

40:69A-25

December 17, 1969

LEGISLATIVE HISTORY OF R.S. 40:69A-25  
(Petition and referendum on reversion to prior plan)

L. 1950, Chapter 210 - See legislative history of R.S. 40:69A-1 et seq. - Optional Municipal Charter or Faulkner Act.

No previous bills located.

COPY No 2

L. 1967, Chapter 17 - A620  
February 6 - Introduced by Biancardi, Policastro.  
Not amended during passage.  
No statement.

Checked the following without success:

V.F. - N.J. - Municipal Government

N.J. Municipalities (1967)

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ASSEMBLY, No. 620

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1967

By Assemblymen BIANCARDI and POLIOASTRO

(Without Reference)

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

3 1. Section 1-25 of the act of which this act is amendatory is
4 amended to read as follows:

5 1-25. Any municipality may, subject to the provisions of section
6 1-23 of this act, abandon its optional plan and revert to the form
7 of government under which it was governed immediately prior
8 thereto, upon the filing of a petition and referendum as follows:

9 (a) Upon petition of the registered voters of the municipality
10 signed by the same number thereof as required in section 1-19,
11 for an election to submit the question of abandonment and re-
12 version as herein provided, the municipal clerk shall provide for
13 submission of the question in like manner as provided in section
14 1-20.

15 (b) The form of the question shall be as follows:

16 Shall ..... abandon
17 Name of Municipality

18 its present form of government and revert to its prior form of
19 government, known as .....
20 Popular Name of Plan

21 as provided by ..... ?
22 Statutory Reference of Prior Plan

23 (c) If a majority of those voting on the question vote in the
24 affirmative the municipality shall revert to its prior form of gov-
25 ernment as of 12 o'clock noon of the sixtieth day following the
26 election of officers under the form of government to which the
27 municipality will revert. The first officers under such form of
28 government shall be elected at the next regular municipal or
29 general election in the year in which the reversion referendum is

1 *adopted or the next year following occurring not less than 60 days*  
2 *following the election at which the reversion to the prior form of*  
3 *government was approved, as the case may be, at which officers*  
4 *under the form of government to which the municipality will revert*  
5 *would be elected if such form were then in effect in the munici-*  
6 *pality and the term of office of such officers had expired simultane-*  
7 *ously with the adoption of the reversionary referendum. It shall*  
8 *be the duty of the municipal clerk to perform all the duties respect-*  
9 *ing such election as would be required of a municipal clerk for*  
10 *elections under the form of government to which the municipality*  
11 *will revert. Whenever a municipality has reverted to any form of*  
12 *government other than the commission form of government law*  
13 *(R. S. 40:70-1 et seq.) or the municipal manager form of govern-*  
14 *ment (R. S. 40:79-1 et seq.), at a later date than the one fixed for*  
15 *the filing of nominating petitions at the primary election, the*  
16 *candidates to be first elected shall be nominated by direct petition*  
17 *in the manner provided by law for nomination by direct petition*  
18 *for a general election.*

19 If a majority of those voting on the question vote in the negative,  
20 the question of abandonment and reversion shall not again be sub-  
21 mitted for 5 years.

22 (d) The reversion to a prior form of government shall take effect  
23 as provided in section 17-57 through 17-59 of this act for transition  
24 to an optional plan hereunder.

25 2. This act shall take effect immediately and shall be retroactive  
26 to January 1, 1967.