

LEGISLATIVE NOTES ON R.S.40:69A-25
(Charter referendum-date revert to ~~prop~~ form of government)

No similar bills introduced, 1968-1970.

L.1970 - Chap.100 - A849.

April 2 - Introduced by Kaltenbacher, Caputo, Fiore
and others.

No statement.

Not amended during passage.

This bill listed as "approved" in:

974.905 League of New Jersey Municipalities
M95 Legislative bulletin.
 No.7, p.2, April 28, 1970.

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ASSEMBLY, No. 849

STATE OF NEW JERSEY

INTRODUCED APRIL 2, 1970

By Assemblymen KALTENBACHER, CAPUTO, FIORE, DENNIS and KEAN

Referred to Committee on County and Municipal Government

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:

1 1. Section 1-25 of P. L. 1950 chapter 210 (C. 40:69A-25) is
2 amended to read as follows:

3 1-25. Any municipality may, subject to the provisions of section
4 1-23 of this act, abandon its optional plan and revert to the form
5 of government under which it was governed immediately prior
6 thereto, upon the filing of a petition and referendum as follows:

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

13 (b) The form of the question shall be as follows:
14 Shall abandon
Name of Municipality

15 its present form of government and revert to its prior form of
16 government, known as
Popular Name of Plan

17 as provided by?
Statutory Reference of Prior Plan

18 (c) If a majority of those voting on the question vote in the
19 affirmative the municipality shall revert to its prior form of gov-
20 ernment as of 12 m. of the [sixtieth] fifty-ninth day following the
21 election of officers under the form of government to which the
22 municipality will revert. The first officers under such form of

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

23 government shall be elected at the next regular municipal or
24 general election in the year in which the reversion referendum is
25 adopted or the next year following occurring not less than 60 days
26 following the election at which the reversion to the prior form of
27 government was approved, as the case may be, at which officers
28 under the form of government to which the municipality will revert
29 would be elected if such form were then in effect in the munici-
30 pality and the term of office of such officers had expired simultane-
31 ously with the adoption of the reversionary referendum. It shall
32 be the duty of the municipal clerk to perform all the duties respect-
33 ing such election as would be required of a municipal clerk for
34 elections under the form of government to which the municipality
35 will revert. Whenever a municipality has reverted to any form of
36 government other than the commission form of government law
37 (R. S. 40:70-1 et seq.) or the municipal manager form of govern-
38 ment (R. S. 40:79-1 et seq.), at a later date than the one fixed for
39 the filing of nominating petitions at the primary election, the
40 candidates to be first elected shall be nominated by direct petition
41 in the manner provided by law for nomination by direct petition
42 for a general election.

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

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

1 2. This act shall take effect immediately.