

# SENATE STATE GOVERNMENT COMMITTEE

## STATEMENT TO

### **SENATE, No. 511**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JANUARY 23, 1997

The Senate State Government Committee reports favorably and with committee amendments Senate Bill No. 511.

This bill would require that all of the members of a board of freeholders in certain counties be elected by districts. The bill would apply only to a county other than a county that adopted one of the optional plans provided for in P.L.1972, c.154 (C.40:41A-1 et seq.) whenever the county that has a population in excess of 450,000, according to the most recent federal decennial census, and contains a municipality the population of which, according to the most recent federal decennial census, comprises at least 30% percent of the total population of the county.

When a municipality comprises a significant proportion of a county's population, voters residing in the municipality in counties that hold elections at large can oftentimes control the results of the county-wide election. When all or a majority of the members of a board of freeholders recognize that a particular municipality controls election results, the needs of voters from other areas may go unrecognized or be ignored while the interests of the most populous area receive disproportionately favorable representation. By requiring freeholders to be elected by districts whenever the county contains a municipality which comprises at least 30% percent of the county population, composition of the membership of a board of freeholders will more accurately reflect the diverse interests of voters residing throughout the county.

Under the bill as amended, any county that is required to adopt a district representation system pursuant to section 1 of this bill shall be divided into districts by district commissioners in accordance with the procedures set forth in the "Optional County Charter Law" with the following modifications:

- 1) appointment of five district commissioners;
- 2) direction to divide the county into districts in proportion to the total number of freeholders chosen by county voters;
- 3) direction that each district is to be formed of compact and contiguous territory having clearly definable boundaries. The districts

created are to be as equal as possible in population and shall in no event be less than 95% or more than 105% of the total number of inhabitants of the county divided by the total number of districts. Unless necessary to meet the foregoing requirements, no municipality shall be divided among districts unless it contains more inhabitants than the districts being formed contain;

4) exemption from the "Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).

Districts established pursuant to this bill will remain in effect until new districts are established following the subsequent federal decennial census.

Currently, three counties, Atlantic, Hudson and Essex, elect some or all of their freeholders by district and eighteen counties elect their freeholders at large. Of those latter counties only Passaic would be affected by the provisions of this bill.

#### COMMITTEE AMENDMENTS

The committee amended the bill to provide that it shall apply only to a county other than a county that adopted one of the optional plans provided for in P.L.1972, c.154 (C.40:41A-1 et seq.) whenever the county has a population in excess of 450,000, according to the most recent federal decennial census, and contains a municipality the population of which, according to the most recent federal decennial census, comprises at least 30% of the total population of the county. Under the provisions of this bill as originally drafted, it applied only to Essex county. As amended by committee, the bill applies only to Passaic county.