

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 180

STATE OF NEW JERSEY

ADOPTED FEBRUARY 15, 1996

Sponsored by Assemblymen WOLFE, ROCCO, Assemblywomen CRECCO,
WRIGHT, BARK, and Assemblymen GARCIA and STANLEY

1 AN ACT concerning school elections and amending P.L.1995, c.278
2 and P.L.1994, c.170.

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

6
7 1. Section 3 of P.L.1995, c.278 (C.19:60-3) is amended to read
8 as follows:

9 3. a. Notwithstanding the provisions of R.S.19:6-1, for school
10 elections the county board of the county in which the election district
11 is located shall designate two members of the district board of election
12 to perform all the duties of the district board for that election, except
13 that where electronic voting systems are in use in any election district
14 in which there are more than 900 registered voters, the county board
15 shall designate four members of the district board to perform all the
16 duties of the district board for that election. Notwithstanding the
17 provisions of R.S.19:6-10, the county board shall appoint one of the
18 persons so designated to serve as judge and the other or another, as
19 the case may be, of those persons so designated to serve as inspector
20 for school elections.

21 b. Notwithstanding the provisions of subsection a. or any other
22 law to the contrary:

23 (1) Upon the request of a board of education or the clerk of a
24 municipality in the county or upon its own initiative, the county board
25 may designate the polling place and voting equipment of one election
26 district to serve as the polling place and voting equipment for the
27 voters of one or more other election districts for school elections.
28 Such a designation shall be based on the casting of no more than 500
29 ballots during each of the two preceding annual school elections by the
30 voters of the election districts for which that polling place is
31 designated. If, at two consecutive annual school elections thereafter,

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 underlined thus is new matter.

1 the number of ballots cast by the voters in those election districts is
2 more than 500, the county board shall effect an appropriate revision
3 of the election districts using that polling place. If a request is from
4 a municipal clerk, the request shall apply only to the election districts
5 in that municipality.

6 (2) If one polling place is designated for two or more election
7 districts, the county board shall designate at least two members from
8 among the members of the district boards of election of those election
9 districts to perform all the duties of the district board for the school
10 election. The county board shall also appoint one of the persons so
11 designated to serve as judge and another of those persons to serve as
12 inspector for school elections.

13 (cf: P.L.1995,c.278,s.3)

14

15 2. Section 11 of P.L.1995, c.278 (C.19:60-11) is amended to read
16 as follows:

17 11. The district board of election shall, for any school election,
18 utilize a poll list instead of the signature copy register. The poll list
19 shall be arranged in a column or columns appropriately headed so as
20 to indicate the election, the date thereof, and the school district and
21 election district in which the same is used, in such a manner that each
22 voter voting in the polling place at the election may sign the voter's
23 name and state the voter's address therein and the number of the
24 voter's official ballot may be indicated opposite the signature. The
25 district board shall compare the signature in the poll lists with that in
26 the signature copy registers before accepting the ballot.

27 If one polling place is designated for two or more election districts
28 pursuant to subsection b. of section 3 of P.L.1995, c.278 (C.19:60-3),
29 the provisions of this section shall apply to the members of the district
30 boards of election designated to serve as the election officers at the
31 polling place for those election districts. The signature copy registers
32 for those election districts shall be provided to those election officers.

33 (cf: P.L.1995,c.278,s.11)

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35 3. Section 12 of P.L.1995, c.278 (C.19:60-12) is amended to read
36 as follows:

37 12. All costs, charges and expenses, including the
38 compensation of the members of the district boards and the
39 compensation and expenses of the county board of elections , the
40 county superintendent of elections [and], the clerk of the county, and
41 the municipal clerks for any school election shall be paid by the board
42 of education of the school district. All costs, charges and expenses
43 submitted to the board of education for payment shall be itemized and
44 shall include the separate identification of costs to prepare, print and
45 distribute sample ballots. Amounts expended by a county or a

1 municipality in the conduct of school elections for which the board of
2 education shall make payment shall be considered mandated
3 expenditures exempt from the limitations on the county tax levy and
4 from the limitations on final municipal appropriations imposed
5 pursuant to P.L.1976, c.68 (C.40A:4-45.1 et seq.), and any costs to
6 the board of education which exceed the amount of the costs to that
7 board for the annual school election immediately preceding the
8 enactment of P.L.1995, c.278 (C.19:60-1 et seq.) shall not be included
9 for the purpose of calculating a school district's maximum permissible
10 net budget pursuant to section 85 of P.L.1990, c.52 (C.18A:7D-28).
11 (cf: P.L.1995,c.278,s.12)

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13 4. R.S.19:15-2 is amended to read as follows:

14 19:15-2. The district boards shall open the polls for such election
15 at seven o'clock in the morning and close them at eight o'clock in the
16 evening, and shall keep them open during the whole day of election
17 between these hours; except that for a school election the polls shall
18 be open between the hours of five and nine P.M. and during any
19 additional time which the school board may designate between the
20 hours of seven A.M. and nine P.M.

21 The board may allow one member thereof at a time to be absent
22 from the polling place and room for a period not exceeding one hour
23 between the hours of one o'clock and five o'clock in the afternoon or
24 for such shorter time as it shall see fit.

25 At no time from the opening of the polls to the completion of the
26 canvass shall there be less than a majority of the board present in the
27 polling room or place, except that during a school election there shall
28 always be at least ~~[two members]~~ one member of each district election
29 board present or if more than two district board members are
30 designated to serve at the polling place, at least two members present.
31 (cf: P.L.1995,c.278,s.18)

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33 5. Section 2 of P.L.1994, c.179 (C.19:31-3.3) is amended to read
34 as follows:

35 2. In those counties in which the commissioner of registration
36 employs data processing equipment capable of creating or receiving,
37 storing, and printing a digitalized image of the signature of a person
38 registered to vote, the commissioner may eliminate the use of the
39 duplicate permanent registration binders and may authorize and direct
40 the use at the polls in place of such a binder, as a signature copy
41 register for the purposes of this Title and Title 40 of the Revised
42 Statutes, of a polling record which identifies on each page the election
43 at which the record is used, which indicates for each registrant the
44 name and address of the registrant and identifies the municipality and
45 the particular election district therein from which the person is

1 registered, and which includes adjacent to the registrant's name and
2 address an imprint of the digitalized image of the registrant's signature
3 and sufficient space, immediately to the left or right of that imprint, for
4 the registrant to sign the record, which imprint and signature shall be
5 used as the signature comparison record as prescribed by this Title.
6 The polling record shall also include for each registrant sufficient
7 space for the notation of remarks as provided by R.S.19:15-23 and for
8 the recording of any challenge and the determination thereof by the
9 district board as provided by R.S.19:15-24, or by other elections
10 officials charged with the same duties as the district board in
11 connection with the conduct of an election. In the case of a primary
12 election, the polling record shall also indicate for each registrant the
13 political party, if any, of which the registrant is a member for the
14 purpose of voting at that primary election.

15 Polling records for each election shall be prepared by the
16 commissioner of registration not later than the 14th day preceding the
17 election. At each election, the delivery of the polling records to the
18 municipal clerk [or secretary of the board of education in a Type II
19 school district, as appropriate,] and to the district boards or other
20 elections officials charged with the same duties as the district board in
21 connection with the conduct of an election, and the return of those
22 records by the district boards or such other elections officials to the
23 commissioner of registration, shall be made in the manner and in
24 accordance with the schedule prescribed by law for the delivery and
25 return at that election of the signature copy registers.

26 The commissioner of registration shall retain the polling records
27 for any election for a period of not less than six years following that
28 election.

29 (cf: P.L.1995,c.278,s.20)

30

31 6. (New section) After the first annual school election conducted
32 pursuant to P.L.1995, c.278 (C.19:60-1 et seq.), the Secretary of State
33 shall conduct a survey of each school district to compare the costs of
34 conducting the school election pursuant to that law with the costs of
35 conducting school elections previously under Title 18A of the New
36 Jersey Statutes. The survey shall be based on an examination of the
37 same items with respect to each such election. The secretary shall
38 report the findings of the survey to the Governor and the Legislature
39 no later than October 1, 1996.

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41 7. This act shall take effect immediately.

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3 Permits designation of one polling place and voting equipment thereat

4 to serve two or more election districts in school elections.