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LAW/RWH

P.L. 2009, CHAPTER 286, *approved January 17, 2010*
Assembly, No. 3433

1 AN ACT changing petition filing deadline for Board of Fire
2 Commissioners and amending N.J.S.40A:14-71.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.40A:14-71 is amended to read as follows:
8 40A:14-71. Candidates for membership on the board shall be
9 nominated by verified petitions. Any such petition shall be in
10 writing, addressed to the municipal clerk or the clerk of the board,
11 as the case may be, stating that the signers thereof are qualified
12 voters and residents in the district and requesting that the name of
13 the candidate be placed on the official ballot. The petition shall
14 state the residence of the candidate and certify his qualification for
15 membership. The candidate's consent to his nomination shall be
16 annexed to the petition and shall constitute his agreement to serve
17 in the event of his election. The petition shall contain the name of
18 only one candidate, but several petitions may nominate the same
19 person. Each petition shall be signed by not less than 10 qualified
20 voters and shall be filed at least **[28]** 29 days before the date of the
21 election.

22 Any form of a petition of nomination which is provided to
23 candidates by the Secretary of State, the county clerk, or the
24 municipal clerk shall contain the following notice: "Notice: All
25 candidates are required by law to comply with the provisions of
26 'The New Jersey Campaign Contributions and Expenditures
27 Reporting Act,' P.L.1973, c. 83 (C.19:44A-1 et seq.). For further
28 information please call (insert telephone number of the Election
29 Law Enforcement Commission)."

30 If a petition is found to be defective, either in form or substance,
31 the municipal clerk or the clerk of the board, as the case may be,
32 shall forthwith notify the candidate to cause it to be corrected
33 before the petition is given consideration.
34 (cf: P.L.1985, c.288, s.2)

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36 2. This act shall take effect immediately.

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39 STATEMENT

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41 This bill changes the petition filing deadline for election to a
42 Board of Fire Commissioners. Under current law, the deadline for a

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Matter underlined thus is new matter.

A3433

1 candidate to file a petition to have his name on the Board of Fire
2 Commissioner's election ballot is 28 days before the date of the
3 election, the third Saturday in February. At times, this day is on a
4 weekend or legal holiday. Changing to 29 days before the election,
5 would significantly increase the likelihood that the deadline would
6 fall on a Friday.

7 This legislation is intended to avoid costly legal action relative to
8 the deadline issues, falling on a Saturday or legal holiday.

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13 Changes petition filing date for Board of Fire Commissioners.

ASSEMBLY, No. 3433

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED NOVEMBER 13, 2008

Sponsored by:

Assemblyman FREDERICK SCALERA

District 36 (Bergen, Essex and Passaic)

Assemblyman NELSON T. ALBANO

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman MATTHEW W. MILAM

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Senator Van Drew

SYNOPSIS

Changes petition filing date for Board of Fire Commissioners.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/12/2010)

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44 Commissioner's election ballot is 28 days before the date of the
45 election, the third Saturday in February. At times, this day is on a

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A3433 SCALERA, ALBANO

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ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3433

STATE OF NEW JERSEY

DATED: JANUARY 26, 2009

The Assembly Homeland Security and State Preparedness Committee reports favorably Assembly Bill No. 3433.

Assembly Bill No. 3433 changes the petition filing deadline for election to a Board of Fire Commissioners. Under current law, the deadline for a candidate to file a petition to have his name on the Board of Fire Commissioner's election ballot is 28 days before the date of the election, the third Saturday in February. At times, this day is on a weekend or legal holiday. Changing to 29 days before the election, would significantly increase the likelihood that the deadline would fall on a Friday.

This legislation is intended to avoid costly legal action relative to the deadline issues.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3433

STATE OF NEW JERSEY

DATED: JANUARY 4, 2010

The Senate State Government Committee reports favorably Assembly Bill No. 3433.

This bill changes the petition filing deadline for the election of candidates to Boards of Fire Commissioners in those municipalities with such boards. Under current law, the deadline for a candidate to file a petition to have the candidate's name on the commissioner's election ballot is 28 days before the day the election is held, which is the third Saturday in February. At times, this deadline is on a weekend or a legal holiday. Changing it to 29 days before the day of the election would increase significantly the likelihood that the deadline would fall on a Friday.

This bill is identical to Senate Bill No. 2215.

SENATE, No. 2215

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED OCTOBER 16, 2008

Sponsored by:

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Changes petition filing date for Board of Fire Commissioners.

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S2215 VAN DREW

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