

40:43-4

LEGISLATIVE HISTORY CHECKLIST

NJSA 40:43-4 (Municipality - change of name--change referendum procedures)

LAWS 1981 CHAPTER 169

Bill No. S3168

Sponsor(s) Orechio

Date Introduced March 23, 1981

Committee: Assembly -----

Senate -----

Amended during passage Yes No

Date of Passage: Assembly May 14, 1981

Senate April 27, 1981

Date of approval June 18, 1981

Following statements are attached if available:

Sponsor statement Yes No (Below)

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Sponsor's statement:

The purpose of this bill is to amend the referendum requirements for a municipality wishing to change its name. The bill provides that the petition may be submitted to the voters at either the first general election or special election, as determined by the governing body, not less than 60 days after filing the petition.

6/22/81

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SENATE, No. 3168

STATE OF NEW JERSEY

INTRODUCED MARCH 23, 1981

By Senator ORECHIO

(Without Reference)

AN ACT concerning the procedure for changing the name of a municipality and amending R. S. 40:43-4.

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

1 1. R. S. 40:43-4 is amended to read as follows:

2 40:43-4. Whenever a petition praying for the change of name of
3 any municipality and specifying the name proposed for adoption
4 shall be signed by at least 30% of the legal voters therein who
5 voted at the last preceding general election, and be filed in the
6 office of the clerk of such municipality, such proposed change of
7 name shall be submitted to the voters at the first general election
8 occurring in such municipality not less than 60 days after the filing
9 of such petition, *or at a special election, as shall be determined by*
10 *resolution of the governing body, to be held in the municipality*
11 *not less than 60 days after the filing of such petition.* The clerk of
12 such municipality shall advertise that said change of name will be
13 voted upon at such election in the same manner as municipal elec-
14 tions are advertised, and the question of the change of name shall
15 be printed upon the ballots and voted upon at such election in
16 accordance with the general laws relating to elections, *except*
17 *that the governing body may conduct a special election at the same*
18 *hours and polling places used in the most recent school election held*
19 *in accordance with N. J. S. 18A:14-1 et seq.*

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to amend the referendum requirements for a municipality wishing to change its name. The bill provides that the petition may be submitted to the voters at either the first general election or special election, as determined by the governing body, not less than 60 days after filing the petition.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JUNE 18, 1981

KATHRYN FORSITH

Governor Brendan Byrne today signed S-3168, sponsored by Senator Carmen A. Orechio (D-Essex), which amends the law governing the changing of a municipality's name to permit the question to be submitted to the voters at a special election and to permit the election to have the same hours and polling places used for school elections.

Enactment of the bill will permit municipalities to change their designations to townships by special election in order to qualify for additional FY-82 revenue sharing. Under federal law, a municipality receives more money if it is designated a township than if it is designated a borough or town or village.

A municipality's name does not necessarily reflect its form of government.

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