

[First Reprint]
ASSEMBLY, No. 985

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman GEIST

1 **AN ACT** authorizing school boards to conduct nonbinding referendums
2 and supplementing chapter 11 of Title 18A of the New Jersey
3 Statutes.

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

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8 1. a. When the school board of a Type I school district desires to
9 ascertain the sentiment of the legal voters of the municipality upon any
10 question or policy directly pertaining to the school district, the school
11 board may adopt at any regular meeting a resolution, by a recorded
12 majority vote of its full membership, requesting the clerk of the county
13 to print upon the official ballots to be used at the next general election
14 a public question to be formulated and expressed in the resolution in
15 concise form. The request shall be filed with the clerk of the county
16 not later than 60 days prior to the election, and the clerk shall cause
17 the public question to be printed on each sample ballot and official
18 ballot to be used in the municipality at the next general election.

19 b. The ballots so cast for or against the public question shall be
20 counted, and a canvass of the election conducted and announced in the
21 manner now provided by Title 19 of the Revised Statutes.

22 c. The result of the referendum shall not bind the school board
23 from which the resolution emanated, nor be taken or construed as
24 other than an expression of sentiment by the voters, to be followed or
25 disregarded by the school board in its discretion.

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27 2. a. When the school board of a Type II school district desires to
28 ascertain the sentiment of the legal voters of the school district upon
29 any question or policy directly pertaining to the school district, the
30 school board may adopt at any regular meeting a resolution, by a
31 recorded majority vote of its full membership, to print upon the official

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

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AED committee amendments adopted February 3, 1997.

1 ballots to be used at the next annual school election ¹[or special school
2 election]¹ a public question to be formulated and expressed in the
3 resolution in concise form. The resolution shall be adopted not later
4 than 60 days prior to the election.

5 b. The ballots containing the public question shall be prepared, and
6 the referendum conducted, pursuant to the provisions of ¹[chapter 14
7 of Title 18A] Title 19¹ of the ¹[New Jersey] Revised¹ Statutes.

8 c. The result of the referendum shall not bind the school board
9 from which the resolution emanated, nor be taken or construed as
10 other than an expression of sentiment by the voters, to be followed or
11 disregarded by the school board in its discretion.

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13 3. This act shall take effect immediately.

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18 Permits school boards to conduct nonbinding referendums.
