

40:75-1, 40:75-2, 40:45-17

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:75-1, 40:75-2, 40:45-17

(Uniform Nonpartisan Elections Law -
commissioner begin term 1 week after
election)

LAWS OF: 1983

CHAPTER: 183

Bill No: S1441

Sponsor(s): Orechio

Date Introduced: May 24, 1982

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes // Amendments during passage
denoted by asterisks

Date of Passage: Assembly: April 11, 1983

Senate: Jan. 27, 1983

Date of Approval: May 10, 1983

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

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SENATE, No. 1441

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1982

By Senator ORECHIO

Referred to Committee on County and Municipal Government

AN ACT concerning certain terms of office and amending
**R. S. 40:75-1,* R. S. 40:75-2*, and P. L. 1981, c. 379*.*

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

1 *1. R. S. 40:75-1 is amended to read as follows:

2 40:75-1. The members of the first commission shall be elected,
 3 at an election to be held on the fifth Tuesday following the adoption
 4 of chapters 70 to 76 of this title (§ 40:70-1 et seq.), by the duly
 5 authorized voters of the municipality and shall serve as commis-
 6 sioners from twelve o'clock noon on the first Tuesday following
 7 their election until twelve o'clock noon on **[July 1]** *the third*
 8 *Tuesday in May* in the fourth year following such election and
 9 until their successors are elected and shall have duly qualified. The
 10 election shall be conducted pursuant to the "Uniform Nonpartisan
 11 Elections Law," *P. L. 1981, c. 379 (C. 40:4-5 et seq.)*.*

1 ***[1.]*** *2.* R. S. 40:75-2 is amended to read as follows:

2 40:75-2. On the second Tuesday in May in every fourth year
 3 thereafter there shall be elected at a regular municipal election
 4 held pursuant to the "Uniform Nonpartisan Elections Law," P. L.
 5 1981, c. 379 (C. 40:45-5 et seq.), the number of persons as herein-
 6 before provided as commissioners to serve for the term of 4 years
 7 and until their successors shall have been elected and duly qualified.
 8 The term of office of all succeeding commissioners shall commence
 9 at 12 o'clock noon on **[July 1]** *the third Tuesday of May* next en-
 10 suing their election.

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

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted January 20, 1983.

1 *3. Section 13 of P. L. 1981, c. 379 (C. 40:45-18) is amended
2 to read as follows:

3 13. At the regular municipal election in any municipality which
4 has adopted this act, the candidates receiving the greatest number
5 of votes cast shall be elected to the respective offices. **[The]** *Except*
6 *as otherwise provided by law, the* term of office of any officer elected
7 pursuant to this act shall begin on July 1 next following election.*

1 ***[2.]*** *4.* This act shall take effect January 1, 1983.

SENATE, No. 1441

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1982

By Senator ORECHIO

Referred to Committee on County and Municipal Government

AN ACT concerning certain terms of office and amending
R. S. 40:75-2.

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

1 1. R. S. 40:75-2 is amended to read as follows:

2 40:75-2. On the second Tuesday in May in every fourth year
3 thereafter there shall be elected at a regular municipal election
4 held pursuant to the "Uniform Nonpartisan Elections Law," P. L.
5 1981, c. 379 (C. 40:45-5 et seq.), the number of persons as herein-
6 before provided as commissioners to serve for the term of 4 years
7 and until their successors shall have been elected and duly qualified.
8 The term of office of all succeeding commissioners shall commence
9 at 12 o'clock noon on **[July 1]** *the third Tuesday of May* next en-
10 suing their election.

1 2. This act shall take effect January 1, 1983.

STATEMENT

With the adoption of the "Uniform Nonpartisan Elections Law," P. L. 1981, c. 379 (C. 40:45-5 et seq.), the commissioners elected to office under the "commission form of government law," or "Walsh Act" (R. S. 40:70-1 et seq.) are to begin their terms of office July 1, 3 weeks after their election.

The purpose of this bill is to amend R. S. 40:75-2 in order to provide that the commissioners begin their terms of office 1 week after their election.

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

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1441

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STATE OF NEW JERSEY

DATED: MARCH 14, 1983

Senate Bill No. 1441 OCR amends R. S. 40:75-1, R. S. 40:75-2, and section 13 of P. L. 1981, c. 379 to provide that the commissioners elected to the governing body of a municipality which has adopted a "commission form of government" pursuant to the provisions of the "Walsh Act" (R. S. 40:75-1 et seq.) shall begin their terms of office on the third Tuesday in May.

Under current law (P. L. 1981, c. 379; C. 40:45-5 et seq.), the commissioners begin their terms of office on July 1.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1441

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 20, 1983

Senate Bill No. 1441 would provide that commissioners elected to office under the "commission form of government law" (Walsh Act) (R. S. 40:70-1 et seq.) shall take office on the third Tuesday in May, unlike governing body members in all other nonpartisan forms of government who take office on July 1 under the "Uniform Nonpartisan Elections Law," P. L. 1981, c. 379 (C. 40:45-5 et seq.).

The Senate committee amendments amend two additional sections of law to conform them with the provisions of the bill. R. S. 40:75-1 relates to commissioners first elected in a municipality having adopted the commission form of government. Section 13 of P. L. 1981, c. 379 (C. 40:45-18) is the provision of the "Uniform Nonpartisan Elections Law," to which the bill provides an exception.