

19:23-6 et al.

LEGISLATIVE HISTORY CHECKLIST

NJSA 19:23-6 et al.

Laws of 1975 Chapter 43

Bill No. S 1550

Sponsor(s) Musto & Greenberg

Date Introduced Jan. 6, 1975

Committee: Assembly County Govt.

Senate County & Municipal Govt.

Amended during passage Yes Amendments during passage denoted by asterisks.

Date of passage: Assembly Feb. 24, 1975

Senate Jan. 20, 1975

Date of approval April 3, 1974

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly No

Senate Yes

Fiscal Note No

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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SENATE, No. 1550

STATE OF NEW JERSEY

INTRODUCED JANUARY 6, 1975

By Senators MUSTO and GREENBERG

Referred to Committee on County and Municipal Government

AN ACT concerning elections, amending R. S. 19:23-6, 19:23-7, 19:23-8, ***[and]*** 19:23-12, *and 19:23-55,* and repealing R. S. 19:23-9.

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

1 1. R. S. 19:23-6 is amended to read as follows:
2 19:23-6. Petitions nominating candidates to be voted for by
3 the voters of a political party throughout the entire State or of
4 any subdivisions thereof more than a single county or any con-
5 gressional district shall be addressed to the Secretary of State.
6 Petitions nominating candidates for election to the Senate or
7 General Assembly shall be addressed to the Secretary of State.
8 Petitions nominating candidates to be voted for by the voters of
9 a political party throughout a county or any *county election district*
10 or subdivision **[thereof]** of a county comprising more than a
11 single municipality, shall be addressed to the clerk of the county.
12 All other petitions shall be addressed to the clerks of municipalities.

1 2. R. S. 19:23-7 is amended to read as follows:
2 19:23-7. Each such petition shall set forth that the signers
3 thereof are qualified voters of the State, congressional district,
4 county, or *county election district*, municipality, ward or election
5 district, as the case may be, in which they reside and for which
6 they desire to nominate candidates; that they are members of a
7 political party (naming the same), and that at the last general
8 election preceding the execution of the petition they voted for a
9 majority of the candidates of such political party, and that they
10 intend to affiliate with that political party at the ensuing election;
11 that they indorse the person or persons named in their petition
12 as candidate or candidates for nomination for the office or offices

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

13 therein named, and that they request that the name of the person
14 or persons therein mentioned be printed upon the official primary
15 ballots of their political party as the candidate or candidates for
16 such nomination. The petition shall further state the residence
17 and post-office address of each person so indorsed, and shall certify
18 that the person or persons so indorsed is or are legally qualified
19 under the laws of this State to be nominated, and is or are a
20 member or members of the political party named in the petition.

21 Accompanying the petition each person indorsed therein shall
22 file a certificate, stating that he is qualified for the office mentioned
23 in the petition, that he is a member of the political party named
24 therein; that he consents to stand as a candidate for nomination
25 at the ensuing primary election of such political party, and that, if
26 nominated, he consents to accept the nomination, to which shall be
27 annexed the oath of allegiance prescribed in R. S. 41:1-1 duly
28 taken and subscribed by him before an officer authorized to take
29 oaths in this State.

1 3. R. S. 19:23-8 is amended to read as follows:

2 19:23-8. The petitions for candidates to be voted for by the
3 voters of a political party throughout the entire State shall in
4 the aggregate be signed by at least 1,000 such voters; in the case
5 of candidates to be voted for by the voters of a political party
6 throughout a congressional district by at least 200 of such voters;
7 in the case of candidates for the Senate and General Assembly
8 at least 100 such voters; in the case of candidates to be voted for
9 by the voters of a political party throughout a county *or any county*
10 *election district*, by at least 100 of such voters; in the case of
11 candidates to be voted for by the voters of a political party
12 throughout a municipality having a population in excess of 14,000
13 as ascertained by the last Federal census by at least 50 of such
14 voters; in the case of candidates to be voted for by the voters of a
15 political party throughout all other municipalities or any ward
16 of any municipality by at least 25 of such voters; in the case of a
17 candidate to be voted for by the voters of a political party within
18 a single election district by at least 10 of such voters.

19 In municipalities containing but one election district the petitions
20 in the aggregate need not be signed by more than 10 of such voters,
21 and the number of signers to any such petition in any case need
22 not exceed 5% in number of the total vote cast at the last preceding
23 general election, held for the election of all of the members of the
24 General Assembly, in such municipality, ward or election district,
25 as the case may be.

1 4. R. S. 19:23-12 is amended to read as follows:
 2 19:23-12. The signers to petitions for "Choice for President,"
 3 delegates and alternates to national conventions, for Governor,
 4 United States Senator, member of the House of Representatives,
 5 State Senator, member of the General Assembly and any county
 6 office may name three persons in their petition as a committee on
 7 vacancies.

8 This committee shall have power in case of death or resignation
 9 or otherwise of the person indorsed as a candidate in said petition
 10 to fill such vacancy by filing with the Secretary of State in the
 11 case of officers to be voted for by the voters of the entire State
 12 or a portion thereof involving more than one county thereof or any
 13 congressional district, and with the county clerk in the case of
 14 officers to be voted for by the voters of the entire county *or any*
 15 *county election district*, a certificate of nomination to fill the
 16 vacancy.

17 Such certificate shall set forth the cause of the vacancy, the name
 18 of the person nominated and that he is a member of the same
 19 political party as the candidate for whom he is substituted, the
 20 office for which he is nominated, the name of the person for whom
 21 the new nominee is to be substituted, the fact that the committee is
 22 authorized to fill vacancies and such further information as is
 23 required to be given in any original petition of nomination.

24 The certificate so made shall be executed and sworn to by the
 25 members of such committee, and shall upon being filed at least
 26 34 days before election have the same force and effect as the
 27 original petition of nomination for the primary election for the
 28 general election and there shall be annexed thereto the oath of
 29 allegiance prescribed in R. S. 41:1-1 duly taken and subscribed
 30 by the person so nominated before an officer authorized to take
 31 oaths in this State. The name of the candidate submitted shall be
 32 immediately certified to the proper municipal clerks.

1 *5. R. S. 19:23-55 is amended to read as follows:
 2 19:23-55. *The county clerks shall within 10 days canvass such*
 3 *statements relating to all officers and positions to be voted for by*
 4 *the voters of the entire State, county, county election district,*
 5 *congressional district, municipality or ward, and determine what*
 6 *persons have by the highest number of votes been so elected or*
 7 *nominated by the political parties.*

8 *In the case of United States Senator, Governor and member of*
 9 *the House of Representatives the county clerk shall immediately*
 10 *transmit to the Secretary of State a statement showing the total*

11 *number of votes cast for such officers in the county. The Secretary*
12 *of State shall furnish the necessary form.*

13 *In the case of members of the county committee the county clerk*
14 *within 9 days after the primary shall mail to the chairman of the*
15 *State committee and to the chairman of the county committee of*
16 *the respective parties a list of the names of those elected to the*
17 *county committee, giving the municipalities, ward and district each*
18 *represents, together with their post-office addresses.**

1 ***[5.]*** *6.* R. S. 19:23-9 is hereby repealed.

1 ***[6.]*** *7.* This act shall take effect immediately.

1 4. R. S. 19:23-12 is amended to read as follows:

2 19:23-12. The signers to petitions for "Choice for President,"
3 delegates and alternates to national conventions, for Governor,
4 United States Senator, member of the House of Representatives,
5 State Senator, member of the General Assembly and any county
6 office may name three persons in their petition as a committee on
7 vacancies.

8 This committee shall have power in case of death or resignation
9 or otherwise of the person indorsed as a candidate in said petition
10 to fill such vacancy by filing with the Secretary of State in the
11 case of officers to be voted for by the voters of the entire State
12 or a portion thereof involving more than one county thereof or any
13 congressional district, and with the county clerk in the case of
14 officers to be voted for by the voters of the entire county *or any*
15 *county election district*, a certificate of nomination to fill the
16 vacancy.

17 Such certificate shall set forth the cause of the vacancy, the name
18 of the person nominated and that he is a member of the same
19 political party as the candidate for whom he is substituted, the
20 office for which he is nominated, the name of the person for whom
21 the new nominee is to be substituted, the fact that the committee is
22 authorized to fill vacancies and such further information as is
23 required to be given in any original petition of nomination.

24 The certificate so made shall be executed and sworn to by the
25 members of such committee, and shall upon being filed at least
26 34 days before election have the same force and effect as the
27 original petition of nomination for the primary election for the
28 general election and there shall be annexed thereto the oath of
29 allegiance prescribed in R. S. 41:1-1 duly taken and subscribed
30 by the person so nominated before an officer authorized to take
31 oaths in this State. The name of the candidate submitted shall be
32 immediately certified to the proper municipal clerks.

1 5. R. S. 19:23-9 is hereby repealed.

1 6. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to provide procedures for the nomination from separate county election districts of candidates for election to the county board of chosen freeholders. Specifically, the bill (1) requires that each petition of nomination from such

districts contain at least 100 signatures, and (2) that any vacancy in candidacy be filled in the manner prescribed in R. S. 19:23-12.

The bill is made necessary by the opting by several counties, which recently adopted charter plans under the Optional County Charter Law, for the election by districts of some or all their freeholder members.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1550

With Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 14, 1975

The purpose of this bill is to provide procedures for the nomination from separate county election districts of candidates for election to the county board of chosen freeholders. Specifically, the bill (1) requires that each petition of nomination from such districts contain at least 100 signatures, and (2) that any vacancy in candidacy be filled in the manner prescribed in R. S. 19:23-12.

The bill is made necessary by the opting by several counties, which recently adopted charter plans under the Optional County Charter Law, for the election by districts of some or all of their freeholder members.

The Senate Committee amendment adds R. S. 19:23-55 to the bill.