

CHAPTER 3

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

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

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

C.19:60-3 District board members to perform election duties; designation of polling place, voting equipment.

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

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

(1) Upon the request of a board of education or the clerk of a municipality in the county or upon its own initiative, the county board may designate the polling place and voting equipment of one election district to serve as the polling place and voting equipment for the voters of one or more other election districts for school elections. Such a designation shall be based on the casting of no more than 500 ballots during each of the two preceding annual school elections by the voters of the election districts for which that polling place is designated. If, at two consecutive annual school elections thereafter, the number of ballots cast by the voters in those election districts is more than 500, the county board shall effect an appropriate revision of the election districts using that polling place. If a request is from a municipal clerk, the request shall apply only to the election districts in that municipality.

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

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

C.19:60-11 Use of poll list in lieu of signature copy register.

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

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

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

C.19:60-12 Expenses; mandated expenditures.

12. All costs, charges and expenses, including the compensation of the members of the district boards and the compensation and expenses of the county board of elections, the county superintendent of elections, the clerk of the county, and the municipal clerks for any school election shall be paid by the board of education of the school district. All costs, charges and expenses submitted to the board of education for payment shall be itemized and shall include the

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

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

Operation hours of polls; members present.

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

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

At no time from the opening of the polls to the completion of the canvass shall there be less than a majority of the board present in the polling room or place, except that during a school election there shall always be at least one member of each district election board present or if more than two district board members are designated to serve at the polling place, at least two members present.

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

C.19:31-3.3 Digitalized images of signatures, use.

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

Polling records for each election shall be prepared by the commissioner of registration not later than the 14th day preceding the election. At each election, the delivery of the polling records to the municipal clerk and to the district boards or other elections officials charged with the same duties as the district board in connection with the conduct of an election, and the return of those records by the district boards or such other elections officials to the commissioner of registration, shall be made in the manner and in accordance with the schedule prescribed by law for the delivery and return at that election of the signature copy registers.

The commissioner of registration shall retain the polling records for any election for a period

of not less than six years following that election.
(cf: P.L.1995,c.278,s.20)

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

7. This act shall take effect immediately.

Approved February 29, 1996.