen freeholders, appoint such assistant medical examiners of the county, toxicologists, scientific experts, clerical assistants and other personnel as shall be deemed necessary and required, fix their compensation and prescribe their

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powers, duties and functions. The assistant medical examiners of the county shall have the same qualifications as the county medical examiner. The said personnel shall be under the direction and supervision of the county medical examiner.

Source: C. 40:21-30.3 (1944, c. 182, s. 3); C. 40:21-30.4 (1944, c. 182, s. 4); C. 40:21-30.5 (1944, c. 182, s. 5); R. S. 40:21-63 amended 1942, c. 51, s. 2; 40:21-64; 40:21-65; C. 52:17B-78 et seq. (1967, c. 234).

40A:9-48 Appointment of licensed physician to act in certain cases.

If the county medical examiner is unable to perform any duty imposed upon him as such medical examiner, by law, he may appoint a resident licensed physician to act for and in his behalf. The physician so appointed shall have all the powers of the county medical examiner and shall receive compensation for his services to be paid by the county.

Source: R. S. 40:21-27.

40A:9-49 Duties of officials in respect to unidentified or unclaimed dead bodies; burial; cost of burial.

The county medical examiner upon taking charge of unidentified or unclaimed dead bodies shall make burial arrangements. If the decedent left no ascertainable estate, the cost of the burial shall be borne by the county but if an estate able to pay for the burial is found, the cost thereof certified by the official in charge, shall be payable out of such estate.

Source: C. 40:21-30.12 (1944, c. 182, s. 12); R. S. 40:21-72.

40A:9-50 Court orders pertaining to disinterment of dead bodies and duties of officials therewith.

The Superior Court or the County Court of the county, upon the application of a proper party, may order the disinterment of any dead body, where an investigation of the cause of death is authorized, under the supervision and direction of the county medical examiner and authorize said official to remove the body to a public morgue for the purpose of examination or autopsy. The court shall direct the giving of or dispensing with notice.

Source: C. 40:21-30.11 (1944, c. 182, s. 11 amended 1953, c. 37, s. 32); R. S. 40:21-71 amended 1953, c. 37, s. 37.

40A:9-51 Morgues, morgue keepers; appointments.

The board of chosen freeholders of any county, by resolution, may designate not more than 6 places to be used as county public morgues and provide for their maintenance and operation. The

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said board may appoint the morgue keepers for terms of 5 years from the date of their appointments. The morgue keepers shall be under the supervision and direction of the county medical examiner.

Source: C. 40:21-30.17 (1944, c. 182, s. 17 amended 1965, c. 11, s. 1); R. S. 40:21-77 amended 1942, c. 51, s. 3.

40A:9-52 Morgue keepers; duties; burial certificates; fees and expenses.

The morgue keepers shall be required to provide suitable rooms for the holding of necessary examinations or autopsies. They shall dispose of the dead bodies as directed by the county medical examiner. The said county medical examiner shall grant burial certificates for the unknown or unclaimed dead only to the morgue keepers. The board of chosen freeholders shall fix and pay the fees and expenses incurred by the morgue keepers in the performance of their duties as such.

Source: C. 40:21-30.18 (1944, c. 182, s. 18); R. S. 40:21-38; 40:21-39; 40:21-40; 40:21-78.

40A:9-53 Delivery of unidentified dead bodies for placing in the morgue.

In counties having morgue keepers, unidentified dead bodies shall be delivered to the morgue keeper, and if there be more than one, to the morgue keeper in the area where the body is at the time for such delivery. The morgue keeper shall receive and place the body in the morgue.

Source: R. S. 40:21-34.

40A:9-54 Unidentified dead bodies in morgues; disposition.

Unidentified dead bodies shall be viewed by the county medical examiner or a regularly licensed and practicing physician deputized for that purpose by the county medical examiner. Thereafter the body shall be buried by the morgue keeper at the expense of the county.

Source: R. S. 40:21-35; 40:21-36.

40A:9-55 Delivery of identified dead bodies to proper persons; records.

If any dead body in a morgue received as being unidentified shall thereafter be identified, the morgue keeper, upon the order of the county medical examiner shall deliver such body to any proper person willing to accept the responsibility therefor. Said person shall state the name and last known residence of the deceased and acknowledge receipt of the body by signing for it in a book to be kept by the morgue keeper for that purpose.

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The morgue keeper shall make and keep a record of all bodies received and their disposition.

Source: C. 40:21-30.19 (1944, c. 182, s. 19); R. S. 40:21-37; 40:21-39; 40:21-79.

40A:9-56 Unidentified dead bodies; disposition where no morgue keepers.

In any county where there is no morgue keeper, the procedure as to the disposition of unidentified dead bodies shall be as nearly similar as in counties having a morgue keeper and the duties which would have been performed by the morgue keeper, if there were one, shall be performed by the county medical examiner.

Source: C. 52:17B-78 et seq. (1967, c. 234).

40A:9-57 Police to report finding of dead body.

Where in any municipality the police ascertain the finding or discovery of an unidentified dead body, the chief of police or other police officer on duty shall forthwith notify the county medical examiner of such finding or discovery.

Source: R. S. 40:21-41.

40A:9-58 Disposition of personal property of unknown decedent.

The county medical examiner shall take charge of the personal property found on or pertaining to an unknown decedent. The said county medical examiner shall make an inventory of all such personal property and file a copy thereof with the clerk of the board of chosen freeholders. Within 20 days after the death, the said personal property with a copy of the inventory shall be delivered to the county treasurer. After 20 days following such delivery the county treasurer, in his discretion, may sell said property at public or private sale. If the proceeds of any such sale shall not be claimed by a personal representative of the decedent or person entitled thereto within 1 year after the sale, the said proceeds shall become the property of the county.

Source: R. S. 40:21-26; C. 40:21-30.13 (1944, c. 182, s. 13); R. S. 40:21-67; 40:21-73 amended 1942, c. 80.

40A:9-59 Shipwrecked bodies; reports.

When dead bodies shall be thrown upon the shores or coasts of this State by shipwreck, the county medical examiner of the county in which the bodies are found shall make a written report containing the name of the ship, the date of the wreck, and the place where it occurred, together with a detailed description of the bodies, and time and place of the burial. The report verified under oath shall be filed with the State Medical Examiner.

Source: R. S. 40:40-23.

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40A:9-60 Finder's expenses.

Any person reporting the finding of a dead body, thrown upon the shores or coasts of this State by shipwreck, shall be entitled to reimbursement for his expenses in connection with such finding and reporting in an amount as approved either by the State Medical Examiner or county medical examiner and paid by the State Treasurer.

Source: R. S. 40:40-24.

40A:9-61 Disposition of personal property found on shipwrecked bodies.

The county medical examiner shall take possession of all moneys, goods or other personal property found on the body of any such shipwrecked person or which apparently belonged to said person and dispose of the same as herein provided. The county medical examiner shall utilize such personal property as may be reasonably necessary for or in connection with the burial of the body. The remainder of the property shall be delivered by either the State Medical Examiner or county medical examiner to the State Treasurer and if not claimed within 5 years by persons entitled thereto such property shall escheat to the State.

Nothing contained herein shall be deemed to preclude relatives or other persons being lawfully entitled thereto from taking charge of said moneys, goods or other personal property.

Source: R. S. 40:40-26; 40:40-27.

40A:9-62 Medical examiner's records of shipwrecks.

Every county medical examiner shall record in a book kept for that purpose the time and place of burial of any shipwrecked body, the name of the ship or vessel, date and place of the wreck, and a detailed description of the body. The county medical examiner shall preserve any letters, writings, coins, metals, keepsakes or other articles which may aid in identification.

Source: R. S. 40:40-28.

40A:9-63 County clerk; bond.

Every person who shall be elected clerk of a county, before entering into his office shall give his bond to the State of New Jersey and the county as their interest may appear, with sufficient corporate surety, to be approved by the judge of the County Court if the county has only one county judge but if more than one county judge, by the county judge senior in service, in the sum of \$15,000.00 or in such greater sum not exceeding \$50,000.00 as the judge may

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The bond shall be conditioned that he will well and truly execute the office of clerk of the county of and
(insert name of county)

faithfully, impartially and justly perform and execute all of the duties pertaining to such office, with respect to the State of New Jersey, the said county and all persons concerned.

The bond approved by the judge together with the oath of office, shall be filed in the office of the Secretary of State of New Jersey and duplicates with the clerk of the board of chosen freeholders of the county.

Source: R. S. 40:38-1 amended 1943, c. 21; 1953, c. 37, s. 98.

40A:9-64 County clerk's oath.

Every person elected or appointed to the office of county clerk, before entering upon the duties of his office, shall take the following oath:

"I,, county clerk of the county of do solemnly swear (or affirm)
(insert name of county)

to support the Constitution of this State and of the United States and perform the duties of my office as county clerk, faithfully, impartially and justly to the best of my ability."

Source: R. S. 40:38-1 amended 1943, c. 21; 1953, c. 37, s. 98.

40A:9-65 Performance of duties before giving bond; misdemeanor.

If any person elected county clerk shall assume to perform any of the duties before giving bond as provided by law he shall be guilty of a misdemeanor.

Source: R. S. 40:38-2 amended 1953, c. 37, s. 99.

40A:9-66 Seals of county clerks.

Every county clerk shall have an official seal for the office of county clerk of the county. Until otherwise provided by law, the seals of the clerks of the respective counties now in use shall be continued to be used on official documents required to be sealed by the county clerk. The county clerk in office shall be the custodian of the said seal.

Source: R. S. 40:38-3.

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40A:9-67 Supreme Court rules governing county clerks who are attorneys at law.

A county clerk who is an attorney at law shall be subject to the rules of the Supreme Court in respect to limitations upon his practice of law.

Source: R. S. 40:38-4 amended 1953, c. 37, s. 100.

40A:9-68 Duties of county clerk for the courts.

The county clerk shall perform for the Superior Court the duties pertaining thereto in their respective counties as prescribed by law and applicable to the Supreme Court rules for the administration of the courts.

The county clerk, either in person or by deputy, shall attend the sessions of the court of which he is clerk and of the Superior Court held in the county and keep the minutes of the proceedings of said courts. The clerk and his deputy shall be under the supervision of the assignment judge of the Superior Court for the county and the County Court judges. The minutes of said courts shall be open to the public at all proper and reasonable hours.

Source: R. S. 40:38-7 amended 1953, c. 37, s. 101; 40:38-8 amended 1953, c. 37, s. 102.

40A:9-69 Temporary clerks of courts.

If the county clerk or his deputy shall be absent at the sessions of said courts, the assignment judge of the Superior Court of the county may appoint a temporary clerk. The temporary clerk shall be under the supervision of the courts and shall perform such duties as shall be prescribed.

Source: R. S. 40:38-9.

40A:9-70 Vacancy in office of county clerk other than by expiration of term.

When a vacancy shall occur in the office of the county clerk of any county other than by expiration of term, the Governor shall fill such vacancy with the advice and consent of the Senate by appointment of a member of the same political party as that of the previous incumbent of the office, and the commission of said appointee shall expire when a successor is elected and qualified. The successor in such case shall be elected for a term of 5 years at the general election next succeeding the happening of the vacancy unless such vacancy shall occur within 37 days next preceding such election, in which case it shall be filled at the second succeeding general election.

Source: C. 40:38-8.1 (1948, c. 208 amended 1951, c. 122).

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40A:9-71 Moneys received by county clerk; depositories.

The county clerk shall be responsible and liable for all moneys received by or deposited with him in his official capacity and in respect to moneys deposited in any court with him, he shall be entitled to retain therefrom fees comparable in amount as in the case of moneys paid into court and deposited with the Clerk of the Superior Court. The county clerk shall account to the county treasurer for all such fees so retained by him.

The Superior Court assignment judge of the county, in writing, shall designate a bank or banks or trust company or trust companies in this State in which the county clerk shall deposit all moneys received by him officially and prescribe the manner in which same may be withdrawn, subject to the Supreme Court rules and regulations applicable to him as clerk of a court. The clerk shall not be personally liable for the safekeeping of moneys so deposited.

Source: R. S. 40:38-10 amended 1953, c. 37, s. 103; 40:38-11 amended 1953, c. 37, s. 104.

40A:9-72 Transfer of records and moneys of county clerk to successor in office.

The county clerk, at the expiration of his term of office or other termination thereof, or his executor or administrator, if said county clerk shall die during said term, shall, in the presence of a Superior or County Court judge, transfer the official records, documents, books, papers or writings and all moneys deposited or held by or for him as such official to his successor in office. Upon said transfer the successor in office shall sign and acknowledge a receipt therefor. The Superior Court or County Court judge shall certify to such transfer and the certificate together with the receipt shall forthwith be filed in the office of the Secretary of State under the direction of the judge.

Source: R. S. 40:38-23 amended 1953, c. 37, s. 109; 40:38-24 amended 1953, c. 37, s. 110.

40A:9-73 County clerk, powers of notary public or commissioner of deeds.

A county clerk while in office may perform all the duties and exercise the powers pertaining to the office of notary public or commissioner of deeds and upon certifying to any acknowledgment or affidavit shall affix to his signature the designation "county clerk".

Source: R. S. 40:38-12.

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40A:9-74 Personnel in office of county clerk.

Every county clerk may appoint a deputy clerk to hold office during the pleasure of the county clerk and upon occurrence of a vacancy in the office of a county clerk by expiration of term, death, resignation or otherwise, the deputy clerk shall have the same powers and perform all the duties of the office of county clerk until the vacancy is filled as provided by law.

During the absence or disability of the county clerk the deputy clerk shall have the powers of the county clerk and perform the duties of the office.

The county clerk may appoint from among the employees in his office special deputy clerks to serve during his pleasure and prescribe their duties.

During the absence or disability of both the county clerk and deputy clerk, the senior special deputy clerk shall have the powers of the county clerk and perform the duties of the office.

The county clerk shall select and employ necessary clerks and other employees. Every deputy clerk and special deputy clerk shall take and subscribe before a judge of the County Court an oath of office in like form and character as that required to be taken by the county clerk. Appointments and oaths of office shall be filed in the office of the county clerk.

Source: R. S. 40:38-25 amended 1953, c. 37, s. 111; 40:38-26; 40:38-27 amended 1953, c. 37, s. 112; 40:38-28 amended 1948, c. 278.

40A:9-75 County clerk in certain counties may establish court division and registry division.

In any county having a population in excess of 400,000, and not having a register of deeds and mortgages, the county clerk therein may establish and maintain in his office 2 separate divisions to be known, respectively, as the court division and registry division. The county clerk may appoint a deputy county clerk for each division who shall hold such office during the pleasure of the county clerk but not beyond the term for which the county clerk is elected. The compensation of said deputy county clerks shall be fixed by the board of chosen freeholders of the county and paid by the county. The deputy county clerks before entering upon their duties shall take and subscribe an oath of office in similar form and manner as in the case of county clerks. In performing

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their duties the deputy clerks shall have the same powers as the county clerk.

Source: C. 40:38-25.2 (1952, c. 96, s. 1); C. 40:38-25.3 (1952, c. 96, s. 2); C. 40:38-25.4 (1952, c. 96, s. 3); C. 40:38-25.5 (1952, c. 96, s. 4).

40A:9-76 Salary of county clerk in certain counties.

The board of chosen freeholders in each county, by resolution, may fix the salary of the county clerk as follows:

In counties having a population in excess of 600,000, not less than \$12,000.00 or more than \$20,000.00 per annum;

In counties having a population in excess of 400,000, but not more than 600,000, not less than \$12,000.00 or more than \$18,000.00 per annum;

In counties having a population in excess of 200,000, but not more than 400,000, not less than \$10,000.00 or more than \$15,000.00 per annum;

In counties having a population in excess of 100,000, but not more than 200,000, not less than \$7,500.00 or more than \$12,000.00 per annum;

In counties having a population in excess of 50,000, but not more than 100,000, not less than \$7,500.00 or more than \$11,000.00 per annum;

In counties having a population of not more than 50,000, not less than \$5,000.00 or more than \$10,000.00 per annum.

Nothing in this section shall authorize the fixing of the salary of any person holding the office of county clerk at any amount less than that now payable pursuant to law, so long as the said person shall hold such office during the present and any consecutively ensuing term or terms, nor shall anything in this section authorize the payment of any salary for which a range is established in an amount less than the minimum of said range.

The salary of said officer shall be paid by the proper county disbursing officer in equal semimonthly payments.

Source: C. 40:38-6.14 (1959, c. 96, s. 1 amended 1961, c. 15, s. 1; 1967, c. 266, s. 1); C. 40:38-6.15 (1959, c. 96, s. 2); C. 40:38-6.16 (1959, c. 96, s. 3).

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40A:9-77 Compensation of deputy county clerks; chief clerks and other personnel.

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The annual compensation of the deputy county clerk shall not exceed $\frac{3}{4}$ of the annual compensation of the county clerk. The annual compensation of any chief clerk in the office of county clerk shall not exceed $\frac{3}{5}$ of the annual compensation of the county clerk. The said compensations and that of all other personnel in the office of the county clerk shall be fixed by the board of chosen freeholders of the county upon the recommendation of the county clerk. The compensation of the personnel in the office of the county clerk shall be paid at the same time and in the same manner as county officers and employees are paid.

Source: R. S. 40:38-28 amended 1948, c. 278.

40A:9-77.1 Chapter 260 of the laws of 1969 saved from repeal.

Chapter 260 of the laws of 1969 (C. 40:38-28.1) is saved from repeal. [The act saved from repeal by this section provides that in any county of the second class having a population in excess of 500,000, the limitations imposed, pursuant to section 40A:9-77, on the amount of salary payable to the first deputy county clerk or to any executive clerk or chief clerk in the office of the county clerk, shall not be construed to restrict any of said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in such county.]

Source: C. 40:38-28.1 (1969, c. 260).

40A:9-78 Section 4 of chapter 96 of the laws of 1959 saved from repeal.

Section 4 of chapter 96 of the laws of 1959 (C. 40:38-6.17) is saved from repeal. [Said section saved from repeal by this section provided for the repeal of sundry sections of the Revised Statutes, the New Jersey Statutes and various acts pertaining to salaries of surrogates, registers of deeds and mortgages, county clerks and sheriffs.]

Source: C. 40:38-6.17 (1959, c. 96, s. 4).

40A:9-79 Chapter 223 of the laws of 1939 saved from repeal.

Chapter 223 of the laws of 1939 (C. 40:38-25.1) is saved from repeal. [The act saved from repeal by this section provides that any deputy county clerk or deputy surrogate, having held said office in any county of the second class, who has attained the age of 51 years and has been continuously employed in such office for a period of at least 16 years, shall have tenure in office and shall not be removed therefrom, except after hearing and for good cause.]

Source: C. 40:38-25.1 (1939, c. 223).

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40A:9-30 Existing offices of registers of deeds and mortgages confirmed and continued.

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.

Source: R. S. 40:39-1.

40A:9-31 Establishment of office of register of deeds and mortgages in certain counties; referendum.

In every county having a population of more than 250,000 there shall be a register of deeds and mortgages in and for such county; provided, in any such county wherein the office of register of deeds and mortgages has not been established, the question of the establishment of such office shall first have been submitted to and approved by the legal voters thereof. Where the question of the establishment of such office is to be submitted, it shall be submitted at the general election preceding the one at which the county clerk is to be elected in that county. The county clerk of every such county shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: "Shall the office of the register of deeds and mortgages be established and a register be elected in county next
(insert name of county)

year?" Immediately to the left of the question there shall be printed the words "Yes" and "No", each with a square, in either of which the voter may make a cross (X), or a plus sign (+) or check mark (V) according to his choice. There shall also be printed the following: "Place a cross (X), or a plus sign (+) or check mark (V) in one of the above squares indicating your choice." If voting machines are used, a vote of "Yes" or "No" shall be equivalent to such markings, respectively.

The votes shall be canvassed and returned in the manner provided by law. If a majority of the legal voters, voting on the question, shall vote "Yes", the office of register of deeds and mortgages shall be established and a register of deeds and mortgages shall be elected in such county at the next general election. If a majority of the legal voters voting on the question shall vote "No", the office shall not be established and the county clerk shall continue to perform the duties of a county recording officer and the question shall not be submitted again to the legal voters of that county except upon a petition signed by 10% of the registered voters of the county and not until 5 years shall have elapsed since the prior referendum.

Source: R. S. 40:39-2 amended 1943, c. 92; 40:39-3; 40:39-4; 40:39-5; 40:39-6; 40:39-7.

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40A:9-82 Transfer of records and papers upon the establishment of office of register of deeds and mortgages.

When the office of register of deeds and mortgages is established in any county and such a register therein has been elected, all official records, documents, papers or writings which are in the custody of the county clerk and would have been filed or deposited with the register of deeds and mortgages had there been one in office, shall be transferred by the county clerk to the said register of deeds and mortgages who shall give a receipt therefor.

Source: R. S. 40:39-8 amended 1953, c. 37, s. 113.

40A:9-83 Term of office of register of deeds and mortgages.

The register of deeds and mortgages shall be elected by the legal voters of the county for a term of 5 years. He shall be commissioned by the Governor and his commission shall be issued and bear date on the Tuesday next following his election.

Source: R. S. 40:39-9.

40A:9-84 Register of deeds and mortgages; bond.

Every person who shall be elected register of deeds and mortgages of a county, before entering into his office shall give his bond to the State of New Jersey and the county as their interest may appear, with sufficient corporate surety, to be approved by the county judge of the County Court if the county has only one county judge but if more than one county judge, by the judge senior in service, in the sum of \$15,000, or in such greater sum not exceeding \$50,000, as the judge may order. The Superior Court assignment judge for the county instead of the county judge may fix the amount of, and approve such bond.

The bond shall be conditioned that he will well and truly execute the office of register of deeds and mortgages of the county of and faithfully, impartially and justly
(insert name of county)

perform and execute all of the duties pertaining to such office, with respect to the State of New Jersey, the said county and all persons concerned.

The bond approved by the judge together with the oath of office shall be filed in the office of the Secretary of State of New Jersey and duplicates with the clerk of the board of chosen freeholders of the county.

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114.

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40A:9-85 Register of deeds and mortgages; oath.

Every person elected or appointed register of deeds and mortgages, before entering upon the duties of his office, shall take the following oath:

"I, _____, register of deeds and mortgages of the county of _____ do solemnly
(insert name of county)

swear (or affirm) to support the Constitution of this State and the United States and perform the duties of my office as register of deeds and mortgages faithfully, impartially and justly to the best of my ability."

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114.

40A:9-86 Performance of duties before giving bond; misdemeanor.

If any person elected register of deeds and mortgages shall assume to perform any of the duties before giving bond as provided by law, he shall be guilty of a misdemeanor.

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114.

40A:9-87 Certain statutory provisions applicable to county clerk where no register of deeds and mortgages.

The statutory provisions applicable to powers, functions and duties of the register of deeds and mortgages where there is such a register shall pertain to the county clerk where there is no such register.

Source: R. S. 40:39-10 amended 1953, c. 37, s. 114; 40:39-16 amended 1953, c. 37, s. 117.

40A:9-88 Vacancy in office of register of deeds and mortgages other than by expiration of term.

When a vacancy shall occur in the office of the register of deeds and mortgages of any county other than by expiration of term, the Governor shall fill such vacancy with the advice and consent of the Senate, by appointment of a member of the same political party as that of the previous incumbent of the office, and the commission of said appointee shall expire when a successor is elected and qualified. The successor in such case shall be elected for a term of 5 years at the general election next succeeding the happening of the vacancy unless such vacancy shall occur within 37 days next preceding such election, in which case it shall be filled at the second succeeding general election.

Source: C. 40:38-8.1 (1948, c. 208 amended 1951, c. 122); R. S. 40:39-13.

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40A:9-89 Board of chosen freeholders to furnish accommodations and equipment for register of deeds and mortgages.

The board of chosen freeholders shall provide the register of deeds and mortgages with a suitable fireproof place separate and distinct from the office of the county clerk, together with suitable furniture and equipment, all of which shall be the property of the county. The board shall also provide said register with the necessary books and stationery. The records and documents in the office of said register shall be open to the public at all reasonable hours.

Source: R. S. 40:39-14 amended 1953, c. 37, s. 115.

40A:9-90 Register of deeds and mortgages is the county recording officer.

In counties having a register of deeds and mortgages the said register shall be the recording officer of the county as fully as the county clerk is the recording officer in counties not having a register of deeds and mortgages.

Source: R. S. 40:39-15 amended 1953, c. 37, s. 116; 40:39-16 amended 1953, c. 37, s. 117.

40A:9-91 Personnel in the office of register of deeds and mortgages.

Every register of deeds and mortgages may appoint a deputy register of deeds and mortgages to hold office during the pleasure of the said register and upon the occurrence of a vacancy in the office of the register by expiration of term, death, resignation or otherwise, the deputy register shall have the same powers and perform all the duties of the office of the register of deeds and mortgages until the vacancy is filled as provided by law.

During the absence or disability of the register of deeds and mortgages the deputy register shall have the powers of the register and perform the duties of the office. At the register's request and under his supervision, the deputy register shall have full power to perform the duties of the office of register of deeds and mortgages including the signing of the name of the register of deeds and mortgages upon any or all documents left for recording or filing in said office to the same extent as the register of deeds and mortgages himself might sign. The said register may appoint from among the employees in his office special deputy registers to serve during his pleasure and prescribe their duties. During the absence or disability of both the register and the deputy register the senior special deputy register shall have the powers of the register and perform the duties of the office. The register shall select and employ the necessary clerks and other personnel. Every

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deputy register shall take and subscribe before a judge of a County Court an oath of office in like form and character as that required to be taken by the register. The oath of office of the deputy shall be filed in the office of the Secretary of State.

Source: R. S. 40:39-17; 40:39-18 amended 1953, c. 37, s. 118; 40:39-20.

40A:9-92 Salary of register of deeds and mortgages in certain counties.

The board of chosen freeholders in each county, by resolution, may fix the salary of the register of deeds and mortgages as follows:

In counties having a population in excess of 600,000, not less than \$12,000.00 or more than \$20,000.00 per annum;

In counties having a population in excess of 400,000, but not more than 600,000, not less than \$12,000.00 or more than \$18,000.00 per annum;

In counties having a population in excess of 200,000, but not more than 400,000, not less than \$10,000.00 or more than \$15,000.00 per annum;

In counties having a population in excess of 100,000, but not more than 200,000, not less than \$7,500.00 or more than \$12,000.00 per annum;

In counties having a population in excess of 50,000, but not more than 100,000, not less than \$7,500.00 or more than \$11,000.00 per annum;

In counties having a population of not more than 50,000, not less than \$5,000.00 or more than \$10,000.00 per annum.

Nothing in this section shall authorize the fixing of the salary of any person holding the office of register of deeds and mortgages at any amount less than that now payable pursuant to law, so long as the said person shall hold such office during the present and any consecutively ensuing term or terms, nor shall anything in this section authorize the payment of any salary for which a range is established in an amount less than the minimum of said range.

The salary of said officer shall be paid by the proper county disbursing officer in equal semimonthly payments.

Source: C. 40:38-6.14 (1959, c. 96, s. 1 amended 1961, c. 15, s. 1; 1967, c. 266, s. 1); C. 40:38-6.15 (1959, c. 96, s. 2); C. 40:38-6.16 (1959, c. 96, s. 3).

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40A:9-93 Compensation of deputy register of deeds and mortgages, chief clerks and employees.

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The annual compensation of the deputy register of deeds and mortgages shall not exceed 3/4 of the annual compensation of the register of deeds and mortgages. The annual compensation of any chief clerk in the office of the register of deeds and mortgages shall not exceed 3/5 of the annual compensation of the said register. The said compensations and that of all other personnel in the office of the register of deeds and mortgages shall be fixed by the board of chosen freeholders of the county upon the recommendation of the register of deeds and mortgages. The compensation of the personnel in the office of the register of deeds and mortgages shall be paid at the same time and in the same manner as the county officers and employees are paid.

Source: R. S. 40:39-21 amended 1948, c. 277.

40A:9-94 Eligibility for office of sheriff.

No person shall be eligible to the office of sheriff of any county unless he shall have been a citizen of the United States and a resident of the county for at least 3 years next preceding his election.

Source: R. S. 40:41-1.

40A:9-95 Sheriff's bond.

Every sheriff shall enter into bond to the State of New Jersey and the county wherein he is sheriff, with sufficient corporate surety to be approved by the judge of the County Court if the county has only one county judge, but if more than one county judge, by the county judge senior in service, in the sum of \$15,000.00, or in such greater sum not exceeding \$50,000.00, as the said judge may order. The Superior Court assignment judge for the county, instead of the county judge, may fix the amount of, and approve such bond.

The bond shall be conditioned that he will well and truly execute the office of sheriff of the county of
(insert name of county)

and faithfully, impartially and justly perform all of the duties pertaining to such office, with respect to the State of New Jersey, the said county and all persons concerned.

The bond approved by the judge together with the oath of office, shall be filed in the office of the Secretary of State of New Jersey

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Source: R. S. 40:41-2 amended 1943, c. 22, s. 1; 1953, c. 37, s. 134; 40:41-3 amended 1943, c. 22, s. 2; 1953, c. 37, s. 135.

40A:9-96 Sheriff's oath.

Every person elected or appointed to the office of sheriff, before entering upon the duties of his office, shall take the following oath:

"I,, sheriff of the county of do solemnly swear (or affirm) to (insert name of county)

support the Constitution of this State and of the United States and perform the duties of my office as sheriff, faithfully, impartially and justly to the best of my ability."

Source: R. S. 40:41-4 amended 1953, c. 37, s. 137.

40A:9-97 Certificate for commission.

The taking of the oath of office and the execution of the required bond by a newly elected sheriff shall be certified by the Superior or County Court judge, as the case may be, to the Governor in connection with the issuance of the sheriff's commission.

Source: R. S. 40:41-5 amended 1953, c. 37, s. 138.

40A:9-98 Sheriff not to perform duties of office before giving bond and taking oath; misdemeanor.

If a sheriff elect shall perform any of the duties of his office before giving bond or taking the oath of office as provided by law, he shall be guilty of a misdemeanor.

Source: R. S. 40:41-9.

40A:9-99 Sheriff may act in certain cases where commission delayed.

If the receipt by a newly elected or appointed sheriff of his commission is delayed, the said sheriff may nevertheless act as said sheriff for a period not exceeding one month before receiving his said commission.

Source: R. S. 40:41-10.

40A:9-100 Effective date of commission and expiration of term of office.

The commission of every newly elected sheriff shall bear date and take effect on the Wednesday after the first Tuesday succeeding his election and the term of his office shall be 3 years.

Source: R. S. 40:41-11.

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40A:9-101 Failure of sheriff elect to qualify; effect.

When any newly elected sheriff shall fail to qualify by giving the required bond and taking and subscribing his oath of office within 30 days following his election or within the time fixed by the court as herein provided, his office shall be deemed vacant. The Superior Court, for good cause shown, shall have jurisdiction to extend the time for qualification.

Source: R. S. 40:41-12.

40A:9-102 Vacancy in office, other than by expiration of term.

When a vacancy shall occur in the office of sheriff of any county, other than by expiration of term, the Governor shall fill such vacancy with the advice and consent of the Senate by appointment of a member of the same political party as that of the previous incumbent of the office, and the commission of said appointee shall expire when a successor is elected and qualified. The successor in such case shall be elected for a term of 3 years at the general election next succeeding the happening of the vacancy unless such vacancy shall occur within 37 days next preceding such election, in which case it shall be filled at the second succeeding general election.

Source: R. S. 40:41-14 amended 1948, c. 206; 1951, c. 120; 1953, c. 37, s. 139.

40A:9-103 Bond and oath of appointee to fill vacancy.

Every person appointed by the Governor to fill a vacancy in the office of sheriff, before proceeding to execute his office, shall give the bond and take and subscribe the oath in the manner and form prescribed for a sheriff elect.

Source: R. S. 40:41-15 amended 1953, c. 37, s. 140.

40A:9-104 Salary of sheriff in certain counties.

The board of chosen freeholders in each county, by resolution, may fix the salary of the sheriff as follows:

In counties having a population in excess of 600,000, not less than \$12,000.00 or more than \$20,000.00 per annum;

In counties having a population in excess of 400,000, but not more than 600,000 not less than \$12,000.00 or more than \$18,000.00 per annum;

In counties having a population in excess of 200,000, but not more than 400,000, not less than \$10,000.00 or more than \$15,000.00 per annum;

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In counties having a population in excess of 100,000, but not more than 200,000, not less than \$7,500.00 or more than \$12,000.00 per annum;

In counties having a population in excess of 50,000, but not more than 100,000, not less than \$7,500.00 or more than \$11,000.00 per annum;

In counties having a population of not more than 50,000, not less than \$5,000.00 or more than \$10,000.00 per annum.

Nothing in this section shall authorize the fixing of the salary of any person holding the office of sheriff at any amount less than that now payable pursuant to law, so long as the said person shall hold such office during the present and any consecutively ensuing term or terms, nor shall anything in this section authorize the payment of any salary for which a range is established in an amount less than the minimum of said range.

The salary of said officer shall be paid by the proper county disbursing officer in equal semimonthly payments.

Source: C. 40:38-6.14 (1959, c. 96, s. 1 amended 1961, c. 15, s. 1; 1967, c. 266, s. 1); C. 40:38-6.15 (1959, c. 96, s. 2); C. 40:38-6.16 (1959, c. 96, s. 3).

40A:9-105 Expenses payable to sheriffs.

The sheriffs shall be entitled to receive in addition to the salaries provided by law, their actual expenses incurred by them personally in performing their duties such as transportation, telephone, telegraph and postal charges, to be paid by the board of chosen freeholders of the respective counties.

Source: R. S. 40:41-8.

40A:9-106 Uncollected fees credited to account of former sheriff.

All uncollected fees due for services rendered or expenses incurred by a deceased, disabled or disqualified sheriff shall be taxed and collected by the acting sheriff, or the newly appointed or elected sheriff and credited to the account of the former sheriff.

Source: R. S. 40:41-18.

40A:9-107 Sheriff to deliver to his successor moneys and papers.

When any person shall cease to hold the office of sheriff he shall deliver to his successor all processes, orders, mandates and papers of every kind remaining in his hands unexecuted or unreturned or otherwise outstanding and all moneys held by him as sheriff.

Source: R. S. 40:41-19.

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40A:9-108 Sheriff not to hold other civil office.

No person shall hold any other civil office during the time he holds and exercises the office of sheriff and by acceptance of the latter office his former office shall be deemed vacated.

Source: R. S. 40:41-20.

40A:9-109 Amercement of sheriff, acting sheriff.

If a sheriff or acting sheriff fails to perform any duty imposed upon him by law in respect to writs of execution resulting in loss or damage to the judgment creditor, he shall be subject to amercement in the amount of such loss and damage to and for the use of the judgment creditor. Such amercement may be made by the court having jurisdiction of the judgment and proceedings for the enforcement thereof in an action or proceeding for amercement or in the nature of an amercement brought for the purpose. The court may proceed in a summary manner or otherwise. The delinquent sheriff or acting sheriff shall also be subject to attachment or punishment for contempt.

Source: R. S. 40:41-21 amended 1953, c. 37, s. 141.

40A:9-110 Amercement; court to designate enforcement officer.

When an amercement or judgment or order in the nature of an amercement has been obtained against a sheriff or acting sheriff the court shall designate the officer to enforce such amercement.

Source: R. S. 40:41-22.

40A:9-111 Bonds taken by sheriffs.

All bonds required by law to be taken by the sheriff shall be recorded in the office of the county clerk in a book to be provided for that purpose, and upon being so recorded, shall have the force and effect of a recognizance. A copy of the bond duly certified by the county clerk shall be evidential in any court and have the same effect as if the original bond were produced and proven. Where the condition of any such bond shall have been fully complied with, the sheriff shall execute a warrant to cancel the bond and the record thereof. Any such bond may be cancelled and discharged by such warrant or by the County Court or the Superior Court and a notation of said discharge shall be entered in the said book.

Source: R. S. 40:41-23; 40:41-24; 40:41-25 amended 1953, c. 37, s. 142.

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40A:9-112 Vacancy in office where sheriff fails to prevent lynching of person in custody.

If any person shall be taken from the hands of a sheriff or his deputy having such person in custody and shall be lynched, it shall be prima facie evidence of failure on the part of the sheriff to do his duty, and upon the fact being made to appear to the Governor, he shall publish a proclamation declaring the office of sheriff vacant. The sheriff shall not thereafter be eligible to either election or reappointment to the office of sheriff.

Such former sheriff whose office has been declared vacant may, within 10 days after the publication of the Governor's proclamation, file with the Governor his petition for reinstatement to the office of sheriff, and shall give 10 days' notice of the filing of such petition to the county prosecutor of the county in which the lynching occurred, and to the Attorney General.

If the Governor, upon hearing the evidence and argument, if any presented, shall find that the former sheriff had done all in his power to protect the life of the prisoner and performed the duties required of him by law respecting the protection of prisoners, he may reinstate him and thereupon issue to him a certificate of reinstatement, to be effective immediately. The decision of the Governor shall be final.

Source: R. S. 40:41-27 amended 1953, c. 37, s. 143.

40A:9-113 Acting sheriff or newly appointed or elected sheriff to execute uncompleted writs and processes.

All writs and processes remaining unexecuted which were in the hands of a sheriff at the time of his death, disability or disqualification, shall be executed or the execution thereof completed by the acting sheriff, if there be one, otherwise the newly appointed or elected sheriff.

All advertisements of sales of real and personal property shall be continued and adjournments of such sales may be made, of which all persons shall take notice without any other than the usual notice required by law for such advertisements, adjournments and sales. Said advertisements, adjournments and sales shall be made by the acting sheriff, if there be one, otherwise the newly appointed or elected sheriff as though the writs and processes had been directed and delivered to such acting sheriff or newly appointed or elected sheriff.

The acting sheriff or newly appointed or elected sheriff shall be entitled to the same fees for his services and be liable to all the

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40A:9-117 Undersheriffs, chief clerks and other personnel; compensation.

The sheriff shall select and employ the necessary deputies, chief clerks and other personnel. They shall receive such compensation as shall be recommended by the sheriff and approved by the board of chosen freeholders.

Source: R. S. 40:41-31.

40A:9-118 Compensation of criminal identification bureau personnel.

In counties having criminal identification bureaus in the office of the sheriffs of said counties, the board of chosen freeholders, by resolution, shall provide for the appointment and duties of the personnel of said bureau which may include according to the determination of the said board, supervisors, chief identification officer, deputy chief identification officers, identification officers, identification clerks and junior identification clerks. The board of chosen freeholders of said counties, by resolution, and upon recommendation of the sheriff shall adopt a schedule of minimum and maximum annual salaries for said personnel and provide for the payment of said salaries in semimonthly installments by the county treasurer or in the same manner as other county employees are paid. Annual increases or increments in their compensation may be provided for.

Nothing contained herein shall be deemed to reduce the amount of any salaries being presently paid to the personnel of the criminal identification bureaus in said counties.

Source: C. 40:41-33.1 (1943, c. 191, s. 1 amended 1947, c. 256, s. 1; 1950, c. 277, s. 1; 1953, c. 341, s. 1); C. 40:41-33.2 (1943, c. 191, s. 2 amended 1947, c. 256, s. 2; 1950, c. 277, s. 2; 1953, c. 341, s. 2); C. 40:41-33.3 (1943, c. 191, s. 3 amended 1950, c. 277, s. 3; 1953, c. 341, s. 3); C. 40:41-33.4 (1943, c. 191, s. 4); C. 40:41-33.5 (1943, c. 191, s. 5 amended 1947, c. 256, s. 3; 1950, c. 277, s. 4; 1953, c. 341, s. 4; 1957, c. 155); C. 40:41-33.6 (1943, c. 191, s. 6 amended 1947, c. 256, s. 4; 1953, c. 341, s. 5); C. 40:41-33.7 (1943, c. 191, s. 7); C. 40:41-33.20 (1949, c. 35, s. 1).

40A:9-119 Status of criminal identification bureau personnel.

Identification clerks having served 5 years as such, shall be classified as identification officers and upon reaching such status shall receive the salaries of identification officers starting with the minimum annual salary for said identification officers.

Source: C. 40:41-33.8 (1943, c. 191, s. 8).

40A:9-120 Constables; appointment.

The governing body of any municipality, by resolution, may appoint not less than 2 nor more than 50 constables. To be

those officers who are exempted from residency requirements be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-8 of the 1971

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eligible the persons to be appointed constables shall be residents and qualified voters of the municipality for at least 3 years prior to their appointment. Constables may exercise their functions and perform their duties anywhere in the county wherein the appointing municipality is located.

Source: R. S. 40:41-34; 40:41-35 amended 1943, c. 68; 1949, c. 76; 1967, c. 300.

40A:9-121 Constables; terms of office.

Every constable shall qualify within 30 days of the appointment and shall hold office for a term of 3 years unless the governing body by its resolution of appointment shall fix a one-year term.

Source: R. S. 40:41-36.

40A:9-122 Annual charges payable by constables; badges.

The governing body of any municipality, by resolution, may provide for an annual charge for the privilege of holding the office, to be paid by each constable in an amount not exceeding \$50.00. The municipality shall supply each constable with a badge suitably inscribed, to be returned at the expiration of the constable's term.

Source: R. S. 40:41-37.

40A:9-123 Constables; vacancy.

Vacancies in the office of constable other than by expiration of term resulting from death, resignation, or otherwise may be filled for the unexpired term by the governing body of the municipality within which the vacancy occurs.

Source: R. S. 40:41-38.

40A:9-124 Constable's oath.

Every person appointed as a constable, before entering upon the duties of his office, shall take, subscribe and file with the municipal clerk the following oath:

"I, _____, constable of the county of _____ do solemnly swear (or affirm) to
(insert name of county)

support the Constitution of this State and of the United States and to perform the duties of my office as constable, faithfully, impartially and justly to the best of my ability."

The oath may be administered by the municipal clerk or by any person authorized by law to administer oaths.

Source: R. S. 40:41-39.

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40A:9-125 Constable's bond.

Every person appointed as a constable, before entering upon the execution of his office, shall give bond in such form and amount as the governing body shall prescribe with sufficient surety to be approved by said governing body.

The bond shall be filed in the office of the municipal clerk.

Source: R. S. 40:41-40.

40A:9-126 Actions on constable's bond.

Actions on a constable's bond may be prosecuted in the Superior Court or a County Court in like manner as in the case of actions on a sheriff's bond. Applications incidental to such actions may be made to the Superior Court or County Court in similar manner as in the case of applications incidental to actions and proceedings on official bonds as provided in Title 2A of the New Jersey Statutes. In any such action or proceeding any party in interest shall be entitled on demand to a jury trial. In any such action or proceeding a municipality shall not be liable for costs unless otherwise provided by the rules of the court.

If any person shall sustain loss by the neglect or default of any constable in the discharge of his official duties such person shall have an action in his own right upon the constable's bond.

Source: R. S. 40:41-41; 40:41-42 amended 1953, c. 37, s. 145; 40:41-43 amended 1953, c. 37, s. 146; 40:41-44 amended 1953, c. 37, s. 147.

40A:9-126.1 Constable's reports.

Every constable shall on or before the first Wednesday following the first Monday of every month file with the governing body by whom he was elected or appointed, a report of his official activities, other than in connection with court or judicial proceedings, for the month immediately past. The governing body shall forward a copy of the report to the municipal chief of police.

The report shall list the names and addresses of all persons contacted by the constable in his official capacity, together with the date, time and purpose of the contact. In addition the report shall contain an accurate statement of all fees collected by the constable and from whom and for what service each fee was collected.

The failure by a constable to file such a report, for 2 consecutive months, unless he was prevented from so doing by reason of his physical incapacity, shall result in his office being deemed vacant and he shall be barred from exercising the rights and privileges thereof.

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-8 of the bill appear to require

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Any constable who falsifies such a report shall be guilty of a misdemeanor.

Source: C. 40:41-50 (1969, c. 241, s. 1); C. 40:41-51 (1969, c. 241, s. 2); C. 40:41-52 (1969, c. 241, s. 3); C. 40:41-53 (1969, c. 241, s. 4).

40A:9-127 Moneys payable to or by constable in certain cases; jurisdiction of courts.

The Superior Court and the County Court of the county shall have jurisdiction over actions or proceedings involving money payable to or by a constable and may make appropriate orders and judgments, in a summary manner, in the case of absconding, insolvent, incapacitated or deceased constables.

Source: R. S. 40:41-46 amended 1953, c. 37, s. 149; 40:41-48; 40:41-49.

40A:9-128 Statutes repealed.

The following sections, acts and parts of acts, together with all amendments and supplements thereto, are hereby repealed.

Revised Statutes Sections

- 40:21-1, 40:21-2
- 40:21-4
- 40:21-6
- 40:21-7 amended 1953, c. 37
- 40:21-15 to 40:21-17 both inclusive
- 40:21-18, 40:21-18.1
- 40:21-19 amended 1967, c. 103
- 40:21-20
- 40:21-21
- 40:21-22, 40:21-23
- 40:21-24 amended 1948, c. 78; 1953, c. 37
- 40:21-25 amended 1953, c. 37
- 40:21-26
- 40:21-27
- 40:21-28 amended 1953, c. 37
- 40:21-29, 40:21-30
- 40:21-31
- 40:21-32 amended 1953, c. 37
- 40:21-33 amended 1953, c. 37
- 40:21-34 to 40:21-47 both inclusive
- 40:21-48 amended 1961, c. 64
- 40:21-49 to 40:21-51 both inclusive
- 40:21-52 amended 1953, c. 37
- 40:21-54 to 40:21-56 both inclusive
- 40:21-57 amended 1944, c. 61

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40:21-58, 40:21-59
 40:21-60 amended 1938, c. 268
 40:21-61 amended 1942, c. 51
 40:21-62
 40:21-63 amended 1942, c. 51
 40:21-64 to 40:21-70 both inclusive
 40:21-71 amended 1953, c. 37
 40:21-72
 40:21-73 amended 1942, c. 80
 40:21-74 to 40:21-76 both inclusive
 40:21-77 amended 1942, c. 51
 40:21-78 to 40:21-79
 40:38-1 amended 1943, c. 21; 1953, c. 37
 40:38-2 amended 1953, c. 37
 40:38-3
 40:38-4 amended 1953, c. 37
 40:38-7 amended 1953, c. 37
 40:38-8 amended 1953, c. 37
 40:38-9
 40:38-10 amended 1953, c. 37
 40:38-11 amended 1953, c. 37
 40:38-12 to 40:38-15 both inclusive
 40:38-16 amended 1953, c. 37
 40:38-17 amended 1953, c. 37
 40:38-19 to 40:38-21 both inclusive
 40:38-23 amended 1953, c. 37
 40:38-24 amended 1953, c. 37
 40:38-25 amended 1953, c. 37
 40:38-26
 40:38-27 amended 1953, c. 37
 40:38-28 amended 1948, c. 278
 40:39-1
 40:39-2 amended 1943, c. 92
 40:39-3 to 40:39-7 both inclusive
 40:39-8 amended 1953, c. 37
 40:39-9
 40:39-10 amended 1953, c. 37
 40:39-13
 40:39-14 amended 1953, c. 37
 40:39-15 amended 1953, c. 37
 40:39-16 amended 1953, c. 37
 40:39-17
 40:39-18 amended 1953, c. 37

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40:39-19, 40:39-20
 40:39-21 amended 1948, c. 277
 40:40-22 to 40:40-28 both inclusive
 40:41-1
 40:41-2 amended 1943, c. 22; 1953, c. 37
 40:41-3 amended 1943, c. 22; 1953, c. 37
 40:41-4 amended 1953, c. 37
 40:41-5 amended 1953, c. 37
 40:41-8 to 40:41-13 both inclusive
 40:41-14 amended 1948, c. 206; 1951, c. 120; 1953, c. 37
 40:41-15 amended 1953, c. 37
 40:41-16 amended 1952, c. 141
 40:41-17 to 40:41-20 both inclusive
 40:41-21 amended 1953, c. 37
 40:41-22 to 40:41-24 both inclusive
 40:41-25 amended 1953, c. 37
 40:41-26
 40:41-27 amended 1953, c. 37
 40:41-28 amended 1953, c. 37
 40:41-29 to 40:41-33 both inclusive
 40:41-34
 40:41-35 amended 1943, c. 68; 1949, c. 76; 1967, c. 300
 40:41-36 to 40:41-41 both inclusive
 40:41-42 amended 1953, c. 37
 40:41-43 amended 1953, c. 37
 40:41-44 amended 1953, c. 37
 40:41-46 amended 1953, c. 37
 40:41-48, 40:41-49

Pamphlet Laws

Laws of 1939, c. 224 (C. 40:21-47.1)
 Laws of 1940, c. 87 (C. 40:41-3.1 to C. 40:41-3.4 both inclusive)
 Laws of 1943, c. 191 (C. 40:41-33.1 to C. 40:41-33.15 both inclusive)

Schedule of Amendments of Laws of 1943, c. 191

Section 1 amended by P. L. 1947, c. 256; 1950, c. 277; 1953, c. 341
 Section 2 amended by P. L. 1947, c. 256; 1950, c. 277; 1953, c. 341
 Section 3 amended by P. L. 1950, c. 277; 1953, c. 341
 Section 5 amended by P. L. 1947, c. 256; 1950, c. 277; 1953, c. 341;
 1957, c. 155
 Section 6 amended by P. L. 1947, c. 256; 1953, c. 341
 Section 9 amended by P. L. 1947, c. 256
 Section 10 amended by P. L. 1947, c. 256

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 Laws of 1952, c. 96 (C
 Laws of 1953, c. 37, s.
 Laws of 1959, c. 96, s
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 Laws of 1966, c. 169 (C
 Laws of 1967, c. 220 (C
 Laws of 1967, c. 103, s.
 Laws of 1969, c. 241 (C

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Laws of 1944, c. 125 (C. 40:21-20.1 to C. 40:21-20.3 both inclusive)
Laws of 1944, c. 182 (C. 40:21-30.1 to C. 40:21-30.19 both inclusive)

Schedule of Amendments of Laws of 1944, c. 182
Section 11 amended by P. L. 1953, c. 37
Section 17 amended by P. L. 1965, c. 11

Laws of 1944, c. 252 (C. 40:38-29 to C. 40:39-31 both inclusive)
Laws of 1947, c. 256 (C. 40:41-33.16 to C. 40:41-33.19 both inclusive)
Laws of 1947, c. 403 (C. 40:21-26.6 to C. 40:21-26.10 both inclusive)

Schedule of Amendments of Laws of 1947, c. 403
Section 2 amended by P. L. 1951, c. 309

Laws of 1948, c. 78, s. 2 (C. 40:21-23.1)
Laws of 1948, c. 208 (C. 40:38-8.1) amended by P. L. 1951, c. 122
Laws of 1948, c. 314 (C. 40:38-32 to C. 40:38-34 both inclusive)

Schedule of Amendments of Laws of 1948, c. 314
Section 1 amended by P. L. 1951, c. 256; 1952, c. 178

Laws of 1949, c. 35 (C. 40:41-33.20 to C. 40:41-33.22 both inclusive)
Laws of 1952, c. 96 (C. 40:38-25.2 to C. 40:38-25.5 both inclusive)
Laws of 1953, c. 37, s. 38 (C. 40:21-17.1)
Laws of 1959, c. 96, ss. 1, 2 and 3 (C. 40:38-6.14 to C. 40:38-6.16 both inclusive)

Schedule of Amendments
Section 1 amended by P. L. 1961, c. 15; 1967, c. 266

Laws of 1960, c. 19 (C. 40:21-24.1)
Laws of 1966, c. 169 (C. 40:21-47.2)
Laws of 1967, c. 220 (C. 40:21-18.2, C. 40:21-18.3)
Laws of 1967, c. 103, s. 2 (C. 40:21-19.1)
Laws of 1969, c. 241 (C. 40:41-50 to C. 40:41-53 both inclusive)

C. ANALYSIS

- 40A:9-129 Officials; facsimile of signatures; seal; statement of terms of office to be filed with Secretary of State.
- 40A:9-130 Mayor; term.
- 40A:9-131 Acting mayor.
- 40A:9-132 Mayor to vote in certain cases.
- 40A:9-133 Municipal clerk; term.
- 40A:9-134 Municipal clerk; tenure of office.
- 40A:9-135 Deputy municipal clerk.
- 40A:9-136 Administrator; powers and duties.
- 40A:9-137 Administrator; appointment; term of office.

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 10A:2-2.1

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- 40A:9-138 Administrator; removal from office.
- 40A:9-139 Attorney; apointment; term.
- 40A:9-140 Engineer; appointment; term.
- 40A:9-141 Tax collector; appointment.
- 40A:9-142 Tax collector; term of office.
- 40A:9-143 Collector of arrears of taxes.
- 40A:9-144 Tenure of tax collector.
- 40A:9-145 Tenure for tax collectors completing certain courses of instructions.
- 40A:9-146 Tax assessors; appointment.
- 40A:9-147 Chapter 205 of the laws of 1968 saved from repeal.
- 40A:9-148 Tax assessor; board of assessors; term of office.
- 40A:9-149 Tax assessors; apointment by Governor in certain cases.
- 40A:9-150 Tenure of certain tax assessors and deputy assessors.
- 40A:9-151 Tenure of tax assessors in certain cities having the municipal manager form of government; removal; complaint; hearing.
- 40A:9-152 Tenure of township treasurer.
- 40A:9-153 Tenure of veterans in office, position or employment of city engineer in cities under municipal manager form of government; removal; complaint; hearing.
- 40A:9-153.1 Section 40:145-13 of the Revised Statutes saved from repeal.
- 40A:9-154 Poundkeepers.
- 40A:9-155 Members of governing body ineligible for certain office; exceptions.
- 40A:9-156 Effective and appointive officers; commencement of term of office; exceptions.
- 40A:9-157 Temporary appointments.
- 40A:9-158 Temporary leaves of absence; substitute.
- 40A:9-159 Leave of absence for certain officers and employees entering the armed forces of the United States.
- 40A:9-160 Leave of absence for employees who are members of the Legislature.
- 40A:9-160.1 Compensatory time off for employees who are members of certain volunteer organizations.
- 40A:9-161 Removal of officers and employees; procedure.
- 40A:9-162 Special elections and appointments to fill vacancies in governing body resulting from judicial action.
- 40A:9-163 Change in government; effect on officers.
- 40A:9-164 Delegates to certain conventions.

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40A:9-131 Acting mayor.
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- 40A:9-165 Salaries, wages or compensation of mayor or other chief executive; officers and employees; exceptions; referendum.
- 40A:9-166 Section 3 of chapter 144 of the laws of 1962 saved from repeal.
- 40A:9-167 Referendum on ordinance fixing salaries, wages or compensation.
- 40A:9-168 Petition for referendum on salaries, wages or compensation.
- 40A:9-169 Limitation on salary changes of officers and employees.
- 40A:9-170 Contracts for lesser salaries, wages or compensation.
- 40A:9-171 Compensation for services notwithstanding statute declared unconstitutional.
- 40A:9-172 Judicially determined illegal suspension or dismissal; officer or employee entitled to recover salary; proviso.
- 40A:9-173 Hospital service or medical service group insurance; authorization for deductions from salaries.
- 40A:9-174 Compensation for injury or death to member of governing body or other officer in performance of duty.
- 40A:9-175 Statutes repealed.

40A:9-129 Officials; facsimile of signatures; seal; statement of terms of office to be filed with Secretary of State.

In every municipality, the mayor or other chief executive and the clerk, upon taking office, shall each file with the Secretary of State a facsimile of his signature and in addition the clerk shall furnish an impression of the municipal seal and a statement of their terms of office, showing the commencement and expiration dates.

The Secretary of State shall cause to be printed the necessary blank forms and forward them to the aforesaid officials. The completed forms when filed shall be public records.

Source: R. S. 40:46-1.

40A:9-130 Mayor; term.

In every municipality, unless otherwise provided by law, the term of office for the mayor shall be 2 years.

Source: R. S. 40:171-19.

40A:9-131 Acting mayor.

In every municipality, unless otherwise provided by law, if a vacancy occurs in the office of mayor, by reason of death, resigna-

those officers who are exempt from the provisions of this chapter shall be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-129 of the Revised Statutes

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tion or otherwise, the presiding officer of the governing body shall become the acting mayor until a successor is elected and qualified.
Source: R. S. 40:171-20.

40A:9-132 Mayor to vote in certain cases.

In every municipality, unless otherwise provided by law, if the governing body shall fail (a) to organize and elect a president or chairman at its annual meeting held for such purpose, (b) to fill any vacancy in office or position, (c) to adopt any resolution or ordinance or (d) to take any other action whatsoever, by reason of a tie or insufficient vote among the members, the mayor shall vote in aid of said organization, the election of candidates, appointments of officers or others, adoption of resolutions or ordinances or the taking of any other action.

Source: R. S. 40:171-21; 40:171-22; 40:171-23; 40:171-24; C. 40:171-24.1 (1944, c. 90).

40A:9-133 Municipal clerk; term.

In every municipality there shall be a municipal clerk. When so provided by law the municipal clerk shall be elected, otherwise he shall be appointed by the governing body of the municipality. Unless otherwise provided by law his term of office shall be 3 years. If elected, his term shall commence on January 1 following his election and when appointed, his term shall run from January 1 in the year in which he was appointed.

Source: R. S. 40:73-7.

40A:9-134 Municipal clerk; tenure of office.

Any person holding the office of municipal clerk in any municipality and having held such office continuously for 5 years from the date of his original appointment or election shall have tenure in such office and shall not be removed therefrom except for good cause shown after a fair and impartial hearing.

Source: R. S. 40:46-7.

40A:9-135 Deputy municipal clerk.

The governing body of any municipality, by ordinance, may create the office of deputy municipal clerk and provide for appointments thereto, his compensation, term thereof and the powers, duties and functions of such office. During the absence or disability of the municipal clerk, the deputy municipal clerk shall have all the powers of the municipal clerk and shall perform the functions and duties of such office.

Source: C. 40:46-2.1 (1953, c. 322).

40A:9-136 Administrator.
The governing body shall create the office of administrator to perform such duties as may be required by the governing body, and receive such compensation as the governing body shall provide. Such office shall be directed by the governing body.
Source: C. 40:46-2.2

40A:9-137 Administrator.
Appointment to the office of administrator shall be made by the mayor or the governing body with the advice and consent of the governing body and in municipalities where the governing body is a board of trustees, the administrator shall be at the pleasure of the governing body.
Source: C. 40:46-2.3 (1960, c. 2)

40A:9-138 Administrator; term.
The municipal administrator shall be appointed by the governing body. The term of office shall be for a period of three months after its expiration, and the administrator shall have immediate effect; provided that the administrator shall be paid to the extent of his salary and benefits for the period following adoption of the ordinance.
Source: C. 40:46-2.4 (1960, c. 2)

40A:9-139 Attorney; appointment.
In every municipality the governing body shall provide for the appointment of an attorney to be designated as the corporate attorney. The term of office shall be for a period of one year unless otherwise provided.
Source: R. S. 40:46-4; 40:46-5

40A:9-140 Engineer; appointment.
In every municipality the governing body shall provide for the appointment of an engineer. The term of office shall be for a period of three years unless otherwise provided.
Source: C. 40:46-6.23 (1960, c. 2); C. 40:46-6.25 (1960, c. 2)

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40A:9-136 Administrator; powers and duties.

The governing body of any municipality, by ordinance, may create the office of municipal administrator to administer the business affairs of the municipality, to have such powers and perform such duties other than those required by law to be exercised by the governing body itself or by another officer, board or body, and receive such compensation as the ordinance creating such office shall provide and as may from time to time otherwise be directed by the governing body by ordinance.

Source: C. 40:46-2.2 (1968, c. 367, s. 1).

40A:9-137 Administrator; appointment; term of office.

Appointment to the office of municipal administrator shall be made by the mayor or chief executive officer of the municipality with the advice and consent of the governing body. In townships and in municipalities with a commission form of government the municipal administrator shall be appointed by majority vote of the governing body. The term of office of the municipal administrator shall be at the pleasure of the governing body.

Source: C. 40:46-2.3 (1968, c. 367, s. 2).

40A:9-138 Administrator; removal from office.

The municipal administrator may be removed by a 2/3 vote of the governing body. The resolution of removal shall become effective 3 months after its adoption by the governing body. The governing body may provide that the resolution shall have immediate effect; provided, however, that the governing body shall cause to be paid to the administrator forthwith any unpaid balance of his salary and his salary for the next 3 calendar months following adoption of the resolution.

Source: C. 40:46-2.4 (1968, c. 367, s. 3).

40A:9-139 Attorney; appointment; term.

In every municipality the governing body, by ordinance, shall provide for the appointment of a municipal attorney who may be designated as the corporation counsel or municipal attorney and unless otherwise provided by law the term of office of the municipal attorney shall be 1 year.

Source: R. S. 40:46-4; 40:171-48.

40A:9-140 Engineer; appointment; term.

In every municipality the governing body, by ordinance, shall provide for the appointment of a municipal engineer and fix his compensation. Unless otherwise provided by law his term of office shall be 3 years.

Source: C. 40:46-6.23 (1960, c. 81, s. 1); C. 40:46-6.24 (1960, c. 81, s. 2); C. 40:46-6.25 (1960, c. 81, s. 3); R. S. 40:171-49.

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40A:9-141 Tax collector; appointment.

The governing body of every municipality, by ordinance, shall provide for the appointment or election of a municipal tax collector and fix his compensation, or some other official to perform the customary duties of such collector. The office of municipal tax collector and municipal treasurer, or municipal clerk may be held by the same person. Any such ordinance may provide that the municipal tax collector or officer to whom the customary duties of a collector may be assigned shall be the tax collector of the municipality constituting the taxing district.

Source: R. S. 40:46-6.1 amended 1945, c. 138; 40:171-93.

40A:9-142 Tax collector; term of office.

Every municipal tax collector shall hold his office for a term of 4 years from the first day of January next following his election or appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term or until the earlier election and qualification of a successor.

Nothing herein contained shall affect any of the provisions of Title 11 (Civil Service) of the Revised Statutes.

Source: R. S. 40:46-6.1 amended 1945, c. 138.

40A:9-143 Collector of arrears of taxes.

The governing body of every municipality, by ordinance, may provide for the appointment of an officer to be designated as the "municipal collector of arrears of taxes", fix his term of office and compensation, and prescribe his powers and duties.

Source: R. S. 40:171-94; 40:171-96; 40:171-97.

40A:9-144 Tenure of tax collector.

The governing body of any municipality, by ordinance, may confirm tenure in office to a person who has or shall have held the office of municipal tax collector for 5 consecutive years. Any such municipal tax collector after such confirmation shall continue to hold such office during good behavior and efficiency and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint, setting forth the charge or charges against him.

The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

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40A:9-145 Tenure of tax collector.

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40A:9-146 Tax assessors.

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The person so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:46-6.15 (1947, c. 350, s. 2); C. 40:46-6.16 (1947, c. 350, s. 3); C. 40:46-6.17 (1947, c. 350, s. 4 amended 1953, c. 37, s. 165); C. 40:46-6.18 (1947, c. 350, s. 5); C. 40:46-6.19 (1947, c. 350, s. 6); C. 40:46-6.20 (1947, c. 350, s. 7); C. 40:46-6.21 (1947, c. 350, s. 8); C. 40:46-6.22 (1947, c. 350, s. 9); C. 40:46-6.22a (1965, c. 243).

40A:9-145 Tenure for tax collectors completing certain courses of instructions.

Any person who has held or shall have held the office of tax collector in any municipality for a continuous period of not less than 5 years or who after February 19, 1966 shall be reelected or reappointed to said office upon the completion of one full term of 4 years, upon filing with the clerk of the municipality and with the Division of Local Finance in the Department of Community Affairs a certificate evidencing his satisfactory completion of a course of instruction in the functions and duties of tax collectors approved by the Division of Local Finance as said division shall by regulation provide, shall thereafter continue to hold such office during good behavior and shall not be removed therefrom except for good cause shown after a fair and impartial trial, notwithstanding that said person was appointed or elected for a fixed term.

The term "tax collector" as used herein shall be construed to mean and include the official charged with the duty of collecting taxes upon real and personal property in each municipality.

Source: C. 40:46-6.22a (1965, c. 243).

40A:9-146 Tax assessors; appointment.

The governing body of every municipality, unless otherwise provided by law, shall appoint either one or more assessors of taxes or a board of assessors of taxes to consist of not less than 3 nor more than 9 members. The said governing body, by ordinance, shall determine the number and the amount of compensation of such assessors or members of the board of assessors. If the terms of their offices shall not be provided by law, such term shall be fixed by said ordinance. Any such ordinance shall be subject to alteration, modification or repeal.

Source: R. S. 40:145-19, 40:145-21, 40:145-22.

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the

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40A:9-147 Chapter 205 of the laws of 1968 saved from repeal.

Chapter 205 of the laws of 1968 (C. 40:46-6.2c) is saved from repeal. [The act saved from repeal by this section provides that in any municipality wherein tax assessors have been chosen from wards, the governing body, by ordinance, may provide for the appointment of a single assessor for the entire taxing district and fix his compensation for the term of office as provided by law. No such ordinance shall affect the term of any assessor in office on July 19, 1968.]

Source: C. 40:46-6.2c (1968, c. 205).

40A:9-148 Tax assessor; board of assessors; term of office.

Every municipal tax assessor shall hold his office for a term of 4 years from the first day of July next following his election or appointment.

Where there is a board of assessors the governing body of the municipality, by ordinance, shall arrange the terms of office of the members of such board in such manner that the terms of office of a majority of the members thereof shall not expire at the same time by providing staggered terms of office. To accomplish said purpose the terms may be of 1, 2 or 3 years, but when accomplished, appointments shall be for terms of 4 years.

Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term or until the election and qualification of a successor.

The term "tax assessor" as used herein shall mean and include assessors, members of the board of assessors, and all other persons charged with the duty of assessing property for taxation in municipalities.

Source: C. 40:46-6.2 (1938, c. 386, s. 1); C. 40:46-6.2a (1968, c. 35, s. 1); C. 40:46-6.2b (1968, c. 35, s. 2); C. 40:46-6.3 (1938, c. 386, s. 2).

40A:9-149 Tax assessors; appointment by Governor in certain cases.

In any municipality wherein there shall be the office of tax assessor and no qualified person shall be in such office on the first day of October to perform said duties or the tax assessor holding such office shall neglect or fail to assess the taxes as required by law, the Governor shall cause notice to be given to the mayor or other chief executive officer of the governing body that within 10 days after service of said notice he will appoint an assessor. At

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the expiration of the 10 days, if the Governor shall be satisfied that said vacancy still exists or the tax assessments were not made, the Governor shall appoint and commission an assessor to perform all the duties of such office. Such appointee shall receive the compensation provided by law for the tax assessor.

Source: R. S. 40:46-16.

40A:9-150 Tenure of certain tax assessors and deputy assessors.

Any person who has held the office of tax assessor or has been a member of a board of assessors in any municipality for a continuous period of not less than 10 years and whose office or position shall have been abolished as a result of a change in the form of government and who has been or shall be appointed assessor or deputy assessor in the same municipality and shall have served satisfactorily in that office or position for a period of 2 years, shall thereafter hold and continue to hold such office or position during good behavior and shall not be removed therefrom except for good cause shown after a fair and impartial trial notwithstanding that said person was appointed for a fixed term.

Source: C. 40:46-6.13a (1966, c. 211).

40A:9-151 Tenure of tax assessors in certain cities having the municipal manager form of government; removal; complaint; hearing.

In any city operating under the municipal manager form of government and having a population of more than 45,000, any person holding the office of tax assessor in such a municipality for 15 consecutive years shall continue to hold such office or position during good behavior and efficiency and shall not be removed therefrom except for inefficiency, incapacity, conduct unbecoming an assessor or other just cause and then only after public hearing upon a written complaint, signed by the person making such complaint, setting forth the charge or charges against him. A complaint may be made by any member of the municipal council or any other person.

The complaint shall be filed with the municipal clerk of said municipality and a certified copy thereof shall be served upon the person so charged with notice of a designated hearing date before the municipal council which shall be not less than 10 days from date of service of the complaint.

Source: C. 40:83-8 (1947, c. 362, s. 1); C. 40:83-9 (1947, c. 362, s. 2).

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified positions.

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40A:9-152 Tenure of township treasurer.

The governing body of any municipality, by ordinance, may grant tenure in office to a person who has or shall have held the office of municipal treasurer for 15 consecutive years. Any such municipal treasurer so granted tenure shall continue to hold such office during good behavior and efficiency and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint, setting forth the charge or charges against him.

The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

The person so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

The county court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:145-14.1 (1947, c. 331, s. 1); C. 40:145-14.2 (1947, c. 331, s. 2); C. 40:145-14.3 (1947, c. 331, s. 3); C. 40:145-14.5 (1952, c. 325, s. 1); C. 40:145-14.6 (1952, c. 325, s. 2).

40A:9-153 Tenure of veterans in office, position or employment of city engineer in cities under municipal manager form of government; removal; complaint; hearing.

Any veteran of the Armed Forces of the United States honorably discharged and holding the office, position or employment of city engineer in any city governed under the municipal manager form of government law, having held said office, position or employment continuously for 15 years from the date of the original appointment as city engineer, under fixed or indefinite terms, or both, while said city was governed under the municipal manager form of government law or under any other law, shall hold his office, position or employment during good behavior and efficiency and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him.

The complaint shall be filed with the city manager of said municipality, and a certified copy thereof shall be served upon the

person so charged with notice of a designated hearing date before said city manager, which shall be not less than 10 days from date of service of the complaint.

The person so charged and the city manager shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

Source: C. 40:83-6 (1943, c. 190, s. 1); C. 40:83-7 (1943, c. 190, s. 2).

40A:9-153.1 Section 40:145-13 of the Revised Statutes saved from repeal.

Section 40:145-13 of the Revised Statutes is saved from repeal. [The section saved from repeal by this section provides for the term of office of certain appointive or elective officers in any township having a population in excess of 24,000, as determined by the last preceding Federal census, and not having the municipal manager form of government, but the provisions of said section shall not be applicable to any person now holding or who may hereafter hold said position or officer, having tenure therein. Said section also provides for the filling of a vacancy in an appointive office.]

Source: R. S. 40:145-13 amended 1969, c. 186.

40A:9-154 Poundkeepers.

Except as otherwise provided by law the governing body of any municipality, by ordinance, may provide for the appointment of poundkeepers as needed. The governing body shall determine the number required and their qualifications, terms of office and method of compensation and prescribe their powers, duties and functions.

Source: R. S. 40:46-9.

40A:9-155 Members of governing body eligible for certain offices; exceptions.

A member of the governing body of a municipality who resigns his office as such may be appointed to an office or position required to be filled by the governing body unless the office or position was created by ordinance adopted during the term of office of the member so resigning. In cases of any such appointment the salary of the holder of said office or position shall not be increased during the term of office of the member so resigning.

Source: R. S. 40:46-5 amended 1938, c. 149; 1948, c. 46; 1955, c. 131; 1967, c. 236, s. 1.

40A:9-156 Elective and appointive officers; commencement of term of office; exceptions.

Except as otherwise provided by law, the terms of office of all elective officers in any municipality shall commence at 12 o'clock

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those officers who are exempted from residency requirements be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-8 of the bill appear to require

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noon on January 1 next succeeding their election and continue for the terms prescribed by law, except the term of office of the assessor shall commence on July 1 next following his election or appointment and continue for the prescribed number of years.

The terms of office of all officers appointed by the mayor or other chief executive officer or by the governing body of any municipality, except to fill vacancies, shall commence on January 1 of the year in which they are appointed and continue for the terms prescribed by law.

No appointment of any officer shall be made by the mayor or other chief executive officer or by the governing body of any municipality where the term of the office is to commence after the expiration of the term of the officer making the appointment or of any member of the governing body.

Source: R. S. 40:46-6 amended 1953, c. 37, s. 164.

40A:9-157 Temporary appointments.

Whenever any officer or employee of a municipality is temporarily absent, disabled or disqualified, the governing body of the municipality may designate some person to act in place of any such officer or employee during his temporary absence, disability or disqualification.

Source: R. S. 40:46-13.

40A:9-158 Temporary leave of absence; substitute.

The governing body of any municipality may grant temporary leave of absence, with pay, to any officer or employee receiving a fixed annual salary, wage or compensation. Such leaves of absence shall not exceed 3 months at any one time.

Where it is necessary to employ a substitute to perform the duties of such officer or employee during his absence, the amount of the compensation paid the substitute shall be deducted from the salary, wage or compensation of such officer or employee.

Source: R. S. 40:46-32.

40A:9-159 Leave of absence for certain officers and employees entering the armed forces of the United States.

Every officer or employee not holding his office, position or employment for a fixed term or period, upon entering the armed forces of the United States in time of war for the duration thereof, or for less period, shall be granted leave of absence until such time as he shall be honorably discharged from such service, and shall not be discharged or separated from his office, position or employment by reason of his entry into such service. Such

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leave of absence may be granted with or without pay as provided by law. Such officer or employee shall be entitled to resume the office, position or employment held by him at the time of entrance into such service, at any time within 3 months after receiving honorable discharge, provided he is not then incapacitated. If he be incapacitated at the time of such discharge, he shall be entitled to resume his office, position or employment at any time within 3 months after complete recovery therefrom, provided such complete recovery is within 2 years after his discharge. Upon resumption of his office, position or employment by such officer or employee, the service of the person temporarily filling said office, position or employment shall immediately cease. If such officer or employee is one of a number of equal rank or like character, the person last appointed to fill any such office, position or employment shall be dismissed and placed upon a special eligible list, which list shall take precedence over all other lists and shall be entitled to reinstatement in the same office or employment as soon as any vacancy shall occur.

Source: R. S. 40:46-11.

40A:9-160 Leave of absence for employees who are members of the Legislature.

Any person employed by any municipality or agency thereof who is a member of the Senate or General Assembly of the State of New Jersey, shall be entitled to time off from his duties as such employee, without loss of pay, during the periods of his attendance at regular or special sessions of the Legislature and hearings or meetings of any legislative committee or commission.

Source: C. 40:46-32.1 (1968, c. 239).

40A:9-160.1. Compensatory time off for employees who are members of certain volunteer organizations.

The governing body of any municipality shall grant time off from work with pay for municipal employees who are members of a volunteer fire company serving the municipality, volunteers in first aid or rescue squads serving the municipality or volunteer drivers of municipally-owned or operated ambulances when such employees are called to respond to alarms occurring during the hours of their employment.

Source: C. 40:46-32.2 (1969, c. 287).

40A:9-161 Removal of officers and employees; procedure.

In any municipality wherein Title 11 (Civil Service) of the Revised Statutes is not operative and unless otherwise provided by law, no officer or employee of such municipality who has tenure

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-2, 40A:9-3, 40A:9-4, 40A:9-5, 40A:9-6, 40A:9-7, 40A:9-8, 40A:9-9, 40A:9-10, 40A:9-11, 40A:9-12, 40A:9-13, 40A:9-14, 40A:9-15, 40A:9-16, 40A:9-17, 40A:9-18, 40A:9-19, 40A:9-20, 40A:9-21, 40A:9-22, 40A:9-23, 40A:9-24, 40A:9-25, 40A:9-26, 40A:9-27, 40A:9-28, 40A:9-29, 40A:9-30, 40A:9-31, 40A:9-32, 40A:9-33, 40A:9-34, 40A:9-35, 40A:9-36, 40A:9-37, 40A:9-38, 40A:9-39, 40A:9-40, 40A:9-41, 40A:9-42, 40A:9-43, 40A:9-44, 40A:9-45, 40A:9-46, 40A:9-47, 40A:9-48, 40A:9-49, 40A:9-50, 40A:9-51, 40A:9-52, 40A:9-53, 40A:9-54, 40A:9-55, 40A:9-56, 40A:9-57, 40A:9-58, 40A:9-59, 40A:9-60, 40A:9-61, 40A:9-62, 40A:9-63, 40A:9-64, 40A:9-65, 40A:9-66, 40A:9-67, 40A:9-68, 40A:9-69, 40A:9-70, 40A:9-71, 40A:9-72, 40A:9-73, 40A:9-74, 40A:9-75, 40A:9-76, 40A:9-77, 40A:9-78, 40A:9-79, 40A:9-80, 40A:9-81, 40A:9-82, 40A:9-83, 40A:9-84, 40A:9-85, 40A:9-86, 40A:9-87, 40A:9-88, 40A:9-89, 40A:9-90, 40A:9-91, 40A:9-92, 40A:9-93, 40A:9-94, 40A:9-95, 40A:9-96, 40A:9-97, 40A:9-98, 40A:9-99, 40A:9-100.

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in office shall be removed from his office or position except upon written charges, signed by the person making such charges. The complaint shall be filed with the governing body of such municipality and a copy thereof shall be served upon the officer or employee so charged, with notice of a designated time and place for the hearing thereon.

The officer or employee so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence. The governing body shall prescribe rules and regulations for the conduct of the hearing.

No such officer or employee shall be removed from his office or position for political reasons or except as otherwise provided by law, because of a change in the form of government.

Source: R. S. 40:46-8.

40A:9-162 Special elections and appointments to fill vacancies in governing body resulting from judicial action.

Where a vacancy occurs in the membership of the governing body of any municipality by virtue of a judicial determination ousting from office the person who would otherwise have filled such office, the Superior Court shall have jurisdiction to provide for a special election to fill the vacancy and pending such election to appoint an interim member to the said governing body upon such conditions as the court shall prescribe.

Source: C. 40:46-16.1 (1964, c. 2, s. 1); C. 40:46-16.2 (1964, c. 2, s. 2); C. 40:46-16.3 (1964, c. 2, s. 3); C. 40:46-16.4 (1964, c. 2, s. 4); C. 40:46-16.5 (1964, c. 2, s. 5).

40A:9-163 Change in government; effect on officers.

Except as otherwise provided by law, whenever the form of government of any municipality shall be changed the municipal officers of such municipality, by whatever name they may be known, shall be the officers of the said municipality with all the powers, duties and functions of like officers in such municipality and shall continue in office until the first election of officers to be held in such municipality and until the newly elected officers have been elected and qualified.

Source: R. S. 40:46-10.

40A:9-164 Delegates to certain conventions.

The governing body of any municipality, whenever they shall deem it necessary, by resolution, may provide for the appointment of not more than 5 citizens as delegates to represent the said

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municipality at any industrial, commercial or civic assembly or convention nonpolitical in character. Said delegates shall receive no compensation but they shall be reimbursed by the municipality for all expenses incurred by them in performing their duties as such delegates.

Source: R. S. 40:72-20.

40A:9-165 Salaries, wages or compensation of mayor or other chief executive; officers and employees; exceptions; referendum.

The governing body of a municipality, by ordinance, shall fix and determine the salaries, wages or compensation to be paid to the officers and employees of the municipality, including the members of the governing body and the mayor or other chief executive, who by law are entitled to salaries, wages or compensation. Such salaries, wages or compensation from time to time, by ordinance, may be increased, decreased or altered. In municipalities wherein the provisions of Title 11 (Civil Service) of the Revised Statutes are in operation, this section shall be subject thereto.

Where any such ordinance shall provide for increases in salaries, wages or compensation, it shall become operative in 10 days after the publication thereof, after final passage, unless within said 10 days, a petition, signed by voters of such municipality, equal in number to at least 5% of the registered voters of the municipality, protesting against the passage of such ordinance, be presented to the governing body, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at an election by a majority of the voters voting on said proposition. The submission of the question to the voters shall be governed by the provisions of Title 19 (Elections) of the Revised Statutes, as in the case of public questions to be voted upon in a single municipality.

Source: R. S. 40:46-23 amended 1947, c. 166, s. 1; 1948, c. 282, s. 1; 1958, c. 145, s. 1; 1962, c. 144, s. 1; 1965, c. 227; 40:46-26 amended 1942, c. 53, s. 1; 1944, c. 99, s. 1; 1947, c. 33; 1947, c. 166, s. 2; 1948, c. 282, s. 2; 1949, c. 271; 1952, c. 281; 1955, c. 175; 1962, c. 144, s. 2; C. 40:46-27.1 (1951, c. 339 amended 1962, c. 151; 1967, c. 299, s. 1).

40A:9-166 Section 3 of chapter 144 of the laws of 1962 saved from repeal.

Section 3 of chapter 144 of the laws of 1962 (C. 40:46-26.1) is saved from repeal.

[The section saved from repeal by this section provides that in any municipality, in a county of the third class, wherein an ordinance was theretofore adopted for increases in salaries, wages or compensation payable to the members of the governing body and

those officers who are exempted from residency requirements be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-8 of the bill concern the

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the mayor or other chief executive, who by law were entitled to salaries, wages or compensation, such ordinance shall remain in force and effect notwithstanding the county by the 1960 census became a county of the second class.]

Source: C. 40:46-26.1 (1962, c. 144, s. 3).

40A-9-167 Referendum on ordinance fixing salaries, wages or compensation.

When the governing body of any municipality shall be required by petition to submit to the voters proposed increases in salaries, wages or compensation or if the governing body shall deem it advisable to have a referendum in respect to the salaries of its members, officers or employees, the governing body shall adopt an ordinance definitely fixing such salaries and the operative date. Where any such ordinance provides for salary increases, they may be made to take effect on a specified date or apportioned to be effective on different specified dates during a period not to exceed 3 years. Any such ordinance may be adopted notwithstanding a prior referendum in respect to salaries, wages or compensation.

The clerk of the municipality shall forthwith forward a certified copy of the ordinance to the officer whose duty it is to prepare the ballots for the election, notifying such officer that there is to be a vote on the question.

Such officer, in the manner and form provided by law, shall place the question upon the ballot, to be used at the election in such municipality, in substantially the following form: "Shall the salaries of the (members of the governing body, the officers or employees) of (name of municipality) be fixed as follows, (amount or amounts) per annum?"

If it is proposed to reduce or increase salaries, the following form shall be used: "Shall the salaries of the (members of the governing body, the officers or employees) of (name of municipality) be reduced (or increased) as follows: (members of the governing body, the officers or employees) from \$ (amount of present salary) to \$ (amount of proposed or adopted salary) per annum?"

If a majority of the legal voters of the municipality voting upon such question at the election shall vote "Yes," the salaries so adopted shall be payable to the members of the governing body, the officers or employees on and after the date specified in the

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ordinance and until again changed in the manner provided by law. The referendum vote shall be binding during the period of 2 years following such vote.

Source: R. S. 40:46-27 amended 1941, c. 144; 1954, c. 271; 1955, c. 186; 1958, c. 145, s. 2.

40A:9-168 Petition for referendum on salaries, wages or compensation.

If there shall be submitted to the governing body of any municipality a petition signed by not less than 10% of the registered voters of the municipality, requesting the submission to the legal voters of the municipality the question of fixing the salaries, wages or compensation of the members of the governing body, officers or employees of said municipality in the amounts stated in the petition, the governing body shall cause the question to be submitted to the legal voters of the municipality at the next general election occurring more than 40 days after the submission of the petition to the governing body.

The result of the vote shall be binding upon the municipality for the following 2 years.

Nothing contained in this section shall be deemed to preclude a referendum vote upon an ordinance increasing salaries, wages or compensation provided by law.

Source: R. S. 40:46-28.

40A:9-169 Limitation on salary changes of officers and employees.

The governing body of any municipality may only once in any fiscal year increase or decrease the salary of the municipal officers and employees, having tenure and holding their offices or positions during good behavior or for an indefinite term.

Source: R. S. 40:46-25.

40A:9-170 Contracts for lesser salaries, wages or compensation.

The governing body of any municipality may enter into a contract with any officer or employee of the municipality to perform the duties of his office, position or employment at a lesser salary, wage or compensation than otherwise fixed and when the contract shall be entered into, it shall control the amount of such salary, wage or compensation.

Source: R. S. 40:46-30.

40A:9-171 Compensation for services notwithstanding statute declared unconstitutional.

Whenever a person shall have performed services for any municipality in an office or position created by or pursuant to a statute

those officers who are exempted from residency requirements be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-168, 40A:9-169, 40A:9-170 and 40A:9-171

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declared to be unconstitutional after the creation of the office or position, such person shall be compensated for his services prior to the statute being declared to be unconstitutional.

Where the statute so declared to be unconstitutional did not fix the compensation payable to the officer or employee, his compensation for his said services shall be determined by the governing body at the rate fixed for comparable services.

Source: R. S. 40:46-33.

40A:9-172 Judicially determined illegal suspension or dismissal; officer or employee entitled to recover salary; proviso.

Whenever any municipal officer or employee shall be suspended or dismissed from his office, employment or position and such suspension or dismissal shall be judicially determined to be illegal, said officer or employee shall be entitled to recover his salary from the date of such suspension or dismissal, provided a written application therefore shall be filed with the municipal clerk within 30 days after such judicial determination.

Source: R. S. 40:46-34 amended 1948, c. 163; 1948, c. 395.

40A:9-173 Hospital service or medical service group insurance; authorization for deductions from salaries.

Municipal officers and employees participating in hospital or medical service group insurance may authorize the governing body of the municipality to deduct from their salaries premiums for such insurance, and pay the amount thereof to the service corporations. The governing body, by resolution, may authorize such deductions and provide for the said payments subject to such rules and regulations as the governing body may prescribe in the resolution.

No such resolution shall be deemed to impose any prospective liability or responsibility upon the municipality as to future deductions or payments.

Source: C. 40:46-37 (1941, c. 133, s. 1).

40A:9-174 Compensation for injury or death to member of governing body or other officer in performance of duty.

The governing body of any municipality, by resolution, may provide for the payment of a sum not to exceed \$1,500.00 to any officer of the municipality including a member of the governing body who shall have been injured in the performance of duty as such officer. In the event of the death of any such officer in the performance of duty, a similar sum may be paid to the widow or dependents.

Any such resolution shall prescribe the manner and method of payment.

Source: R. S. 40:87-61.

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40A:9-175 Statutes repealed.

The following sections, acts and parts of acts, together with all amendments and supplements thereto, are hereby repealed.

Revised Statutes Sections

40:46-1
40:46-3, 40:46-4
40:46-5 amended 1938, c. 149; 1948, c. 46; 1955, c. 131; 1967, c. 236
40:46-6 amended 1953, c. 37
40:46-6.1 amended 1945, c. 138
40:46-7 to 40:46-12 both inclusive
40:46-16
40:46-17, 40:46-18
40:46-23 amended 1947, c. 166; 1948, c. 282; 1958, c. 145; 1962, c. 144; 1965, c. 227
40:46-25
40:46-26 amended 1942, c. 53; 1944, c. 99; 1947, c. 33; 1947, c. 166; 1948, c. 282; 1949, c. 271; 1952, c. 281; 1955, c. 175; 1962, c. 144
40:46-27 amended 1941, c. 144; 1954, c. 271; 1955, c. 186; 1958, c. 145
40:46-28
40:46-29, 40:46-30
40:46-32
40:46-33
40:46-34 amended 1948, c. 163; 1948, c. 395
40:46-35, 40:46-36
40:72-20
40:73-7
40:87-61
40:145-19 to 40:145-22 both inclusive
40:171-19 to 40:171-24 both inclusive
40:171-48, 40:171-49
40:171-93, 40:171-94
40:171-96, 40:171-97

Pamphlet Laws

Laws of 1938, c. 386 (C. 40:46-6.2, C. 40:46-6.3)
Laws of 1939, c. 286 (C. 40:46-34.1)
Laws of 1941, c. 133 (C. 40:46-37, C. 40:46-38)
Laws of 1943, c. 190 (C. 40:83-6, C. 40:83-7)
Laws of 1944, c. 90 (C. 40:171-24.1)
Laws of 1947, c. 192 (C. 40:46-6.13)

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Laws of 1947, c. 331 (C. 40:145-14.1 to C. 40:145-14.4 both inclusive)

Laws of 1947, c. 350 (C. 40:46-6.14 to C. 40:46-6.22 both inclusive)

Schedule of Amendments of Laws of 1947, c. 350

Section 1 amended by P. L. 1951, c. 173

Section 4 amended by P. L. 1953, c. 37

Laws of 1947, c. 362 (C. 40:83-8, C. 40:83-9)

Laws of 1951, c. 339, c. 1 (C. 40:46-27.1 amended by P. L. 1962, c. 151; 1967, c. 299)

Laws of 1952, c. 325 (C. 40:145-14.5, C. 40:145-14.6)

Laws of 1953, c. 322 (C. 40:46-2.1)

Laws of 1960, c. 81 (C. 40:46-6.23 to C. 40:46-6.25 both inclusive)

Laws of 1964, c. 2 (C. 40:46-16.1 to C. 40:46-16.5 both inclusive)

Laws of 1965, c. 243 (C. 40:46-6.22a)

Laws of 1966, c. 211 (C. 40:46-6.13a)

Laws of 1968, c. 35 (C. 40:46-6.2a, C. 40:46-6.2b)

Laws of 1968, c. 205 (C. 40:46-6.2c)

Laws of 1968, c. 239 (C. 40:46-32.1)

Laws of 1968, c. 367 (C. 40:46-2.2 to C. 40:46-2.4 both inclusive)

Laws of 1969, c. 241 (C. 40:41-50 to C. 40:41-53 both inclusive)

Laws of 1969, c. 287 (C. 40:46-32.2)

SECTION 2

Effective Date.

This act shall take effect July 1, 1970.

Note: The material in brackets in sections saving from repeal Revised Statutes sections or acts or parts of acts are not part of the law but are explanatory notes and are not to be omitted in Pamphlet Laws.

STATEMENT

This bill is one of a series of proposed revision statutes to form a part of Title 40A of the New Jersey Statutes. It was prepared by the Division of Law Revision of the Law Revision and Legislative Services Commission.

Source Sections
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Title 40. COUNTIES AND MUNICIPALITIES
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R. S. 40:11-1 As am. L. 1953, c. 37, s. 7	{ 40A:9-1 40A:9-2	for reconsideration.
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C. 40:11-1.2 L. 1962, c. 173, s. 2	40A:9-4	cers and employees
C. 40:11-1.3 L. 1962, c. 173, s. 3	40A:9-4	of the New Jersey
C. 40:11-1.4 L. 1962, c. 173, s. 4	40A:9-4	le 40 Revision Com-
R. S. 40:11-2 As am. L. 1953, c. 37, s. 8	Not Enacted	
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R. S. 40:11-4 As am. L. 1938, c. 336; L. 1951, c. 62, s. 1	40A:9-3	
R. S. 40:11-5	40A:9-5	ant bill affecting
R. S. 40:11-6	Not Enacted	the Legislature and
R. S. 40:11-7	40A:9-6	issue being considered,
R. S. 40:11-8	40A:9-7	analysis of the bill.
R. S. 40:11-14	40A:9-8	revision would have
R. S. 40:11-15 As am. L. 1947, c. 231, s. 1; L. 1954, c. 129	{ Repealed L. 1960, c. 180, s. 3	on several occasions
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R. S. 40:11-16 As am. L. 1949, c. 166, s. 1; L. 1954, c. 165, s. 1	{ Repealed L. 1960, c. 180, s. 3	e staff review,
C. 40:11-16.1 L. 1960, c. 180, s. 2; As am. L. 1964, c. 259, s. 2; L. 1967, c. 204, s. 2	40A:9-14	of a technical nature
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C. 40:11-16.2 L. 1964, c. 259, s. 3	40A:9-15	
C. 40:11-16.3 L. 1964, c. 259, s. 4	40A:9-16	listed as follows:

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		<i>Source Sections</i>	<i>Revised Sections</i>	
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11	Cor	C. 40:11-17.1 L. 1940, c. 181; As am. L. 1947, c. 363, s. 2; L. 1948, c. 45, s. 2	} 40A :9-20	R.
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2	Fur	C. 40:11-17.2 L. 1952, c. 1, s. 1	} Expired	C.
3	and	C. 40:11-17.3 L. 1952, c. 1, s. 2; As am. L. 1953, c. 371	} Expired	
4	the	C. 40:11-17.4 L. 1952, c. 1, s. 3; As am. L. 1952, c. 359; L. 1953, c. 440; L. 1954, c. 9	} Expired	R. S. R. S. R. S. C.
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		C. 40:11-28 L. 1968, c. 91, s. 2	} 40A :9-18	C.
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R. S. 40:21-69	{ Not Enacted Superseded by L. 1967, c. 234

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-8 of the bill appear to require

	<i>Source Sections</i>	<i>Revised Sections</i>	<i>Source Sections</i>		
10 the	R. S. 40:21-70	Not Enacted Superseded by L. 1967, c. 234	C. 40:38		
11 Cor	R. S. 40:21-71		C. 40:38		
1 5	As am. L. 1953, c. 37, s. 37	40A:9-50	C. 40:38		
2 Fu	R. S. 40:21-72	40A:9-49	C. 40:38		
3 and	R. S. 40:21-73	As am. L. 1942, c. 80	40A:9-58		
4 the	R. S. 40:21-74	Not Enacted Superseded by L. 1967, c. 234	C. 40:38-6		
1 6	R. S. 40:21-75		C. 40:38-6		
	R. S. 40:21-76	Not Enacted Superseded by L. 1967, c. 234	C. 40:38-6		
	R. S. 40:21-77		C. 40:38-6		
	As am. L. 1942, c. 51, s. 3	40A:9-51	C. 40:38-6		
	R. S. 40:21-78	40A:9-52	C. 40:38-6		
	R. S. 40:21-79	40A:9-55	C. 40:38-6		
	C. 40:21-80	L. 1938, c. 54 As am. L. 1940, c. 134 L. 1947, c. 212	Not Enacted Reallocated to C. 30:8-13.1		
	R. S. 40:38-1			As am. L. 1943, c. 21; L. 1953, c. 37, s. 98	C. 40:38-6.1
	R. S. 40:38-2			As am. L. 1953, c. 37, s. 99	C. 40:38-6.1
	R. S. 40:38-3		40A:9-66		
	R. S. 40:38-4	As am. L. 1953, c. 37, s. 100	40A:9-67		
	R. S. 40:38-5	As am. L. 1944, c. 68; L. 1947, c. 198	Repealed L. 1959, c. 96, s. 4		
	R. S. 40:38-6			Repealed L. 1959, c. 96, s. 4	
	C. 40:38-6.1	L. 1945, c. 62	Repealed L. 1959, c. 96, s. 4		

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C. 40:38-6.2	L. 1946, c. 197; As am. L. 1953, c. 61	} { Repealed L. 1959, c. 96, s. 4
C. 40:38-6.3	L. 1948, c. 303	
C. 40:38-6.4	L. 1951, c. 244, s. 1	} { Repealed L. 1959, c. 96, s. 4
C. 40:38-6.5	L. 1951, c. 242	
C. 40:38-6.6	L. 1952, c. 88, s. 1	} { Repealed L. 1959, c. 96, s. 4
C. 40:38-6.7	L. 1952, c. 88, s. 2	
C. 40:38-6.8	L. 1952, c. 98, s. 1	} { Repealed L. 1959, c. 96, s. 4
C. 40:38-6.9	L. 1952, c. 98, s. 2	
C. 40:38-6.10	L. 1953, c. 179	} { Repealed L. 1959, c. 96, s. 4
C. 40:38-6.11	L. 1954, c. 202	
C. 40:38-6.12	L. 1954, c. 256, s. 1	} { Repealed L. 1959, c. 96, s. 4
C. 40:38-6.13	L. 1955, c. 247, s. 1	
C. 40:38-6.14	L. 1959, c. 96, s. 1; As am. L. 1961, c. 15, s. 1; L. 1967, c. 266, s. 1	} { 40A:9-76 40A:9-92 40A:9-104
C. 40:38-6.15	L. 1959, c. 96, s. 2	

March 8, 1971

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I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-76, 40A:9-92, and 40A:9-104

	<i>Source Sections</i>	L. 1959, c. 96, s. 3	<i>Revised Sections</i>	<i>Source Sections</i>
10 the	C. 40:38-6.16		{ 40A:9-76 40A:9-92 40A:9-104	C. C. C.
11 Cor	C. 40:38-6.17	L. 1959, c. 96, s. 4	40A:9-78	C.
1 5	R. S. 40:38-7	As am. L. 1953, c. 37, s. 101	40A:9-68	C.
2 Fu	R. S. 40:38-8	As am. L. 1953, c. 37, s. 102	40A:9-68	R. S.
3 and	C. 40:38-8.1	L. 1948, c. 208; As am. L. 1951, c. 122	{ 40A:9-70 40A:9-88	R. S. R. S.
4 the	R. S. 40:38-9		40A:9-69	R. S.
1 6	R. S. 40:38-10	As am. L. 1953, c. 37, s. 103	40A:9-71	C.
	R. S. 40:38-11	As am. L. 1953, c. 37, s. 104	40A:9-71	C.
	R. S. 40:38-12		40A:9-73	C. C. C.
	R. S. 40:38-13		{ Not Enacted Superseded by L. 1960, c. 169	C. C.
	R. S. 40:38-14		{ Not Enacted Superseded by L. 1960, c. 169	C. C. R. S. R. S.
	R. S. 40:38-15		{ Not Enacted Superseded by L. 1960, c. 169	R. S. R. S. R. S. R. S.
	R. S. 40:38-16	As am. L. 1953, c. 37, s. 105	Not Enacted	R. S.
	R. S. 40:38-17	As am. L. 1953, c. 37, s. 106	Not Enacted	R. S.
	R. S. 40:38-18		{ Repealed L. 1953, c. 37, s. 107	R. S.
	R. S. 40:38-19		Not Enacted	R. S.
	R. S. 40:38-20		Not Enacted	
	R. S. 40:38-21		Not Enacted	
	R. S. 40:38-22		{ Repealed L. 1953, c. 37, s. 108	R. S.
	R. S. 40:38-23	As am. L. 1953, c. 37, s. 109	40A:9-72	C.
	R. S. 40:38-24	As am. L. 1953, c. 37, s. 110	40A:9-72	
	R. S. 40:38-25	As am. L. 1953, c. 37, s. 111	40A:9-74	
	C. 40:38-25.1	L. 1939, c. 223	40A:9-79	R. S.

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C. 40:39-12.1	L. 1952, c. 87, s. 1	} Repealed L. 1959, c. 96, s. 4	R. S. 4
C. 40:39-12.2	L. 1952, c. 87, s. 2		} Repealed L. 1959, c. 96, s. 4
R. S. 40:39-13		40A:9-88	
R. S. 40:39-14	As am. L. 1953, c. 37, s. 115	40A:9-89	C. 4
R. S. 40:39-15	As am. L. 1953, c. 37, s. 116	40A:9-90	
R. S. 40:39-16	As am. L. 1953, c. 37, s. 117	} 40A:9-87 40A:9-90	C. 40
R. S. 40:39-17			40A:9-91
R. S. 40:39-18	As am. L. 1953, c. 37, s. 118	40A:9-91	C. 40
R. S. 40:39-19		} Not Enacted Superseded by L. 1960, c. 169	C. 40
R. S. 40:39-20			40A:9-91
R. S. 40:39-21	As am. L. 1948, c. 277	40A:9-93	C. 40:
R. S. 40:40-22		Not Enacted	
R. S. 40:40-23		40A:9-59	C. 40:
R. S. 40:40-24		40A:9-60	
R. S. 40:40-25		Not Enacted	
R. S. 40:40-26		40A:9-61	C. 40:
R. S. 40:40-27		40A:9-61	
R. S. 40:40-28		40A:9-62	
R. S. 40:41-1		40A:9-94	C. 40:
R. S. 40:41-2	As am. L. 1943, c. 22, s. 1; L. 1953, c. 37, s. 134	} 40A:9-95	C. 40:4
R. S. 40:41-3	As am. L. 1943, c. 22, s. 2; L. 1953, c. 37, s. 135		40A:9-95
C. 40:41-3.1	L. 1940, c. 87, s. 1	Not Enacted	C. 40:4
C. 40:41-3.2	L. 1940, c. 87, s. 2	Not Enacted	
C. 40:41-3.3	L. 1940, c. 87, s. 3	Not Enacted	
C. 40:41-3.4	L. 1940, c. 87, s. 4	Not Enacted	C. 40:4
R. S. 40:41-4	As am. L. 1953, c. 37, s. 137	40A:9-96	
R. S. 40:41-5	As am. L. 1953, c. 37, s. 138	40A:9-97	
R. S. 40:41-6	As am. L. 1944, c. 69; L. 1947, c. 197	} Repealed L. 1959, c. 96, s. 4	R. S. 40:41

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R. S. 40:41-7		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.1 L. 1945, c. 63		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.2 L. 1948, c. 302	} {	Repealed L. 1959, c. 96, s. 4
	As am. L. 1948, c. 399		
C. 40:41-7.3	..... L. 1951, c. 244, s. 3		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.4	..... L. 1951, c. 240		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.5	..... L. 1952, c. 85		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.6	..... L. 1952, c. 85		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.7	..... L. 1952, c. 99		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.8	..... L. 1952, c. 99		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.9	..... L. 1953, c. 180		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.10	..... L. 1954, c. 201		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.11	..... L. 1954, c. 256, s. 3		Repealed L. 1959, c. 96, s. 4
C. 40:41-7.12 L. 1955, c. 247, s. 3		Repealed L. 1959, c. 96, s. 4
R. S. 40:41-8		40A :9-105
R. S. 40:41-9		40A :9-98
R. S. 40:41-10		40A :9-99

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<i>Source Sections</i>		<i>Revised Sections</i>	<i>Source Sections</i>
R. S. 40:41-11		40A:9-100	C. 40:41-33
R. S. 40:41-12		40A:9-101	C. 40:41-33
R. S. 40:41-13		Not Enacted	
R. S. 40:41-14	As am. L. 1948, c. 206; L. 1951, c. 120; L. 1953, c. 37, s. 139	40A:9-102	
R. S. 40:41-15	As am. L. 1953, c. 37, s. 140	40A:9-103	C. 40:41-33.1
R. S. 40:41-16	As am. L. 1952, c. 141	40A:9-114	
R. S. 40:41-17		40A:9-113	
R. S. 40:41-18		40A:9-106	C. 40:41-33.7
R. S. 40:41-19		40A:9-107	C. 40:41-33.8
R. S. 40:41-20		40A:9-108	C. 40:41-33.9
R. S. 40:41-21	As am. L. 1953, c. 37, s. 141	40A:9-109	
R. S. 40:41-22		40A:9-110	
R. S. 40:41-23		40A:9-111	C. 40:41-33.1
R. S. 40:41-24		40A:9-111	
R. S. 40:41-25	As am. L. 1953, c. 37, s. 142	40A:9-111	C. 40:41-33.1
R. S. 40:41-26		Not Enacted Covered by 2A:99-1	C. 40:41-33.1
R. S. 40:41-27	As am. L. 1953, c. 37, s. 143	40A:9-112	C. 40:41-33.1
R. S. 40:41-28	As am. L. 1953, c. 37, s. 144	40A:9-115	C. 40:41-33.1
R. S. 40:41-29		Not Enacted	C. 40:41-33.1
R. S. 40:41-30		40A:9-116	C. 40:41-33.1
R. S. 40:41-31		40A:9-117	C. 40:41-33.1
R. S. 40:41-32		Not Enacted	C. 40:41-33.16
R. S. 40:41-33		Not Enacted Superseded by L. 1943, c. 191	C. 40:41-33.17
C. 40:41-33.1	L. 1943, c. 191, s. 1; As am. L. 1947, c. 256, s. 1; L. 1950, c. 277, s. 1; L. 1953, c. 341, s. 1	40A:9-118	C. 40:41-33.18
C. 40:41-33.2	L. 1943, c. 191, s. 2; As am. L. 1947, c. 256, s. 2; L. 1950, c. 277, s. 2; L. 1953, c. 341, s. 2	40A:9-118	C. 40:41-33.19
C. 40:41-33.3	L. 1943, c. 191, s. 3; As am. L. 1950, c. 277, s. 3; L. 1953, c. 341, s. 3	40A:9-118	C. 40:41-33.20
			C. 40:41-33.21
			C. 40:41-33.22
			R. S. 40:41-34
			R. S. 40:41-35
			R. S. 40:41-36
			R. S. 40:41-37
			R. S. 40:41-38
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			R. S. 40:41-44

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C. 40:41-33.4	L. 1943, c. 191, s. 4	40A:9-118
C. 40:41-33.5	L. 1943, c. 191, s. 5; ... As am. L. 1947, c. 256, s. 3; ... L. 1950, c. 277, s. 4; ... L. 1953, c. 341, s. 4; ... L. 1957, c. 155	40A:9-118
C. 40:41-33.6	L. 1943, c. 191, s. 6; ... As am. L. 1947, c. 256, s. 4; ... L. 1953, c. 341, s. 5	40A:9-118
C. 40:41-33.7	L. 1943, c. 191, s. 7	40A:9-118
C. 40:41-33.8	L. 1943, c. 191, s. 8	40A:9-119
C. 40:41-33.9	L. 1943, c. 191, s. 9; ... As am. L. 1947, c. 256, s. 5	Not Enacted
C. 40:41-33.10	L. 1943, c. 191, s. 10; ... As am. L. 1947, c. 256, s. 6	Not Enacted
C. 40:41-33.11	L. 1943, c. 191, s. 11	Not Enacted
C. 40:41-33.12	L. 1943, c. 191, s. 12	Not Enacted
C. 40:41-33.13	L. 1943, c. 191, s. 13	Not Enacted
C. 40:41-33.14	L. 1943, c. 191, s. 14	Not Enacted
C. 40:41-33.15	L. 1943, c. 191, s. 15	Not Enacted
C. 40:41-33.16	L. 1947, c. 256, s. 7	Not Enacted
C. 40:41-33.17	L. 1947, c. 256, s. 8	Not Enacted
C. 40:41-33.18	L. 1947, c. 256, s. 9	Not Enacted
C. 40:41-33.19	L. 1947, c. 256, s. 10	Not Enacted
C. 40:41-33.20	L. 1949, c. 35, s. 1	40A:9-118
C. 40:41-33.21	L. 1949, c. 35, s. 2	Not Enacted
C. 40:41-33.22	L. 1949, c. 35, s. 3	Not Enacted
R. S. 40:41-34		40A:9-120
R. S. 40:41-35	As am. L. 1943, c. 68; ... L. 1949, c. 76; ... L. 1967, c. 300	40A:9-120
R. S. 40:41-36		40A:9-121
R. S. 40:41-37		40A:9-122
R. S. 40:41-38		40A:9-123
R. S. 40:41-39		40A:9-124
R. S. 40:41-40		40A:9-125
R. S. 40:41-41		40A:9-126
R. S. 40:41-42	As am. L. 1953, c. 37, s. 145	40A:9-126
R. S. 40:41-43	As am. L. 1953, c. 37, s. 146	40A:9-126
R. S. 40:41-44	As am. L. 1953, c. 37, s. 147	40A:9-126

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March 8, 1971

of the Constitution,
for reconsideration.
arduous effort to
ers and employees
of the New Jersey
le 40 Revision Com-
nt bill affecting
the Legislature and
Issue being considered,
alysis of the bill.
revision would have
on several occasions
s.
e staff review,
of a technical nature
listed as follows:
to the application
that the list of

those officers who are exempted from residency requirements be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-9, 40A:9-10, 40A:9-11,

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C. 40:46-28.2	Repealed L. 1958, c. 145, s. 3	R. S. 40:171-22 R. S. 40:171-23 R. S. 40:171-24
C. 40:46-28.3	Repealed L. 1958, c. 145, s. 3	C. 40:171-24.1 R. S. 40:171-48 R. S. 40:171-49
R. S. 40:46-29	Not Enacted	R. S. 40:171-93
R. S. 40:46-30	40A:9-170	R. S. 40:171-94 R. S. 40:171-96
R. S. 40:46-31	Repealed L. 1960, c. 169, s. 2	R. S. 40:171-97 C. 52:17B-83
R. S. 40:46-32	40A:9-158	C. 52:17B-78 et s
C. 40:46-32.1	40A:9-160	
C. 40:46-32.2	40A:9-160.1	

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R. S. 40:46-33		40A:9-171
R. S. 40:46-34	As am. L. 1948, c. 163; L. 1948, c. 395	} 40A:9-172
C. 40:46-34.1	L. 1939, c. 286	
R. S. 40:46-35		Not Enacted
R. S. 40:46-36		Not Enacted
C. 40:46-37	L. 1941, c. 133, s. 1	40A:9-173
C. 40:46-38	L. 1941, c. 133, s. 2	Not Enacted
R. S. 40:72-20		40A:9-164
R. S. 40:73-7		40A:9-133
C. 40:83-6	L. 1943, c. 190, s. 1	40A:9-153
C. 40:83-7	L. 1943, c. 190, s. 2	40A:9-153
C. 40:83-8	L. 1947, c. 362, s. 1	40A:9-151
C. 40:83-9	L. 1947, c. 362, s. 2	40A:9-151
R. S. 40:87-61		40A:9-174
R. S. 40:145-13	As am. L. 1969, c. 186	40A:9-153.1
C. 40:145-14.1	L. 1947, c. 331, s. 1	40A:9-152
C. 40:145-14.2	L. 1947, c. 331, s. 2	40A:9-152
C. 40:145-14.3	L. 1947, c. 331, s. 3	40A:9-152
C. 40:145-14.4	L. 1947, c. 331, s. 4	Not Enacted
C. 40:145-14.5	L. 1952, c. 325, s. 1	40A:9-152
C. 40:145-14.6	L. 1952, c. 325, s. 2	40A:9-152
R. S. 40:145-19		40A:9-146
R. S. 40:145-20		Not Enacted
R. S. 40:145-21		40A:9-146
R. S. 40:145-22		40A:9-146
R. S. 40:171-19		40A:9-130
R. S. 40:171-20		40A:9-131
R. S. 40:171-21		40A:9-132
R. S. 40:171-22		40A:9-132
R. S. 40:171-23		40A:9-132
R. S. 40:171-24		40A:9-132
C. 40:171-24.1	L. 1944, c. 90	40A:9-132
R. S. 40:171-48		40A:9-139
R. S. 40:171-49		40A:9-140
R. S. 40:171-93		40A:9-141
R. S. 40:171-94		40A:9-143
R. S. 40:171-96		40A:9-143
R. S. 40:171-97		40A:9-143
C. 52:17B-83	L. 1967, c. 234, s. 6	40A:9-46
C. 52:17B-78 et seq.	L. 1967, c. 234	{ 40A:9-47 40A:9-56

March 8, 1971

of the Constitution,
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on several occasions
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e staff review,
of a technical nature

listed as follows:
to the application
that the list of

those officers who are exempted from residency requirements be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-2 of the bill

SENATE AMENDMENTS TO
SENATE, No. 641

STATE OF NEW JERSEY

ADOPTED MARCH 11, 1971

Amend page 1, after 40A:9-10 (Analysis) and line 14, insert "40A:9-10.1 Contracts for lesser salaries, wages or compensation."

Amend page 1, after 40:9-11 (Analysis) and line 15, insert "40A:9-11.1 Chapter 303 of the laws of 1970 saved from repeal."

Amend page 2, 40A:9-1, lines 1 and 2, omit "medical officer or other officer who is a member of a profession" and insert "health officer, auditor or comptroller".

Amend page 2, 40A:9-1, line 10, after "1949, c. 62", insert "; 1970, c. 240".

Amend page 4, 40A:9-8, after
40A:9-8. Salaries; power of Civil Service Commission.
omit rest of section and source and insert:

"Any county or municipality operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes may request the Civil Service Commission to recommend standards of salaries to be paid to persons filling offices and positions in the classified service, and the county, by resolution, or the municipality, by ordinance, as the case may be, may adopt such recommendations.

Source: R. S. 40:11-14."

Amend page 5, after 40A:9-10, insert a new section as follows:

40A:9-10.1 Contracts for lesser salaries, wages or compensation.

"The board of chosen freeholders of any county or the governing body of any municipality may enter into a contract with any officer or employee of the county or municipality, as the case may be, to perform the duties of his office, position or employment at a lesser salary, wage or compensation than otherwise fixed and when the contract shall be entered into, it shall control the amount of such salary.

Source: R. S. 40:21-15; 40:46-30."

Amend page 5, 40A:9-11, line 9, omit "or health officer" and insert "health officer, auditor or comptroller".

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

Amend page 5, 40A:9-11, line 12, after "1949, c. 62", insert "; 1970, c. 240".

Amend page 5, after 40A:9-11, insert a new section as follows:

40A:9-11.1 Chapter 303 of the laws of 1970 saved from repeal.

"Chapter 303 of the laws of 1970 (C. 40:46-14.1) is saved from repeal.

【The act saved from repeal by this section provides that a nonresident of any municipality within a county of the fourth class, pursuant to the 1960 Federal Census, may hold office as building inspector of such municipality and no such office shall be deemed vacant by reason of the removal or nonresidence of any such building inspector.】

Source: C. 40:46-14.1 (1970, c. 303)."

Amend page 11, 40A:9-22, after line 11, after "40:21-13", insert "40:21-15".

Amend page 11, 40A:9-22, after line 13, after "40:46-14 amended 1949, c. 62", insert "; 1970, c. 240".

Amend page 11, 40A:9-22, after line 14, after "40:46-15", insert "40:46-30".

Amend page 12, 40A:9-28 (Analysis), line 9, omit "in certain counties".

Amend page 12, 40A:9-33 (Analysis), line 14, omit "Nurses; compensation; duties" and insert "Blank".

Amend page 12, 40A:9-45 (Analysis), line 31, omit "Chapter 400 of the laws of 1948 saved from repeal" and insert "Blank".

Amend page 15, 40:9-112 (Analysis), lines 18 and 19, omit "Vacancy in office where sheriff fails to prevent lynching of person in custody" and insert "Blank".

Amend page 16, 40A:9-24, line 1, after "Any", insert "elective".

Amend page 17, 40A:9-28, heading, omit "in certain counties".

Amend page 17, 40A:9-28, lines 1 through 3, omit "of the second class having a population of not less than 425,000 nor more than 500,000".

Amend page 19, 40A:9-33, after "40A:9-33", omit entire section and source and insert "Blank".

Amend page 21, 40A:9-41, line 7, after "board.", insert "Such appointee shall be of the same political party as that of the previous incumbent."

Amend page 22, 40A:9-45, after "40A:9-45", omit entire section and source and insert "Blank".

Amend page 22, 40A:9-46, line 4, after "law.", insert "He shall be a licensed physician, a resident of the county, of recognized ability and good standing in his community, with such training or experience as may be prescribed by standards promulgated by the State Medical Examiner by rule or regulation."

Amend page 25, 40A:9-58, line 11, omit "1 year" and insert "2 years".

Amend page 26, 40A:9-61, line 9, omit "5" and insert "2".

Amend page 30, 40A:9-74, line 12, after "duties.", insert "No additional compensation shall be paid for such designation."

Amend page 31, 40A:9-76, line 4, omit "\$20,000.00" and insert "24,000.00".

Amend page 31, 40A:9-76, line 7, omit "\$18,000.00" and insert "21,000.00".

Amend page 31, 40A:9-76, line 10, omit "\$15,000.00", and insert "\$18,000.00".

Amend page 31, 40A:9-76, lines 11 to 18, omit entire lines, and insert "In counties having a population of 200,000 or less, not less than \$5,000.00 or more than \$15,000.00."

Amend page 31, 40A:9-76, line 27, omit "equal semimonthly payments", and insert "the same manner as county officers and employees are paid".

Amend page 31, 40A:9-76, line 29, after "1967, c. 266, s. 1", insert "; 1970, c. 144".

Amend page 32, 40A:9-77, line 10, after "paid.", insert "The limitations of the salaries set herein shall not be construed to restrict any of said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in the county."

Amend page 32, 40A:9-77, line 11, after "40:38-28 amended 1948, c. 278", insert "; C. 40:39-22 (1970, c. 336)".

Amend page 37, 40A:9-92, line 5, omit "\$20,000.00", and insert "24,000.00".

Amend page 37, 40A:9-92, line 8, omit "\$18,000.00", and insert "\$21,000.00".

Amend page 37, 40A:9-92, line 11, omit "\$15,000.00", and insert "\$18,000.00".

Amend page 37, 40A:9-92, lines 12 to 19, omit entire lines, and insert "In counties having a population of 200,000 or less, not less than \$5,000.00 or more than \$15,000.00."

Amend page 37, 40A:9-92, line 28, omit "equal semimonthly payments", and insert "the same manner as county officers and employees are paid".

Amend page 37, 40A:9-92, line 30, after "1967, c. 266, s. 1", insert "; 1970, c. 144".

Amend page 38, 40A:9-93, line 12, after "paid.", insert "The limitations of the salaries set herein shall not be construed to restrict any of

said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in the county.”

Amend page 38, 40A :9-93, line 13, after “40:39-21 amended 1948, c. 277”, insert “; C. 40:39-22 (1970, c. 336)”.

Amend page 40, 40A :9-104, line 4, omit “\$20,000.00”, and insert “\$24,000.00”.

Amend page 40, 40A :9-104, line 7, omit “\$18,000.00”, and insert “\$21,000.00”.

Amend page 40, 40A :9-104, line 10, omit “\$15,000.00”, and insert “\$18,000.00”.

Amend page 41, 40A :9-104, lines 1 to 8, omit entire lines, and insert “In counties having a population of 200,000 or less, not less than \$5,000.00 or more than \$15,000.00.”.

Amend page 41, 40A :9-104, line 17, omit “equal semimonthly payments”, and insert “the same manner as county officers and employees are paid”.

Amend page 41, 40A :9-104, line 19, after “1967, c. 266, s. 1” insert “; 1970, c. 144”.

Amend page 43, 40A :9-112, after “40A :9-112”, omit entire section and source and insert “Blank.”.

Amend page 45, 40A :9-117, line 4, after “freeholders.”, insert “The annual compensation of the undersheriff shall not exceed $\frac{3}{4}$ of the annual compensation of the sheriff. The compensation of the personnel in the office of sheriff shall be paid at the same time and in the same manner as the county officers and employees are paid. The limitations of the salaries set herein shall not be construed to restrict any of said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in the county.”.

Amend page 45, 40A :9-117, line 5, after “40:41-31”, insert “; C. 40:41-31.1 (1970, c. 337)”.

Amend page 48, 40A :9-128, line 8, omit “40:21-15 to 40:21-17 both inclusive”, and insert “40:21-16, 40:21-17”.

Amend page 51, 40A :9-128, after line 16, after “Section 1 amended by P. L. 1951, c. 256; 1952, c. 178”, insert “Laws of 1948, c. 400 (C. 40:21-21.1)”.

Amend page 51, 40A :9-128, line 22, after “Schedule of Amendments”, insert “of laws of 1959, c. 96”.

Amend page 51, 40A :9-128, line 23, after “Section 1 amended by P. L. 1961, c. 15; 1967, c. 266”, insert “; 1970, c. 144”.

Amend page 51, 40A :9-128, after line 28, after “Laws of 1969, c. 241 (C. 40:41-50 to C. 40:41-53 both inclusive)”, insert:

“Laws of 1970, c. 336 (C. 40:39-22)

Laws of 1970, c. 337 (C. 40:41-31.1)”.

Amend page 52, after 40A:9-144 (Analysis) and line 7, insert “40A:9-144.1 Removal of tax collector; complaint; hearing.”

Amend page 52, 40A:9-150 (Analysis), line 15, omit “Tenure of certain tax assessors and deputy assessors” and insert “Chapter 211 of the laws of 1966 saved from repeal”.

Amend page 52, 40A:9-152 (Analysis), line 19, omit “township” and insert “municipal”.

Amend page 52, after 40A:9-152 (Analysis) and line 19; insert “40A:9-152.1 Removal of municipal treasurer; complaint; hearing.”

Amend page 52, 40A:9-153 (Analysis) lines 20-22, omit “Tenure of veterans in office, position or employment of city engineer in cities under municipal manager form of government; removal; complaint; hearing” and insert “Chapter 190 of the laws of 1943 saved from repeal”.

Amend page 52, after 40A:9-153.1 and line 24, insert “40A:9-153.2 Chapter 281 of the laws of 1970 saved from repeal.”.

Amend page 53, 40A:9-169 (Analysis), lines 10 and 11, omit “Limitation on salary changes of officers and employees” and insert “Blank”.

Amend page 53, 40A:9-170 (Analysis), line 12, omit “Contracts for lesser salaries, wages or compensation” and insert “Blank”.

Amend page 53, 40A:9-130, line 2, omit “2” and insert “4”.

Amend page 53, 40A:9-130, line 3, after “R. S. 40:171-19” insert “amended 1970, c. 99, s. 3”.

Amend page 55, 40A:9-136, line 8, after “ordinance.” insert “Such ordinance may provide that a person appointed to the office of municipal administrator need not be a resident of the municipality.”.

Amend page 55, 40A:9-136, line 9, after “1968, c. 367, s. 1” insert “; 1970, c. 146”.

Amend page 56, 40A:9-141, line 1, after “municipality,” insert “unless otherwise provided by law,”.

Amend page 56, 40A:9-141, lines 3 and 4, omit “, or some other official to perform the customary duties of such collector”.

Amend page 56, 40A:9-141, lines 6-9, omit “Any such ordinance may provide that the municipal tax collector or officer to whom the customary duties of a collector may be assigned shall be the tax collector of the municipality constituting the taxing district.”.

Amend page 56, 40A:9-144, omit entire section and source and insert. **40A:9-144 Tenure of tax collector.**

“Whenever a person has or shall have held the office of municipal tax collector for 10 consecutive years, the governing body of the municipality may grant tenure in office to such person. In the event the governing body fails to grant tenure in office to a municipal tax collector

who has held that office for 10 consecutive years, a petition may be filed for a referendum vote on the question of whether the collector of taxes shall continue to hold office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him. The petition shall be signed by at least 10% of the registered voters of the municipality and filed with the municipal clerk. Upon the filing of the petition the question shall be submitted to the voters at the next general election which shall occur not less than 60 days thereafter. The municipal clerk shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: 'Shall the collector of taxes continue to hold office during good behavior and efficiency and not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him?'

"Immediately to the left of the question there shall be printed the words 'Yes' and 'No,' each with a square, in either of which the voter may make a cross (X) or a plus sign (+) or check mark (V) according to his choice. There shall also be printed the following: 'Place a cross (X), or a plus sign (+) or check mark (V) in one of the above squares indicating your choice.' Where voting machines are used, voting thereon shall be equivalent to the foregoing.

"The election shall be held in accordance with the general law relating to public questions to be voted on in a single municipality at elections as provided for by Title 19 (Elections) of the Revised Statutes.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:46-6.15 (1947, c. 350, s. 2); C. 40:46-6.16 (1947, c. 350, s. 3); C. 40:46-6.17 (1947, c. 350, s. 4 amended 1953, c. 37, s. 165); C. 40:46-6.18 (1947, c. 350, s. 5); C. 40:46-6.19 (1947, c. 350, s. 6); C. 40:46-6.20 (1947, c. 350, s. 7); C. 40:46-6.21 (1947, c. 350, s. 8); C. 40:46-6.22 (1947, c. 350, s. 9)."

Amend page 57, after 40A:9-144, insert a new section as follows:
40A:9-144.1 Removal of tax collector; complaint; hearing.

"Any removal of a municipal tax collector having tenure in office shall be upon a written complaint setting forth the charge or charges against him.

"The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

“The person so charged and governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

“The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:145-14.5 (1952, c. 325, s. 1).”

Amend page 57, 40A:9-145, line 3, omit “after February 19, 1966”.

Amend page 57, 40A:9-145, line 12, omit “trial”, and insert “hearing”.

Amend page 57, 40A:9-146, line 2, omit “appoint”, and insert “provide for the appointment or election of”.

Amend page 57, 40A:9-146, lines 7 and 8, omit “If the terms of their offices shall not be provided by law, such term shall be fixed by said ordinance.”.

Amend page 59, 40A:9-150, omit entire section and source and insert:

40A:9-150 Chapter 211 of the laws of 1966 saved from repeal.

“Chapter 211 of the laws of 1966 (C. 40:46-6.13a) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to certain municipal tax assessors whose office or position had been abolished as a result of a change in form of government and who subsequently were reappointed to the same office.]

Source: C. 40:46-6.13a (1966, c. 211).”

Amend page 60, 40A:9-152, omit entire section and source and insert:

40A:9-152 Tenure of municipal treasurer.

“Whenever a person has or shall have held the office of municipal treasurer for 10 consecutive years, the governing body of the municipality may grant tenure in office to such person. In the event the governing body fails to grant tenure in office to a municipal treasurer who has held that office for 10 consecutive years, a petition may be filed for a referendum vote on the question of whether the municipal treasurer shall continue to hold office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him. The petition shall be signed by at least 10% of the registered voters of the municipality and filed with the municipal clerk. Upon the filing of the petition the question shall be submitted to the voters at the next general election which shall occur not less than 60 days thereafter. The municipal clerk shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: ‘Shall the municipal treasurer continue to hold office during good behavior and efficiency

and not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him?’

“Immediately to the left of the question there shall be printed the words ‘Yes’ and ‘No’, each with a square, in either of which the voter make a cross (×), or a plus sign (+) or check mark (√) according to his choice. There shall also be printed the following: ‘Place a cross (×), or a plus sign (+) or check mark (√) in one of the above squares indicating your choice.’ Where voting machines are used, voting thereon shall be equivalent to the foregoing.

“The election shall be held in accordance with the general law relating to public questions to be voted on in a single municipality at elections as provided for by Title 19 (Elections) of the Revised Statutes.

Source: C. 40:145-14.1 (1947, c. 331, s. 1); C. 40:145-14.2 (1947, c. 331, s. 2); C. 40:145-14.3 (1947, c. 331, s. 3); C. 40:145-14.5 (1952, c. 325, s. 1); C. 40:145-14.6 (152, c. 325, s. 2).”

Amend page 60, after 40A:9-152, insert a new section as follows:

40A:9-152.1 Removal of municipal treasurer; complaint; hearing.

“Any removal of a municipal treasurer having tenure in office shall be upon a written complaint setting forth the charge or charges against him.

“The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

“The person so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

“The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:145-14.5 (1952, c. 325, s. 1).”

Amend page 60, 40A:9-153, omit entire section and source and insert:

40A:9-153 Chapter 190 of the laws of 1943 saved from repeal.

“Chapter 190 of laws of 1943 (C. 40:83-6 and C. 40:83-7) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to any veteran of the Armed Forces of the United States, honorably discharged, holding the office, position or employment of city engineer under the municipal manager form of government, and

having held such office, position or employment of city engineer under the municipal manager form of government continuously for 15 years from the date of the original appointment as city engineer, while said city was governed under the municipal manager government law or under any other law.】

Source: C. 40:83-6 (1943, c. 190, s. 1); C. 40:83-7 (1943, c. 190, s. 2).”

Amend page 61, after 40A:9-153.1, insert a new section as follows:

40A:9-153.2 Chapter 281 of the laws of 1970 saved from repeal.

“Chapter 281 of the laws of 1970 (C. 40:145-33) is saved from repeal.

【The act saved from repeal by this section provides for the granting of tenure to any person holding the office, position or employment of township supervisor or superintendent of public works of the township, and who has held or shall have held one or more such offices, positions or employments with or without additional service as assistant road supervisor or supervisor of public works department acting under appointment by the township committee for a continuous period of not less than 12 years from the date of his original appointment to any of them, and has or shall have held office, position or employment full time in the department of public works or road department in the township for a continuous period of not less than 12 years; provided he has qualified therefor on or prior to January 1, 1971. Said act shall not apply to any township which is subject to the provisions of Title 11, Civil Service, of the Revised Statutes.】

Source: C. 40:145-33 (1970, c. 281).”

Amend Page 63, 40A:9-159, line 12, omit “immediately”, and insert “immediately”.

Amend page 65, 40A:9-165, line 7, after “altered”, insert “but no such ordinance shall reduce the salary of any appointed or elected tax assessor or tax collector during the term for which he shall have been appointed or elected”.

Amend page 65, 40A:9-165, line 11, omit “10”, and insert “20”.

Amend page 65, 40A:9-165, line 12, omit “10”, and insert “20”.

Amend page 67, 40A:9-169, after “40A:9-169”, omit entire section and source and insert “Blank.”.

Amend page 67, 40A:9-170, after “40A:9-170” omit entire section and source, and insert “Blank.”.

Amend page 69, 40A:9-175, line 21, omit “, 40:46-30”.

Amend page 69, 40A:9-175, line 30, omit “40:171-19 to 40:171-24 both inclusive”, and insert “40:171-19 amended 1970, c. 99

40:171-20 to 40:171-24 both inclusive”.

Amend page 69, 40A:9-175, line 38, omit “Laws of 1943, c. 190 (C. 40:83-6, C. 40:83-7)”.

Amend page 70, 40A:9-175, line 16, omit “Laws of 1966, c. 211 (C. 40:46-6.13a)”.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

March 8, 1971

SENATE BILL NO. 641

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 641, with my objections, for reconsideration.

Senate Bill No. 641 is the result of a long and arduous effort to codify existing laws relating to county and municipal officers and employees and to eliminate obsolete statutory provisions in Title 40 of the New Jersey Statutes. The impetus for this proposal came from the Title 40 Revision Committee of the New Jersey State Legislature.

Senate Bill No. 641 is perhaps the most significant bill affecting municipalities to be considered by the current session of the Legislature and because of this, as well as the inherent intricacy of the issue being considered, I have given over a great deal of time to the review and analysis of the bill.

Recognizing the sweeping implications that this revision would have upon many of our public servants, members of my staff met on several occasions with representatives of various official and employee groups.

Resulting from these meetings, as well as intense staff review, several suggested changes have emerged, most of which are of a technical nature or are necessary for clarification of existing provisions.

Some of the more significant recommendations are listed as follows:

In order to avoid possible confusion with regard to the application of the phrase "member of a profession," I am recommending that the list of those officers who are exempted from residency requirements be set forth in its entirety.

I believe that counties or municipalities operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the Revised Statutes should not be discouraged from requesting that the Civil Service Commission suggest standards of salaries to be paid to those filling offices and positions in the classified service. The provisions of 40A:9-8 of the bill appear to require that Civil Service salary recommendations shall be mandatory rather than suggestive. Such a mandatory requirement might result in hesitancy on the part of municipalities in requesting that such studies be made.

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The authority to create, by resolution, the office of county comptroller should not be restricted to second class counties having a population of not less than 425,000 nor more than 500,000. Since the board of chosen freeholders would be empowered to fix the duties and compensations of the comptroller, each county could tailor the positions to meet its own needs.

There appears to be no need to specifically set forth the ability of the board of chosen freeholders to employ registered nurses, when general employment authority lies elsewhere.

I am of the opinion that county medical examiners should be licensed physicians of recognized ability and that these requirements should be set forth in the statute.

The section of this revision which would allow the appointment of "some other official to perform the customary duties" of the tax collector appears to be inadvisable. The title of "tax collector" bears connotations which the public has relied upon in its dealings with counties and municipalities. The proposal herein would tend to cloud responsibility rather than lend any clarification thereto.

Tax collectors should be given the alternative of gaining tenure through referendum when such tenure is not granted by the governing body upon eligibility. The voters of a municipality should certainly be given the opportunity to grant tenure if they are satisfied that a tax collector's performance merits such consideration.

Tenure for treasurers should be allowed in all municipalities, not restricted to townships. We have learned through experience that in order to attract and retain high quality professionals in municipal offices of this type it is necessary to offer them a vehicle by which they can attain job security. As with the tax collectors, treasurers should be given the opportunity to appeal to the voters if they are refused tenure by the governing body after their eligibility date.

Accordingly, I herewith return Senate Bill No. 641, with the following changes, for reconsideration:

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Page 1, after 40A:9-10 (Analysis) and Line 14: Insert "40A:9-10.1
Contracts for lesser salaries, wages or compensation."

Page 1, after 40A:9-11 (Analysis) and Line 15: Insert "40A:9-11.1
Chapter 303 of the laws of 1970 saved from repeal."

Page 2, 40A:9-1, Lines 1 and 2: Omit "medical officer or other officer
who is a member of a profession" and insert "health officer, auditor or comptroller"

Page 2, 40A:9-1, Line 10: After "1949, c. 62" insert "; 1970, c. 240"

Page 4, 40A:9-8: Omit entire section and source and insert "40A:9-8.
Salaries; power of Civil Service Commission. Any county or municipality
operating under the provisions of subtitle 3 of Title 11 (Civil Service) of the
Revised Statutes may request the Civil Service Commission to recommend standards
of salaries to be paid to persons filling offices and positions in the classified
service, and the county, by resolution, or the municipality, by ordinance, as the
case may be, may adopt such recommendations.

Source: R. S. 40:11-14."

Page 5, After 40A:9-10: Insert a new section as follows: "40A:9-10.1.
Contracts for lesser salaries, wages or compensation. The board of chosen free-
holders of any county or the governing body of any municipality may enter into a
contract with any officer or employee of the county or municipality, as the case
may be, to perform the duties of his office, position or employment at a lesser
salary, wage or compensation than otherwise fixed and when the contract shall
be entered into, it shall control the amount of such salary.

Source: R. S. 40:21-15; 40:46-30."

Page 5, 40A:9-11, Line 9: Omit "or health officer" and insert ", health
officer, auditor or comptroller"

Page 5, 40A:9-11, Line 12: After "1949, c. 62" insert "; 1970, c. 240"

Page 5, after 40A:9-11: Insert a new section as follows: "40A:9-11.1.
Chapter 303 of the laws of 1970 saved from repeal. Chapter 303 of the laws of
1970 (C. 40:46-14.1) is saved from repeal. [The act saved from repeal by this
section provides that a nonresident of any municipality within a county of the
fourth class, pursuant to the 1960 Federal Census, may hold office as building
inspector of such municipality and no such office shall be deemed vacant by
reason of the removal or nonresidence of any such building inspector.]

Source: C. 40:46-14.1 (1970, c. 303)."

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Page 11, 40A:9-22, after Line 11: After "40:21-13" insert "40:21-15"

Page 11, 40A:9-22, after Line 13: After "40:46-14 amended 1949, c. 62"
insert "; 1970, c. 240"

Page 11, 40A:9-22, after Line 14: After "40:46-15" insert "40:46-30"

Page 12, 40A:9-28 (Analysis), Line 9: Omit "in certain counties"

Page 12, 40A:9-33 (Analysis), Line 14: Omit "Nurses; compensation;
duties" and insert "Blank"

Page 12, 40A:9-45 (Analysis), Line 31: Omit "Chapter 400 of the laws
of 1948 saved from repeal" and insert "Blank"

Page 15, 40A:9-112 (Analysis), Lines 18 and 19: Omit "Vacancy in
office where sheriff fails to prevent lynching of person in custody" and
insert "Blank"

Page 16, 40A:9-24, Line 1: After "Any" insert "elective"

Page 17, 40A:9-28, Heading: Omit "in certain counties"

Page 17, 40A:9-28, Lines 1 - 3: Omit "of the second class having a
population of not less than 425,000 nor more than 500,000"

Page 19, 40A:9-33: After "40A:9-33" omit entire section and source
and insert "Blank"

Page 21, 40A:9-41, Line 7: After "board." insert "Such appointee
shall be of the same political party as that of the previous incumbent."

Page 22, 40A:9-45: After "40A:9-45" omit entire section and source
and insert "Blank"

Page 22, 40A:9-46, Line 4: After "law." insert "He shall be a licensed
physician, a resident of the county, of recognized ability and good standing in
his community, with such training or experience as may be prescribed by standards
promulgated by the State Medical Examiner by rule or regulation."

Page 25, 40A:9-58, Line 11: Omit "1 year" and insert "2 years"

Page 26, 40A:9-61, Line 9: Omit "5" and insert "2"

Page 30, 40A:9-74, Line 12: After "duties." insert "No additional
compensation shall be paid for such designation."

Page 31, 40A:9-76, Line 4: Omit "\$20,000.00" and insert "\$24,000.00"

Page 31, 40A:9-76, Line 7: Omit "\$18,000.00" and insert "\$21,000.00"

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Page 31, 40A:9-76, Line 10: Omit "\$15,000.00" and insert "\$18,000.00"

Page 31, 40A:9-76, Lines 11 - 18: Omit entire lines and insert "In counties having a population of 200,000 or less, not less than \$5,000.00 or more than \$15,000.00."

Page 31, 40A:9-76, Line 27: Omit "equal semimonthly payments" and insert "the same manner as county officers and employees are paid"

Page 31, 40A:9-76, Line 29: After "1967, c. 266, s. 1" insert "; 1970, c. 144"

Page 32, 40A:9-77, Line 10: After "paid." insert "The limitations of the salaries set herein shall not be construed to restrict any of said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in the county."

Page 32, 40A:9-77, Line 11: After "40:38-28 amended 1948, c. 278" insert "; C. 40:39-22 (1970, c. 336)"

Page 37, 40A:9-92, Line 5: Omit "\$20,000.00" and insert "\$24,000.00"

Page 37, 40A:9-92, Line 8: Omit "\$18,000.00" and insert "\$21,000.00"

Page 37, 40A:9-92, Line 11: Omit "\$15,000.00" and insert "\$18,000.00"

Page 37, 40A:9-92, Lines 12 - 19: Omit entire lines and insert "In counties having a population of 200,000 or less, not less than \$5,000.00 or more than \$15,000.00."

Page 37, 40A:9-92, Line 28: Omit "equal semimonthly payments" and insert "the same manner as county officers and employees are paid"

Page 37, 40A:9-92, Line 30: After "1967, c. 266, s. 1" insert "; 1970, c. 144"

Page 38, 40A:9-93, Line 12: After "paid." insert "The limitations of the salaries set herein shall not be construed to restrict any of said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in the county."

Page 38, 40A:9-93, Line 13: After "40:39-21 amended 1948, c. 277" insert "; C. 40:39-22 (1970, c. 336)"

Page 40, 40A:9-104, Line 4: Omit "\$20,000.00" and insert "\$24,000.00"

Page 40, 40A:9-104, Line 7: Omit "\$18,000.00" and insert "\$21,000.00"

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Page 40, 40A:9-104, Line 10: Omit "\$15,000.00" and insert "\$18,000.00"

Page 41, 40A:9-104, Lines 1 - 8: Omit entire lines and insert "In counties having a population of 200,000 or less, not less than \$5,000.00 or more than \$15,000.00."

Page 41, 40A:9-104, Line 17: Omit "equal semimonthly payments" and insert "the same manner as county officers and employees are paid"

Page 41, 40A:9-104, Line 19: After "1967, c. 266, s. 1" insert "; 1970, c. 144"

Page 43, 40A:9-112: After "40A:9-112" omit entire section and source and insert "Blank."

Page 45, 40A:9-117, Line 4: After "freeholders." insert "The annual compensation of the undersheriff shall not exceed 3/4 of the annual compensation of the sheriff. The compensation of the personnel in the office of sheriff shall be paid at the same time and in the same manner as the county officers and employees are paid. The limitations of the salaries set herein shall not be construed to restrict any of said employees from participating in or benefiting from any cost of living bonus or longevity program provided for or established in the county."

Page 45, 40A:9-117, Line 5: After "40:41-31" insert "; C. 40:41-31.1 (1970, c. 337)"

Page 48, 40A:9-128, Line 8: Omit "40:21-15 to 40:21-17 both inclusive" and insert "40:21-16, 40:21-17"

Page 51, 40A:9-128, after Line 16: After "Section 1 amended by P. L. 1951, c. 256; 1952, c. 178" insert "Laws of 1948, c. 400 (C. 40:21-21.1)"

Page 51, 40A:9-128, Line 22: After "Schedule of Amendments" insert "of Laws of 1959, c. 96"

Page 51, 40A:9-128, Line 23: After "Section 1 amended by P. L. 1961, c. 15; 1967, c. 266" insert "; 1970, c. 144"

Page 51, 40A:9-128, after Line 28: After "Laws of 1969, c. 241 (C. 40:41-50 to C. 40:41-53 both inclusive)" insert

"Laws of 1970, c. 336 (C. 40:39-22)

Laws of 1970, c. 337 (C. 40:41-31.1)"

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Page 52, after 40A:9-144 (Analysis) and Line 7: Insert "40A:9-144.1
Removal of tax collector; complaint; hearing."

Page 52, 40A:9-150 (Analysis), Line 15: Omit "Tenure of certain tax
assessors and deputy assessors" and insert "Chapter 211 of the laws of 1966
saved from repeal"

Page 52, 40A:9-152 (Analysis), Line 19: Omit "township" and insert
"municipal"

Page 52, after 40A:9-152 (Analysis) and Line 19: Insert "40A:9-152.1
Removal of municipal treasurer; complaint; hearing."

Page 52, 40A:9-153 (Analysis) Lines 20 - 22: Omit "Tenure of veterans
in office, position or employment of city engineer in cities under municipal
manager form of government; removal; complaint; hearing" and insert "Chapter 190
of the laws of 1943 saved from repeal"

Page 52, after 40A:9-153.1 and Line 24: Insert "40A:9-153.2 Chapter
281 of the laws of 1970 saved from repeal."

Page 53, 40A:9-169 (Analysis), Lines 10 and 11: Omit "Limitation on
salary changes of officers and employees" and insert "Blank"

Page 53, 40A:9-170 (Analysis), Line 12: Omit "Contracts for lesser
salaries, wages or compensation" and insert "Blank"

Page 53, 40A:9-130, Line 2: Omit "2" and insert "4"

Page 53, 40A:9-130, Line 3: After "R. S. 40:171-19" insert "amended
1970, c. 99, s. 3"

Page 55, 40A:9-136, Line 8: After "ordinance." insert "Such ordinance
may provide that a person appointed to the office of municipal administrator
need not be a resident of the municipality."

Page 55, 40A:9-136, Line 9: After "1968, c. 367, s. 1" insert "; 1970,
c. 146"

Page 56, 40A:9-141, Line 1: After "municipality," insert "unless other-
wise provided by law,"

Page 56, 40A:9-141, Lines 3 and 4: Omit ", or some other official to
perform the customary duties of such collector"

Page 56, 40A:9-141, Lines 6 - 9: Omit "Any such ordinance may provide
that the municipal tax collector or officer to whom the customary duties of a
collector may be assigned shall be the tax collector of the municipality con-
stituting the taxing district "

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Page 56, 40A:9-144: Omit entire section and source and insert "40A:9-144.

Tenure of tax collector. Whenever a person has or shall have held the office of municipal tax collector for 10 consecutive years, the governing body of the municipality may grant tenure in office to such person. In the event the governing body fails to grant tenure in office to a municipal tax collector who has held that office for 10 consecutive years, a petition may be filed for a referendum vote on the question of whether the collector of taxes shall continue to hold office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him. The petition shall be signed by at least 10% of the registered voters of the municipality and filed with the municipal clerk. Upon the filing of the petition the question shall be submitted to the voters at the next general election which shall occur not less than 60 days thereafter. The municipal clerk shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: 'Shall the collector of taxes continue to hold office during good behavior and efficiency and not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him?'

"Immediately to the left of the question there shall be printed the words 'Yes' and 'No', each with a square, in either of which the voter may make a cross (X) or a plus sign (+) or check mark (✓) according to his choice. There shall also be printed the following: 'Place a cross (X), or a plus sign (+) or check mark (✓) in one of the above squares indicating your choice.' Where voting machines are used, voting thereon shall be equivalent to the foregoing.

"The election shall be held in accordance with the general law relating to public questions to be voted on in a single municipality at elections as provided for by Title 19 (Elections) of the Revised Statutes.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:46-6.15 (1947, c. 350, s. 2); C. 40:46-6.16 (1947, c. 350, s. 3); C. 40:46-6.17 (1947, c. 350, s. 4 amended 1953, c. 37, s. 165); C. 40:46-6.18 (1947, c. 350, s. 5); C. 40:46-6.19 (1947, c. 350, s. 6); C. 40:46-6.20 (1947, c. 350, s. 7); C. 40:46-6.21 (1947, c. 350, s. 8); C. 40:46-6.22 (1947, c. 350, s. 9)."

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Page 57, after 40A:9-144: Insert a new section as follows: "40A:9-144.1. Removal of tax collector; complaint; hearing. Any removal of a municipal tax collector having tenure in office shall be upon a written complaint setting forth the charge or charges against him.

"The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

"The person so charged and governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

"The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:46-6.14 (1947, c. 350, s. 1 amended 1951, c. 173); C. 40:145-14.5 (1952, c. 325, s. 1)."

Page 57, 40A:9-145, Line 3: Omit "after February 19, 1966"

Page 57, 40A:9-145, Line 12: Omit "trial" and insert "hearing"

Page 57, 40A:9-146, Line 2: Omit "appoint" and insert "provide for the appointment or election of"

Page 57, 40A:9-146, Lines 7 and 8: Omit "If the terms of their offices shall not be provided by law, such term shall be fixed by said ordinance."

Page 59, 40A:9-150: Omit entire section and source and insert "40A:9-150. Chapter 211 of the laws of 1966 saved from repeal. Chapter 211 of the laws of 1966 (C. 40:46-6.13a) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to certain municipal tax assessors whose office or position had been abolished as a result of a change in form of government and who subsequently were reappointed to the same office.]

Source: C. 40:46-6.13a (1966, c. 211)."

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Page 60, 40A:9-152: Omit entire section and source and insert "40A:9-152.
Tenure of municipal treasurer. Whenever a person has or shall have held the office of municipal treasurer for 10 consecutive years, the governing body of the municipality may grant tenure in office to such person. In the event the governing body fails to grant tenure in office to a municipal treasurer who has held that office for 10 consecutive years, a petition may be filed for a referendum vote on the question of whether the municipal treasurer shall continue to hold office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him. The petition shall be signed by at least 10% of the registered voters of the municipality and filed with the municipal clerk. Upon the filing of the petition the question shall be submitted to the voters at the next general election which shall occur not less than 60 days thereafter. The municipal clerk shall cause the question to be placed upon the official ballot to be used at the general election in the manner provided by law in substantially the following form: 'Shall the municipal treasurer continue to hold office during good behavior and efficiency and not be removed therefrom except for just cause and then only after public hearing upon a written complaint setting forth the charge or charges against him?'

"Immediately to the left of the question there shall be printed the words 'Yes' and 'No', each with a square, in either of which the voter may make a cross (X), or a plus sign (+) or check mark (✓) according to his choice. There shall also be printed the following: 'Place a cross (X), or a plus sign (+) or check mark (✓) in one of the above squares indicating your choice.' Where voting machines are used, voting thereon shall be equivalent to the foregoing.

"The election shall be held in accordance with the general law relating to public questions to be voted on in a single municipality at elections as provided in a single municipality at elections as provided for by Title 19 (Elections) of the Revised Statutes.

Source: C. 40:145-14.1 (1947, c. 331, s. 1); C. 40:145-14.2 (1947, c. 331, s. 2); C. 40:145-14.3 (1947, c. 331, s. 3); C. 40:145-14.5 (1952, c. 325, s. 1); C. 40:145-14.6 (152, c. 325, s. 2)."

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Page 60, after 40A:9-152: Insert a new section as follows:

"40A:9-152.1. Removal of municipal treasurer; complaint; hearing. Any removal of a municipal treasurer having tenure in office shall be upon a written complaint setting forth the charge or charges against him.

"The complaint shall be filed with the municipal clerk and a certified copy thereof shall be served upon the person so charged, with notice of a designated hearing date before the members of the governing body, which shall be not less than 10 days from the date of service of the complaint. The said hearing date shall be fixed by resolution of the governing body.

"The person so charged and the governing body shall have the right to be represented by counsel and the power to subpoena witnesses and documentary evidence.

"The County Court of the county in which said municipality is located shall have jurisdiction to review the determination of the governing body which court shall hear the cause de novo and affirm, modify or set aside such determination.

Source: C. 40:145-14.5 (1952, c. 325, s. 1)."

Page 60, 40A:9-153: Omit entire section and source and insert:

"40A:9-153. Chapter 190 of the laws of 1943 saved from repeal. Chapter 190 of laws of 1943 (C. 40:83-6 and C. 40:83-7) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to any veteran of the Armed Forces of the United States, honorably discharged, holding the office, position or employment of city engineer under the municipal manager form of government, and having held such office, position or employment of city engineer under the municipal manager form of government continuously for 15 years from the date of the original appointment as city engineer, while said city was governed under the municipal manager government law or under any other law.]

Source: C. 40:83-6 (1943, c. 190, s. 1); C. 40:83-7 (1943, c. 190, s. 2)."

Page 61, after 40A:9-153.1: Insert a new section as follows: "40A:9-153.2 Chapter 281 of the laws of 1970 saved from repeal. Chapter 281 of the laws of 1970 (C. 40:145-33) is saved from repeal. [The act saved from repeal by this section provides for the granting of tenure to any person holding the office, position or employment of township supervisor or superintendent of public works of the

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township, and who has held or shall have held one or more such offices, positions or employments with or without additional service as assistant road supervisor or supervisor of public works department acting under appointment by the township committee for a continuous period of not less than 12 years from the date of his original appointment to any of them, and has or shall have held office, position or employment full time in the department of public works or road department in the township for a continuous period of not less than 12 years; provided he has qualified therefor on or prior to January 1, 1971. Said act shall not apply to any township which is subject to the provisions of Title 11, Civil Service, of the Revised Statutes.]

Source: C. 40:145-33 (1970, c. 281)."

Page 63, 40A:9-159, Line 12: Omit "imediately" and insert "immediately"

Page 65, 40A:9-165, Line 7: After "altered" insert "but no such ordinance shall reduce the salary of any appointed or elected tax assessor or tax collector during the term for which he shall have been appointed or elected"

Page 65, 40A:9-165, Line 11: Omit "10" and insert "20"

Page 65, 40A:9-165, Line 12: Omit "10" and insert "20"

Page 67, 40A:9-169: After "40A:9-169" omit entire section and source and insert "Blank."

Page 67, 40A:9-170: After "40A:9-170" omit entire section and source and insert "Blank."

Page 69, 40A:9-175, Line 21: Omit ", 40:46-30"

Page 69, 40A:9-175, Line 30: Omit "40:171-19 to 40:171-24 both inclusive" and insert "40:171-19 amended 1970, c. 99
40:171-20 to 40:171-24 both inclusive"

Page 69, 40A:9-175, Line 38: Omit "Laws of 1943, c. 190 (C. 40:83-6, C. 40:83-7)"

Page 70, 40A:9-175, Line 16: Omit "Laws of 1966, c. 211 (C. 40:46-6.13a)"

Page 70, 40A:9-175, after Line 20: Insert "Schedule of Amendments of Laws of 1968, c. 367 Section 1 amended by P. L. 1970, c. 146"

Page 70, Effective Date, Line 1: Omit "1970" and insert "1971"

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Page 71, Heading: Omit "40" and insert "40A"

Page 73, 40:21-15, Line 8: After "40:21-15" omit "Not enacted" and insert "40A:9-10.1"

Page 73, 40:21-21.1, Line 23: After "L. 1948, c. 400" omit "40A:9-45" and insert "Not Enacted"

Page 76, 40:21-45, Line 34: After "40:21-45" omit "40A:9-33" insert "Not Enacted"

Page 79, 40:38-6.14, Line 39: After "1967, c. 266, s. 1" insert ";
1970, c. 144 } "

Page 82, after 40:39-21 and Line 19: Insert "C. 40:39-22 .. L. 1970,
c. 336 .. {40A:9-77
40A:9-93"

Page 84, 40:41-27, Line 21: After "As am. L. 1953, c. 37, s. 143" omit "40A:9-112" and insert "Not Enacted"

Page 84, after 40:41-31 and Line 25: Insert "C. 40:41-31.1 .. L. 1970,
c. 337 .. 40A:9-117"

Page 86, 40:46-2.2, Line 19: After "L. 1968, c. 367, s. 1" insert ";
L. 1970, c. 146 } "

Page 86, 40:46-6.14, Line 39: After "As am. L. 1951, c. 173" insert "{40A:9-144.1"

Page 87, 40:46-6.22a, Line 8: After "L. 1965, c. 243" omit "{40A:9-144"

Page 87, 40:46-14, Line 21: After "As am. L. 1949, c. 62" insert ";
L. 1970, c. 240 } "

Page 87, after 40:46-14 and Line 22: Insert "C. 40:46-14.1 .. L. 1970,
c. 303 .. 40A:9-11.1"

Page 88, 40:46-25, Line 7: After "40:46-25" omit "40A:9-169" and insert "Not Enacted"

Page 88, 40:46-30, Line 36: After "40:46-30" omit "40A:9-170" and insert "40A:9-10.1"

Page 89, 40:145-14.5, Line 21: After "L. 1952, c. 325, s. 1" omit "40A:9-152" and insert {40A:9-144.1
40A:9-152
40A:9-152.1"

Page 89, after 40:145-22 and Line 26: Insert "C. 40:145-33 . . L.
1970, c. 281 .. 40A:9-153.2"

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Page 89, 40:171-19, Line 27: After "40:171-19" insert "As am. L.
1970, c. 99, s. 3"

Respectfully,

[Seal]

/s/ William T. Cahill

GOVERNOR

Attest:

/s/ Jean E. Mulford

Acting Secretary to the Governor