

[First Reprint]
ASSEMBLY, No. 2014

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1996

By Assemblyman ARNONE

1 AN ACT concerning the appointment and confirmation of certain
2 subordinate municipal officials and amending P.L.1950, c.210.

3

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

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7 1. Section 13-6 of P.L.1950, c.210 (C.40:69A-120) is amended to
8 read as follows:

9 13-6. a. The legislative power of the municipality shall be
10 exercised by the council, except as may be otherwise provided by
11 general law. The mayor shall participate and vote as other council
12 members. A majority of the whole number of the governing body shall
13 constitute a quorum for the transaction of business but a smaller
14 number may meet and adjourn from time to time. The mayor shall
15 preside over all meetings of the council. The council shall select from
16 among its members a president of the council who shall serve in place
17 of the mayor in the event of his absence, disability or refusal to act.

18 b. The council, whenever it fails to confirm the nomination by the
19 mayor ¹[of any official to a subordinate office of the municipality]¹
20 within 30 days of being presented with such nomination, shall make
21 the appointment to that office, provided that at least the affirmative
22 votes of a majority of the whole number of the governing body shall
23 be required for such purpose, the mayor to have no vote thereon
24 except in the case of a tie. ¹If the council fails to either confirm or
25 reject the nomination by the mayor within the 30-day period, then the
26 nomination shall be deemed confirmed.¹

27 (cf: P.L.1950, c.210, s.13-6)

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29 ¹[2. Section 13-10 of P.L.1950, c.210 (C.40:69A-124) is amended
30 to read as follows:

31 13-10. All officers and employees whose appointment or election

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALG committee amendments adopted December 5, 1996.

1 is not otherwise provided for in this article or by general law, and
2 whose position has been created by statute or ordinance, shall be
3 appointed by the mayor. If the municipality has not adopted the
4 provisions of Title [11] 11A, Civil Service, of the [Revised] New
5 Jersey Statutes [(Civil Service)], it shall be the duty of the mayor to
6 recruit, select and appoint persons qualified by training and
7 experience for their respective offices, positions and employments.
8 (cf: P.L.1950, c.210, s.13-10)]¹

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10 ¹2. Section 13-8 of P.L.1950, c.210 (C.40:69A-122) is amended
11 to read as follows:

12 13-8. An assessor, a tax collector, an attorney, a clerk, a
13 [treasurer] chief financial officer and such other officers as may be
14 provided by ordinance shall be appointed by the mayor with the advice
15 and consent of the council. The mayor shall make his nomination to
16 any such office within 60 days of that office becoming vacant. One
17 person may be appointed to two or more such offices, except that one
18 person shall not be the assessor and [treasurer] chief financial officer,
19 or assessor and collector.¹

20 (cf: P.L.1950, c.210, s.13-8)

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22 3. This act shall take effect immediately.

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28 Permits appointment of subordinate official by small municipal form
council if mayor's nominee fails confirmation within 30 days.