

19:60-3 et al

**LEGISLATIVE HISTORY CHECKLIST**  
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(School elections--polling places)

**NJSA:** 19:60-3 et al

**LAWS OF:** 1996 **CHAPTER:** 3

**BILL NO:** S874

**SPONSOR(S):** Ciesla and Bennett

**DATE INTRODUCED:** February 22, 1996

**COMMITTEE:** **ASSEMBLY:** ---  
**SENATE:** ---

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** February 26, 1996  
**SENATE:** February 29, 1996

**DATE OF APPROVAL:** February 29, 1996

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** No

**COMMITTEE STATEMENT:** **ASSEMBLY:** No  
**SENATE:** No

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** Yes

Mention made in:  
974.90 New Jersey. Legislature. Education Committee.  
E24 Public hearing, held 3-8-96. Trenton, 1996.  
1996a [see pp.5-6, 29, 48+]

KBP:pp

P.L. 1996, CHAPTER 3, *approved February 29, 1996*

Senate No. 874

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

3

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

6

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

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

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

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

37 (2) If one polling place is designated for two or more election  
38 districts, the county board shall designate at least two members from  
39 among the members of the district boards of election of those election  
40 districts to perform all the duties of the district board for the school  
41 election. The county board shall also appoint one of the persons so

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

Matter underlined thus is new matter.

1 designated to serve as judge and another of those persons to serve as  
2 inspector for school elections.

3 (cf: P.L.1995,c.278,s.3)

4

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

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

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

23 (cf: P.L.1995,c.278,s.11)

24

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

27 12. All costs, charges and expenses, including the compensation of  
28 the members of the district boards and the compensation and expenses  
29 of the county board of elections , the county superintendent of  
30 elections [and], the clerk of the county, and the municipal clerks for  
31 any school election shall be paid by the board of education of the  
32 school district. All costs, charges and expenses submitted to the board  
33 of education for payment shall be itemized and shall include the  
34 separate identification of costs to prepare, print and distribute sample  
35 ballots. Amounts expended by a county or a municipality in the  
36 conduct of school elections for which the board of education shall  
37 make payment shall be considered mandated expenditures exempt from  
38 the limitations on the county tax levy and from the limitations on final  
39 municipal appropriations imposed pursuant to P.L.1976, c.68  
40 (C.40A:4-45.1 et seq.), and any costs to the board of education which  
41 exceed the amount of the costs to that board for the annual school  
42 election immediately preceding the enactment of P.L.1995, c.278  
43 (C.19:60-1 et seq.) shall not be included for the purpose of calculating  
44 a school district's maximum permissible net budget pursuant to section  
45 85 of P.L.1990, c.52 (C.18A:7D-28).

46 (cf: P.L.1995,c.278,s.12)

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

3 19:15-2. The district boards shall open the polls for such election  
4 at seven o'clock in the morning and close them at eight o'clock in the  
5 evening, and shall keep them open during the whole day of election  
6 between these hours; except that for a school election the polls shall  
7 be open between the hours of five and nine P.M. and during any  
8 additional time which the school board may designate between the  
9 hours of seven A.M. and nine P.M.

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

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

20 (cf: P.L.1995,c.278,s.18)

21

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

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

1 political party, if any, of which the registrant is a member for the  
2 purpose of voting at that primary election.

3 Polling records for each election shall be prepared by the  
4 commissioner of registration not later than the 14th day preceding the  
5 election. At each election, the delivery of the polling records to the  
6 municipal clerk [or secretary of the board of education in a Type II  
7 school district, as appropriate,] and to the district boards or other  
8 elections officials charged with the same duties as the district board in  
9 connection with the conduct of an election, and the return of those  
10 records by the district boards or such other elections officials to the  
11 commissioner of registration, shall be made in the manner and in  
12 accordance with the schedule prescribed by law for the delivery and  
13 return at that election of the signature copy registers.

14 The commissioner of registration shall retain the polling records for  
15 any election for a period of not less than six years following that  
16 election.

17 (cf: P.L.1995,c.278,s.20)

18

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

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29 7. This act shall take effect immediately.

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#### STATEMENT

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34 This bill provides that upon the request of a board of education or  
35 the clerk of a municipality in a county or upon its own initiative, the  
36 county board of elections may designate the polling place and voting  
37 equipment of one election district to serve as the polling place and  
38 voting equipment for the voters of one or more other election districts  
39 for school elections. Such a designation shall be based on the casting  
40 of no more than 500 ballots during each of the two preceding annual  
41 school elections by the voters of the election districts for which that  
42 polling place is designated. If, at two consecutive annual school  
43 elections thereafter, the number of ballots cast by the voters in those  
44 election districts is more than 500, the county board shall effect an  
45 appropriate revision of the election districts using that polling place.  
46 If a request is from a municipal clerk, the request shall apply only to

1 the election districts in that municipality.

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

9 The bill also provides that any expenditures by county officials and  
10 municipal clerks in connection with school elections for which the  
11 board of education is responsible for payment shall be exempt from the  
12 local government cap law, and any costs to the boards of education  
13 which exceed the amount of the costs for the last annual school  
14 election under Title 18A shall be exempt from the school cap law.

15 The bill amends existing law to require only one board member to  
16 be present at all times if only two board members are serving at a  
17 school election.

18 The bill further provides that after the first annual school election  
19 conducted pursuant to P.L.1995, c.278 (C.19:60-1 et seq.), the  
20 Secretary of State shall conduct a survey of each school district to  
21 compare the costs of conducting the school election pursuant to that  
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24 examination of the same items with respect to each such election. The  
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26 the Legislature no later than October 1, 1996.

27 Finally, a technical correction is made in existing law to reflect the  
28 fact that polling records are no longer delivered to the secretary of the  
29 board of education.

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35 Permits designation of one polling place and voting equipment thereat  
to serve two or more election districts in school elections.

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## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

**CONTACT:** Jayne Rebovich  
(609) 777-2600

**TRENTON, NJ 08625**

**RELEASE:** Feb. 29, 1996

Gov. Christie Whitman today signed legislation allowing county boards of election to consolidate polling places in school elections.

Legislation enacted last year requires the same number of polling places in school elections as is required in general elections. Some school districts might find the increased number of polling places to be unnecessary. This bill allows county boards of elections to consolidate the polling places to address this concern. Voters will continue to receive sample ballots advising them where to vote.

**S-874/ACS for A-180** was sponsored by Senators Andrew Ciesla (R-Monmouth/Ocean) and Bennett (R-Monmouth) and Assemblymen David Wolfe (R-Monmouth/Ocean), John Rocco (R-Camden), Assemblywomen Marion Crecco (R-Essex/Passaic), Barbara Wright (R-Mercer/Middlesex), Martha Bark (R-Hudson) and Assemblyman Craig Stanley (D-Essex).