

40:45-10.1

LEGISLATIVE HISTORY CHECKLIST  
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NJSA: 40:45-10.1

(Municipal  
Commissioner--vacancy-permit  
selection by a  
committee)

LAWS OF: 1991

CHAPTER: 61

Bill No: S3249

Sponsor(s): Cowan

Date Introduced: January 24, 1991

Committee: Assembly: Municipal Government

Senate: County & Municipal Government

Amended during passage: No

Date of Passage: Assembly: March 4, 1991

Senate: February 14, 1991

Date of Approval: March 13, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

*[Faint handwritten notes and stamps, possibly including the name "Mason"]*

## P.L.1991, CHAPTER 61, approved March 13, 1991

1991 Senate No. 3249

1 AN ACT concerning nonpartisan elections in municipalities that  
2 are under the commission form of government and  
3 supplementing Title 40 of the Revised Statutes.  
4

5 BE IT ENACTED by the Senate and General Assembly of the  
6 State of New Jersey:

7 1. When several candidates for the office of commissioner  
8 petition that their names be grouped together and that one  
9 designation named by them shall be printed opposite their names  
10 pursuant to section 6 of P.L.1981, c.379 (C.40:45-10), the  
11 candidates whose names are to be grouped in a bracket pursuant  
12 to that section may file with the clerk of the municipality a  
13 designation, in writing, of the names of three persons as a  
14 committee on vacancies.

15 A committee on vacancies established pursuant to this act shall  
16 have the power if a vacancy arises by death, resignation or  
17 otherwise, of any of the candidates included in said group, to fill  
18 the vacancy by filing with the clerk of the municipality the name  
19 of the candidate in the place of the person whose death,  
20 resignation or other occurrence caused the vacancy.

21 Any such designation to fill a vacancy shall have the same  
22 force and effect as an original petition of nomination.

23 To be effective, any designation by the committee on  
24 vacancies must be filed with the clerk of the municipality not  
25 less than 10 days before the election is to be held. In the event a  
26 vacancy occurs within 10 days of the election, any filing with the  
27 clerk of the municipality of a designated substitute candidate  
28 shall be made forthwith, and said designee shall be placed on the  
29 ballot if it is feasible to do so. The procedure and the manner  
30 and method of placing the name of any substituted candidate on  
31 the ballot and of the election of the candidates for the office, as  
32 nearly as practicable, shall be in accordance with the provisions  
33 of Title 19 of the Revised Statutes applicable in the case of  
34 vacancies in other offices to be filled at elections.

35 Nothing in this section shall prevent the filling of vacancies in  
36 any other manner authorized by Title 19 of the Revised Statutes,  
37 except that a candidate in a group bracket, who joins in the  
38 designation of a committee on vacancies under the provisions of  
39 this act, may not participate in any other method for filling a  
40 vacancy in his candidacy for commissioner.

41 2. This act shall take effect immediately.

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This bill permits the establishment of a committee on vacancies in municipalities in which nonpartisan elections are held. The bill provides that, when several candidates for the office of commissioner petition that their names be grouped together under one designation, those candidates whose names are to be grouped in a bracket may file with the clerk of the municipality a designation, in writing, of the names of three persons as a committee on vacancies.

The bill provides that any committee on vacancies shall have power, in case a vacancy arises by death, resignation or otherwise, of any of the candidates included in the committee, to fill a vacancy by filing with the clerk of the municipality the name of the candidate in the place of the person whose death, resignation or other occurrence caused the vacancy.

The bill also provides that any such designation to fill a vacancy shall have the same force and effect as an original petition of nomination.

LOCAL GOVERNMENT

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Permits committee on vacancies to fill vacancy in the office of commissioner in certain municipalities.

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## LOCAL GOVERNMENT

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 3249

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 1991

The Assembly Municipal Government committee favorably reports Senate Bill No. 3249.

Senate Bill No. 3249 permits the establishment of a committee on vacancies in municipalities in which nonpartisan elections are held. The bill provides that, when several candidates for the office of commissioner petition that their names be grouped together under one designation, those candidates whose names are to be grouped in a bracket may file with the clerk of the municipality a designation, in writing, of the names of three persons as a committee on vacancies.

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The bill also provides that any such designation to fill a vacancy shall have the same force and effect as an original petition of nomination.

This bill is identical to Assembly Bill No. 4462.

SENATE COUNTY AND MUNICIPAL  
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 3249

STATE OF NEW JERSEY

DATED: JANUARY 24, 1991

The Senate County and Municipal Government Committee reports favorably Senate Bill No. 3249.

Senate Bill No. 3249 permits the establishment of a committee on vacancies in municipalities in which nonpartisan elections are held. The bill provides that, when several candidates for the office of commissioner petition that their names be grouped together under one designation, those candidates whose names are to be grouped in a bracket may file with the clerk of the municipality a designation, in writing, of the names of three persons as a committee on vacancies.

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