

40:45-19

LEGISLATIVE HISTORY CHECKLIST

("Uniform Nonpartisan Elections Law"--
amend section on run-off elections)

NJSA 40:45-19

LAWS 1982

CHAPTER 13

Bill No. S894

Sponsor(s) Perskie

Date Introduced Feb. 1, 1982

Committee: Assembly

Senate County and Municipal Government

Amended during passage XXX No

Date of Passage: Assembly March 11, 1982

Senate Feb. 25, 1982

Date of approval March 25, 1982

Following statements are attached if available:

Sponsor statement Yes XX

Committee Statement: Assembly Yes No

Senate Yes XX

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes XX

Following were printed:

Reports Yes No

Hearings Yes No

6/22/81

113 113

SENATE, No. 894

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1982

By Senator PERSKIE

Referred to Committee on County and Municipal Government

AN ACT to amend the "Uniform Nonpartisan Elections Law,"
approved December 31, 1981 (P. L. 1981, c. 379)

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

3 1. Section 15 of P. L. 1981, c. 379 (C. 40:45-19) is amended to
4 read as follows:

5 15. In any regular municipal election held under section 14 of this
6 act, if a sufficient number of candidates do not receive a majority
7 of the votes cast to elect the required number of councilmen-at-large
8 (or commissioners, or village trustees) or no candidate for mayor
9 or no candidate for ward councilman receives a majority of the
10 votes cast for his respective office, a run-off election in the municipi-
11 pality or ward, as the case may be, shall be held on the fourth
12 Tuesday next following that municipal election; *unless in any year*
13 *that Tuesday shall be the date upon which a primary election shall*
14 *be held, in which case the run-off election shall be held on the fifth*
15 *Tuesday next following the municipal election.*

16 At the run-off election, the candidates for councilman-at-large
17 (or commissioner, or village trustee) shall be those candidates not
18 elected at the regular municipal election who received the greatest
19 number of votes at that election, but the candidates shall be equal
20 in number to twice the number of councilmen-at-large (or commis-
21 sioners, or village trustees) remaining to be elected. The candidates
22 for mayor or ward councilmen at the run-off election shall be the
23 two candidates for the office who received the greatest number of
24 votes at the regular municipal election. Military service ballots
25 shall be printed and distributed for the run-off election in the
26 same manner, so far as possible, as for other municipal elections.

27 The candidate or candidates who receive the greatest number of
votes at the run-off election shall be elected to the office or offices
to be filled. If two or more candidates shall be equal and greatest

28 in votes for any of the purposes of this section, they shall draw lots
29 to determine which one shall enter the run-off election, or be elected,
30 as the case may be.

31 If any candidate to be voted for at the run-off election dies 7
32 or more days prior to the run-off election, the candidate for the
33 office not theretofore included in the run-off election but next
34 highest in number of votes for that purpose, shall be substituted
35 at the run-off election in the place of the deceased candidate and
36 his name shall be substituted on the ballots for that of the deceased
37 candidate.

1 2. This act shall take effect immediately.

STATEMENT

This bill would correct an error in P. L. 1981, c. 379, the "Uniform Nonpartisan Election Law," concerning the time upon which run-off elections are to be held under that act. The date provided by the current statute (the fourth Tuesday after the municipal election) would coincide with the date of the primary election in years when a November general election is to be held. It would be inappropriate for a nonpartisan run-off election to be held at the same time as a partisan primary election. This bill provides that whenever the fourth Tuesday after the municipal election is the primary election date, the run-off election shall be held on the fifth Tuesday.

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S 894 (1982)

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO
SENATE, No. 894

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 1982

Senate Bill No. 894 corrects an error in P. L. 1981, c. 379, the "Uniform Nonpartisan Election Law," concerning the time upon which run-off elections are to be held under that act. The date provided by the current statute (the fourth Tuesday after the municipal election) would coincide with the date of the primary election in years when a November general election is to be held. It would be inappropriate and administratively unfeasible for a nonpartisan run-off election to be held at the same time as a partisan primary election. This bill provides that whenever the fourth Tuesday after the municipal election is the primary election date, the run-off election shall be held on the fifth Tuesday.

Run-off elections are optional to municipalities governed by the "Uniform Nonpartisan Elections Law." This bill does not affect that.

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OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATELY

CONTACT: CARL GOLDEN

MARCH 26, 1982

TRENTON--Governor Thomas H. Kean today signed into law legislation to provide that whenever a runoff election in a nonpartisan election falls on the same day as the regular primary election day, the runoff will be held on the following Tuesday.

The bill, S-894, was sponsored by Senator Steven Perskie (D-Atlantic).

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