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P.L. 2003, CHAPTER 102, *approved June 30, 2003*

Senate, No. 2357

1 **AN ACT** concerning limiting frequency of question on reclassification
2 of school district and amending various sections of statutory law.

3

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

6

7 1. N.J.S.18A:9-4 is amended to read as follows:

8 18A:9-4. The question of the acceptance of section 18A:9-2 of this
9 title, in any local school district governed by section 18A:9-3 of this
10 title, except a consolidated school district, or of the acceptance of
11 section 18A:9-3 of this title in any local school district governed by
12 section 18A:9-2 of this title, shall be submitted to the legal voters of
13 such district whenever the governing body of the municipality
14 constituting such district or the board of education of any type I
15 districts, shall by resolution so direct, or whenever a petition, signed
16 by not less than 15% of the number of legally qualified voters who
17 voted in such district at the last preceding general election held for the
18 election of all of the members of the general assembly, shall be filed
19 with the clerk of such municipality. No resolution may be adopted and
20 no petition may be filed for the submission of the question of
21 acceptance of N.J.S.18A:9-2 or N.J.S.18A:9-3, as the case may be,
22 within four years after an election shall have been held pursuant to any
23 resolution adopted, or petition filed, pursuant to this section or
24 N.J.S.18A:9-6.

25 (cf: N.J.S.18A:9-4)

26

27 2. N.J.S.18A:9-5 is amended to read as follows:

28 18A:9-5. The clerk of the municipality shall in either case cause
29 said question to be submitted at the next municipal or general election
30 which will be held in the municipality following the expiration of 35
31 days from the date of the adoption of the resolution or the filing of
32 the petition, whichever shall first occur, except that the clerk shall not
33 cause the question to be submitted if a similar question was submitted
34 at an election within the previous four years.

35 (cf: N.J.S.18A:9-5)

36

37 3. N.J.S.18A:9-6 is amended to read as follows:

38 18A:9-6. **[If]** Except as provided below, if the board of education
39 of a type II local school district shall so determine by resolution, or if
40 a petition is filed with the board requesting the submission of the
41 question to the voters, signed by 15% or more of the number of legally

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

Matter underlined thus is new matter.

1 qualified voters who voted in the district at the last preceding general
2 election held for the election of all of the members of the general
3 assembly, the question shall be submitted to the voters of the district
4 at the next annual school election of the district which will be held at
5 least 15 days after the adoption of the resolution or the filing of the
6 petition but if in the petition it is requested that the question be
7 submitted at a special school election and the first annual school
8 election to be held in the district after the petition is filed will be held
9 less than 20 days or more than 50 days thereafter, the board shall
10 forthwith call a special school election in the district, for the
11 submission of the question, to be held not more than 50 days after the
12 filing of the petition. No resolution may be adopted and no petition
13 may be filed for the submission of the question of acceptance of
14 N.J.S.18A:9-2 within four years after an election shall have been held
15 pursuant to any resolution adopted, or petition filed, pursuant to this
16 section or N.J.S.18A:9-4.
17 (cf: N.J.S.18A:9-6)

18

19 4. This act shall take effect immediately.

20

21

22

STATEMENT

23

24 This bill would prevent questions concerning the reclassification of
25 school districts from appointed to elected school boards, or vice versa,
26 from annually recurring on the ballot. Under this bill, the question
27 could be asked only once every five years, similar to the frequency that
28 a question on a municipal charter study commission may appear on the
29 ballot. Under current law a small group of voters may petition to have
30 the reclassification question put on the ballot every year, which
31 becomes a frivolous expense to the taxpayers.

32

33

34

35

36 Limits ballot question on reclassification of school district to once
37 every five years.

SENATE, No. 2357

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED MARCH 10, 2003

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

Assemblyman JOSEPH V. EGAN

District 17 (Middlesex and Somerset)

Assemblyman JOSEPH V. DORIA, JR.

District 31 (Hudson)

Co-Sponsored by:

Assemblyman Eagler

SYNOPSIS

Limits ballot question on reclassification of school district to once every five years.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2003)

1 AN ACT concerning limiting frequency of question on reclassification
2 of school district and amending various sections of statutory law.

3
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5 of New Jersey:

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7 1. N.J.S.18A:9-4 is amended to read as follows:

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9 title, in any local school district governed by section 18A:9-3 of this
10 title, except a consolidated school district, or of the acceptance of
11 section 18A:9-3 of this title in any local school district governed by
12 section 18A:9-2 of this title, shall be submitted to the legal voters of
13 such district whenever the governing body of the municipality
14 constituting such district or the board of education of any type I
15 districts, shall by resolution so direct, or whenever a petition, signed
16 by not less than 15% of the number of legally qualified voters who
17 voted in such district at the last preceding general election held for the
18 election of all of the members of the general assembly, shall be filed
19 with the clerk of such municipality. No resolution may be adopted and
20 no petition may be filed for the submission of the question of
21 acceptance of N.J.S.18A:9-2 or N.J.S.18A:9-3, as the case may be,
22 within four years after an election shall have been held pursuant to any
23 resolution adopted, or petition filed, pursuant to this section or
24 N.J.S.18A:9-6.

25 (cf: N.J.S.18A:9-4)

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27 2. N.J.S.18A:9-5 is amended to read as follows:

28 18A:9-5. The clerk of the municipality shall in either case cause
29 said question to be submitted at the next municipal or general election
30 which will be held in the municipality following the expiration of 35
31 days from the date of the adoption of the resolution or the filing of
32 the petition, whichever shall first occur, except that the clerk shall not
33 cause the question to be submitted if a similar question was submitted
34 at an election within the previous four years.

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40 a petition is filed with the board requesting the submission of the
41 question to the voters, signed by 15% or more of the number of legally
42 qualified voters who voted in the district at the last preceding general
43 election held for the election of all of the members of the general

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

Matter underlined thus is new matter.

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2 at the next annual school election of the district which will be held at
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5 submitted at a special school election and the first annual school
6 election to be held in the district after the petition is filed will be held
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14 section or N.J.S.18A:9-4.

15 (cf: N.J.S.18A:9-6)

16

17 4. This act shall take effect immediately.

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STATEMENT

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22 This bill would prevent questions concerning the reclassification of
23 school districts from appointed to elected school boards, or vice versa,
24 from annually recurring on the ballot. Under this bill, the question
25 could be asked only once every five years, similar to the frequency that
26 a question on a municipal charter study commission may appear on the
27 ballot. Under current law a small group of voters may petition to have
28 the reclassification question put on the ballot every year, which
29 becomes a frivolous expense to the taxpayers.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2357

STATE OF NEW JERSEY

DATED: JUNE 9, 2003

The Senate Education Committee reports favorably Senate Bill No. 2357.

This bill would prevent questions concerning the reclassification of school districts from appointed (Type I) to elected school boards (Type II), or vice versa, from annually recurring on the ballot. Under the bill, the question could be asked only once every five years, similar to the frequency that a question on a municipal charter study commission may appear on the ballot. Under current law a small group of voters may petition to have the reclassification question put on the ballot every year, which becomes a frivolous expense to the taxpayers.

ASSEMBLY, No. 2112

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED MARCH 18, 2002

Sponsored by:

Assemblyman JOSEPH V. EGAN

District 17 (Middlesex and Somerset)

Assemblyman JOSEPH V. DORIA, JR.

District 31 (Hudson)

Co-Sponsored by:

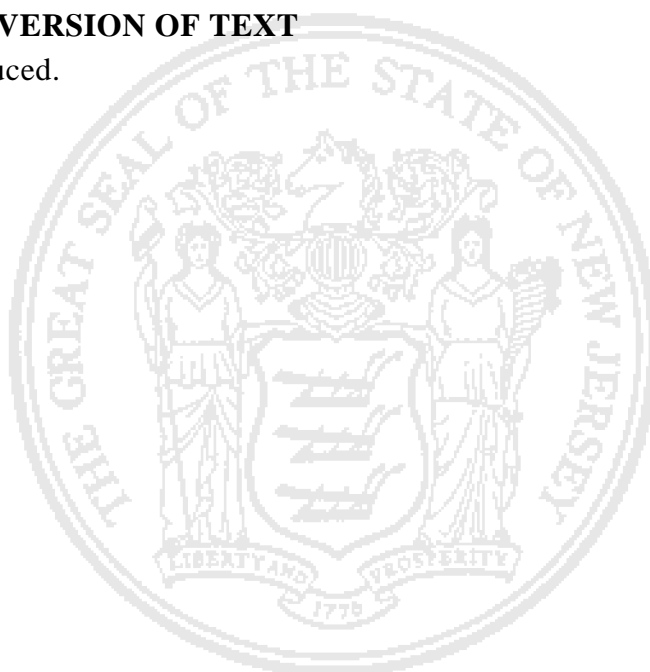
Assemblyman Eagler

SYNOPSIS

Limits ballot question on reclassification of school district to once every five years.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2003)

A2112 EGAN, DORIA

2

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13 such district whenever the governing body of the municipality
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16 by not less than 15% of the number of legally qualified voters who
17 voted in such district at the last preceding general election held for the
18 election of all of the members of the general assembly, shall be filed
19 with the clerk of such municipality. No resolution may be adopted and
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27 ballot. Under current law a small group of voters may petition to have
28 the reclassification question put on the ballot every year, which
29 becomes a frivolous expense to the taxpayers.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2112

STATE OF NEW JERSEY

DATED: JANUARY 16, 2003

The Assembly Education Committee favorably reports Assembly Bill No. 2112.

This bill provides that the question of the reclassification of a school district from one with an appointed board of education (Type I) to one with an elected board of education (Type II), or vice versa, could only be submitted to the voters of the municipality which comprises the district once every five years. This would be similar to the frequency that a question on a municipal charter study commission may currently appear on the ballot. Under current law there is no restriction on the frequency that the question of school district reclassification may appear on the ballot.