

SENATE, No. 4244

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 6, 2021

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Co-Sponsored by:

Senator O'Scanlon

SYNOPSIS

Concerns appointment of certain superintendents of weights and measures.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/6/2022)

1 **AN ACT** concerning the appointments of certain superintendents of
2 weights and measures and amending Title 51 of the Revised
3 Statutes.

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

7
8 1. R.S.51:1-42 is amended to read as follows:

9 51:1-42. The department of weights and measures, created and
10 established by an act entitled "An act to establish a uniform
11 standard of weights and measures in this state, to establish a
12 department of weights and measures, and to provide penalties for
13 the use of other than standard or legal weights and measures,"
14 approved April twenty-fourth, one thousand nine hundred and
15 eleven (L.1911, c. 201, p. 414), is continued. It shall consist of a
16 state superintendent, and assistant state superintendents, county
17 superintendents, municipal superintendents and their respective
18 assistant superintendents, and those county or municipal
19 superintendents appointed by governing bodies pursuant to an
20 agreement entered into pursuant the "Uniform Shared Services and
21 Consolidation Act," P.L.2007, c.63 (C.40A:65-1 et seq.), each of
22 whom shall, before entering upon his duties, take an oath of office
23 as provided by law.

24 (cf: R.S.51:1-42)

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26 2. R.S.51:1-43 is amended to read as follows:

27 R.S.51:1-43. The governor, by and with the advice and consent
28 of the senate, shall appoint a state superintendent for a term of five
29 years. The governing bodies of the respective counties shall
30 appoint a county superintendent. The governing body of any
31 municipality having a population of **【sixty thousand】** 60,000 or
32 over shall, and the governing body of any other municipality may,
33 by ordinance, provide for the office of, and appoint, a municipal
34 superintendent. A certified copy of the ordinance and appointment
35 shall be filed forthwith by the clerk of the municipality with the
36 state superintendent. The person so appointed shall be entered upon
37 the records of the state superintendent as the municipal
38 superintendent. The governing bodies of the respective counties
39 and qualifying municipalities may appoint, as necessary, to
40 effectuate an agreement entered into pursuant to the "Uniform
41 Shared Services and Consolidation Act," P.L.2007, c.63 (C.40A:65-
42 1 et seq.), a duly qualified superintendent to serve participating
43 counties or municipalities and to perform all the duties and
44 functions pursuant to Title 51 of the Revised Statutes.

45 (cf: R.S.51:1-43)

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

 Matter underlined thus is new matter.

1 3. R.S.51:1-47 is amended to read as follows:

2 R.S.51:1-47. No person, other than a superintendent, assistant
3 superintendent or honorary or special assistant superintendent
4 appointed in accordance with the provisions of this article, shall be
5 engaged, or act, in any capacity as superintendent or assistant
6 superintendent, sealer or inspector of weights and measures.
7 Nothing in this section shall prohibit the fulfillment of the
8 provisions of this article by a superintendent of weights and
9 measures appointed pursuant to an agreement entered into pursuant
10 to the "Uniform Shared Services and Consolidation Act," P.L.2007,
11 c.63 (C.40A:65-1 et seq.).
12 (cf: R.S.51:1-47)

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14 4. R.S.51:1-53 is amended to read as follows:

15 R.S.51:1-53. The county superintendents and municipal
16 superintendents and the secretaries and assistant superintendents
17 appointed by the respective county, municipal or other governing
18 bodies or by the respective county or municipal superintendents,
19 including those superintendents appointed pursuant to an agreement
20 entered into in accordance with the "Uniform Shared Services and
21 Consolidation Act," P.L.2007, c.63 (C.40A:65-1 et seq.) while such
22 agreement is in effect, upon resolution of said governing bodies,
23 shall hold office during good behavior. In counties not operating
24 under subtitle 3 of the title Civil Service (s. 11:19-1 et seq.), they
25 shall not be removed, discharged or reduced in pay or position,
26 except after due hearing by the governing body of the respective
27 county or municipality, or as otherwise provided for pursuant to an
28 agreement entered into pursuant to the "Uniform Shared Services
29 and Consolidation Act," P.L.2007, c.63 (C.40A:65-1 et seq.), and
30 for just cause. Said officials shall be furnished with written
31 statements of the reasons for such proposed action and shall be
32 given a reasonable time to make written answer thereto.
33 Reasonable notice of the hearing shall be given to the person
34 charged. **【He】** The person may be represented at the hearing by
35 counsel and offer testimony of witnesses or any other evidence **【in**
36 **his】** on the person's own behalf.
37 (cf: R.S.51:1-53)

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39 5. This act shall take effect immediately.

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STATEMENT

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44 This bill amends various provisions of Title 51 of the Revised
45 Statutes to allow for the joint appointment of certain
46 superintendents of weights and measures by local units.

47 This bill would allow for the appointment of county or municipal
48 superintendents by local unit governing bodies pursuant to an

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1 agreement entered into pursuant the “Uniform Shared Services and
2 Consolidation Act,” P.L.2007, c.63 (C.40A:65-1 et seq.), to serve as
3 weights and measures officers. Additionally, this bill would require
4 superintendents appointed under the bill to perform all the duties
5 and functions of other weights and measures officers pursuant to
6 Title 51 of the Revised Statutes.