

ASSEMBLY, NO 88

(Amends Chapter 1, Special Session, P. L. 1003.)

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1924.

By Mr. SENSMITH.

Referred to Committee on Education.

AN ACT to amend an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

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

1 1. Amend section thirty-two of the act to which this act is an amendment so as
2 to read as follows:

3 32. Each township, city, incorporated town and borough shall be a separate
4 school district, but each incorporated village shall remain and be a part of the school
5 district in which said incorporated village shall be situate at the time of its incorpo-
6 ration; *provided, however,* that from and after the passage of this act whenever a
7 municipality shall under authorization of a legislative enactment have been divided
8 into two or more smaller municipalities, such municipalities shall remain and consti-
9 tute but one school district until such time as at an election day called in manner
10 hereinafter provided it shall be determined by a majority vote of the inhabitants of
11 each municipality comprising the school district that one or more of such municipali-
12 ties shall separate and constitute separate school districts. The board of education
13 of the school district as aforesaid shall upon receipt of a resolution duly passed by
14 the governing body of any one of the municipalities thereby affected at once in ac-
15 cordance with the request contained in such resolution petition the county superin-
16 tendent to call such an election. The county superintendent shall upon receipt of said
17 petition appoint a day and hour for said election, shall designate a polling place in
18 each municipality comprising the school district and shall notify the board of educa-

19 tion of his action. The board of education upon receiving such notification shall
 20 cause its district clerk to post notices calling a special meeting of the legal voters of
 21 the district for the purpose of voting on the question of dividing the school district.
 22 Said meeting shall be called in the same manner as other special meetings are called
 23 and the notices thereof shall fix the polling places designated by the county superin-
 24 tendent as aforesaid. Such election shall be held on the day and at the places and
 25 hour designated by the county superintendent, shall be by ballot, and the chairman
 26 elected at each polling place shall appoint two tellers, who shall receive and count the
 27 ballots in the presence of the chairman of the meeting. The secretary of the meet-
 28 ing at each polling place shall keep a poll-list and shall record therein the names of
 29 each person voting at such meeting, and shall keep a tally-sheet of the votes as
 30 counted by the tellers. The tally-sheet shall be signed by the chairman and tellers and
 31 said tally-sheet, poll-list and ballots shall be placed in a sealed package by the secre-
 32 tary, endorsed with the name of the municipality, the name of the county in which
 33 said municipality shall be situate and the date on which said election shall have been
 34 held, and said package, together with a statement of the result of said election, signed
 35 by the chairman and secretary shall be within five days after the date of said election
 36 forwarded by said secretary to the county superintendent of schools, and the same
 37 shall be preserved by him for one year. If the county superintendent of schools shall
 38 ascertain from said statements received by him from each polling place that the
 39 number of votes in favor of separating the school district into two or more school
 40 districts and cast in each of said municipalities exceeds the number of votes cast
 41 against the same, he shall immediately notify the board of education of the result
 42 of said election, and thereafter said school district shall be divided into two or more
 43 school districts in accordance with the result of said election. There shall not be
 44 more than one such election at intervals of less than one year.

- 1 2. All acts or parts of acts inconsistent herewith be and the same hereby are re-
- 2 pealed
- 3 3. This act shall take effect immediately

STATEMENT.

This bill is for the purpose of preventing a school district from being divided upon the creation of two or more municipalities therein unless an affirmative vote of the inhabitants of each municipality upon such division is obtained.