§ 1803-a. Alternative voting procedure. 1. When an order laying out a central school district has been made and entered as provided in section eighteen hundred one of this chapter, and the petitions referred to in paragraph a of subdivision one of section eighteen hundred two thereof have been, or are being, presented and filed with the commissioner, a second petition may be presented by persons qualified to vote in any school district, all of which is included in the area of the central school district as laid out by such order, and which school district at the time of such order maintained its own schoolhouse. Such second petition may request the alternative voting procedure authorized by this section, and shall be signed by at least one hundred qualified voters of such district or by a number of such qualified voters equal to at least ten per centum of the pupils of such district as determined by the last school census, whichever shall be less; provided, however, that such second petition must, in any event, contain not less than ten signatures. Such second petition shall be filed with the commissioner at the same time as the first petition is filed. If the commissioner is satisfied that both petitions have been duly signed as provided by law, he shall fix a time and place for an election of the qualified voters within the central school district, which said election shall be held not more than thirty days after the filing of the petitions aforesaid. The commissioner shall cause notice of such election to be posted at least ten days prior thereto in three conspicuous places in each school district wholly or partly within the central school district. In addition to the posting of such notice, a copy thereof shall be published at least three days before the election in a daily or weekly newspaper published within the territory or in a newspaper circulating therein. The expense of posting and publishing of the notice shall be borne equally by the several school districts within the territory, unless a central school district is organized, in which event such expense shall become a charge upon said central school district.

2. Elections for the establishment of a central school district under the provisions of this section shall be conducted as follows:

a. They shall take place on a day and at a place designated by the commissioner for a vote by all the qualified voters within the central

school district, except as otherwise provided in paragraph b of this subdivision.

b. The qualified voters of any school district from which a second petition pursuant to subdivision one of this section has been received, shall vote on the designated day at the principal schoolhouse located in such district. Such petitioning district shall be known as a special election district.

c. The election shall take place during at least four consecutive hours between the hours of seven o'clock in the forenoon and ten o'clock in the evening, as determined by the commissioner of education.

d. The ballots for the election shall be furnished by the commissioner of education and shall contain a resolution in substantially the following form: "Resolved that the ..... central school district (add designation) as described in the order of the commissioner of education be organized and a central school for instruction in elementary and high school subjects be established."

e. Before each person casts his ballot he shall be required to sign a statement contained in a poll book provided for the purpose, declaring that he is a qualified voter within the central school district.

f. Provision shall be made for the use of absentee ballots as provided under section two thousand eighteen-a or two thousand eighteen-b of this title, whichever shall apply, and early mail ballots as provided under section two thousand eighteen-e or two thousand eighteen-f of this title, whichever shall apply.

3. The commissioner shall appoint a board of canvass whose duty it shall be to act as a board of elections at the central voting place designated by the commissioner pursuant to paragraph a of subdivision two of this section, and also to act as a board of canvass for the entire area included in the central school district, including any district petitioning pursuant to subdivision one of this section. Such board shall, as soon as the ballot boxes and books containing the names

of the voters have been delivered to the board of canvass at the place designated by the commissioner, count the ballots of all those voting in the central school district. Prior to ascertaining the manner in which any voter has marked a ballot, the number of ballots from the central voting place and each special election district shall be counted separately without opening them and if the number does not correspond with the number of names contained in the poll book of such central voting place or special election district, the board before canvassing the ballots, shall withdraw therefrom a number sufficient to make the number of ballots correspond with the number of names in the poll book. Such board shall then canvass the vote of the central voting place and of each special election district separately and certify to the commissioner the total number of votes cast at the central voting place and at each special election district, the number of valid votes cast for the organization, the number of valid votes cast against the organization, the number of void ballots and the number of blank ballots. A majority of the valid votes cast at the central voting place and at each special election district shall be necessary to establish the central school district. The board of canvass shall seal the books and the ballots immediately upon the completion of the certificate, setting forth the result and shall retain them in its possession for at least thirty days. If an appeal is brought from an action of the meeting, the ballots shall be available for the inspection of the commissioner. The board of canvass shall file a copy of such certificate with each school superintendent in whose jurisdiction the central school district, or any part thereof, is or may thereafterward be located, and shall also file a copy thereof with the town clerk of each town in which any part of such central school district is or may thereafterward be located.

4. a. The trustee or board of trustees or education of each special election district shall act as an election board for the conduct of the election in such district. The sole trustee or president of the board shall administer the challenges. If the president of the board is not available, the board may elect any one of its members in his stead. If no one is otherwise available or if during the course of the election it becomes necessary for a trustee in a one-trustee district to absent

himself, the district superintendent of schools shall designate a voter of the election district to carry out the duties of the election board. Such board shall furnish a padlocked ballot box.

b. After the polls are closed, and after all persons within the room have voted, the election board shall forthwith proceed to deliver to the board of canvass at the place designated by the commissioner of education the ballot box and the book containing the names of the voters. Any wilful violation of this paragraph shall be a misdemeanor.

5. Upon an appeal to the commissioner of education, substantial compliance with the procedures herein required shall be sufficient to meet the intent of this section.

6. If the resolution described in subdivision two of this section shall be defeated, no such elections or meeting shall again be called within one year after such elections. If no elections or meeting shall be called to reconsider the question within two years after such original elections or if at any such elections or meeting called within two years of such original elections the resolution shall again fail of adoption, the order of the commissioner of education to which the resolution relates shall be null and void and of no further force and effect.

7. If at such election the resolution referred to in subdivision two is adopted, the commissioner of education shall fix a time and place for a special meeting of the qualified voters within the central school district for the purpose of electing a board of education. The commissioner shall cause notice of such meeting to be posted at least ten days before the meeting in three conspicuous places in each former school district wholly or partly within the central school district. In addition to the posting of such notice, a copy thereof shall be published at least three days before the meeting in a daily or weekly newspaper published within the territory or in a newspaper circulating therein. The expense of posting and publishing of the notice shall be upon said central school district.

8. The commissioner of education may order such modifications in the manner of voting on the resolution described in subdivision two of section eighteen hundred three of this chapter and for the election described in subdivision seven of this section as are customary in school district elections in the community affected by such vote. Such modifications may include the use of voting machines and the use of nominating petitions.