

19:4-10 to 17

LEGISLATIVE HISTORY CHECKLIST

NJSA 19:4-10 to 19:4-17 (Election districts-uniformity-mapping)

Laws of 1976 Chapter 83

Bill No. S1203

Sponsor(s) Bateman & Musto

Date Introduced February 19, 1976

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate Judiciary

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks.

Date of passage: Assembly June 16, 1976

Senate May 17, 1976

Date of approval September 1, 1976

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

Cited in sponsors' statement: suggested "Precinct Boundary Mapping Act"

KF
165
C68

Council of State Governments. Committee on Suggested State Legislation.
Suggested state legislation. Vol.35, pp.116-117 (1976)

10/4/76

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SENATE, No. 1203

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 19, 1976

By Senators BATEMAN and MUSTO

Referred to Committee on Judiciary

AN ACT concerning elections and repealing R. S. 19:4-5, 19:4-6,
19:4-7, 19:4-8, 19:4-9 and 19:51-1.

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

1 1. As nearly as practicable, each election district shall be
2 composed of contiguous and compact areas having clearly definable
3 boundaries and shall be contained wholly within only one ward,
4 only one municipality, only one county freeholder district, only
5 one State legislative district, only one United States Congressional
6 district, and only one other district from which any public official
7 is elected. The election districts within each municipality shall
8 be numbered consecutively.

1 2. Subject to the provisions of law as to redistricting, each
2 election district in which only one voting machine or four electronic
3 system voting devices are used shall contain no more than 750
4 voters, except an election district in which there is located a public
5 or private institution where persons entitled to vote may reside,
6 and in such district the number of voters shall be as near to 750
7 as is practicable.

1 3. Each district in which two voting machines or five electronic
2 system voting devices are to be used shall contain, as nearly as
3 is practicable, 1,000 voters, and each district in which three voting
4 machines or eight electronic system voting devices are to be used
5 shall contain, as nearly as is practicable, 1,500 voters.

6 Nothing herein shall prevent any election district from contain-
7 ing a less number of voters than above, if necessary for the
8 convenience of the voters.

9 In a district where more than two voting machines or five elec-
10 tronic system voting devices are to be used, two additional members
11 of the district board, who shall be of opposite political parties,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

12 shall be appointed for each additional voting machine or system.

1 4. When in any two consecutive general elections in an election
2 district more than 750 or less than 250 votes shall have been cast,
3 the county board shall readjust the boundary lines of such election
4 district and other election districts necessary to effect changes
5 so that none of the election districts affected shall have more than
6 750 registered voters, and for this purpose shall have power to
7 consolidate any number of districts and subdivide the same.

1 5. Where it appears that serious inconveniences has been caused
2 the voters by the size or shape of an election district, or that certain
3 districts contain an unreasonably large or small number of voters
4 in comparison with other districts, or that a change is necessary
5 because of a change in ward lines, the county board may revise or
6 readjust the election districts in the municipality, without regard
7 to whether a readjustment is authorized by section 2 or 3 of this act.

1 6. a. No county board shall make division of an election district
2 in any year in the period commencing 75 days before the primary
3 election and the day of the general election.

4 b. To facilitate the use of Federal decennial census populations
5 for apportionment and redistricting purposes and notwithstanding
6 the provisions of this or any other law, no election districts shall,
7 except with the prior approval of the Secretary of State, be created,
8 abolished, divided or consolidated between January 1 of any year
9 whose last digit is ***[8]*** *7* and December 1 of any year whose last
10 digit is 0.

1 7. The county board shall cause to have prepared and shall
2 maintain an up-to-date suitable map of the county and of each
3 constituent municipality clearly delineating the geographical
4 boundaries of each election district contained therein and of the
5 ward, legislative, freeholder, Congressional or other district or
6 part thereof, in which each election district is contained. A word
7 description of such geographical boundaries shall be attached to
8 each such map.

9 The county board shall file copies of such maps and descriptions
10 in the following manner: three copies to the Secretary of State,
11 one copy to the county clerk, and one copy to the clerk of each
12 affected municipality. Within 30 days of any changes in the
13 boundaries of any of the aforementioned districts, the county board
14 shall file revised maps and accompanying revised descriptions in
15 the same manner.

16 Said maps and descriptions shall be public records and shall be
17 available for inspection by the public in the offices of the Secretary
18 of State, county clerks and municipal clerks during normal office
19 hours. Copies shall be made available to the public for a fee
20 necessary to cover the cost of reproduction.

21 In order to effectuate the purposes of this act, the Secretary of
22 State shall establish such rules and regulations governing the
23 preparation, maintenance, distribution and filing of said maps and
24 descriptions as he deems necessary or desirable.

1 8. The Secretary of State shall serve as the State liaison with
2 the Bureau of the Census, United States Department of Commerce,
3 on matters relating to the preparation of maps and the tabulation
4 of the population for election purposes.

1 9. R. S. 19:4-5, 19:4-6, 19:4-7, 19:4-8, 19:4-9 and 19:51-1 are
2 hereby repealed.

1 10. This act shall take effect January 1, 1977.

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STATEMENT

The various agencies of New Jersey responsible for establishing equal-population districts for the election of members of the United States House of Representatives, members of the State Senate and the State General Assembly, those members of county boards of chosen freeholders elected from districts and those members of municipal governing bodies elected from wards have not always found the United States Bureau of the Census maps and population statistics completely adequate for the timely resolution of their problems. The Apportionment Commission, for example, in the course of establishing the State legislative districts, found that: the Bureau of the Census maps were sometimes inadequate; the populations of various blocks were unavailable; the boundaries of the bureau's census tract and enumeration district were not always coterminous with election district boundaries, necessitating the splitting of election districts between two legislative districts; and the population statistics were not available soon enough to permit the commission to meet its constitutional timetable.

Other states have experienced similar difficulties and the 50 state legislatures, through their National Conference of State Legislatures, have worked cooperatively with the Bureau of the Census to improve census maps and population statistics. As a result, Public Law 94-171 was enacted by the Congress and the Council of State Governments prepared a suggested "Precinct Boundaries and Mapping Act." Both entail additional efforts by the bureau and the 50 states.

This bill, modeled after the Council's Suggested Legislation, would provide the basis for the State's participation in the plan for improving census maps and population statistics under P. L. 94-171. It provides, among other things, that our election districts shall be composed of contiguous and compact areas; that no election district shall be split among two or more districts from which Federal, State or local officials are elected; that the boundaries of the election districts shall not, except with the approval of the Secretary of State, be altered during the 2 years preceding the Federal decennial census; that the county boards of elections shall cause to have prepared adequate maps of their election districts; that such maps shall be filed with the Secretary of State; and that the Secretary of State shall serve as the State's liaison with the Bureau of the Census for matters relating to the preparation of maps and the tabulation of population for election purposes.

SENATE JUDICIARY COMMITTEE
STATEMENT TO
SENATE, No. 1203
with committee amendments

—◆—
STATE OF NEW JERSEY
—◆—

DATED: MAY 3, 1976

The various agencies of New Jersey responsible for establishing equal-population districts for the election of members of the United States House of Representatives, members of the State Senate and the State General Assembly, those members of county boards of chosen freeholders elected from districts and those members of municipal governing bodies elected from wards have not always found the United States Bureau of the Census maps and population statistics completely adequate for the timely resolution of their problems. The Apportionment Commission, for example, in the course of establishing the State legislative districts, found that: the Bureau of the Census maps were sometimes inadequate; the populations of various blocks were unavailable; the boundaries of the bureau's census tract and enumeration district were not always coterminous with election district boundaries, necessitating the splitting of election districts between two legislative districts; and the population statistics were not available soon enough to permit the commission to meet its constitutional timetable.

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The amendment was purely technical, and corrected an inadvertant error in the bill.

Precinct Boundaries and Mapping Act

This act establishes guidelines for defining election precinct boundaries, sets out deadlines for changing precinct boundaries prior to elections, requires maps of current precinct and district boundaries to be kept, requires notification of changes to the chief state election officer, and prescribes liaison duties of the chief state election officer with the federal Bureau of the Census.

This suggested act was drafted by the Reapportionment Committee of the National Conference of State Legislatures.

Suggested Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This act may be cited as the Precinct
2 Boundaries and Mapping Act.

1 Section 2. [*Guidelines for Precinct Boundaries.*]

2 (a) Each precinct as nearly as practicable shall be composed of
3 contiguous and compact areas having clearly definable boundaries and
4 wholly contained within any larger district.

5 (b) A precinct for general or primary election purposes shall not have
6 more than [600] [[votes cast [in person]] [registered voters] in that
7 precinct at the last preceding general election except as provided
8 in Section 3.

9 (c) Precincts for election purposes shall be designated consecutively
10 in the county by number.

Comment: This word "precinct" refers to the smallest administrative unit for the conduct of elections; in some States it may be called an election district. Section 2(b) should be included in States not having limitations on precinct size.

1 Section 3. [*Deadline for Changing Precinct Boundaries.*] No
2 precinct shall be created, divided, abolished, or consolidated or the
3 boundaries therein changed less than four months prior to each election
4 or between January 1 of any year whose last digit is 8 and December 1
5 of any year whose last digit is 0.

1 Section 4. [*Requirements for Maintaining Maps.*]

2 (a) Each [chief county and/or local election officer] shall provide
3 and maintain a suitable map showing the current geographical bounda-
4 ries with designation of each precinct, representative district, and senato-
5 rial district in the county. A word description of the geographical bound-
6 aries shall be attached to each map. Such map, with attached descrip-

7 tion, is a public record.

8 (b) Each [chief county and/or local election officer] shall send a copy
9 of each map with attached description to the [chief state election
10 officer]. These copies are also public records.

11 (c) The [chief county and/or local election officer] shall notify the
12 [chief state election officer] in writing of any changes in the designation
13 of polling places or reorganization of precincts and shall furnish a copy
14 of the map showing the current geographical boundaries, designation,
15 and word description of each new precinct.

1 Section 5. [*Duties of the [Chief State Election Officer].*] The [chief
2 state election officer] shall serve as the state liaison with the federal
3 Bureau of the Census and shall coordinate his activities with fed-
4 eral demographic activities to the fullest extent possible.

1 Section 6. [*Severability.*] [Insert severability clause.]

1 Section 7. [*Repeal.*] [Insert repealer clause.]

1 Section 8. [*Effective Date.*] [Insert effective date.]