

2A:171-5.10 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:171-5.10 et al

(Sunday closing law--clarify county referendum procedures)

LAWS OF: 1985

CHAPTER: 271

Bill No: A2102

Sponsor(s): Karcher

Date Introduced: May 17, 1984

Committee: Assembly: Judiciary

Senate: -----

Amended during passage: Yes Substituted for S1883 (attached) bill and Senate committee statement--attached. Amendments during passage denoted by asterisks.

Date of Passage: Assembly: June 28, 1984

Senate: June 27, 1985

Date of Approval: August 2, 1985

Following statements are attached if available:

Sponsor statement: Yes (Below) Attached: Senate amendments, adopted 6-17-85 (with statement)

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

(OVER)

This bill clarifies the procedures under which the voters of any county may adopt or repeal the Sunday closing law, P.L. 1959, c. 119 (C. 2A:171-5.8 et seq.) in that county.

See newspaper clipping file in New Jersey Reference Department  
"New Jersey -- Sunday legislation -- 1984--".

271 85  
8-2-85  
[SECOND OFFICIAL COPY REPRINT]

## ASSEMBLY, No. 2102

# STATE OF NEW JERSEY

INTRODUCED MAY 17, 1984

By Assemblyman KARCHER

AN ACT concerning Sunday sales\*\***[.]**\*\* *and* amending and supplementing P. L. 1959, c. 119 **[and** repealing sections 9 through 11 thereof**]**\*\*.

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

1 1. Section 3 of P. L. 1959, c. 119 (C. 2A:171-5.10) is amended  
2 to read as follows:

3 3. The following definitions are not to be deemed as all inclusive  
4 and shall apply for the words or terms used in this act unless other  
5 meaning is clearly apparent from the language or context:

6 "Person" includes natural persons, firms, partnerships, corpora-  
7 tions, associations or other artificial bodies, forms of business  
8 designated or known as cooperatives, trustees, receivers and officers,  
9 employees, agents, and others acting for or on behalf of any  
10 person.

11 "Clothing and wearing apparel" includes any article or articles  
12 to be worn on the person by man, woman, or child as bodily cover-  
13 ing or protection, including garments of all types, headwear and  
14 footwear.

15 "Furniture" includes all articles of furniture used inside or out-  
16 side a house or office; including chairs, tables, beds, desks, ward-  
17 robes, dressers, bureaus, cupboards, cabinets, bookcases, sofas,  
18 couches, and related items; and materials especially designed and  
19 prepared for assembly into furniture; and all such furniture  
20 whether finished or unfinished, painted or unpainted.

**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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Assembly committee amendments adopted June 28, 1984.

\*\*—Senate amendments adopted June 17, 1985.

21 “Home furnishings” includes items of equipment and furnish-  
 22 ings used in a home or office, such as floor coverings, lamps and  
 23 lighting fixtures, household linens, drapes, blinds, curtains, mat-  
 24 tresses, bed coverings, mirrors, china, kitchenware and kitchen  
 25 utensils, silverware, cutlery.

26 “Household appliances” includes stoves, heating devices, cook-  
 27 ing equipment, refrigerators, air conditioning equipment, electric  
 28 fans, clocks, radios, toasters, television sets, washing machines,  
 29 driers, and all such electrical and gas appliances used in the home.

30 “Building and lumber supply materials” includes all items used  
 31 in the construction of buildings, whether residential, or industrial  
 32 and, particularly, but not limited to lumber, cement, building blocks,  
 33 sashes, frames, windows, doors and related items.

34 “Sell” means to enter into an agreement whereby the seller  
 35 transfers ownership or property in the goods or an interest in the  
 36 goods to the purchaser for a consideration, whether or not the  
 37 transfer is for immediate or future delivery, and whether or not  
 38 the transaction is regarded as absolute, conditional or secured, and  
 39 whether or not immediate consideration is paid therefor. The ac-  
 40 ceptance of a deposit for future delivery of any such merchandise,  
 41 or an agreement for future delivery of any such merchandise,  
 42 whether or not immediate consideration is paid therefor, shall also  
 43 be deemed a sale for purposes of this act.

44 “Offer to sell” means the acceptance of bids or proposals for  
 45 the purchase of goods at a future date or the attempt to induce a  
 46 sale as hereinabove defined, or the attempt to induce an immediate  
 47 transfer of any such merchandise, but not to include advertising  
 48 or display of any such merchandise which merchandise is not  
 49 available for purchase on Sunday.

50 “Engage in selling” means the attempt to sell or to induce an  
 51 immediate or future transfer of any such merchandise by describ-  
 52 ing, explaining, extolling or identifying any such merchandise while  
 53 the seller is in personal contact with the potential purchaser.

54 “*Sunday sales*” means *selling, attempting to sell, offering to sell*  
 55 *or engaging in selling the goods enumerated in section 1 of P. L.*  
 56 *1959, c. 119 (C. 2A:171-5.8) on Sunday.*

1 2. Section 5 of P. L. 1959, c. 119 (C. 2A:171-5.12) is amended  
 2 to read as follows:

3 5. This act shall [take effect immediately but shall] not become  
 4 operative in any county unless and until the voters of the county  
 5 shall determine by referendum held pursuant to this act that [the  
 6 same shall apply therein] *Sunday sales shall not be permitted in*  
 7 *the county.*

1 3. Section 6 of P. L. 1959, c. 119 (C. 2A:171-5.13) is amended  
2 to read as follows:

3 6. In any county in which there shall be filed with the county  
4 clerk prior to the forty-fifth day preceding a general election, a  
5 petition signed by not less than 2,500 registered voters of the county  
6 requesting that there shall be submitted to the voters of the county  
7 a public question **[to the effect that this act shall apply]** *as to*  
8 *whether Sunday sales shall be permitted* in said county, said ques-  
9 tion shall be submitted to the voters of said county at such election.

1 4. Section 7 of P. L. 1959, c. 119 (C. 2A:171-5.14) is amended  
2 to read as follows:

3 7. There shall be printed on each official ballot to be used at such  
4 election, the following:

5 If you favor the proposition printed below make a cross (X),  
6 plus (+) or check (✓) in the square opposite the word "Yes."  
7 If you are opposed thereto make a cross (X), plus (+) or check  
8 (✓) in the square opposite the word "No."

	Yes.	Shall the Sunday Closing Law (P. L. 1959, c. . . . apply within this county?
	No.	

	Yes.	Shall Sunday sales be permitted in this county?
	No.	

9 **[The chapter number of this act shall be inserted in the appro-**  
10 **priate blank in said question.]**

11 In any municipality in which voting machines are used, the ques-  
12 tion shall be placed upon the official ballots to be used upon the  
13 voting machines without the foregoing instructions to the voters  
14 and shall be voted upon by the use of such machines without mark-  
15 ing as aforesaid.

1 5. Section 8 of P. L. 1959, c. 119 (C. 2A:171-5.15) is amended  
2 to read as follows:

3 8. If at the election at which such question is submitted as pro-  
4 vided in this act the majority of all the votes cast, both for and  
5 against such question, in said county, shall be cast **[in favor of]**  
6 *against* the question, the provisions of this act shall be operative  
7 in such county upon **[November 15 succeeding]** *the first Sunday*

8 following the date of the holding of said election, but if a majority  
 9 of all such votes shall be cast **[against]** *in favor of* the question,  
 10 the provisions of this act shall remain inoperative in such county.

1 6. (New section) In any county *\*\*of the first class having a*  
 2 *population of less than 600,000 according to the most recent federal*  
 3 *decennial census\*\** in which a question pursuant to section 7 of  
 4 P. L. 1959, c. 119 (C. 2A:171-5.14) has at any time been submitted  
 5 to the voters *\*\*and in which there shall be filed with the county*  
 6 *clerk prior to the forty-fifth day preceding a general election a*  
 7 *petition signed by not less than 2,500 registered voters of the*  
 8 *county requesting that a question be resubmitted to the voters of*  
 9 *the county\*\**, a question may **[**, at any time hereafter,**]** be  
 10 resubmitted to those voters *\*not sooner than on the second con-*  
 11 *secutive general election following the original submission of the*  
 12 *question\** in the manner and *\*\*[according to the procedures for*  
 13 *original submission prescribed by P. L. 1959, c. 119 (C. 2A:171-5.8*  
 14 *et seq.)]\*\** *\*\*form as provided in section 7 of P. L. 1959, c. 119*  
 15 *(C. 2A:171-5.14)\*\**, as revised by this amendatory and supplement-  
 16 ary act. The results of any such resubmission shall take effect on  
 17 the first Sunday following the election at which the question is re-  
 18 submitted.

1 **\*\*[7.]** (New section) *In a county approving Sunday sales pursu-*  
 2 *ant to P. L. 1959, c. 119 (C. 2A:171-5.8 et seq.) and the provisions of*  
 3 *this amendatory and supplementary act, any municipality in that*  
 4 *county which cast more "no" votes than "yes" votes for that*  
 5 *referendum, may by municipal referendum and pursuant to R. S.*  
 6 *40:45-3 submit to the legal voters of the municipality for their*  
 7 *approval the question of whether Sunday sales shall be permitted*  
 8 *in that municipality.\*]\*\**

1 **\*[7.]\*** **\*\*[8.]\*]\*\*** **\*\*7.\*\*** (New section) The provisions of this  
 2 amendatory and supplementary act shall not invalidate any referen-  
 3 dum held pursuant to the provisions of P. L. 1959, c. 119 (C.  
 4 2A:171-5.8 et seq.) prior to the effective date of this amendatory  
 5 and supplementary act.

1 **\*[8.]\*** **\*\*[9.\*]** Sections 9 through 11 of P. L. 1959, c. 119 (C.  
 2 2A:171-5.16 through 2A:171-5.18, inclusive) are repealed.**]\*\***

1 **\*[9.]\*** **\*\*[10\*]\*\*** **\*\*8.\*\*** This act shall take effect immediately,  
 2 but shall not affect any referendum held pursuant to a petition filed  
 3 on or before the effective date of this act.

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ASSEMBLY, No. 2102

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STATE OF NEW JERSEY

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INTRODUCED MAY 17, 1984

By Assemblyman KARCHER

AN ACT concerning Sunday sales, amending and supplementing  
P. L. 1959, c. 119 and repealing sections 9 through 11 thereof.

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

1 1. Section 3 of P. L. 1959, c. 119 (C. 2A:171-5.10) is amended  
2 to read as follows:

3 3. The following definitions are not to be deemed as all inclusive  
4 and shall apply for the words or terms used in this act unless other  
5 meaning is clearly apparent from the language or context:

6 "Person" includes natural persons, firms, partnerships, corpora-  
7 tions, associations or other artificial bodies, forms of business  
8 designated or known as cooperatives, trustees, receivers and officers,  
9 employees, agents, and others acting for or on behalf of any  
10 person.

11 "Clothing and wearing apparel" includes any article or articles  
12 to be worn on the person by man, woman, or child as bodily cover-  
13 ing or protection, including garments of all types, headwear and  
14 footwear.

15 "Furniture" includes all articles of furniture used inside or out-  
16 side a house or office; including chairs, tables, beds, desks, ward-  
17 robes, dressers, bureaus, cupboards, cabinets, bookcases, sofas,  
18 couches, and related items; and materials especially designed and  
19 prepared for assembly into furniture; and all such furniture  
20 whether finished or unfinished, painted or unpainted.

21 "Home furnishings" includes items of equipment and furnish-  
22 ings used in a home or office, such as floor coverings, lamps and  
23 lighting fixtures, household linens, drapes, blinds, curtains, mat-

**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 printed in italics *thus* is new matter.

24 tresses, bed coverings, mirrors, china, kitchenware and kitchen  
25 utensils, silverware, cutlery.

26 "Household appliances" includes stoves, heating devices, cook-  
27 ing equipment, refrigerators, air conditioning equipment, electric  
28 fans, clocks, radios, toasters, television sets, washing machines,  
29 driers, and all such electrical and gas appliances used in the home.

30 "Building and lumber supply materials" includes all items used  
31 in the construction of buildings, whether residential, or industrial  
32 and, particularly, but not limited to lumber, cement, building blocks,  
33 sashes, frames, windows, doors and related items.

34 "Sell" means to enter into an agreement whereby the seller  
35 transfers ownership or property in the goods or an interest in the  
36 goods to the purchaser for a consideration, whether or not the  
37 transfer is for immediate or future delivery, and whether or not  
38 the transaction is regarded as absolute, conditional or secured, and  
39 whether or not immediate consideration is paid therefor. The ac-  
40 ceptance of a deposit for future delivery of any such merchandise,  
41 or an agreement for future delivery of any such merchandise,  
42 whether or not immediate consideration is paid therefor, shall also  
43 be deemed a sale for purposes of this act.

44 "Offer to sell" means the acceptance of bids or proposals for  
45 the purchase of goods at a future date or the attempt to induce a  
46 sale as hereinabove defined, or the attempt to induce an immediate  
47 transfer of any such merchandise, but not to include advertising  
48 or display of any such merchandise which merchandise is not  
49 available for purchase on Sunday.

50 "Engage in selling" means the attempt to sell or to induce an  
51 immediate or future transfer of any such merchandise by describ-  
52 ing, explaining, extolling or identifying any such merchandise while  
53 the seller is in personal contact with the potential purchaser.

54 "*Sunday sales*" means *selling, attempting to sell, offering to sell*  
55 *or engaging in selling the goods enumerated in section 1 of P. L.*  
56 *1959, c. 119 (C. 2A:171-5.8) on Sunday.*

1 2. Section 5 of P. L. 1959, c. 119 (C. 2A:171-5.12) is amended  
2 to read as follows:

3 5. This act shall [take effect immediately but shall] not become  
4 operative in any county unless and until the voters of the county  
5 shall determine by referendum held pursuant to this act that [the  
6 same shall apply therein] *Sunday sales shall not be permitted in*  
7 *the county.*

1 3. Section 6 of P. L. 1959, c. 119 (C. 2A:171-5.13) is amended  
2 to read as follows:

3 6. In any county in which there shall be filed with the county



4 clerk prior to the forty-fifth day preceding a general election, a  
 5 petition signed by not less than 2,500 registered voters of the county  
 6 requesting that there shall be submitted to the voters of the county  
 7 a public question [to the effect that this act shall apply] *as to*  
 8 *whether Sunday sales shall be permitted* in said county, said ques-  
 9 tion shall be submitted to the voters of said county at such election.

1 4. Section 7 of P. L. 1959, c. 119 (C. 2A:171-5.14) is amended  
 2 to read as follows:

3 7. There shall be printed on each official ballot to be used at such  
 4 election, the following:

5 If you favor the proposition printed below make a cross (X),  
 6 plus (+) or check (✓) in the square opposite the word "Yes."  
 7 If you are opposed thereto make a cross (X), plus (+) or check  
 8 (✓) in the square opposite the word "No."

	Yes.	Shall the Sunday Closing Law (P. L. 1959, c. 119) apply within this county?
	No.	

	Yes.	<i>Shall Sunday sales be permitted in this county?</i>
	No.	

9 [The chapter number of this act shall be inserted in the appro-  
 10 priate blank in said question.]

11 In any municipality in which voting machines are used, the ques-  
 12 tion shall be placed upon the official ballots to be used upon the  
 13 voting machines without the foregoing instructions to the voters  
 14 and shall be voted upon by the use of such machines without mark-  
 15 ing as aforesaid.

1 5. Section 8 of P. L. 1959, c. 119 (C. 2A:171-5.15) is amended  
 2 to read as follows:

3 8. If at the election at which such question is submitted as pro-  
 4 vided in this act the majority of all the votes cast, both for and  
 5 against such question, in said county, shall be cast [in favor of]  
 6 *against* the question, the provisions of this act shall be operative  
 7 in such county upon [November 15 succeeding] *the first Sunday*  
 8 *following* the date of the holding of said election, but if a majority  
 9 of all such votes shall be cast [against] *in favor of* the question,  
 10 the provisions of this act shall remain inoperative in such county.

1 6. (New section) In any county in which a question pursuant to  
2 section 7 of P. L. 1959, c. 119 (C. 2A:171-5.14) has at any time  
3 been submitted to the voters, a question may, at any time here-  
4 after, be resubmitted to those voters in the manner and according  
5 to the procedures for original submission prescribed by P. L. 1959,  
6 c. 119 (C. 2A:171-5.8 et seq.), as revised by this amendatory and  
7 supplementary act. The results of any such resubmission shall take  
8 effect on the first Sunday following the election at which the ques-  
9 tion is resubmitted.

1 7. (New section) The provisions of this amendatory and supple-  
2 mentary act shall not invalidate any referendum held pursuant to  
3 the provisions of P. L. 1959, c. 119 (C. 2A:171-5.8 et seq.) prior to  
4 the effective date of this amendatory and supplementary act.

1 8. Sections 9 through 11 of P. L. 1959, c. 119 (C. 2A:171-5.16  
2 through 2A:171-5.18, inclusive) are repealed.

1 9. This act shall take effect immediately, but shall not affect any  
2 referendum held pursuant to a petition filed on or before the  
3 effective date of this act.

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#### STATEMENT

This bill clarifies the procedures under which the voters of any  
county may adopt or repeal the Sunday closing law, P. L. 1959,  
c. 119 (C. 2A:171-5.8 et seq.) in that county.

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ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2102**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: JUNE 28, 1984

This bill, as amended, makes certain changes to the procedures under which the voters of any county may adopt or repeal the Sunday closing law, P. L. 1959, c. 119 (C. 2A:171-5.8 et seq.) in that county. The bill defines Sunday sales specifically while also clarifying the question which is to be placed on the ballot. Under this bill voters desiring to have Sunday sales permitted in their county would vote "yes" rather than the current often-confusing practice of voting "no" in order to permit Sunday sales in the county.

If a referendum were to be approved by the voters of the county Sunday sales would become operative in that county on the first Sunday following the date of the holding of the election.

The committee amended the bill to provide that in a county where a question regarding Sunday sales has at any time been submitted to the voters the question may be resubmitted to the voters, but not sooner than on the second consecutive general election following the original submission of the question.

Another committee amendment provides that any municipality in a county which approved Sunday sales may, by municipal referendum, if that municipality cast more "no" votes than "yes" votes for the county referendum, submit to the legal voters of the municipality for their approval the question of whether Sunday sales shall be permitted in that municipality.

Title	Line	Description
	1	Omit ",," insert "and"
Title	2	Omit "and repealing sections 9 through 11 thereof"
6	1	After "county" insert "of the first class having a population of less than 600,000 according to the most recent federal decennial census"
6	3	After "voters" insert "and in which there shall be filed with the county clerk prior to the forty-fifth day preceding a general election a petition signed by not less than 2,500 registered voters of the county requesting that a question be resubmitted to the voters of the county"
6	6-8	After "and" omit "according to the pro-" <i>on line 6;</i>
<del>6</del>	<del>7</del>	Omit line 7 in its entirety <i>on line 8</i>
6	8	Omit "(C.2A:171-5.8 et seq.)" insert "form as provided in section 7 of P.L. 1959, c.119 (C.2A:171-5.14)"
7	1-8	Omit section in its entirety <i>Senate amendments</i>
8	1	Omit "8." insert "7." <i>6-17</i>
9	1-2	Omit section in its entirety
10	1	Omit "10." insert "8."

STATEMENT

The purpose of these Senate amendments is to (1) narrow the application of section 6 of the bill (relating to resubmission of the question of permitting Sunday sales) to any county meeting certain criteria (class and population), and (2) to remove the option, inserted in Committee, for a municipality which is located in a county approving Sunday sales and which cast more votes in opposition to, rather than for, permitting Sunday sales to conduct a referendum to resolve the issue for that municipality alone.

**ADOPTED**

JUN 17 1985

A.2102

**SENATE, No. 1883**

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**STATE OF NEW JERSEY**

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INTRODUCED MAY 21, 1984

By Senator VAN WAGNER

Referred to Committee on Labor, Industry and Professions

AN ACT concerning Sunday sales, amending and supplementing  
P. L. 1959, c. 119 and repealing sections 9 through 11 thereof.

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

1     1. Section 3 of P. L. 1959, c. 119 (C. 2A:171-5.10) is amended to  
2     read as follows:

3     3. The following definitions are not to be deemed as all inclusive  
4     and shall apply for the words or terms used in this act unless other  
5     meaning is clearly apparent from the language or context:

6     “Person” includes natural persons, firms, partnerships, corpo-  
7     rations, associations or other artificial bodies, forms of business  
8     designated or known as co-operatives, trustees, receivers and offi-  
9     cers, employees, agents, and others acting for or on behalf of any  
10    person.

11    “Clothing and wearing apparel” includes any article or articles  
12    to be worn on the person by man, woman, or child as bodily covering  
13    or protection, including garments of all types, headwear and foot-  
14    wear.

15    “Furniture” includes all articles of furniture used inside or out-  
16    side a house or office; including chairs, tables, beds, desks, ward-  
17    robes, dressers, bureaus, cupboards, cabinets, bookcases, sofas,  
18    couches, and related items; and materials especially designed and  
19    prepared for assembly into furniture; and all such furniture  
20    whether finished or unfinished, painted or unpainted.

21    “Home furnishings” includes items of equipment and furnish-  
22    ings used in a home or office, such as floor coverings, lamps and

**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 printed in italics thus is new matter.**

23 lighting fixtures, household linens, drapes, blinds, curtains, mat-  
 24 tresses, bed coverings, mirrors, china, kitchenware and kitchen  
 25 utensils, silverware, cutlery.

26 "Household appliances" includes stoves, heating devices, cook-  
 27 ing equipment, refrigerators, air conditioning equipment, electric  
 28 fans, clocks, radios, toasters, television sets, washing machines,  
 29 driers, and all such electrical and gas appliances used in the home.

30 "Building and lumber supply materials" includes all items used  
 31 in the construction of buildings, whether residential, or industrial  
 32 and, particularly, but not limited to lumber, cement, building  
 33 blocks, sashes, frames, windows, doors and related items.

34 "Sell" means to enter into an agreement whereby the seller  
 35 transfers ownership or property in the goods or an interest in the  
 36 goods to the purchaser for a consideration, whether or not the  
 37 transfer is for immediate or future delivery, and whether or not the  
 38 transaction is regarded as absolute, conditional or secured, and  
 39 whether or not immediate consideration is paid therefor. The  
 40 acceptance of a deposit for future delivery of any such merchandise,  
 41 or an agreement for future delivery of any such merchandise,  
 42 whether or not immediate consideration is paid therefor, shall also  
 43 be deemed a sale for purposes of this act.

44 "Offer to sell" means the acceptance of bids or proposals for  
 45 the purchase of goods at a future date or the attempt to induce a  
 46 sale as hereinabove defined, or the attempt to induce an immediate  
 47 transfer of any such merchandise, but not to include advertising  
 48 or display of any such merchandise which merchandise is not  
 49 available for purchase on Sunday.

50 "Engage in selling" means the attempt to sell or to induce an  
 51 immediate or future transfer of any such merchandise by describ-  
 52 ing, explaining, extolling or identifying any such merchandise  
 53 while the seller is in personal contact with the potential purchaser.

54 "*Sunday sales*" means selling, attempting to sell, offering to  
 55 sell or engaging in selling the goods enumerated in section 1 of  
 56 P. L. 1959, c. 119 (C. 2A:171-5.8) on Sunday.

1 2. Section 5 of P. L. 1959, c. 119 (C. 2A:171-5.12) is amended to  
 2 read as follows:

3 5. This act shall [take effect immediately but shall] not become  
 4 operative in any county unless and until the voters of the county  
 5 shall determine by referendum held pursuant to this act that [the  
 6 same shall apply therein] *Sunday sales shall not be permitted in*  
 7 *the county.*

1 3. Section 6 of P. L. 1959, c. 119 (C. 2A:171-5.13) is amended  
 2 to read as follows:

3 6. In any county in which there shall be filed with the county  
 4 clerk prior to the forty-fifth day preceding a general election, a  
 5 petition signed by not less than 2,500 registered voters of the  
 6 county requesting that there shall be submitted to the voters of the  
 7 county a public question **to the effect that this act shall apply**  
 8 *as to whether Sunday sales shall be permitted* in said county, said  
 9 question shall be submitted to the voters of said county at such  
 10 election.

1 4. Section 7 of P. L. 1959, c. 119 (C. 2A:171-5.14) is amended  
 2 to read as follows:

3 7. There shall be printed on each official ballot to be used at such  
 4 election, the following:

5 If you favor the proposition provided below make a cross (×),  
 6 plus (+) or check (√) in the square opposite the word "Yes."  
 7 If you are opposed thereto make a cross (×), plus (+) or check  
 8 (√) in the square opposite the word "No."

	Yes.	Shall the Sunday Closing Law (P. L. 1959, c. .... apply within this county?
	No.	

	Yes.	<i>Shall Sunday sales be permitted in this county?</i>
	No.	

9 **to be inserted in the appropriate blank in said question.**

11 In any municipality in which voting machines are used, the ques-  
 12 tion shall be placed upon the official ballots to be used upon the  
 13 voting machines without the foregoing instructions to the voters  
 14 and shall be voted upon by the use of such machines without mark-  
 15 ing as aforesaid.

1 5. Section 8 of P. L. 1959, c. 119 (C. 2A:171-5.15) is amended  
 2 to read as follows:

3 8. If at the election at which such question is submitted as pro-  
 4 vided in this act the majority of all the votes cast, both for and  
 5 against such question, in said county, shall be cast **in favor of**

6 *against* the question, the provisions of this act shall be operative  
7 in such county upon [November 15 succeeding] *the first Sunday*  
8 *following* the date of the holding of said election, but if a majority  
9 of all such votes shall be cast [against] *in favor of* the question,  
10 the provisions of this act shall remain inoperative in such county.

1 6. (New section) In any county in which a question pursuant to  
2 section 7 of P. L. 1959, c. 119 (C.2A:171-5.14) has at any time  
3 been submitted to the voters, a question may, at any time hereafter,  
4 be resubmitted to those voters in the manner and according to the  
5 procedures for original submission prescribed by P. L. 1959, c. 119  
6 (C. 2A:171-5.8 et seq.), as revised by this amendatory and supple-  
7 mentary act. The results of any such resubmission shall take effect  
8 on the first Sunday following the election at which the question is  
9 resubmitted.

1 7. (New section) The provisions of this amendatory and supple-  
2 mentary act shall not invalidate any referendum held pursuant to  
3 the provisions of P. L. 1959, c. 119 (C. 2A:171-5.8 et seq.) prior to  
4 the effective date of this amendatory and supplementary act.

1 8. Sections 9 through 11 of P. L. 1959, c. 119 (C. 2A:171-5.16  
2 through 2A:171-5.18, inclusive) are repealed.

1 9. This act shall take effect immediately, but shall not affect any  
2 referendum held pursuant to a petition filed on or before the  
3 effective date of this act.

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#### STATEMENT

This bill clarifies the procedures under which the voters of any county may adopt or repeal the Sunday closing law, P. L. 1959, c. 119 (C. 2A:171-5.8 et seq.) in that county.

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SENATE LABOR, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO

**SENATE, No. 1883**

**STATE OF NEW JERSEY**

DATED: JUNE 28, 1984

This bill clarifies and modifies the procedures under which voters of any county may adopt or repeal the Sunday closing law in that county.

The bill clarifies the question on the ballot concerning whether Sunday sales in a county should be permitted. The current law provides that a voter must vote yes on the question to prohibit Sunday sales in the county and vote no to permit such sales; the bill reverses the order by providing that a voter must vote yes on the question to permit Sunday sales in the county and vote no to prohibit such sales.

The bill modifies the Sunday closing law by providing that a petition for resubmission of the question to the voters after approval or defeat of the question must be signed by not less than 2,500 registered voters of the county, instead of the current required signatures of at least 10% of the registered voters of the county; and that the question may be resubmitted to the voters at any general election, instead of the current requirement that the question cannot be resubmitted to the voters within three years of an election at which the question was submitted to the voters.

Other bills signed by Kean include:

A-2102, sponsored by Assemblyman Alan Karcher, D-Middlesex, to revise the law concerning the resubmission of a Sunday closing law referendum in Hudson County. The bill changes the number of signatures required on a petition from 10 percent of the registered voters of the county to 2,500 and reduces from three years to two years the time period to resubmit the question.

S-2529, sponsored by Senator Daniel Dalton, D-Camden, to exempt from the State sales tax the sale of machinery, apparatus, equipment, building materials or structures used directly and primarily for cogeneration.

AJR-76, sponsored by Assemblyman Robert Hollenbeck, D-Bergen, to designate the new beneficial insect laboratory in Trenton as the Phillip Alampi Laboratory.

A-3375, sponsored by Assemblyman John Doyle, D-Ocean, to replace the 1,000-hour requirement for licensing as a cosmetologist-hairstylist if the person completes a vocational school program in cosmetology which has been approved by the State Board of Education.

A-1642, sponsored by Assemblyman Michael Adubato, D-Essex, to increase from \$200 to \$500 the amount of a bail bond certificate that may be issued by an automobile club or association.

S-2893, sponsored by Senator Francis McManimon, D-Mercer, to permit a corporation to act as a transfer agent of mutual funds for its own affiliates.

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