

ASSEMBLY, No. 1754

STATE OF NEW JERSEY

INTRODUCED MARCH 25, 1996

By Assemblyman LANCE

1 AN ACT concerning the election of school board members and
2 amending and supplementing various parts of the statutory law.

3

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

6

7 1. Section 15 of P.L.1987, c.399 (C.18A:7A-48) is amended to
8 read as follows:

9 15. a. At the [~~April~~] November school election in the fourth full
10 academic year following the creation of a State-operated school
11 district, nine board members shall be elected from among the 15
12 appointed board members, three to serve a one-year term, three to
13 serve a two-year term, and three to serve a three-year term. If there
14 are not nine members from the 15 appointed members who are willing
15 to run for election, the commissioner shall retain the right to appoint
16 the remaining members of the board. In each subsequent year, board
17 members shall be elected from the community at large.

18 b. Beginning in the second year of State operation, the State
19 district superintendent shall bring matters of curriculum before the
20 board and may bring other matters before the board for a vote.
21 Beginning in the third year of State operation, the State district
22 superintendent shall bring legal matters before the board for a vote.
23 Beginning in the fourth year of State operation, the State district
24 superintendent shall bring fiscal matters before the board for a vote.
25 However, the State district superintendent shall retain veto power until
26 the reestablishment of local control.

27 (cf: P.L.1995, c.179, s.5)

28

29 2. N.J.S. 18A:9-10 is amended to read as follows:

30 18A:9-10. If the membership of the board in any such district so
31 becoming a type II district is less than nine, it shall be increased to
32 nine by the election of added members at the next annual school
33 election, unless the adopting election shall have been held more than
34 130 days or less than 60 days before the date fixed for such annual
35 school election, in which case they shall be elected at a special school
36 election which shall be called by the members of the board so holding
37 over, if the adopting election was held more than 130 days before the

1 annual school election, then not less than 60 or more than 70 days
2 after the adopting election, or if the adopting election was held less
3 than 60 days before the annual school election, then not less than 60
4 or more than 70 days after such annual school election, excluding in
5 each instance from the calculation of the period which will elapse
6 between such 60 and 70 days any period which would elapse between
7 the twenty-first day before and the twenty-first day after any day fixed
8 according to law for the holding of any primary election for the
9 general election [or general election] or municipal election held within
10 the district.

11 (cf: P.L.1995, c.278, s.28)

12

13 3. N.J.S.18A:10-3 is amended to read as follows:

14 18A:10-3. Each board of education shall organize annually at a
15 regular meeting held not later than at 8 p.m. at which time new
16 members shall take office [:

17 a. In type I districts on May 16, or on the following day if that day
18 be Sunday;

19 b. In all type II districts] on any day of the first [or second] week
20 [following the annual school election] in January.

21 If the organization meeting cannot take place on that day by reason
22 of lack of a quorum or for any other reason, said meeting shall be held
23 within three days thereafter.

24 (cf: P.L.1987, c.289, s.2)

25

26 4. N.J.S.18A:12-8 is amended to read as follows:

27 18A:12-8. In districts, other than those in cities of the first class,
28 the members of the board shall be appointed between [April]
29 December 1 and [April] December 15 and their terms of office shall
30 begin on [May 16] January 1, next succeeding, and in districts in cities
31 of the first class they shall be appointed during the month of June and
32 their terms of office shall begin on July 1, next succeeding.

33 (cf: P.L.1979, c.284, s.1)

34

35 5. N.J.S. 18A:12-17 is amended to read as follows:

36 18A:12-17. The mayor or other chief executive officer of the
37 municipality shall, between [April] December 1 and [April] December
38 15 in each year, appoint one member of the board to serve for a term
39 of 5 years beginning on [May 15] January 1 next succeeding his
40 appointment, to take the place of the member whose term shall expire
41 in that year, and any vacancy occurring in the membership of the board
42 shall be reported forthwith by the secretary of the board to the mayor
43 or other chief executive officer of the municipality, who shall within
44 30 days thereafter appoint a qualified

1 person to fill the vacancy for the unexpired term.
2 (cf: P.L.1979, c.284, s.2)

3

4 6. N.J.S. 18A:13-8 is amended to read as follows:

5 18A:13-8. The board of education of a regional district shall
6 consist of nine members unless it consists of more than nine
7 constituent districts, in which case the membership shall be the same
8 as the number of constituent districts, plus one. If there are nine or
9 less constituent districts, the members of the board of education of the
10 regional district shall be apportioned by the county superintendent or
11 county superintendents of the county or counties in which the
12 constituent districts are situate, among said districts as nearly as may
13 be according to the number of their inhabitants except that each
14 constituent district shall have at least one member.

15 In making the apportionment of the membership of a regional board
16 of education among the several school districts uniting to create a
17 regional school district having nine or less constituent districts, as
18 required by section 18A:13-36, there shall be subtracted from the
19 number of inhabitants of a constituent school district, as shown by the
20 last federal census officially promulgated in this State, the number of
21 such inhabitants who according to the records of the Federal Bureau
22 of the Census were patients in, or inmates of, any State or federal
23 hospital or prison, or who are military personnel stationed at, or
24 civilians residing within the limits of, any United States Army, Navy
25 or Air Force installation, located in such constituent school district.

26 If there are more than nine constituent districts, the members on the
27 board shall be apportioned among the constituent districts and the
28 weight of their votes in all proceedings of the board shall be
29 determined by the appropriate county superintendent or
30 superintendents through the following procedure:

31 a. The number of inhabitants of each constituent district shall be
32 determined as shown by the last federal census officially promulgated
33 in this State.

34 b. A representative ratio shall be calculated by adding the number
35 of inhabitants of all constituent districts and dividing the sum by the
36 board size.

37 c. All constituent districts shall be listed in ascending order of their
38 number of inhabitants. If the first constituent district in said list has a
39 number of inhabitants which is less than the representative ratio, it
40 shall be combined with the constituent district contiguous to it having
41 the smallest number of inhabitants. This process shall be repeated for
42 each successively larger constituent district or combination of
43 constituent districts until all remaining constituent districts or
44 combinations of constituent districts shall have a number of inhabitants
45 equal to, or exceeding the representative ratio. The districts formed
46 in this manner shall be known as representative districts.

1 d. There shall be established a priority list according to the method
2 of equal proportions for the apportionment of the members of the
3 regional district board of education among the representative districts.

4 e. The members of the regional district board of education shall be
5 apportioned among the representative districts according to the
6 method of equal proportions, and where a representative district is
7 composed of more than one constituent district, members shall be
8 elected at large from within the representative district.

9 f. The number of inhabitants of each representative district shall be
10 divided by the number of members assigned to that district to find the
11 number of inhabitants per members.

12 g. The vote to be cast by each member of the regional district
13 board of education in all proceedings of the board shall be determined
14 by dividing the number of inhabitants per member in the representative
15 district from which the member is elected by the representative ratio
16 for the regional district, and rounding off the quotient to the nearest
17 tenth of a full vote.

18 Wherever any statute or bylaw of the board requires decision in any
19 matter by vote of a majority of the board members, or of the members
20 present, this shall be interpreted as meaning a majority of the weighted
21 votes of all members, or of the members present, as the case may be.

22 h. Whenever the above reapportionment procedure is used for a
23 regional district having more than nine constituent districts, the terms
24 of office of all incumbent board of education members shall terminate
25 on the day on which the annual organization meeting of the board is
26 held pursuant to N.J.S.18A:13-12 following certification by the county
27 superintendent of the representative districts and the number of
28 members to be elected from each; provided, that if the
29 reapportionment results in any representative district retaining its
30 former boundaries and the same number of board members, that the
31 members elected from such a district shall serve the full term for which
32 they were elected. All other board members shall be elected in an
33 election to be held on the [third] first Tuesday following the first
34 Monday in [April] November at least 60 days following certification
35 by the county superintendent for initial terms of office to be designated
36 in advance by the county superintendent so that, as nearly as possible,
37 one-third of the board shall be elected in each future year, to serve for
38 three-year terms, and where a representative district has more than one
39 member, their terms of office shall terminate in different years.

40 If any constituent district is a consolidated district, or a district
41 composed of two or more municipalities, and

42 a. The original district is a limited purpose regional district and
43 such constituent district has such population that it is entitled to have
44 apportioned to it a number of members equal to or greater than the
45 number of districts making up such constituent district, or

46 b. The regional district is an all purpose district, the membership

1 of the regional board of education from such district shall be
2 apportioned, and from time to time reapportioned, and the members
3 from the district shall be elected, as their respective terms expire, in
4 the same manner as though each of the municipalities making up such
5 constituent district were constituent districts of the regional district.
6 (cf: P.L.1992, c.159, s.9)

7

8 7. N.J.S.18A:13-10 is amended to read as follows:

9 18A:13-10. The board of education of each regional district shall
10 provide for the holding, in accordance with the provisions of
11 P.L.1995, c.278 (C.19:60-1 et al.), of an annual school election for the
12 regional district on the ~~[third]~~ first Tuesday ~~following the first~~
13 Monday in ~~[April]~~ November.

14 At such election there shall be elected for terms of three years,
15 beginning on any day of the first ~~[or second]~~ week ~~[following such~~
16 ~~election]~~ in January, the members of the regional boards of education
17 to succeed those members of the board whose terms shall expire in
18 that year, except as is in this chapter provided for the election of the
19 first elected members of the board.

20 (cf: P.L.1995, c.278, s.32)

21

22 8. N.J.S.18A:13-12 is amended to read as follows:

23 18A:13-12. The board shall hold a regular meeting forthwith after
24 its first appointment, and annually thereafter on any day of the first ~~[or~~
25 ~~second]~~ week ~~[following the annual school election]~~ in January, at
26 which it shall organize by the election, from among its members, of a
27 president and vice president, who shall serve until the organization
28 meeting next succeeding the election of their respective successors as
29 members of the board. If any board shall fail to organize within ~~[said~~
30 ~~two weeks]~~ that week, the county superintendent of the county, or the
31 county superintendents of the counties, in which the constituent
32 districts are situate, shall appoint, from among the members of the
33 board, a president and vice president to serve until the organization
34 meeting next succeeding the next election.

35 (cf: P.L.1987, c.289, s.6)

36

37 9. N.J.S.18A:13-13 is amended to read as follows:

38 18A:13-13. The board shall appoint a secretary who may or may
39 not be a member of the board, for the term of one year beginning on
40 ~~[July 1]~~ January 15 following his appointment but he shall continue to
41 serve after the expiration of his term until his successor is appointed
42 and qualified.

43 (cf: N.J.S.18A:13-13)

44

45 10. N.J.S. 18A:13-14 is amended to read as follows:

46 18A:13-14. The board shall appoint a treasurer of school moneys

1 who may be a member of the board and it shall fix his salary. His
2 term of office shall expire annually on ~~[June 30]~~ January 15 of each
3 year, but if a municipal officer is appointed treasurer, his term shall
4 cease if he ceases to hold his municipal office and in either case, the
5 treasurer shall continue in office after the expiration of his term until
6 his successor is qualified. He shall give bond in such amount, and with
7 such surety, as the board shall direct. The board in its determination
8 of the amount shall be guided by a schedule of minimum limits to be
9 promulgated by the State board.

10 (cf: P.L.1981, c.174, s.1)

11

12 11. N.J.S.18A:13-46 is amended to read as follows:

13 18A:13-46. The county superintendent of the county in which any
14 new constituent district of an enlarged regional district shall be situate
15 shall, not later than 30 days after the election for the enlargement
16 thereof, appoint one member of the enlarged board of education of the
17 regional district from among the qualified citizens of each such new
18 constituent district and the members so appointed shall serve until the
19 first ~~[Monday]~~ week of January next succeeding the first annual school
20 election of the enlarged regional district and their successors shall be
21 elected at said election. If by reason of the enlargement of the district
22 it becomes necessary to reapportion the membership of the enlarged
23 board of education the county superintendent or superintendents of the
24 county or counties in which the constituent local districts of the
25 enlarged district are situate shall reapportion the membership of the
26 enlarged board of education in accordance with the provisions of
27 sections 18A:13-8 and 18A:13-36, and at the same time shall designate
28 the number of members to be elected from each constituent school
29 district at the succeeding annual school election to be held therein
30 upon the expiration of the terms of office of the members of the
31 regional board then in office, in such manner that the representation of
32 the constituent districts shall be established in accordance with such
33 reapportionment at the earliest possible time but the members then in
34 office shall continue in office for the terms for which they were elected
35 or appointed notwithstanding such reapportionment.

36 (cf: N.J.S. 18A:13-46)

37

38 12. N.J.S.18A:17-5 is amended to read as follows:

39 18A:17-5. Each secretary shall be appointed by the board, by a
40 recorded roll call majority vote of its full membership, for a term to
41 expire not later than ~~[June 30]~~ January 15 of the calendar year next
42 succeeding that in which the board shall have been organized, but he
43 shall continue to serve after the expiration of his term until his
44 successor is appointed and qualified. The secretary may be appointed
45 from among the members of the board and, subject to the provisions
46 of this Title and any other law, the board shall fix his compensation;

1 provided, however, that the secretary shall not receive compensation
2 from the board for any period during which he is an elected or
3 appointed member of the board.

4 In case of a vacancy in the office of secretary, the vacancy shall be
5 filled by the board within 60 days after the vacancy occurs and if the
6 board does not make such appointment within such time the county
7 superintendent shall appoint a secretary who shall receive the same
8 compensation as his predecessor in office received and shall serve until
9 a secretary is appointed by the board.

10 (cf: P.L.1968, c.271, s.1)

11

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

13 19:15-2. The district boards shall open the polls for such election
14 at seven o'clock in the morning and close them at eight o'clock in the
15 evening, and shall keep them open during the whole day of election
16 between these hours; except that for a school election held at a time
17 other than at the time of the general election the polls shall be open
18 between the hours of five and nine P.M. and during any additional time
19 which the school board may designate between the hours of seven
20 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 held at a
28 time other than at the time of the general election there shall always be
29 at least one member of each district election board present or if more
30 than two district board members are designated to serve at the polling
31 place, at least two members present.

32 (cf: P.L.1996, c.3, s.4)

33

34 14. R.S.19:45-6 is amended to read as follows:

35 19:45-6. The compensation of each member of the district boards
36 for all services performed by them under the provisions of this Title
37 shall be as follows:

38 In all counties, for all services rendered including the counting of
39 the votes, and in counties wherein voting machines are used, the
40 tabulation of the votes registered on the voting machines, and the
41 delivery of the returns, registry binders, ballot boxes and keys for the
42 voting machines to the proper election officials, \$75.00 each time the
43 primary election, the general election or any special election is held
44 under this Title, except that the governing body of a county may, by
45 ordinance or resolution as appropriate, provide that such amount shall
46 be \$100 for the members of each district board within the county

1 performing those services at such an election; provided, however, that:

2 a. (1) The member of the board charged with the duty of obtaining
3 and signing for the signature copy registers shall receive an additional
4 \$12.50 per election, such remuneration being limited to only one board
5 member per election, or \$6.25 to each of two board members if they
6 share such responsibility for the signature copy registers, and (2) the
7 member of the board charged with the duty of returning the signature
8 copy registers shall receive an additional \$12.50 per election, such
9 remuneration being limited to only one board member per election, or
10 \$6.25 to each of two board members if they share such responsibility
11 for the signature copy registers;

12 b. In the case of any member of the board who is required under
13 R.S.19:50-1 to attend in a given year a training program for district
14 board members, but who fails to attend such a training program in that
15 year, that compensation shall be \$50.00 for each of those elections;

16 c. In counties wherein voting machines are used no compensation
17 shall be paid for any services rendered at any special election held at
18 the same time as any primary or general election. Such compensation
19 shall be in lieu of all other fees and payments; and

20 d. Compensation for district board members serving at a school
21 election held at a time other than at the time of the general election
22 shall be paid by the board of education of the school district
23 conducting the election at an hourly rate of \$5.77, exclusive of any
24 adjustments to that compensation which may be made pursuant to
25 subsection a., b. or c. of this section.

26 Compensation due each member shall be paid within 30 days but
27 not within 20 days after each election; provided, however, that no
28 compensation shall be paid to any member of any such district board
29 who may have been removed from office or application for the
30 removal of whom is pending under the provisions of R.S.19:6-4.

31 (cf: P.L.1995, c.278, s.21)

32

33 15. Section 1 of P.L.1995, c.278 (C.19:60-1) is amended to read
34 as follows:

35 1. a. An annual school election for the purposes of electing
36 members of the board of education shall be held in each type II district
37 on the first Tuesday after the first Monday in November.

38 An annual school election for the purpose of determining the
39 amount of money necessary to be appropriated for the use of the
40 public schools of the district for the ensuing school year shall be held
41 in each type II district on the third Tuesday in April. However, in any
42 school year, the Commissioner of Education shall make any
43 adjustments to the school budget [and election] calendar which may
44 be necessary to change the annual school budget election date if that
45 date coincides with a period of religious observance. The
46 commissioner shall inform local school boards, county clerks and

1 boards of elections of these adjustments no later than the first working
2 day in January of the year in which the adjustments are to occur.

3 b. All school elections shall be by ballot and, except as otherwise
4 provided by P.L.1995, c.278 (C.19:60-1 et al.), shall be conducted in
5 the manner provided for general elections pursuant to Title 19 of the
6 Revised Statutes. No grouping of candidates or party designation
7 shall appear on any ballot to be used in a school election.

8 (cf: P.L.1995, c.278, s.1)

9

10 16. Section 3 of P.L.1995, c.278 (C.19:60-3) is amended to read
11 as follows:

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

25 b. Notwithstanding the provisions of subsection a. or any other law
26 to the contrary:

27 (1) Upon the request of a board of education or the clerk of a
28 municipality in the county or upon its own initiative, the county board
29 may designate the polling place and voting equipment of one election
30 district to serve as the polling place and voting equipment for the
31 voters of one or more other election districts for school elections held
32 at times other than at the time of the general election. Such a
33 designation shall be based on the casting of no more than 500 ballots
34 during each of the two preceding annual April school elections by the
35 voters of the election districts for which that polling place is
36 designated. If, at two consecutive annual April school elections
37 thereafter, the number of ballots cast by the voters in those election
38 districts is more than 500, the county board shall effect an appropriate
39 revision of the election districts using that polling place. If a request
40 is from a municipal clerk, the request shall apply only to the election
41 districts in that municipality.

42 (2) If one polling place is designated for two or more election
43 districts, the county board shall designate at least two members from
44 among the members of the district boards of election of those election
45 districts to perform all the duties of the district board for the school
46 election held at a time other than at the time of the general election.

1 The county board shall also appoint one of the persons so designated
2 to serve as judge and another of those persons to serve as inspector
3 for school elections.

4 (cf: P.L.1996, c.3, s.1)

5

6 17. Section 4 of P.L.1995, c. 278 (C.19:60-4) is amended to read
7 as follows:

8 4. The secretary of each board of education, not later than 10
9 o'clock a.m. of the 17th day preceding [the annual] a school election
10 for the purpose of determining the amount of money necessary to be
11 appropriated for the use of the public schools of the district for the
12 ensuing school year or a special school election, shall make and certify
13 and forward to the clerk of the county in which the school district is
14 located a statement designating any public question to be voted upon
15 by the voters of the district which may be required pursuant to the
16 provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the
17 New Jersey Statutes.

18 The secretary of each board of education, not later than 10 o'clock
19 a.m. of the 50th day preceding a school election for the purposes of
20 electing members of the board of education shall make and certify and
21 forward to the clerk of the county in which the school district is
22 located a statement designating any public question to be voted upon
23 by the voters of the district which may be required pursuant to the
24 provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the
25 New Jersey Statutes.

26 (cf: P.L.1995, c.278, s.4)

27

28 18. Section 7 of P.L.1995, c. 278 (C.19:60-7) is amended to read
29 as follows:

30 7. Each candidate to be voted upon at a school election shall be
31 nominated directly by petition, and the procedures for such nomination
32 shall, to the extent not inconsistent with the provisions of P.L.1995,
33 c.278 (C.19:60-1 et al.), conform to the procedure for nominating
34 candidates by direct petition under chapter 13 of Title 19 of the
35 Revised Statutes. Notwithstanding the provisions of R.S.19:13-5,
36 however, a petition of nomination for such office shall be signed by at
37 least 10 persons, none of whom shall be the candidate himself, and
38 filed with the secretary of the board of education on or before four
39 p.m. of the [50th] 54th day preceding the date of the school election.
40 The signatures need not all appear upon a single petition and any
41 number of petitions may be filed on behalf of any candidate but no
42 petition shall contain the endorsement of more than one candidate.

43 Any candidate may withdraw as a candidate in a school election by
44 filing a notice in writing, signed by the candidate, of such withdrawal
45 with the secretary of the board of education before the [44th] 48th day
46 before the date of the election, and thereupon the name of that

1 candidate shall be withdrawn by the secretary of the board of
2 education and shall not be printed on the ballot.

3 A vacancy created by a declination of nomination or withdrawal by,
4 or death of, a nominee, or in any other manner, shall be ineligible to be
5 filled under the provisions of R.S.19:13-19 or otherwise.

6 Whenever written objection to a petition of nomination hereunder
7 shall have been made and timely filed with the secretary of the board
8 of education, the board of education shall file its determination of the
9 objection on or before the [44th] 48th day preceding the school
10 election. The last day upon which a candidate may file with the
11 Superior Court a verified complaint setting forth any invasion or
12 threatened invasion of the candidate's rights under the candidate's
13 petition of nomination shall be the [46th] 50th day before the election.
14 The last day upon which a candidate whose petition of nomination or
15 any affidavit thereto is defective may amend such petition or affidavit
16 shall be the [44th] 48th day before the election.

17 (cf: P.L.1995, c.278, s.7)

18

19 19. Section 9 of P.L.1995, c. 278 (C.19:60-9) is amended to read
20 as follows:

21 9. The ballot for a school election shall be a single or blanket form
22 of ballot, upon which shall be printed in bold-faced type the words
23 "OFFICIAL SCHOOL ELECTION BALLOT" or "OFFICIAL
24 SPECIAL SCHOOL ELECTION BALLOT," as appropriate. Any
25 public question which is to be submitted to the voters at a school
26 election shall be printed in a separate space below or to the right of,
27 as the county clerk shall determine, the listing of candidates in the
28 election.

29 In the columns in which are listed the titles of the offices to be filled
30 at a school election and the names of candidates for those offices, the
31 title of and the names of candidates for the office of member of the
32 regional board of education shall appear above the title of and the
33 names of candidates for the office of member of the local board of
34 education. With respect to either office, in the event that one or more
35 persons are to be elected to membership thereon for a full term and
36 one or more persons are to be elected to membership thereon to fill an
37 unexpired term, the ballots shall designate which of the candidates to
38 be voted for is to be elected for a full term and which for an unexpired
39 term. In all cases in which one or more persons are to be elected for
40 an unexpired term, the ballots shall indicate the duration of that
41 unexpired term.

42 All public questions to be voted upon at a school election by the
43 voters of more than one municipality shall be placed first before any
44 question to be voted upon at that election by the voters of a single
45 municipality.

46 Every county clerk shall have ready for the printer a copy of the

1 contents of official ballots required by law to be printed for use at a
2 school election, as follows: in the case of the annual school election
3 for the purpose of determining the amount of money necessary to be
4 appropriated for the use of the public schools of the district for the
5 ensuing school year, not later than the 17th day preceding that
6 election; [and] in the case of any special school election, not later than
7 two business days following receipt by the clerk of official notice of
8 the complete content of the ballot to be voted upon at that election;
9 and in the case of the annual school election for the purposes of
10 electing members of the board of education, in accordance with the
11 provisions of R.S.19:14-1.

12 (cf: P.L.1995, c.278, s.9)

13

14 20. Section 12 of P.L.1995, c. 278 (C.19:60-12) is amended to
15 read as follows:

16 12. All costs, charges and expenses, including the compensation of
17 the members of the district boards and the compensation and expenses
18 of the county board of elections, the county superintendent of
19 elections, the clerk of the county, and the municipal clerks for any
20 school election held at a time other than the time of the general
21 election shall be paid by the board of education of the school district.
22 All costs, charges and expenses submitted to the board of education
23 for payment shall be itemized and shall include the separate
24 identification of costs to prepare, print and distribute sample ballots.
25 Amounts expended by a county or a municipality in the conduct of
26 school elections for which the board of education shall make payment
27 shall be considered mandated expenditures exempt from the limitations
28 on the county tax levy and from the limitations on final municipal
29 appropriations imposed pursuant to P.L.1976, c.68 (C.40A:4-45.1 et
30 seq.), and any costs to the board of education which exceed the
31 amount of the costs to that board for the annual school election
32 immediately preceding the enactment of P.L.1995, c.278 (C.19:60-1
33 et seq.) shall not be included for the purpose of calculating a school
34 district's maximum permissible net budget pursuant to section 85 of
35 P.L.1990, c.52 (C.18A:7D-28).

36 (cf: P.L.1996, c.3, s.3)

37

38 21. (New section) A school election held in November shall only
39 be for the purpose of electing members of the board of education.

40

41 22. (New section) An elected member of a board of education, or
42 a member of a board of education appointed to serve the unexpired
43 term of an elected member, or an appointed member of a board of
44 education other than a member in a district in a city of the first class,
45 who is holding office on the effective date of this act shall continue in
46 office until the day in January next following the year in which his term

1 was originally set to expire when his successor takes office.

2

3 23. This act shall take effect on January 1 next following the date
4 of enactment.

5

6

7

STATEMENT

8

9 This bill provides that school board members are to be elected at
10 the time of the general election in November and will take office at the
11 beginning of January. The bill does not change the current law
12 regarding the preparation and adoption of school budgets.

13

14

15

16

17 Provides for the election of school board members at November
18 general election.