

ASSEMBLY, No. 1334

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

SYNOPSIS

Establishes procedures for districts to opt to move the annual school election to November and eliminates vote on school budgets for such districts, except for separate proposals to spend above cap.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 **AN ACT** concerning the operation of school districts, revising
2 various parts of the statutory law, and supplementing chapter 7F
3 of Title 18A of the New Jersey Statutes and chapter 60 of Title
4 19 of the Revised Statutes.

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

8
9 1. (New section) a. (1) The question of moving the date of a
10 school district's annual school election to the first Tuesday after the
11 first Monday in November, to be held simultaneously with the
12 general election, shall be submitted to the legal voters of the district
13 whenever the board of education of a Type II district without a
14 board of school estimate or the governing body of the municipality
15 constituting the district, shall by resolution so direct, or whenever a
16 petition signed by not less than 15% of the legally qualified voters
17 who voted in the district at the last preceding general election held
18 for the election of all of the members of the General Assembly is
19 filed with the board of education. The question shall be submitted
20 to the voters of the district at the next annual school election,
21 special school election, or general election as determined by the
22 board of education, provided that at least 60 days have lapsed since
23 the date of the adoption of the resolution or the filing of the
24 petition. In the event that the question is not approved by the
25 voters, no resolution may be adopted and no petition may be filed to
26 submit the question to the voters within one year after an election
27 shall have been held pursuant to any resolution adopted or petition
28 filed pursuant to this subsection.

29 The date of the annual school election may be moved to the first
30 Tuesday after the first Monday in November without voter
31 approval, upon the adoption of a resolution by the board of
32 education of a Type II school district without a board of school
33 estimate or the governing body of the municipality constituting the
34 district.

35 (2) In the event that the date of a school district's annual school
36 election is moved to the day of the general election, the annual
37 school election in November shall be held for the purpose of
38 submitting a proposal to the voters for approval of additional funds
39 pursuant to paragraph (9) of subsection d. of section 5 of P.L.1996,
40 c.138 (C.18A:7F-5), for the purpose of electing members of the
41 board of education, and for any other purpose authorized by law. A
42 vote shall not be required on the district's general fund tax levy for
43 the budget year, other than the general fund tax levy required to
44 support a proposal for additional funds.

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 (3) In the case of local school districts which are constituent
2 districts of a limited purpose regional school district, each of those
3 local school districts shall approve moving the date of the election
4 to November, by any of the procedures established pursuant to this
5 subsection, for any of those local school districts to move the date
6 of the annual school election to the day of the general election. In
7 the event that all the constituent districts approve moving the date
8 of the election, then the date of the annual school election for the
9 limited purpose regional school district shall also be conducted
10 simultaneously with the general election.

11 (4) In the event that the date of a school district's annual school
12 election is moved to the day of the general election pursuant to this
13 subsection, the board of education and the county board of elections
14 shall enter into an agreement, pursuant to guidelines established by
15 the Secretary of State, under which the board of education shall pay
16 any agreed upon increase in the costs, charges, and expenses that
17 may be associated with holding the school election simultaneously
18 with the general election.

19 b. (1) In the case of a school district that has moved the date of
20 its annual school election to November pursuant to subsection a. of
21 this section, the question of moving the date of the school district's
22 annual school election to the third Tuesday in April shall be
23 submitted to the legal voters of the district whenever the board of
24 education or the governing body of the municipality constituting the
25 district, shall by resolution so direct, or whenever a petition signed
26 by not less than 15% of the legally qualified voters who voted in the
27 district at the last preceding general election held for the election of
28 all of the members of the General Assembly is filed with the board
29 of education. The question shall be submitted to the voters of the
30 district at the next annual school election, special school election, or
31 general election as determined by the board of education, provided
32 that at least 60 days have lapsed since the date of the adoption of
33 the resolution or the filing of the petition.

34 The date of the annual school election may be moved to the third
35 Tuesday in April without voter approval, upon the adoption of a
36 resolution by the board of education of a Type II school district
37 without a board of school estimate or the governing body of the
38 municipality constituting the district.

39 No resolution may be adopted and no petition may be filed
40 pursuant to this subsection until at least four annual school elections
41 have been held in November.

42 (2) In the event that the date of the annual school election is
43 moved to the third Tuesday in April, a vote shall be held on the
44 district's general fund tax levy for the budget year including any
45 proposal for additional funds pursuant to paragraph (9) of
46 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), the

1 election of members of the board of education, and for any other
2 purpose authorized by law.

3 (3) In the case of local school districts which are constituent
4 districts of a limited purpose regional school district, each of those
5 local school districts shall approve moving the date of the election
6 to April, by any of the procedures established pursuant to this
7 subsection, for any of those local school districts to move the date
8 of the annual school election to the third Tuesday in April. In the
9 event that all the constituent districts approve moving the date of
10 the election, then the date of the annual school election for the
11 limited purpose regional school district shall also be conducted on
12 the third Tuesday in April.

13
14 2. Section 5 of P.L.1996, c.138 (C.18A:7F-5) is amended to
15 read as follows:

16 5. As used in this section, "cost of living" means the CPI as
17 defined in section 3 of P.L.2007, c.260 (C.18A:7F-45).

18 a. Within 30 days following the approval of the Educational
19 Adequacy Report, the commissioner shall notify each district of the
20 base per pupil amount, the per pupil amounts for full-day preschool,
21 the weights for grade level, county vocational school districts, at-
22 risk pupils, bilingual pupils, and combination pupils, the cost
23 coefficients for security aid and for transportation aid, the State
24 average classification rate and the excess cost for general special
25 education services pupils, the State average classification rate and
26 the excess cost for speech-only pupils, and the geographic cost
27 adjustment for each of the school years to which the report is
28 applicable.

29 Annually, within two days following the transmittal of the State
30 budget message to the Legislature by the Governor pursuant to
31 section 11 of P.L.1944, c.112 (C.52:27B-20), the commissioner
32 shall notify each district of the maximum amount of aid payable to
33 the district in the succeeding school year pursuant to the provisions
34 of P.L.2007, c.260 (C.18A:7F-43 et al.), and shall notify each
35 district of the district's adequacy budget for the succeeding school
36 year.

37 For the 2008-2009 school year and thereafter, unless otherwise
38 specified within P.L.2007, c.260 (C.18A:7F-43 et al.), aid amounts
39 payable for the budget year shall be based on budget year pupil
40 counts, which shall be projected by the commissioner using data
41 from prior years. Adjustments for the actual pupil counts of the
42 budget year shall be made to State aid amounts payable during the
43 school year succeeding the budget year. Additional amounts
44 payable shall be reflected as revenue and an account receivable for
45 the budget year.

46 Notwithstanding any other provision of this act to the contrary,
47 each district's State aid payable for the 2008-2009 school year, with

1 the exception of aid for school facilities projects, shall be based on
2 simulations employing the various formulas and State aid amounts
3 contained in P.L.2007, c.260 (C.18A:7F-43 et al.). The
4 commissioner shall prepare a report dated December 12, 2007
5 reflecting the State aid amounts payable by category for each
6 district and shall submit the report to the Legislature prior to the
7 adoption of P.L.2007, c.260 (C.18A:7F-43 et al.). Except as
8 otherwise provided pursuant to this subsection and paragraph (3) of
9 subsection d. of section 5 of P.L.2007, c.260 (C.18A:7F-47), the
10 amounts contained in the commissioner's report shall be the final
11 amounts payable and shall not be subsequently adjusted other than
12 to reflect the phase-in of the required general fund local levy
13 pursuant to paragraph (4) of subsection b. of section 16 of
14 P.L.2007, c.260 (C.18A:7F-58) and to reflect school choice aid to
15 which a district may be entitled pursuant to section 20 of that act.
16 The projected pupil counts and equalized valuations used for the
17 calculation of State aid shall also be used for the calculation of
18 adequacy budget, local share, and required local share. For 2008-
19 2009, extraordinary special education State aid shall be included as
20 a projected amount in the commissioner's report dated December
21 12, 2007 pending the final approval of applications for the aid. If
22 the actual award of extraordinary special education State aid is
23 greater than the projected amount, the district shall receive the
24 increase in the aid payable in the subsequent school year pursuant
25 to the provisions of subsection c. of section 13 of P.L.2007, c.260
26 (C.18A:7F-55). If the actual award of extraordinary special
27 education State aid is less than the projected amount, other State aid
28 categories shall be adjusted accordingly so that the district shall not
29 receive less State aid than as provided in accordance with the
30 provisions of sections 5 and 16 of P.L.2007, c.260 (C.18A:7F-47
31 and C.18A:7F-58).

32 In the event that the commissioner determines, following the
33 enactment of P.L.2007, c.260 (C.18A:7F-43 et al.) but prior to the
34 issuance of State aid notices for the 2008-2009 school year, that a
35 significant district-specific change in data warrants an increase in
36 State aid for that district, the commissioner may adjust the State aid
37 amount provided for the district in the December 12, 2007 report to
38 reflect the increase.

39 b. Each district shall have a required local share. For districts
40 that receive educational adequacy aid pursuant to subsection b. of
41 section 16 of P.L.2007, c.260 (C.18A:7F-58), the required local
42 share shall be calculated in accordance with the provisions of that
43 subsection.

44 For all other districts, the required local share shall equal the
45 lesser of the local share calculated at the district's adequacy budget
46 pursuant to section 9 of P.L.2007, c.260 (C.18A:7F-51), or the
47 district's budgeted local share for the prebudget year.

1 In order to meet this requirement, each district shall raise a
2 general fund tax levy which equals its required local share.

3 No municipal governing body or bodies or board of school
4 estimate, as appropriate, shall certify a general fund tax levy which
5 does not meet the required local share provisions of this section.

6 c. Annually, on or before March 4, each district board of
7 education shall adopt, and submit to the commissioner for approval,
8 together with such supporting documentation as the commissioner
9 may prescribe, a budget that provides for a thorough and efficient
10 education. Notwithstanding the provisions of this subsection to the
11 contrary, the commissioner may adjust the date for the submission
12 of district budgets if the commissioner determines that the
13 availability of preliminary aid numbers for the subsequent school
14 year warrants such adjustment.

15 Notwithstanding any provision of this section to the contrary, for
16 the 2005-2006 school year each district board of education shall
17 submit a proposed budget in which the advertised per pupil
18 administrative costs do not exceed the lower of the following:

19 (1) the district's advertised per pupil administrative costs for the
20 2004-2005 school year inflated by the cost of living or 2.5 percent,
21 whichever is greater; or

22 (2) the per pupil administrative cost limits for the district's
23 region as determined by the commissioner based on audited
24 expenditures for the 2003-2004 school year.

25 The executive county superintendent of schools may disapprove
26 the school district's 2005-2006 proposed budget if he determines
27 that the district has not implemented all potential efficiencies in the
28 administrative operations of the district. The executive county
29 superintendent shall work with each school district in the county
30 during the 2004-2005 school year to identify administrative
31 inefficiencies in the operations of the district that might cause the
32 superintendent to reject the district's proposed 2005-2006 school
33 year budget.

34 For the 2006-2007 school year and each school year thereafter,
35 each district board of education shall submit a proposed budget in
36 which the advertised per pupil administrative costs do not exceed
37 the lower of the following:

38 (1) the district's prior year per pupil administrative costs; except
39 that the district may submit a request to the commissioner for
40 approval to exceed the district's prior year per pupil administrative
41 costs due to increases in enrollment, administrative positions
42 necessary as a result of mandated programs, administrative
43 vacancies, nondiscretionary fixed costs, and such other items as
44 defined in accordance with regulations adopted pursuant to section
45 7 of P.L.2004, c.73. In the event that the commissioner approves a
46 district's request to exceed its prior year per pupil administrative

1 costs, the increase authorized by the commissioner shall not exceed
2 the cost of living or 2.5 percent, whichever is greater; or

3 (2) the prior year per pupil administrative cost limits for the
4 district's region inflated by the cost of living or 2.5 percent,
5 whichever is greater.

6 d. (1) A [district shall submit, as appropriate, to the board of
7 school estimate or to the voters of the district at the annual school
8 budget election conducted pursuant to the provisions of P.L.1995,
9 c.278 (C.19:60-1 et al.), a] district's general fund tax levy [which
10 does] shall not exceed the district's adjusted tax levy as calculated
11 pursuant to sections 3 and 4 of P.L.2007, c.62 (C.18A:7F-38 and
12 18A:7F-39).

13 (2) (Deleted by amendment, P.L.2007, c.260).

14 (3) (Deleted by amendment, P.L.2007, c.260).

15 (4) Any debt service payment made by a school district during
16 the budget year shall not be included in the calculation of the
17 district's adjusted tax levy.

18 (5) (Deleted by amendment, P.L.2007, c.260).

19 (6) (Deleted by amendment, P.L.2007, c.260).

20 (7) (Deleted by amendment, P.L.2004, c.73).

21 (8) (Deleted by amendment, P.L.2010, c.44)

22 (9) Any district may submit at the annual school budget
23 election, in accordance with subsection c. of section 4 of P.L.2007,
24 c.62 (C.18A:7F-39), a separate proposal or proposals for additional
25 funds, including interpretive statements, specifically identifying the
26 program purposes for which the proposed funds shall be used, to the
27 voters, who may, by voter approval, authorize the raising of an
28 additional general fund tax levy for such purposes. In the case of a
29 district with a board of school estimate, one proposal for the
30 additional spending shall be submitted to the board of school
31 estimate. Any proposal or proposals submitted to the voters or the
32 board of school estimate shall not: include any programs and
33 services that were included in the district's prebudget year net
34 budget unless the proposal is approved by the commissioner upon
35 submission by the district of sufficient reason for an exemption to
36 this requirement; or include any new programs and services
37 necessary for students to achieve the thoroughness standards
38 established pursuant to subsection a. of section 4 of P.L.2007, c.260
39 (C.18A:7F-46).

40 The executive county superintendent of schools may prohibit the
41 submission of a separate proposal or proposals to the voters or
42 board of school estimate if he determines that the district has not
43 implemented all potential efficiencies in the administrative
44 operations of the district, which efficiencies would eliminate the
45 need for the raising of an additional general fund tax levy.

46 (10) Notwithstanding any provision of law to the contrary, if a
47 district proposes a budget with a general fund tax levy and

1 equalization aid which exceed the adequacy budget, the following
2 statement shall be published in the legal notice of public hearing on
3 the budget pursuant to N.J.S.18A:22-28, posted at the public
4 hearing held on the budget pursuant to N.J.S.18A:22-29, and
5 printed on the sample ballot required pursuant to section 10 of
6 P.L.1995, c.278 (C.19:60-10):

7 "Your school district has proposed programs and services in
8 addition to the core curriculum content standards adopted by the
9 State Board of Education. Information on this budget and the
10 programs and services it provides is available from your local
11 school district."

12 (11) Any reduction that may be required to be made to programs
13 and services included in a district's prebudget year net budget in
14 order for the district to limit the growth in its budget between the
15 prebudget and budget years by its tax levy growth limitation as
16 calculated pursuant to sections 3 and 4 of P.L.2007, c.62
17 (C.18A:7F-38 and 18A:7F-39), shall only include reductions to
18 excessive administration or programs and services that are
19 inefficient or ineffective.

20 e. (1) Any general fund tax levy rejected by the voters for a
21 proposed budget that includes a general fund tax levy and
22 equalization aid in excess of the adequacy budget shall be submitted
23 to the governing body of each of the municipalities included within
24 the district for determination of the amount that should be expended
25 notwithstanding voter rejection. In the case of a district having a
26 board of school estimate, the general fund tax levy shall be
27 submitted to the board for determination of the amount that should
28 be expended. If the governing body or bodies or board of school
29 estimate, as appropriate, reduce the district's proposed budget, the
30 district may appeal any of the reductions to the commissioner on the
31 grounds that the reductions will negatively impact on the stability of
32 the district given the need for long term planning and budgeting. In
33 considering the appeal, the commissioner shall consider enrollment
34 increases or decreases within the district; the history of voter
35 approval or rejection of district budgets; the impact on the local
36 levy; and whether the reductions will impact on the ability of the
37 district to fulfill its contractual obligations. A district may not
38 appeal any reductions on the grounds that the amount is necessary
39 for a thorough and efficient education.

40 (2) Any general fund tax levy rejected by the voters for a
41 proposed budget that includes a general fund tax levy and
42 equalization aid at or below the adequacy budget shall be submitted
43 to the governing body of each of the municipalities included within
44 the district for determination of the amount that should be expended
45 notwithstanding voter rejection. In the case of a district having a
46 board of school estimate, the general fund tax levy shall be
47 submitted to the board for determination. Any reductions may be

1 appealed to the commissioner on the grounds that the amount is
2 necessary for a thorough and efficient education or that the
3 reductions will negatively impact on the stability of the district
4 given the need for long term planning and budgeting. In
5 considering the appeal, the commissioner shall also consider the
6 factors outlined in paragraph (1) of this subsection.

7 In addition, the municipal governing body or board of school
8 estimate shall be required to demonstrate clearly to the
9 commissioner that the proposed budget reductions shall not
10 adversely affect the ability of the school district to provide a
11 thorough and efficient education or the stability of the district given
12 the need for long term planning and budgeting.

13 (3) In lieu of any budget reduction appeal provided for pursuant
14 to paragraphs (1) and (2) of this subsection, the State board may
15 establish pursuant to the "Administrative Procedure Act," P.L.1968,
16 c.410 (C.52:14B-1 et seq.), an expedited budget review process
17 based on a district's application to the commissioner for an order to
18 restore a budget reduction.

19 (4) When the voters, municipal governing body or bodies, board
20 of education in the case of a school district in which the annual
21 school election has been moved to November pursuant to subsection
22 a. of section 1 of P.L. , c. (C.) (pending before the
23 Legislature as this bill), or the board of school estimate authorize
24 the general fund tax levy, the district shall submit the resulting
25 budget to the commissioner within 15 days of the [action of the
26 voters or municipal governing body or bodies, whichever is later, or
27 of the board of school estimate as the case may be] authorization.

28 f. (Deleted by amendment, P.L.2007, c.260).

29 g. (Deleted by amendment, P.L.2007, c.260).

30 (cf: P.L.2010, c.44, s.2)

31
32 3. Section 4 of P.L.2007, c.62 (C.18A:7F-39) is amended to
33 read as follows:

34 a. (Deleted by amendment, P.L.2010, c.44)

35 b. (Deleted by amendment, P.L.2010, c.44)

36 c. A school district may submit to the voters at the [April]
37 annual school election, or on such other date as is set by regulation
38 of the commissioner, a proposal or proposals to increase the
39 adjusted tax levy by more than the allowable amount authorized
40 pursuant to section 3 of P.L.2007, c.62 (C.18A:7F-38). The
41 proposal or proposals to increase the adjusted tax levy shall be
42 approved if a majority of people voting shall vote in the affirmative.
43 In the case of a school district with a board of school estimate, the
44 additional adjusted tax levy shall be authorized only if a quorum is
45 present for the vote and a majority of those board members who are
46 present vote in the affirmative to authorize the additional adjusted
47 tax levy.

1 (1) A proposal or proposals submitted to the voters or the board
2 of school estimate to increase the tax levy pursuant to this
3 subsection shall not include any programs or services necessary for
4 students to achieve the core curriculum content standards.

5 (2) All proposals to increase the tax levy submitted pursuant to
6 this subsection shall include interpretive statements specifically
7 identifying the program purposes for which the proposed funds
8 shall be used and a clear statement on whether approval will affect
9 only the current year or result in a permanent increase in the levy.
10 The proposals shall be submitted and approved pursuant to sections
11 5 and 6 of P.L.1996, c.138 (C.18A:7F-5 and 18A:7F-6).

12 d. (Deleted by amendment, P.L.2010, c.44)

13 e. A school district that has not been granted approval to
14 exceed the cap pursuant to subsection c. of this section, may add to
15 its adjusted tax levy in any one of the next three succeeding budget
16 years, the amount of the difference between the maximum
17 allowable amount to be raised by taxation for the current school
18 budget year and the actual amount to be raised by taxation for the
19 current school budget year.

20 (cf: P.L.2010, c.44, s.5)

21
22 4. N.J.S.18A:8-20 is amended to read as follows:

23 18A:8-20. The first board of education of the new district and
24 the first board of education of the remaining district shall each
25 prepare and submit, if applicable, to the voters of the district, as
26 required by law, the first budgets for said district and they shall
27 make proper provision for an election to be conducted, in
28 accordance with the provisions of P.L.1995, c.278 (C.19:60-1 et
29 al.), for the members of the board of education of the district to
30 replace the appointed members of the board, for such terms that
31 three members of the board of the district, as thereafter constituted,
32 will be elected each year, at an annual election to be held in the
33 district at the same time as that on which the next annual election
34 for the original district would have been held.

35 (cf: P.L.1995, c.278, s.26)

36
37 5. N.J.S.18A:8-36 is amended to read as follows:

38 18A:8-36. At **【all elections】** any election in which an
39 appropriation must be authorized 【by】, a majority of the total votes
40 cast thereon in all of the territory of the consolidated school district
41 shall be necessary for the authorization.

42 (cf: P.L.1995, c.278, s.27)

43
44 6. N.J.S.18A:9-10 is amended to read as follows:

45 18A:9-10. If the membership of the board in any such district so
46 becoming a type II district is less than nine, it shall be increased to
47 nine by the election of added members at the next annual school

1 election, unless the adopting election shall have been held more
2 than 130 days or less than 60 days before the date fixed for such
3 annual school election, in which case they shall be elected at a
4 special school election which shall be called by the members of the
5 board so holding over[, if the adopting election was held more than
6 130 days before the annual school election, then not less than 60 or
7 more than 70 days after the adopting election, or if the adopting
8 election was held less than 60 days before the annual school
9 election, then not less than 60 or more than 70 days after such
10 annual school election, excluding in each instance from the
11 calculation of the period which will elapse between such 60 and 70
12 days any period which would elapse between the twenty-first day
13 before and the twenty-first day after any day fixed according to law
14 for the holding of any primary election for the general election or
15 general election or municipal election held within the district].

16 (cf: P.L.1995, c.278, s.28)

17
18 7. N.J.S.18A:10-3 is amended to read as follows:

19 18A:10-3. Each board of education shall organize annually at a
20 regular meeting held not later than at 8 p.m. at which time new
21 members shall take office:

22 a. In type I districts on May 16, or on the following day if that
23 day be Sunday;

24 b. In all type II districts with an April school election on any
25 day of the first or second week following the [annual] April school
26 election.

27 c. In all type II districts with a November school election on
28 any day of the first week in January at which time new members
29 shall take office.

30 If the organization meeting cannot take place on that day by
31 reason of lack of a quorum or for any other reason, said meeting
32 shall be held within three days thereafter.

33 (cf: P.L.1987, c. 289, s. 2)

34
35 8. N.J.S.18A:13-8 is amended to read as follows:

36 18A:13-8. The board of education of a regional district shall
37 consist of nine members unless it consists of more than nine
38 constituent districts, in which case the membership shall be the
39 same as the number of constituent districts, plus one. If there are
40 nine or less constituent districts, the members of the board of
41 education of the regional district shall be apportioned by the
42 executive county superintendent or executive county
43 superintendents of the county or counties in which the constituent
44 districts are situate, among said districts as nearly as may be
45 according to the number of their inhabitants except that each
46 constituent district shall have at least one member.

1 In making the apportionment of the membership of a regional
2 board of education among the several school districts uniting to
3 create a regional school district having nine or less constituent
4 districts, as required by section 18A:13-36, there shall be subtracted
5 from the number of inhabitants of a constituent school district, as
6 shown by the last federal census officially promulgated in this
7 State, the number of such inhabitants who according to the records
8 of the Federal Bureau of the Census were patients in, or inmates of,
9 any State or federal hospital or prison, or who are military
10 personnel stationed at, or civilians residing within the limits of, any
11 United States Army, Navy or Air Force installation, located in such
12 constituent school district.

13 If there are more than nine constituent districts, the members on
14 the board shall be apportioned among the constituent districts and
15 the weight of their votes in all proceedings of the board shall be
16 determined by the appropriate executive county superintendent or
17 superintendents through the following procedure:

18 a. The number of inhabitants of each constituent district shall
19 be determined as shown by the last federal census officially
20 promulgated in this State.

21 b. A representative ratio shall be calculated by adding the
22 number of inhabitants of all constituent districts and dividing the
23 sum by the board size.

24 c. All constituent districts shall be listed in ascending order of
25 their number of inhabitants. If the first constituent district in said
26 list has a number of inhabitants which is less than the representative
27 ratio, it shall be combined with the constituent district contiguous to
28 it having the smallest number of inhabitants. This process shall be
29 repeated for each successively larger constituent district or
30 combination of constituent districts until all remaining constituent
31 districts or combinations of constituent districts shall have a number
32 of inhabitants equal to, or exceeding the representative ratio. The
33 districts formed in this manner shall be known as representative
34 districts.

35 d. There shall be established a priority list according to the
36 method of equal proportions for the apportionment of the members
37 of the regional district board of education among the representative
38 districts.

39 e. The members of the regional district board of education shall
40 be apportioned among the representative districts according to the
41 method of equal proportions, and where a representative district is
42 composed of more than one constituent district, members shall be
43 elected at large from within the representative district.

44 f. The number of inhabitants of each representative district
45 shall be divided by the number of members assigned to that district
46 to find the number of inhabitants per members.

1 g. The vote to be cast by each member of the regional district
2 board of education in all proceedings of the board shall be
3 determined by dividing the number of inhabitants per member in the
4 representative district from which the member is elected by the
5 representative ratio for the regional district, and rounding off the
6 quotient to the nearest tenth of a full vote.

7 Wherever any statute or bylaw of the board requires decision in
8 any matter by vote of a majority of the board members, or of the
9 members present, this shall be interpreted as meaning a majority of
10 the weighted votes of all members, or of the members present, as
11 the case may be.

12 h. Whenever the above reapportionment procedure is used for a
13 regional district having more than nine constituent districts, the
14 terms of office of all incumbent board of education members shall
15 terminate on the day on which the annual organization meeting of
16 the board is held pursuant to N.J.S.18A:13-12 following
17 certification by the executive county superintendent of the
18 representative districts and the number of members to be elected
19 from each; provided, that if the reapportionment results in any
20 representative district retaining its former boundaries and the same
21 number of board members, that the members elected from such a
22 district shall serve the full term for which they were elected. All
23 other board members shall be elected in an election to be held on
24 the 【third Tuesday in April】 date of the annual school election at
25 least 60 days following certification by the executive county
26 superintendent for initial terms of office to be designated in advance
27 by the executive county superintendent so that, as nearly as
28 possible, one-third of the board shall be elected in each future year,
29 to serve for three-year terms, and where a representative district has
30 more than one member, their terms of office shall terminate in
31 different years.

32 If any constituent district is a consolidated district, or a district
33 composed of two or more municipalities, and

34 a. The original district is a limited purpose regional district and
35 such constituent district has such population that it is entitled to
36 have apportioned to it a number of members equal to or greater than
37 the number of districts making up such constituent district, or

38 b. The regional district is an all purpose district,
39 the membership of the regional board of education from such
40 district shall be apportioned, and from time to time reapportioned,
41 and the members from the district shall be elected, as their
42 respective terms expire, in the same manner as though each of the
43 municipalities making up such constituent district were constituent
44 districts of the regional district.

45 (cf: P.L.1992, c.159, s.9)

1 9. N.J.S.18A:13-10 is amended to read as follows:

2 18A:13-10. The board of education of each regional district
3 shall provide for the holding, in accordance with the provisions of
4 P.L.1995, c.278 (C.19:60-1 et al.), of an annual school election for
5 the regional district **[on the third Tuesday in April]**.

6 At such election there shall be elected for terms of three years,
7 **[beginning on any day of the first or second week following such**
8 **election,]** the members of the regional boards of education to
9 succeed those members of the board whose terms shall expire in
10 that year, except as is in this chapter provided for the election of the
11 first elected members of the board. The term of a member of a
12 regional board of education elected in April shall begin on any day
13 of the first or second week following the election. The term of a
14 member of a regional board of education elected in November shall
15 begin on any day of the first week in January.

16 (cf: P.L.1995, c.278, s.32)

17

18 10. N.J.S.18A:13-12 is amended to read as follows:

19 18A:13-12. The board shall hold a regular meeting forthwith
20 after its first appointment, and annually thereafter on any day of the
21 first or second week following the annual school election in April,
22 at which it shall organize by the election, from among its members,
23 of a president and vice president, who shall serve until the
24 organization meeting next succeeding the election of their
25 respective successors as members of the board. In the case of a
26 regional district in which the annual school election is in
27 November, the organization meeting shall be held on any day of the
28 first week in January. If any board shall fail to organize within
29 **[said two weeks]** the designated period, the executive county
30 superintendent of the county, or the executive county
31 superintendents of the counties, in which the constituent districts
32 are situate, shall appoint, from among the members of the board, a
33 president and vice president to serve until the organization meeting
34 next succeeding the next election.

35 (cf: P.L.1987, c.289, s.6)

36

37 11. N.J.S.18A:13-13 is amended to read as follows:

38 18A:13-13. The board shall appoint a secretary who may or may
39 not be a member of the board, for the term of one year beginning on
40 July 1, or January 15 in the case of a regional district in which the
41 annual school election is in November, following his appointment
42 but he shall continue to serve after the expiration of his term until
43 his successor is appointed and qualified. In a district which does not
44 have a treasurer of school moneys, the secretary shall give bond in
45 such amount and with such surety as the board shall direct. The
46 board shall be guided in its determination of the amount of coverage

1 necessary by a schedule of minimum limits promulgated by the
2 State Board of Education.
3 (cf: P.L.2010, c.39, s.6).

4
5 12. N.J.S.18A:13-14 is amended to read as follows:

6 18A:13-14. The board may appoint a treasurer of school moneys
7 who shall not be a member or employee of the board and it shall fix
8 his salary. His term of office shall expire annually on June 30 of
9 each year, 【but if】 or January 15 of each year in the case of a
10 regional district in which the annual school election is in
11 November. If a municipal officer is appointed treasurer, his term
12 shall cease if he ceases to hold his municipal office and in either
13 case, the treasurer shall continue in office after the expiration of his
14 term until his successor is qualified. He shall give bond in such
15 amount, and with such surety, as the board shall direct. The board
16 in its determination of the amount shall be guided by a schedule of
17 minimum limits to be promulgated by the State board.
18 (cf: P.L.2010, c.39, s.7).

19
20 13. N.J.S.18A:13-17 is amended to read as follows:

21 18A:13-17. a. The regional board of education shall, at each
22 annual April school election, submit to the voters of the regional
23 district the amount of money fixed and determined in its budget to
24 be voted upon for the use of the regional schools of the district for
25 the ensuing school year and may submit thereat any other question
26 authorized by this law to be submitted at such an election. The
27 board may, in submitting to the voters the amount of money to be
28 voted upon for the use of the regional schools of the district,
29 identify the amount of money determined to be the constituent
30 municipality's share. The board shall follow the procedures
31 established in section 5 of P.L.1996, c.138 (C.18A:7F-5) and
32 N.J.S.18A:22-33.

33 b. In the case of a regional district in which the annual school
34 election is in November, the regional board of education shall fix
35 and determine the district's budget for the ensuing school year and
36 may submit at the annual school election any question authorized
37 by law to be submitted at such an election. The board shall follow
38 the procedures established in section 5 of P.L.1996, c.138
39 (C.18A:7F-5), N.J.S.18A:22-33, and section 41 of P.L. _____,
40 c. (C. _____) (pending before the Legislature as this bill).

41 (cf: P.L.2001, c.26, s.1)

42
43 14. N.J.S.18A:13-19 is amended to read as follows:

44 18A:13-19. If the voters reject any of the items submitted at the
45 annual April school election, within two days thereafter the board
46 of education of the regional district shall certify to the governing
47 body of each municipality, included within the regional district, the

1 item or items so rejected, and such governing bodies, after
2 consultation with the board, and no later than May 19 shall
3 determine the amount or amounts for the ensuing school year and
4 cause the same to be certified by the respective municipal clerks to
5 the board of education of the regional district. The board and the
6 governing bodies shall follow the procedures established in section
7 5 of P.L.1996, c.138 (C.18A:7F-5) and N.J.S.18A:22-37.
8 (cf: P.L.1996, c.138, s.48)
9

10 15. N.J.S.18A:13-40 is amended to read as follows:

11 18A:13-40. The board of education of a newly created regional
12 district may, prior to taking charge and control of the educational
13 facilities of the regional district, do all other acts and things which
14 may be necessary for the proper organization and functioning of the
15 public schools of the regional district during its first year, including
16 the making of contracts for the employment of necessary personnel
17 and for other proper purposes, the preparation and if applicable,
18 submission to the voters of the regional district for their approval or
19 disapproval of the budget and the appropriations for the conduct of
20 the public schools of the regional district during its first school
21 year, the authorization of the purchase of real and personal
22 property, and the construction, enlargement and repair of buildings,
23 for school purposes, and the appropriations of the funds necessary
24 to carry out the same and the authorization of the issuance and sale
25 of bonds in order to provide for the payment therefor in whole or in
26 part and the calling and holding of special elections when necessary
27 for any such purposes and to carry out any or all of said purposes.
28 (cf: N.J.S.18A:13-40)
29

30 16. N.J.S.18A:13-46 is amended to read as follows:

31 18A:13-46. The executive county superintendent of the county
32 in which any new constituent district of an enlarged regional district
33 shall be situate shall, not later than 30 days after the election for the
34 enlargement thereof, appoint one member of the enlarged board of
35 education of the regional district from among the qualified citizens
36 of each such new constituent district and the members so appointed
37 shall serve until the first Monday succeeding the first annual April
38 school election of the enlarged regional district and their successors
39 shall be elected at said election. In the case of a regional district in
40 which the annual school election is in November, the members so
41 appointed shall serve until the first week in January next succeeding
42 the first annual November school election of the enlarged regional
43 district and their successors shall be elected at that election. If by
44 reason of the enlargement of the district it becomes necessary to
45 reapportion the membership of the enlarged board of education the
46 executive county superintendent or superintendents of the county or
47 counties in which the constituent local districts of the enlarged
48 district are situate shall reapportion the membership of the enlarged

1 board of education in accordance with the provisions of sections
2 18A:13-8 and 18A:13-36, and at the same time shall designate the
3 number of members to be elected from each constituent school
4 district at the succeeding annual school election to be held therein
5 upon the expiration of the terms of office of the members of the
6 regional board then in office, in such manner that the representation
7 of the constituent districts shall be established in accordance with
8 such reapportionment at the earliest possible time but the members
9 then in office shall continue in office for the terms for which they
10 were elected or appointed notwithstanding such reapportionment.

11 (cf: N.J.S.18A:13-46)

12

13 17. N.J.S.18A:17-5 is amended to read as follows:

14 18A:17-5. Each secretary shall be appointed by the board, by a
15 recorded roll call majority vote of its full membership, for a term to
16 expire not later than June 30 , or January 15 in the case of a school
17 district in which the annual school election is in November, of the
18 calendar year next succeeding that in which the board shall have
19 been organized, but he shall continue to serve after the expiration of
20 his term until his successor is appointed and qualified. The
21 secretary may be appointed from among the members of the board
22 and, subject to the provisions of this Title and any other law, the
23 board shall fix his compensation; provided, however, that the
24 secretary shall not receive compensation from the board for any
25 period during which he is an elected or appointed member of the
26 board.

27 In case of a vacancy in the office of secretary, the vacancy shall
28 be filled by the board within 60 days after the vacancy occurs and if
29 the board does not make such appointment within such time the
30 executive county superintendent shall appoint a secretary who shall
31 receive the same compensation as his predecessor in office received
32 and shall serve until a secretary is appointed by the board.

33 (cf: P.L.1968, c.271, s.1)

34

35 18. N.J.S.18A:22-26 is amended to read as follows:

36 18A:22-26. At or after the public hearing but not later than April
37 8, the board of school estimate of a type II district having a board of
38 school estimate shall fix and determine by a recorded roll call
39 majority vote of its full membership the amount of money necessary
40 to be appropriated for the use of the public schools in the district for
41 the ensuing school year, exclusive of the amount which shall be
42 apportioned to it by the commissioner for the year pursuant to the
43 provisions of section 5 of P.L.1996, c.138 (C.18A:7F-5) and shall
44 make a certificate of the amount signed by at least a majority of all
45 members of the board, which shall be delivered to the board of
46 education and a copy thereof, certified under oath to be correct and
47 true by the secretary of the board of school estimate, shall be
48 delivered to the county board of taxation on or before April 15 in

1 each year and a duplicate of the certificate shall be delivered to the
2 board or governing body of each of the municipalities within the
3 territorial limits of the district having the power to make
4 appropriations of money raised by taxation in the municipalities or
5 political subdivisions and to the executive county superintendent of
6 schools and the amount shall be assessed, levied and raised under
7 the procedure and in the manner provided by law for the levying
8 and raising of special school taxes [voted to be raised at an annual
9 or special election of the legal voters] in other type II districts and
10 shall be paid to the board secretary or treasurer of school moneys,
11 as appropriate, of the district for such purposes.

12 Within 15 days after receiving the certificate the board of
13 education shall notify the board of school estimate, the governing
14 body of each municipality within the territorial limits of the school
15 district, and the commissioner if it intends to appeal to the
16 commissioner the board of school estimate's determination as to the
17 amount of money requested pursuant to the provisions of section 5
18 of P.L.1996, c.138 (C.18A:7F-5), necessary to be appropriated for
19 the use of the public schools of the district for the ensuing school
20 year.

21 (cf: P.L.2010, c.39, s.21)

22
23 19. N.J.S.18A:22-32 is amended to read as follows:

24 18A:22-32. At or after the public hearing on the budget but not
25 later than 18 days prior to the April school election, the board of
26 education of each type II district having no board of school estimate
27 shall fix and determine by a recorded roll call majority vote of its
28 full membership the amount of money to be raised pursuant to
29 section 5 of P.L.1996, c.138 (C.18A:7F-5) and any additional
30 [amounts] funds to be voted upon by the legal voters of the district
31 at the [annual] April or November school election pursuant to
32 paragraph (9) of subsection d. of section 5 of that act, which sum or
33 sums shall be designated in the notice calling the election as
34 required by law.

35 (cf: P.L.1996, c.138, s.57)

36
37 20. N.J.S.18A:22-33 is amended to read as follows:

38 18A:22-33. a. The board of education of [each] a type II district
39 not having a board of school estimate shall at [each annual] the
40 April school election, submit to the voters of the district, the
41 amount of money fixed and determined in its budget pursuant to
42 section 5 of P.L.1996, c.138 (C.18A:7F-5), excluding therefrom the
43 sum or sums stated therein to be used for interest and debt
44 redemption charges, in the manner provided by law, to be voted
45 upon for the use of the public schools of the district for the ensuing
46 school year, which amount shall be stated in the notice of the
47 election, and the legal voters of the district shall determine at the

1 April election, by a majority vote of those voting upon the
2 proposition, the sum or sums, not exceeding those stated in the
3 notice of the election, to be raised by special district tax for said
4 purposes, in the district during the ensuing school year and the
5 secretary of the board of education shall certify the amount so
6 determined upon, if any, and the sums so stated for interest and debt
7 redemption charges, to the county board of taxation of the county
8 within two days following the certification of the election results
9 and the amount or amounts so certified shall be included in the
10 taxes assessed, levied and collected in the municipality or
11 municipalities comprising the district for such purposes; except
12 that, in the case of a district which , following the school election
13 and the approval by the voters of the sum to be raised by special
14 district tax for the schools of the district, determines that it has a
15 greater surplus account available for the school year than estimated
16 when the sum to be raised by special district tax was presented to
17 the voters, the secretary of the board of education, with the approval
18 of the commissioner, may between the date of the school election
19 and the delivery of tax bills pursuant to R.S.54:4-64 re-certify to the
20 county board of taxation the sum or sums to be raised by special
21 district tax in the district during the ensuing school year, if the sum
22 is lower than that approved by the voters in the school election, and
23 if the reduction is equivalent to the additional amount available in
24 the surplus account to be applied towards the district's budget. The
25 amount re-certified shall be included in the taxes assessed, levied
26 and collected in the municipality or municipalities comprising the
27 district.

28 b. In the case of a district in which the annual school election is
29 in November pursuant to subsection a. of section 1 of P.L. ,
30 c. (C.) (pending before the Legislature as this bill), by May 19
31 the secretary of the board of education shall certify the amount
32 fixed and determined by the school board pursuant to N.J.S.18A:22-
33 32 other than any additional funds to be voted upon by the legal
34 voters of the district and the sums so stated for interest and debt
35 redemption charges, to the county board of taxation of the county
36 and the amount or amounts so certified shall be included in the
37 taxes assessed, levied and collected in the municipality or
38 municipalities comprising the district for such purposes; except
39 that, in the case of a district which determines that it has a greater
40 surplus account available for the school year than estimated when
41 the sum to be raised by special district tax was certified to the
42 county board of taxation of the county, the secretary of the board of
43 education, with the approval of the commissioner, may between
44 May 19 and the delivery of tax bills pursuant to R.S.54:4-64 re-
45 certify to the county board of taxation the sum or sums to be raised
46 by special district tax in the district during the ensuing school year,
47 if the sum is lower than that initially certified to the county board
48 of taxation of the county, and if the reduction is equivalent to the

1 additional amount available in the surplus account to be applied
2 towards the district's budget. The amount re-certified shall be
3 included in the taxes assessed, levied and collected in the
4 municipality or municipalities comprising the district.

5 (cf: P.L.1999, c.346)

6
7 21. N.J.S.18A:22-37 is amended to read as follows:

8 18A:22-37. If the voters reject any of the items submitted at the
9 annual April school election, the board of education shall deliver
10 the proposed school budget pursuant to section 5 of P.L.1996, c.138
11 (C.18A:7F-5) to the governing body of the municipality, or of each
12 of the municipalities included in the district within two days
13 thereafter. The governing body of the municipality, or of each of
14 the municipalities, included in the district shall, after consultation
15 with the board, and by May 19, determine the amount which, in the
16 judgment of the body or bodies, is necessary to be appropriated for
17 each item appearing in the budget, pursuant to section 5 of
18 P.L.1996, c.138 (C.18A:7F-5) and certify to the county board of
19 taxation the totals of the amount so determined to be necessary for
20 each of the following:

- 21 a. General fund expenses of schools; or
22 b. Appropriations to capital reserve account.

23 Within 15 days after the governing body of the municipality or
24 of each of the municipalities included in the district shall make the
25 certification to the county board of taxation, the board of education
26 shall notify the governing body or bodies if it intends to appeal to
27 the commissioner pursuant to section 5 of P.L.1996, c.138
28 (C.18A:7F-5) the amount which the body or bodies determined to
29 be necessary to be appropriated for each item appearing in the
30 proposed school budget.

31 (cf: P.L.1996, c.138, s.59)

32
33 22. N.J.S.18A:22-38 is amended to read as follows:

34 18A:22-38. If the governing body or bodies fail to certify any
35 amount determined to be necessary pursuant to section 5 of
36 P.L.1996, c.138 (C.18A:7F-5) for any item rejected at the annual
37 April school election, or in the event that the governing bodies of
38 the municipalities comprising a school district, shall certify
39 different amounts, then the commissioner shall determine the
40 amount or amounts which in his judgment, are necessary to be
41 appropriated, for each of the items appearing in the budget,
42 submitted to the governing body or bodies, and certify to the county
43 board of taxation the totals of the amount determined to be
44 necessary for the general fund expenses of the schools; and the
45 amount certified shall be included in the taxes to be assessed, levied
46 and collected in the municipality or municipalities for those
47 purposes.

48 (cf: P.L.2007, c.260, s.54)

1 23. N.J.S.18A:22-41 is amended to read as follows:

2 18A:22-41. In any Type II district **【in which the amount, with**
3 any interest to be paid thereon, to be raised, levied and collected by
4 taxes for school purposes is determined by the voters of the district**】**
5 not having a board of school estimate , the board of education shall
6 cause the question, whether or not the amount so estimated shall be
7 so raised, to be submitted to the legal voters of the district at a
8 special school election, to be held on such date as shall be
9 determined upon by the board, and if at said election the question
10 shall be adopted, the secretary shall certify that the amount so
11 determined upon has been authorized to be raised in said manner to
12 the county board of taxation within five days after the date of the
13 holding of such election.

14 (cf: P.L.1993, c.83, s.14)

15

16 24. R.S.19:1-1 is amended to read as follows:

17 19:1-1. As used in this Title:

18 "Election" means the procedure whereby the electors of this
19 State or any political subdivision thereof elect persons to fill public
20 office or pass on public questions.

21 "General election" means the annual election to be held on the
22 first Tuesday after the first Monday in November and, where
23 applicable, includes annual school elections.

24 "Primary election for the general election" means the procedure
25 whereby the members of a political party in this State or any
26 political subdivision thereof nominate candidates to be voted for at
27 general elections, or elect persons to fill party offices.

28 "Municipal election" means an election to be held in and for a
29 single municipality only, at regular intervals.

30 "Special election" means an election which is not provided for by
31 law to be held at stated intervals.

32 "Any election" includes all primary, general, municipal, school
33 and special elections, as defined herein.

34 "Municipality" includes any city, town, borough, village, or
35 township.

36 "School election" means any annual or special election to be held
37 in and for a local or regional school district established pursuant to
38 chapter 8 or chapter 13 of Title 18A of the New Jersey Statutes.

39 "Public office" includes any office in the government of this
40 State or any of its political subdivisions filled at elections by the
41 electors of the State or political subdivision.

42 "Public question" includes any question, proposition or
43 referendum required by the legislative or governing body of this
44 State or any of its political subdivisions to be submitted by
45 referendum procedure to the voters of the State or political
46 subdivision for decision at elections.

1 "Political party" means a party which, at the election held for all
2 of the members of the General Assembly next preceding the holding
3 of any primary election held pursuant to this Title, polled for
4 members of the General Assembly at least 10% of the total vote cast
5 in this State.

6 "Party office" means the office of delegate or alternate to the
7 national convention of a political party or member of the State,
8 county or municipal committees of a political party.

9 "Masculine" includes the feminine, and the masculine pronoun
10 wherever used in this Title shall be construed to include the
11 feminine.

12 "Presidential year" means the year in which electors of President
13 and Vice-President of the United States are voted for at the general
14 election.

15 "Election district" means the territory within which or for which
16 there is a polling place or room for all voters in the territory to cast
17 their ballots at any election.

18 "District board" means the district board of registry and election
19 in an election district.

20 "County board" means the county board of elections in a county.

21 "Superintendent" means the superintendent of elections in
22 counties wherein the same shall have been appointed.

23 "Commissioner" means the commissioner of registration in
24 counties.

25 "File" or "filed" means deposited in the regularly maintained
26 office of the public official wherever said regularly maintained
27 office is designated by statute, ordinance or resolution.

28 (cf: P.L.2011, c.134, s.1)

29
30 25. R.S.19:12-7 is amended to read as follows:

31 19:12-7. a. The county board in each county shall cause to be
32 published in a newspaper or newspapers which, singly or in
33 combination, are of general circulation throughout the county, a
34 notice containing the information specified in subsection b. hereof,
35 except for such of the contents as may be omitted pursuant to
36 subsection c. or d. hereof. Such notice shall be published once
37 during the 30 days next preceding the day fixed for the closing of
38 the registration books for the primary election, once during the
39 calendar week next preceding the week in which the primary
40 election for the general election is held, once during the 30 days
41 next preceding the day fixed for the closing of the registration
42 books for the general election, and once during the calendar week
43 next preceding the week in which the general election is held.

44 b. Such notice shall set forth:

45 (1) For the primary election for the general election:

46 (a) That a primary election for making nominations for the
47 general election, for the selection of members of the county

1 committees of each political party, and in each presidential year for
2 the selection of delegates and alternates to national conventions of
3 political parties, will be held on the day and between the hours and
4 at the places provided for by or pursuant to this Title.

5 (b) The place or places at which and hours during which a
6 person may register, the procedure for the transfer of registration,
7 and the date on which the books are closed for registration or
8 transfer of registration.

9 (c) The several State, county, municipal and party offices or
10 positions to be filled, or for which nominations are to be made, at
11 such primary election.

12 (d) The existence of registration and voting aids, including: (i)
13 the availability of registration and voting instructions at places of
14 registration as provided under R.S.19:31-6; and (ii), if available, the
15 accessibility of voter information to the deaf by means of a
16 telecommunications device.

17 (e) The availability of assistance to a person unable to vote due
18 to blindness, disability or inability to read or write.

19 (f) In the case of the notice published during the calendar week
20 next preceding the week in which the primary election is held, that
21 a voter who, prior to the election, shall have moved within the same
22 county without (i) filing, on or before the 21st day preceding the
23 election, a notice of change of residence with the commissioner of
24 registration of the county or the municipal clerk of the municipality
25 in which the voter resides on the day of the election, (ii) returning
26 the confirmation notice sent to the voter by the commissioner of
27 registration of the county, if such a notice has been sent to the voter,
28 or (iii) otherwise notifying the commissioner of registration of the
29 voter's change of address within the county shall be permitted to
30 correct the voter's registration and to vote in the primary election by
31 provisional ballot at the polling place of the district in which the
32 voter resides on the day of the election. The notice shall further
33 provide that the voter may contact the county commissioner of
34 registration or municipal clerk to determine the proper polling place
35 location for the voter.

36 (2) For the general election:

37 (a) That a general election will be held on the day and between
38 the hours and at the places provided for by or pursuant to this Title
39 and, where applicable, shall include school elections.

40 (b) The place or places at which and hours during which a
41 person may register, the procedure for transfer of registration, and
42 the date on which the books are closed for registration or transfer of
43 registration.

44 (c) The several State, county and municipal offices, and where
45 applicable, school board offices to be filled, notice of any school
46 district propositions to be submitted to the people and, except as
47 provided in R.S.19:14-33 of this Title as to publication of notice of

1 any Statewide proposition directed by the Legislature to be
2 submitted to the people, the State, county and municipal public
3 questions to be voted upon at such general election.

4 (d) The existence of registration and voting aids, including: (i)
5 the availability of registration and voting instructions at places of
6 registration as provided under R.S.19:31-6; and (ii) the accessibility
7 of voter information to the deaf by means of a telecommunications
8 device.

9 (e) The availability of assistance to a person unable to vote due
10 to blindness, disability or inability to read or write.

11 (f) In the case of the notice published during the calendar week
12 next preceding the week in which the general election is held, that a
13 voter who, prior to the election, shall have moved within the same
14 county without (i) filing, on or before the 21st day preceding the
15 election, a notice of change of residence with the commissioner of
16 registration of the county or the municipal clerk of the municipality
17 in which the voter resides on the day of the election, (ii) returning
18 the confirmation notice sent to the voter by the commissioner of
19 registration of the county, if such a notice has been sent to the voter,
20 or (iii) otherwise notifying the commissioner of registration of the
21 voter's change of address within the county shall be permitted to
22 correct the voter's registration and to vote in the general election by
23 provisional ballot at the polling place of the district in which the
24 voter resides on the day of the election. The notice shall further
25 provide that the voter may contact the county commissioner of
26 registration or municipal clerk to determine the proper polling place
27 location for the voter.

28 (3) For a school election:

29 (a) The day, time and place thereof,

30 (b) The offices, if any, to be filled at the election,

31 (c) The substance of any public question to be submitted to the
32 voters thereat,

33 (d) That a voter who, prior to the election, shall have moved
34 within the same county without (i) filing, on or before the 21st day
35 preceding the election, a notice of change of residence with the
36 commissioner of registration of the county or the municipal clerk of
37 the municipality in which the voter resides on the day of the
38 election, (ii) returning the confirmation notice sent to the voter by
39 the commissioner of registration of the county, if such a notice has
40 been sent to the voter, or (iii) otherwise notifying the commissioner
41 of registration of the voter's change of address within the county
42 shall be permitted to correct the voter's registration and to vote in
43 the school election by provisional ballot at the polling place of the
44 district in which the voter resides on the day of the election,

45 (e) That if the voter has any questions as to where to vote on the
46 day of the election, the voter may contact the county commissioner

1 of registration or municipal clerk to determine the proper polling
2 place location for the voter; and

3 (f) Such other information as may be required by law.

4 c. If such publication is made in more than one newspaper, it
5 shall not be necessary to duplicate in the notice published in each
6 such newspaper all the information required under this section, so
7 long as:

8 (1) The municipal officers or party positions to be filled, or
9 nominations made, or municipal public questions to be voted upon
10 by the voters of any municipality, shall be set forth in at least one
11 newspaper having general circulation in such municipality;

12 (2) All offices to be filled, or nominations made therefor, or
13 public questions to be voted upon, by the voters of the entire State
14 or of the entire county shall be set forth in a newspaper or
15 newspapers which, singly or in combination, have general
16 circulation throughout the county;

17 (3) Information relating to nominations and elections in each
18 Legislative District comprised in whole or part in the county, shall
19 be published in at least a newspaper or newspapers which singly or
20 in combination, have general circulation in every municipality of
21 the county which is comprised in such legislative district.

22 d. Such part or parts of the original notices as published which
23 pertain to day of registration or primary election which has occurred
24 shall be eliminated from such notice in succeeding insertions.

25 e. (Deleted by amendment, P.L.1999, c.232.)

26 f. The cost of publishing the notices required by this section
27 shall be paid by the respective counties, unless otherwise provided
28 for by law.

29 g. Notices required to be published or posted pursuant to this
30 section shall set forth a general description of the contents of the
31 voter information notice provided for in section 1 of P.L.2005,
32 c.149 (C.19:12-7.1), how the notice may be viewed or obtained
33 prior to the day of an election, and that the notice will be posted in
34 each polling place on the day of an election.

35 (cf: P.L.2011, c.134, s.19)

36

37 26. R.S.19:14-4 is amended to read as follows:

38 19:14-4. In the center of the ballot immediately below the
39 perforated line shall be printed in bold-faced type the words
40 "Official general election ballot." Below these words and extending
41 across the ballot shall appear the words: "Name of (municipality),
42 ward, school district (if applicable),
43 election district, date of election,
44 John Doe, county clerk." The blank spaces shall be
45 filled in with the name of the proper municipality, the ward and
46 district numbers and the date of the election. For school elections
47 the name of the school district and of the municipality or

1 municipalities comprising the district shall also be indicated
2 thereon. The name of the county clerk shall be a facsimile of his
3 signature. Below the last stated words extending across the ballot
4 and at the extreme left shall be printed the words "Instructions to
5 the voter," and immediately to the right there shall be a bracket
6 embracing the following instructions numbered consecutively:

7 (1) The only kind of a mark to be made on this ballot in voting
8 shall be a cross x, plus + or check .

9 (2) To mark a cross x , plus +, check or when writing a name
10 on this ballot use only ink or pencil.

11 (3) To vote for any candidates whose names are printed in any
12 column, mark a cross x , plus + or check in the square at the left of
13 the names of such candidates not in excess of the number to be
14 elected to the office.

15 (4) To vote for any person whose name is not printed on this
16 ballot, write or paste the name of such person under the proper title
17 of office in the column designated personal choice and mark a cross
18 x , plus + or check in the square to the left of the name so written
19 or pasted.

20 (5) To vote upon any public question printed on this ballot if in
21 favor thereof, mark a cross x , plus + or check in the square at the
22 left of the word "Yes," and if opposed thereto, mark a cross x , plus
23 + or check in the square at the left of the word "No."

24 (6) Do not mark this ballot in any other manner than above
25 provided for and make no erasures. Should this ballot be wrongly
26 marked, defaced, torn or any erasure made thereon or otherwise
27 rendered unfit for use return it and obtain another. In presidential
28 years, the following instructions shall be printed upon the general
29 election ballot:

30 (7) To vote for all the electors of any party, mark a cross x , plus
31 + or check in ink or pencil in the square at the left of the surnames
32 of the candidates for president and vice-president for whom you
33 desire to vote.

34 Below the above-stated instructions and information and, except
35 when compliance with **[section 19:14-15 of this Title]** R.S.19:14-
36 13 as to Statewide propositions otherwise requires, three inches
37 below the perforated line and parallel to it, there shall be printed a
38 six-point diagram rule extending across the ballot to within not less
39 than a half inch to the right and left edges of the paper.

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

41

42 27. R.S.19:14-8 is amended to read as follows:

43 19:14-8. In the columns of each of the political parties which
44 made nominations at the next preceding primary election to the
45 general election and in the personal choice column, within the space
46 between the two-point hair line rules, there shall be printed the title

1 of each office to be filled at such election, except as hereinafter
2 provided.

3 Such titles of office shall be arranged in the following order:
4 electors of President and Vice-President of the United States;
5 member of the United States Senate; Governor; member of the
6 House of Representatives; member of the State Senate; members of
7 the General Assembly; county executive, in counties that have
8 adopted the county executive plan of the "Optional County Charter
9 Law," P.L.1972, c.154 (C.40:41A-1 et seq.); sheriff; county clerk;
10 surrogate; register of deeds and mortgages; county supervisor;
11 members of the board of chosen freeholders; coroners; mayor and
12 members of municipal governing bodies, and any other titles of
13 office. Candidates for members of a school board shall be listed in
14 a section of the ballot that is clearly separate from the section
15 featuring other candidates. Above each of such titles of office,
16 except the one at the top, shall be printed a two-point diagram rule
17 in place of the two-point hair line rule. Below the titles of such
18 offices shall be printed the names of the candidates for the offices.

19 The arrangement of the names of candidates for any office for
20 which more than one are to be elected shall be determined in the
21 manner hereinafter provided, as in the case of candidates nominated
22 by petition.

23 When no nomination for an office has been made the words "No
24 Nomination Made" in type large enough to fill the entire space or
25 spaces below the title of office shall be printed upon the ballot.

26 Immediately to the left of the name of each candidate, at the
27 extreme left of each column, including the personal choice column,
28 shall be printed a square, one-quarter of an inch in size, formed by
29 two-point diagram rules. In the personal choice column no names
30 of candidates shall be printed.

31 To the right of the title of each office in the party columns and
32 the personal choice column shall be printed the words "Vote for,"
33 inserting in words the number of persons to be elected to such
34 office.

35 (cf: P.L.2011, c.134, s.21)
36

37 28. R.S.19:14-10 is amended to read as follows:

38 19:14-10. In the column or columns designated as nominations
39 by petition, within the space between the two-point hair line rules,
40 there shall be printed the title of each office for which nominations
41 by petition have been made.

42 Such titles of office shall be arranged in the following order:
43 electors of President and Vice-President of the United States;
44 member of the United States Senate; Governor and Lieutenant
45 Governor; member of the House of Representatives; member of the
46 State Senate; members of the General Assembly; county executive,
47 in counties that have adopted the county executive plan of the

1 "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et
2 seq.); sheriff; county clerk; surrogate; register of deeds and
3 mortgages; county supervisor; members of the board of chosen
4 freeholders; coroners; mayor and members of municipal governing
5 bodies; members of the school board, when appropriate, and any
6 other titles of office.

7 Above each of the titles of office, except the one on the top, shall
8 be printed a two-point diagram rule in place of the two-point hair
9 line rule. Below the titles of each of the offices shall be printed the
10 names of each of the candidates for each of such offices followed
11 by the designation or designations mentioned in the petitions filed.

12 Immediately to the left of the name of each candidate, at the
13 extreme left of the column, shall be printed a square, one-quarter of
14 an inch in size formed by two-point diagram rules.

15 The names of candidates for any office for which more than one
16 are to be elected shall be arranged in groups as presented in the
17 several certificates of nominations or petitions, which groups shall
18 be separated from other groups and candidates by two two-point
19 hair line rules.

20 To the right of the title of each office shall be printed the words
21 "Vote for " inserting in words the number of candidates to be
22 elected to such office.

23 (cf: P.L.2009, c.66, s.3)
24

25 29. R.S.19:14-16 is amended to read as follows:

26 19:14-16. The words to be printed on the perforated coupon
27 shall be printed in twelve-point bold-faced capital letters and the
28 figures in eighteen and twenty-two-point bold-faced type. At the
29 head of the ballot the words "Official General Election Ballot" shall
30 be printed in at least thirty-point bold-faced capital letters. The
31 name of municipality, ward, school district, election district, and
32 date, as appropriate, shall be printed in twelve-point bold-faced
33 capital letters. The words "Instructions to the voter" shall be
34 printed in twelve-point bold-faced capitals and small letters, while
35 the instructions embraced within the brackets shall be printed in
36 eight-point bold-faced capital and small letters. The column
37 designations shall be printed in eighteen-point bold-faced capital
38 letters and the accompanying instructions shall be printed in eight-
39 point capitals and small letters. The titles of office and
40 accompanying instructions shall be printed in ten-point bold-faced
41 capital and small letters. When there is no nomination made at the
42 primary for an office, the title shall be printed in the space where
43 such title should appear, and the words "No Nomination Made" in
44 type large enough to fill the entire space or spaces shall be printed
45 therein. The names of all candidates shall be printed in ten-point
46 capital letters. The designations following the candidates' names in
47 the nomination by petition column or columns shall be printed in

1 ten-point capitals and small letters, except that where they overrun
2 the space within the column the designations may be abbreviated,
3 and all spaces between the two-point hair line rules not occupied by
4 the titles of office and names of candidates shall be printed in with
5 scroll or filling to guide the voter against wrongly marking the
6 ballot. On the foot of the ballot the words "Public Questions to be
7 Voted Upon" shall be printed in eighteen-point bold-faced capital
8 letters. The accompanying instructions shall be printed in eight-
9 point capital and small letters. The public questions to be voted
10 upon shall be printed in ten-point capital and small letters, and the
11 words "Yes" and "No" shall be printed in twelve-point bold-faced
12 capital letters.

13 (cf: R.S.19:14-16)

14

15 30. R.S.19:14-22 is amended to read as follows:

16 19:14-22. The official general election sample ballots shall be as
17 nearly as possible facsimiles of the official general election ballot to
18 be voted at such election and shall have printed thereon, after the
19 words which indicate the number of the election district for which
20 such sample ballots are printed, the name of the school district,
21 when appropriate, the street address or location of the polling place
22 in the election district, the hours between which the polls shall be
23 open, and shall be printed on paper different in color from the
24 official general election ballot, and have the following words
25 printed in large type at the top: "This ballot cannot be voted. It is a
26 sample copy of the official general election ballot used on election
27 day."

28 (cf: P.L.1959, c.139, s.1)

29

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

31 19:15-2. The district boards shall open the polls for such
32 election at 6:00 A.M. and close them at 8:00 P.M., and shall keep
33 them open during the whole day of election between these hours;
34 except that for a school election held at a time other than at the time
35 of the general election the polls shall be open between the hours of
36 5:00 P.M. and 9:00 P.M. and during any additional time which the
37 school board may designate between the hours of 7:00 A.M. and
38 9:00 P.M.

39 The board may allow one member thereof at a time to be absent
40 from the polling place and room for a period not exceeding one
41 hour between the hours of 1:00 P.M. and 5:00 P.M. or for such
42 shorter time as it shall see fit.

43 At no time from the opening of the polls to the completion of the
44 canvass shall there be less than a majority of the board present in
45 the polling room or place, except that during a school election held
46 at a time other than at the time of the general election there shall
47 always be at least one member of each district election board

1 present or if more than two district board members are designated to
2 serve at the polling place, at least two members present.
3 (cf: P.L.2001, c.245, s.3)
4

5 32. R.S.19:45-6 is amended to read as follows:

6 19:45-6. The compensation of each member of the district
7 boards for all services performed by them under the provisions of
8 this Title shall be as follows:

9 In all counties, for all services rendered including the counting of
10 the votes, and in counties wherein voting machines are used, the
11 tabulation of the votes registered on the voting machines, and the
12 delivery of the returns, registry binders, ballot boxes and keys for
13 the voting machines to the proper election officials, \$200 each time
14 the primary election, the general election or any special election is
15 held under this Title; provided, however, that:

16 a. (1) The member of the board charged with the duty of
17 obtaining and signing for the signature copy registers shall receive
18 an additional \$12.50 per election, such remuneration being limited
19 to only one board member per election, or \$6.25 to each of two
20 board members if they share such responsibility for the signature
21 copy registers, and (2) the member of the board charged with the
22 duty of returning the signature copy registers shall receive an
23 additional \$12.50 per election, such remuneration being limited to
24 only one board member per election, or \$6.25 to each of two board
25 members if they share such responsibility for the signature copy
26 registers;

27 b. In the case of any member of the board who is required
28 under R.S.19:50-1 to attend in a given year a training program for
29 district board members, but who fails to attend such a training
30 program in that year, that compensation shall be \$50.00 for each of
31 those elections;

32 c. In counties wherein voting machines are used no
33 compensation shall be paid for any services rendered at any special
34 election held at the same time as any primary or general election.
35 Such compensation shall be in lieu of all other fees and payments;
36 and

37 d. Compensation for district board members serving at a school
38 election held at a time other than the time of the general election
39 shall be paid by the board of education of the school district
40 conducting the election at an hourly rate of \$5.77, except that the
41 board of education may compensate such district board members at
42 a pro-rated hourly rate consistent with the daily rate up to a
43 maximum of \$14.29. The provisions of subsections a., b., and c. of
44 this section shall also apply to district board members serving at a
45 school election held at a time other than at the time of the general
46 election, except that in the case of subsection b., the compensation
47 shall be at an hourly rate of \$3.85.

1 Compensation due each member shall be paid within 30 days but
2 not within 20 days after each election; provided, however, that no
3 compensation shall be paid to any member of any such district
4 board who may have been removed from office or application for
5 the removal of whom is pending under the provisions of R.S.19:6-4.
6 (cf: P.L.2011, c.134, s.45)
7

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

10 1. a. **[An]** Except as otherwise provided in this section, an
11 annual school election shall be held in [each] a type II district on
12 the third Tuesday in April. However, in any school year, the
13 Commissioner of Education shall make any adjustments to the
14 school budget and election calendar which may be necessary to
15 change the annual school election date or any other school budget
16 and election calendar date if that date coincides with a period of
17 religious observance that limits significantly the usual activities of
18 the followers of a particular religion or that would result in
19 significant religious consequences for such followers. The
20 commissioner shall inform local school boards, county clerks and
21 boards of elections of these adjustments no later than the first
22 working day in January of the year in which the adjustments are to
23 occur.

24 As used in this subsection "a period of religious observance"
25 means any day or portion thereof on which a religious observance
26 imposes a substantial burden on an individual's ability to vote.

27 An annual school election shall be held simultaneously with the
28 general election on the first Tuesday after the first Monday in
29 November in school districts in which the annual school election
30 has been moved to that date pursuant to subsection a. of section 1 of
31 P.L. , c. (C.) (pending before the Legislature as this bill).
32 The annual school election in November shall be for the purpose of
33 submitting a proposal to the voters for the approval of additional
34 funds pursuant to paragraph (9) of subsection d. of section 5 of
35 P.L.1996, c.138 (C.18A:7F-5), for the purpose of electing members
36 of the board of education, and for any other purpose authorized by
37 law.

38 b. All school elections shall be by ballot and, except as
39 otherwise provided by P.L.1995, c.278 (C.19:60-1 et al.), shall be
40 conducted in the manner provided for general elections pursuant to
41 Title 19 of the Revised Statutes. No grouping of candidates or
42 party designation shall appear on any ballot to be used in a school
43 election.

44 (cf: P.L.2008, c.129, s.1)
45

46 34. Section 3 of P.L.1995, c. 278 (C.19:60-3) is amended to read
47 as follows:

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

14 b. Notwithstanding the provisions of subsection a. or any other
15 law to the contrary:

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

31 (2) If one polling place is designated for two or more election
32 districts, the county board shall designate at least two members
33 from among the members of the district boards of election of those
34 election districts to perform all the duties of the district board for
35 the school election held at times other than at the time of the
36 general election. The county board shall also appoint one of the
37 persons so designated to serve as judge and another of those persons
38 to serve as inspector for school elections.

39 (cf: P.L.1996, c.3, s.1)
40

41 35. Section 4 of P.L.1995, c.278 (C.19:60-4) is amended to read
42 as follows:

43 4. The secretary of each board of education shall, not later than
44 10 o'clock a.m. of the 18th day preceding the annual April school
45 election or a special school election, make and certify and forward
46 to the clerk of the county in which the school district is located a
47 statement designating the public question to be voted upon by the
48 voters of the district which may be required pursuant to the

1 provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the
2 New Jersey Statutes.

3 The secretary of each board of education of a school district in
4 which the annual school election has been moved to November
5 pursuant to subsection a. of section 1 of P.L. , c. (C.)
6 (pending before the Legislature as this bill), not later than 10
7 o'clock a.m. of the 60th day preceding the November school
8 election, shall make and certify and forward to the clerk of the
9 county in which the school district is located a statement
10 designating any public question to be voted upon by the voters of
11 the district which may be required pursuant to the provisions of
12 P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the New Jersey
13 Statutes.

14 (cf: P.L.2011, c.37, s.27)

15
16 36. Section 7 of P.L.1995, c.278 (C.19:60-7) is amended to read
17 as follows:

18 7. Each candidate to be voted upon at a school election shall be
19 nominated directly by petition, and the procedures for such
20 nomination shall, to the extent not inconsistent with the provisions
21 of P.L.1995, c.278 (C.19:60-1 et al.), conform to the procedure for
22 nominating candidates by direct petition under chapter 13 of Title
23 19 of the Revised Statutes. Notwithstanding the provisions of
24 R.S.19:13-5, however, a petition of nomination for such office shall
25 be signed by at least 10 persons, one of whom may be the
26 candidate, and filed with the secretary of the board of education on
27 or before four p.m. of the 50th day preceding the date of the April
28 school election and the 64th day preceding the date of the
29 November school election, as applicable. The signatures need not
30 all appear upon a single petition and any number of petitions may
31 be filed on behalf of any candidate but no petition shall contain the
32 endorsement of more than one candidate.

33 Any candidate may withdraw as a candidate in a school election
34 by filing a notice in writing, signed by the candidate, of such
35 withdrawal with the secretary of the board of education before the
36 44th day before the date of the April election or the 54th day before
37 the date of the November election, as applicable, and thereupon the
38 name of that candidate shall be withdrawn by the secretary of the
39 board of education and shall not be printed on the ballot.

40 A vacancy created by a declination of nomination or withdrawal
41 by, or death of, a nominee, or in any other manner, shall be
42 ineligible to be filled under the provisions of R.S.19:13-19 or
43 otherwise.

44 Whenever written objection to a petition of nomination
45 hereunder shall have been made and timely filed with the secretary
46 of the board of education, the board of education shall file its
47 determination of the objection on or before the 44th day preceding
48 the April school election or the 61st day preceding the November

1 school election, as applicable. The last day upon which a candidate
2 may file with the Superior Court a verified complaint setting forth
3 any invasion or threatened invasion of the candidate's rights under
4 the candidate's petition of nomination shall be the 46th day before
5 the April election or the 52nd day before the November election, as
6 applicable. The last day upon which a candidate whose petition of
7 nomination or any affidavit thereto is defective may amend such
8 petition or affidavit shall be the 44th day before the April election
9 or the 54th day before the November election, as applicable.

10 (cf: P.L.2000, c.22, s.1)

11
12 37. Section 9 of P.L.1995, c.278 (C.19:60-9) is amended to read
13 as follows:

14 9. The ballot for a school election shall be a single or blanket
15 form of ballot, upon which shall be printed in bold-faced type the
16 words "OFFICIAL SCHOOL ELECTION BALLOT" or
17 "OFFICIAL SPECIAL SCHOOL ELECTION BALLOT," as
18 appropriate.

19 Any public question which is to be submitted to the voters at a
20 school election shall be printed in a separate space below or to the
21 right of, as the county clerk shall determine, the listing of
22 candidates in the election.

23 In the columns in which are listed the titles of the offices to be
24 filled at a school election and the names of candidates for those
25 offices, the title of and the names of candidates for the office of
26 member of the regional board of education shall appear above the
27 title of and the names of candidates for the office of member of the
28 local board of education. With respect to either office, in the event
29 that one or more persons are to be elected to membership thereon
30 for a full term and one or more persons are to be elected to
31 membership thereon to fill an unexpired term, the ballots shall
32 designate which of the candidates to be voted for is to be elected for
33 a full term and which for an unexpired term. In all cases in which
34 one or more persons are to be elected for an unexpired term, the
35 ballots shall indicate the duration of that unexpired term.

36 All public questions to be voted upon at a school election by the
37 voters of more than one municipality shall be placed first before
38 any question to be voted upon at that election by the voters of a
39 single municipality. When the public question to be voted upon by
40 the voters of a regional school district is the amount of money to be
41 raised for the use of the regional schools of the district, the amount
42 of money determined to be the constituent municipality's share
43 thereof may be identified on the ballot pursuant to N.J.S.18A:13-17.

44 Every county clerk shall have ready for the printer a copy of the
45 contents of official ballots required by law to be printed for use at a
46 school election, as follows: in the case of the annual April school
47 election, not later than the 17th day preceding that election; **[and]**
48 in the case of any special school election, not later than two

1 business days following receipt by the clerk of official notice of the
2 complete content of the ballot to be voted upon at that election; and
3 in the case of the annual November school election, in accordance
4 with the provisions of R.S.19:14-1.

5 The ballots for a school election to be held simultaneously with
6 the general election shall be in accordance with the provisions of
7 chapter 14 of Title 19 of the Revised Statutes.

8 At a school election held simultaneously with the general
9 election, the names of the candidates for the office of member of the
10 board of education shall appear on the ballot separately from the
11 names of candidates for other offices. Any proposals for additional
12 funds pursuant to paragraph (9) of subsection d. of section 5 of
13 P.L.1996, c.138 (C.18A:7F-5) shall appear on the ballot in close
14 proximity to the names of the candidates for the office of member
15 of the board of education.

16 (cf: P.L.2001, c.26, s.2)

17
18 38. Section 11 of P.L.1995, c.278 (C.19:60-11) is amended to
19 read as follows:

20 11. The district board of election shall, for any school election
21 held at a time other than the time of the general election, utilize a
22 poll list instead of the signature copy register. The poll list shall be
23 arranged in a column or columns appropriately headed so as to
24 indicate the election, the date thereof, and the school district and
25 election district in which the same is used, in such a manner that
26 each voter voting in the polling place at the election may sign the
27 voter's name and state the voter's address therein and the number of
28 the voter's official ballot may be indicated opposite the signature.
29 The district board shall compare the signature in the poll lists with
30 that in the signature copy registers before accepting the ballot.

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

38 (cf: P.L.1996, c.3, s.2)

39
40 39. Section 12 of P.L.1995, c.278 (C.19:60-12) is amended to
41 read as follows:

42 12. All costs, charges and expenses, including the compensation
43 of the members of the district boards and the compensation and
44 expenses of the county board of elections, the county
45 superintendent of elections, the clerk of the county, and the
46 municipal clerks for any school election held at a time other than
47 the time of the general election shall be paid by the board of
48 education of the school district. All costs, charges and expenses

1 submitted to the board of education for payment shall be itemized
2 and shall include the separate identification of costs to prepare,
3 print and distribute sample ballots. Amounts expended by a county
4 or a municipality in the conduct of school elections for which the
5 board of education shall make payment shall be considered
6 mandated expenditures exempt from the limitations on the county
7 tax levy and from the limitations on final municipal appropriations
8 imposed pursuant to P.L.1976, c.68 (C.40A:4-45.1 et seq.), and any
9 costs to the board of education which exceed the amount of the
10 costs to that board for the annual school election immediately
11 preceding the enactment of P.L.1995, c.278 (C.19:60-1 et seq.) shall
12 not be included for the purpose of calculating a school district's
13 [maximum permissible net budget pursuant to section 85 of
14 P.L.1990, c.52 (C.18A:7D-28)] tax levy growth limitation pursuant
15 to P.L.2007, c.62 (C.18A:7F-37 et al.).

16 (cf: P.L.1996, c.3, s.3)

17

18 40. R.S.54:4-45 is amended to read as follows:

19 54:4-45. The clerk or other proper officer of each type II school
20 district [in which the annual appropriations for school purposes to
21 be raised by taxation, are voted by the inhabitants of the school
22 district,] having no board of school estimate shall, on or before
23 May 19 in each year, transmit to the county board of taxation a
24 certified statement of the amount of moneys appropriated for school
25 purposes, which shall include interest to be paid, principal
26 payments of indebtedness, and sinking fund requirements for the
27 school year for which such appropriations are made, to be raised by
28 taxation in the school district.

29 (cf: P.L.1995, c.94, s.3)

30

31 41. (New section) A board of education of a school district in
32 which the annual school election has been moved to November
33 pursuant to subsection a. of section 1 of P.L. , c. (C.)
34 (pending before the Legislature as this bill) and which has
35 determined to submit a proposal or proposals for additional funds to
36 the voters at the annual school election pursuant to paragraph (9) of
37 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), shall
38 adopt and submit to the commissioner for approval pursuant to
39 subsection c. of section 5 of P.L.1996, c.138 (C.18A:7F-5), a
40 temporary budget for the school year pending the approval or
41 disapproval of the proposal or proposals for additional funds by the
42 voters. The temporary budget shall be calculated pursuant to the
43 provisions of paragraph (1) of subsection d. of section 5 of
44 P.L.1996, c.138 (C.18A:7F-5) or P.L.2007, c.62 (C.18A:7F-37 et
45 al.), as appropriate.

1 42. New section) In the case of a school district in which the
2 annual school election has been moved to November pursuant to
3 subsection a. of section 1 of P.L. , c. (C.) (pending before
4 the Legislature as this bill), if the voters authorize the proposal or
5 proposals for additional funds pursuant to paragraph (9) of
6 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), the
7 district shall submit the resulting final budget to the commissioner
8 within 15 days of the action of the voters. If the voters fail to
9 authorize the proposal or proposals for additional funds, the
10 temporary budget shall be the final budget for the district for that
11 school year.

12
13 43. (New section) In the case of a school district in which the
14 annual school election has been moved to November pursuant to
15 subsection a. of section 1 of P.L. , c. (C.) (pending before
16 the Legislature as this bill), if the voters approve a proposal or
17 proposals for additional funds pursuant to paragraph (9) of
18 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), the
19 secretary of the board of education shall re-certify to the county
20 board of taxation the sum or sums to be raised by special district tax
21 for the school year. The amount re-certified shall be included in the
22 taxes assessed, levied and collected in the municipality or
23 municipalities comprising the district.

24
25 44. (New section) The Commissioner of Community Affairs, in
26 consultation with the Commissioner of Education, shall promulgate
27 rules pursuant to the "Administrative Procedure Act," P.L.1968,
28 c.410 (C.52:14B-1 et seq.) for the procedure for the delivery of
29 estimated tax bills and the recertification of the school district tax
30 levy pursuant to section 43 of P.L. , c. (C.) (pending before
31 the Legislature as this bill) for districts in which the annual school
32 election is in November and that determine to submit proposal or
33 proposals for additional funds pursuant to paragraph (9) of
34 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5).

35
36 45. (New section) In the case of a school district in which the
37 annual school election has been moved to November pursuant to
38 subsection a. of section 1 of P.L. , c. (C.) (pending before
39 the Legislature as this bill), an elected member of a board of
40 education, or a member of a board of education appointed to serve
41 the unexpired term of an elected member, or an appointed member
42 of a board of education other than a member in a district in a city of
43 the first class, who is holding office on the effective date of P.L. ,
44 c. (C.) (pending before the Legislature as this bill) shall
45 continue in office until the day in January next following the year in
46 which his term was originally set to expire when his successor takes
47 office.

1 46. This act shall take effect on January 1 next following
2 enactment.

3
4
5 STATEMENT
6

7 This bill establishes procedures for moving the date of a Type II
8 school district's annual school election to the day of the general
9 election in November. Under the first procedure, the question
10 would be presented to the voters for their approval upon the
11 adoption of a resolution by the board of education of the district or
12 the governing body of the municipality comprising the district, or
13 whenever a petition signed by not less than 15% of the legally
14 qualified voters who voted in the district at the last preceding
15 general election held for the election of members of the General
16 Assembly is filed with the board of education. Under a second
17 procedure, the date of the annual school election may be moved to
18 November without voter approval, upon the adoption of a resolution
19 by the board of education or the governing body of the
20 municipality. If the district's annual school election is moved to
21 November, then the district's board members will be elected in
22 November and take office at the beginning of January; and any
23 proposal for additional funds above the school district's tax levy
24 cap would also be presented to the voters at that time. A district
25 that has moved its annual school election to November would not
26 require voter approval for its base budget, which is a budget with a
27 proposed tax levy that does not exceed its tax levy cap. If the date
28 of the annual school election is moved to November, then a district
29 may not move the school election to the third Tuesday in April until
30 at least four annual school elections have been held in November.

31 In the case of local school districts which are constituent districts
32 of a limited purpose regional school district, each of those local
33 school districts must approve moving the annual school election to
34 November in order for any of those districts to move the date of the
35 election. In the event that each of the constituent districts approve
36 moving the election to November, then the date of the annual school
37 election of the limited purpose regional school district will also be
38 moved to November.

39 A school district that moves its annual school election to
40 November will continue to be required to submit its budget to the
41 Commissioner of Education for approval. If, however, a district
42 determines when it is preparing its budget to seek voter approval for
43 additional funds over its tax levy growth limitation, that district will
44 submit a temporary budget to the commissioner. The temporary
45 budget may not exceed the district's tax levy growth limitation
46 calculated pursuant to P.L.2007, c.62 (C.18A:7F-37 et al.).

1 If the voters approve the proposal for additional spending, the
2 board of education will submit the resulting final budget to the
3 commissioner and the tax levy for the school year will be recertified
4 to reflect the additional amount. The bill directs the Commissioner
5 of the Department of Community Affairs, in consultation with the
6 Commissioner of Education, to establish procedures for the delivery
7 of estimated tax bills for districts adopting a temporary budget and
8 any necessary subsequent recertification of the school tax levy. If
9 the voters disapprove the proposal for additional funds, the
10 district's temporary budget will be its final budget for that school
11 year.

12 This bill does not alter the process for the approval of budgets
13 for school districts which conduct their annual school election on
14 the third Tuesday in April. The bill also does not alter budget
15 approval in Type I school districts. In Type I districts the board of
16 education submits the district budget to a board of school estimate
17 for approval. If the board of school estimate reduces the district's
18 proposed budget, the district may appeal the reduction to the
19 Commissioner of Education. These districts will also continue to
20 submit proposals for additional funds over their tax levy cap to the
21 board of school estimate for approval.