

P.L. 1996, CHAPTER 3, *approved February 29, 1996*
Senate No. 874

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

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

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7 1. Section 3 of P.L.1995, c.278 (C.19:60-3) is amended to read as
8 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 law
22 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,
32 the number of ballots cast by the voters in those election districts is
33 more than 500, the county board shall effect an appropriate revision
34 of the election districts using that polling place. If a request is from
35 a municipal clerk, the request shall apply only to the election districts
36 in that municipality.

37 (2) If one polling place is designated for two or more election
38 districts, the county board shall designate at least two members from
39 among the members of the district boards of election of those election
40 districts to perform all the duties of the district board for the school
41 election. The county board shall also appoint one of the persons so

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 designated to serve as judge and another of those persons to serve as
2 inspector for school elections.

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

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

7 11. The district board of election shall, for any school election,
8 utilize a poll list instead of the signature copy register. The poll list
9 shall be arranged in a column or columns appropriately headed so as
10 to indicate the election, the date thereof, and the school district and
11 election district in which the same is used, in such a manner that each
12 voter voting in the polling place at the election may sign the voter's
13 name and state the voter's address therein and the number of the
14 voter's official ballot may be indicated opposite the signature. The
15 district board shall compare the signature in the poll lists with that in
16 the signature copy registers before accepting the ballot.

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

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

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

27 12. All costs, charges and expenses, including the compensation of
28 the members of the district boards and the compensation and expenses
29 of the county board of elections , the county superintendent of
30 elections [and], the clerk of the county, and the municipal clerks for
31 any school election shall be paid by the board of education of the
32 school district. All costs, charges and expenses submitted to the board
33 of education for payment shall be itemized and shall include the
34 separate identification of costs to prepare, print and distribute sample
35 ballots. Amounts expended by a county or a municipality in the
36 conduct of school elections for which the board of education shall
37 make payment shall be considered mandated expenditures exempt from
38 the limitations on the county tax levy and from the limitations on final
39 municipal appropriations imposed pursuant to P.L.1976, c.68
40 (C.40A:4-45.1 et seq.), and any costs to the board of education which
41 exceed the amount of the costs to that board for the annual school
42 election immediately preceding the enactment of P.L.1995, c.278
43 (C.19:60-1 et seq.) shall not be included for the purpose of calculating
44 a school district's maximum permissible net budget pursuant to section
45 85 of P.L.1990, c.52 (C.18A:7D-28).

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

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

3 19:15-2. The district boards shall open the polls for such election
4 at seven o'clock in the morning and close them at eight o'clock in the
5 evening, and shall keep them open during the whole day of election
6 between these hours; except that for a school election the polls shall
7 be open between the hours of five and nine P.M. and during any
8 additional time which the school board may designate between the
9 hours of seven A.M. and nine P.M.

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

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

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

24 2. In those counties in which the commissioner of registration
25 employs data processing equipment capable of creating or receiving,
26 storing, and printing a digitalized image of the signature of a person
27 registered to vote, the commissioner may eliminate the use of the
28 duplicate permanent registration binders and may authorize and direct
29 the use at the polls in place of such a binder, as a signature copy
30 register for the purposes of this Title and Title 40 of the Revised
31 Statutes, of a polling record which identifies on each page the election
32 at which the record is used, which indicates for each registrant the
33 name and address of the registrant and identifies the municipality and
34 the particular election district therein from which the person is
35 registered, and which includes adjacent to the registrant's name and
36 address an imprint of the digitalized image of the registrant's signature
37 and sufficient space, immediately to the left or right of that imprint, for
38 the registrant to sign the record, which imprint and signature shall be
39 used as the signature comparison record as prescribed by this Title.
40 The polling record shall also include for each registrant sufficient
41 space for the notation of remarks as provided by R.S.19:15-23 and for
42 the recording of any challenge and the determination thereof by the
43 district board as provided by R.S.19:15-24, or by other elections
44 officials charged with the same duties as the district board in
45 connection with the conduct of an election. In the case of a primary
46 election, the polling record shall also indicate for each registrant the

1 political party, if any, of which the registrant is a member for the
2 purpose of voting at that primary election.

3 Polling records for each election shall be prepared by the
4 commissioner of registration not later than the 14th day preceding the
5 election. At each election, the delivery of the polling records to the
6 municipal clerk [or secretary of the board of education in a Type II
7 school district, as appropriate,] and to the district boards or other
8 elections officials charged with the same duties as the district board in
9 connection with the conduct of an election, and the return of those
10 records by the district boards or such other elections officials to the
11 commissioner of registration, shall be made in the manner and in
12 accordance with the schedule prescribed by law for the delivery and
13 return at that election of the signature copy registers.

14 The commissioner of registration shall retain the polling records for
15 any election for a period of not less than six years following that
16 election.

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

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

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29 7. This act shall take effect immediately.

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STATEMENT

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34 This bill provides that upon the request of a board of education or
35 the clerk of a municipality in a county or upon its own initiative, the
36 county board of elections may designate the polling place and voting
37 equipment of one election district to serve as the polling place and
38 voting equipment for the voters of one or more other election districts
39 for school elections. Such a designation shall be based on the casting
40 of no more than 500 ballots during each of the two preceding annual
41 school elections by the voters of the election districts for which that
42 polling place is designated. If, at two consecutive annual school
43 elections thereafter, the number of ballots cast by the voters in those
44 election districts is more than 500, the county board shall effect an
45 appropriate revision of the election districts using that polling place.
46 If a request is from a municipal clerk, the request shall apply only to

1 the election districts in that municipality.

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

9 The bill also provides that any expenditures by county officials and
10 municipal clerks in connection with school elections for which the
11 board of education is responsible for payment shall be exempt from the
12 local government cap law, and any costs to the boards of education
13 which exceed the amount of the costs for the last annual school
14 election under Title 18A shall be exempt from the school cap law.

15 The bill amends existing law to require only one board member to
16 be present at all times if only two board members are serving at a
17 school election.

18 The bill further provides that after the first annual school election
19 conducted pursuant to P.L.1995, c.278 (C.19:60-1 et seq.), the
20 Secretary of State shall conduct a survey of each school district to
21 compare the costs of conducting the school election pursuant to that
22 law with the costs of conducting school elections previously under
23 Title 18A of the New Jersey Statutes. The survey shall be based on an
24 examination of the same items with respect to each such election. The
25 secretary shall report the findings of the survey to the Governor and
26 the Legislature no later than October 1, 1996.

27 Finally, a technical correction is made in existing law to reflect the
28 fact that polling records are no longer delivered to the secretary of the
29 board of education.

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35 Permits designation of one polling place and voting equipment thereat
to serve two or more election districts in school elections.