

19:6-2

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2002 **CHAPTER:** 125
NJSA: 19:6-2 (Board of Elections—appoint persons aged 16 and 17)
BILL NO: A415 (Substituted for S1366)

SPONSOR(S): Kean and Merkt

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** State Government

SENATE: State Government

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** November 18, 2002

SENATE: November 14, 2002

DATE OF APPROVAL: December 13, 2002

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (2nd reprint enacted)
(Amendments during passage denoted by superscript numbers)

A415

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

S1366

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

Identical to Senate Statement for A415

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 2002, CHAPTER 125, *approved December 13, 2002*
Assembly, No. 415 (*Second Reprint*)

1 AN ACT expanding eligibility for appointment to the district board of
2 elections and amending R.S.19:6-2.

3

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

6

7 1. R.S.19:6-2 is amended to read as follows:

8 19:6-2. a. **[Any]** The following persons may apply in writing to
9 the county board, on a form prepared and furnished by the county
10 board, for appointment as a member of a district board of any
11 municipality in the county in which he or she resides: (1) a legal voter
12 **[(1)]** who is a member of a political party by virtue of having voted
13 in a party primary or who [shall have] has filed a party declaration
14 form for the ensuing primary election for the general election with the
15 commissioner of the county in which the voter is registered and who,
16 for two years prior to making written application, has not espoused the
17 cause of another political party or its candidates [, or]; (2) a legal
18 voter who is not affiliated with a political party [may make written
19 application for service as a member of a district board of any
20 municipality in the county in which he or she resides on a form to be
21 prepared and furnished for that purpose by such board and signed by
22 him or her and stating thereon, under the applicant's oath,] ; ²[or]²
23 (3) a United States citizen and resident of this State who is 16 or 17
24 years of age, attends a secondary school and has the written
25 permission of his or her parent or guardian to serve as a member of the
26 board if appointed ²; or (4) a United States citizen and resident of this
27 State who is 16 or 17 years of age and has graduated from a secondary
28 school or has passed a general educational development test, GED,
29 and has the written permission of his or her parent or guardian to serve
30 as a member of the board if appointed².

31 b. The application, signed by the applicant under his or her oath,
32 shall state: (1) the applicant's name and address [and]; (2) the
33 applicant's age, if the applicant is less than 18 years of age; (3) the
34 political party to which he or she belongs or, if the applicant is not
35 affiliated with a political party, the fact that the applicant is not so
36 affiliated [, and]; (4) that the applicant is of good moral character and
37 has not been convicted of any crime involving moral turpitude ; and
38 (5) that the applicant possesses the following qualifications [, namely:
39 such]; eyesight [as will enable the applicant], with or without

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASG committee amendments adopted March 11, 2002.

² Senate floor amendments adopted October 7, 2002.

1 [eyeglasses,] correction, sufficient to read nonpareil type; ability to
2 read the English language readily; ability to add and subtract figures
3 correctly; ability to write [in a legible hand] legibly with reasonable
4 facility; reasonable knowledge of the duties to be performed by the
5 applicant as an election officer under the election laws of this State ;
6 and [such] health [as will permit the applicant] sufficient to discharge
7 his or her duties as [such] an election officer.

8 c. If an applicant for appointment to a district board is 16 or 17
9 years of age, then the applicant shall provide to the county board,
10 along with the application provided under subsection b. of this section:
11 (1) a written document signed by the applicant's parent or guardian
12 giving the applicant permission to serve as a member of a district
13 board if appointed and (2) if an election, meeting or training is
14 scheduled to take place when school is in session, a written document
15 from his or her school that acknowledges the applicant's application
16 for appointment as a member of a district board and excuses the
17 applicant from school on the dates of service if appointed², except
18 that the requirement contained in subparagraph (2) of this subsection
19 shall not apply to a United States citizen and resident of this State who
20 is 16 or 17 years of age and has graduated from a secondary school or
21 has passed a general educational development test, GED² .

22 [b.] d. No person shall be precluded from applying to serve as a
23 member of a district board of any municipality for failure to vote in
24 any year such person was ineligible to vote by reason of age or
25 residence.

26 ¹e. In no case shall a person 16 or 17 years of age be permitted to
27 serve as a member of a district board on the day of an election for
28 more than the number of hours permitted for such a person to work
29 pursuant to P.L.1940, c.153 (C.34:2-21.1 et seq.), as amended and
30 supplemented.¹

31 (cf: P.L.1996, c.120, s.2)

32

33 2. This act shall take effect immediately.

34

35

36

37

38 Permits certain persons aged 16 or 17 to be appointed to district
39 boards of elections in certain circumstances.

ASSEMBLY, No. 415

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Assemblyman THOMAS H. KEAN, JR.

District 21 (Essex, Morris, Somerset and Union)

Assemblyman RICK MERKT

District 25 (Morris)

SYNOPSIS

Permits certain persons aged 16 or 17 to be appointed to district boards of elections in certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A415 KEAN, MERKT

2

1 AN ACT expanding eligibility for appointment to the district board of
2 elections and amending R.S.19:6-2.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.19:6-2 is amended to read as follows:

8 19:6-2. a. **[Any]** The following persons may apply in writing to
9 the county board, on a form prepared and furnished by the county
10 board, for appointment as a member of a district board of any
11 municipality in the county in which he or she resides: (1) a legal voter
12 **[(1)]** who is a member of a political party by virtue of having voted
13 in a party primary or who [shall have] has filed a party declaration
14 form for the ensuing primary election for the general election with the
15 commissioner of the county in which the voter is registered and who,
16 for two years prior to making written application, has not espoused the
17 cause of another political party or its candidates [, or] ; (2) a legal
18 voter who is not affiliated with a political party [may make written
19 application for service as a member of a district board of any
20 municipality in the county in which he or she resides on a form to be
21 prepared and furnished for that purpose by such board and signed by
22 him or her and stating thereon, under the applicant's oath,] ; or (3) a
23 United States citizen and resident of this State who is 16 or 17 years
24 of age, attends a secondary school and has the written permission of
25 his or her parent or guardian to serve as a member of the board if
26 appointed.

27 b. The application, signed by the applicant under his or her oath,
28 shall state: (1) the applicant's name and address [and] ; (2) the
29 applicant's age, if the applicant is less than 18 years of age; (3) the
30 political party to which he or she belongs or, if the applicant is not
31 affiliated with a political party, the fact that the applicant is not so
32 affiliated [, and] ;(4) that the applicant is of good moral character and
33 has not been convicted of any crime involving moral turpitude ; and
34 (5) that the applicant possesses the following qualifications [, namely:
35 such] ; eyesight [as will enable the applicant], with or without
36 [eyeglasses,] correction, sufficient to read nonpareil type; ability to
37 read the English language readily; ability to add and subtract figures
38 correctly; ability to write [in a legible hand] legibly with reasonable
39 facility; reasonable knowledge of the duties to be performed by the
40 applicant as an election officer under the election laws of this State ;
41 and [such] health [as will permit the applicant] sufficient to discharge
42 his or her duties as [such] an election officer.

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

Matter underlined thus is new matter.

1 c. If an applicant for appointment to a district board is 16 or 17
2 years of age, then the applicant shall provide to the county board,
3 along with the application provided under subsection b. of this section:
4 (1) a written document signed by the applicant's parent or guardian
5 giving the applicant permission to serve as a member of a district
6 board if appointed and (2) if an election, meeting or training is
7 scheduled to take place when school is in session, a written document
8 from his or her school that acknowledges the applicant's application
9 for appointment as a member of a district board and excuses the
10 applicant from school on the dates of service if appointed.

11 **[b.] d.** No person shall be precluded from applying to serve as a
12 member of a district board of any municipality for failure to vote in
13 any year such person was ineligible to vote by reason of age or
14 residence.

15 (cf: P.L.1996, c.120, s.2)

16

17 2. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill allows a person who is 16 or 17 years old to apply to be
23 appointed as a member of a district board of elections (commonly
24 known as a poll worker) of a municipality in the county in which he or
25 she resides, provided that:

26

27 C the applicant is a citizen of the United States and resident of this
28 State and is enrolled in a secondary school;

29 C the applicant has completed the written application required of any
30 applicant for appointment to a district board of elections;

31 C the applicant submits with the application a written statement
32 signed by his or her parent or guardian that gives the applicant
33 permission to serve as a member of the district board if appointed;
34 and

35 C if an election, training or board meeting is to occur when school is
36 in session, the applicant submits with the application a written
37 statement from the school excusing him or her from school those
38 days.

39

40 High school student applicants would be considered for
41 appointment on the same basis as applicants that are not affiliated with
42 the two major political parties in this State. Under R.S.19:6-3,
43 appointments of members of the Republican and Democratic parties to
44 the district board are made first. If there are not enough qualified
45 applicants from the two major political parties in this State to compose
46 a district board, applicants who are unaffiliated with either major

A415 KEAN, MERKT

4

1 political party are considered for appointment, but a district board,
2 except in special circumstances, can not have more than two
3 unaffiliated members. A high school student who is a member of a
4 district board of elections would be an unaffiliated member. Under
5 this bill, in conjunction with current law (R.S.19:6-3), high school
6 students could not comprise more than half of the membership of a
7 district board of elections.

8 The primary purpose of this bill is to address the well-known
9 shortage of poll workers during elections. Furthermore, it is hoped
10 that extending the opportunity to serve on a district board of elections
11 to 16 and 17 year old high school students will help engender in them
12 an appreciation of the electoral process and civic responsibility,
13 thereby increasing the probability that they will exercise their right to
14 vote upon reaching 18 years of age and become active citizens in their
15 respective communities.

16 Approximately 10 other states allow persons aged 16 and 17 to
17 serve as poll workers.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 415

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 11, 2002

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 415.

This bill allows a person who is 16 or 17 years old to apply to be appointed as a member of a district board of elections (commonly known as a poll worker) of a municipality in the county in which he or she resides under certain circumstances.

The circumstances include when: a) the applicant is a citizen of the United States and resident of this State and is enrolled in a secondary school; b) the applicant has completed the written application required of any applicant for appointment as a poll worker; c) the applicant submits with the application a written statement signed by his or her parent or guardian that gives the applicant permission to serve as a poll worker if appointed; and d) if an election, training or board meeting is to occur when school is in session, the applicant submits with the application a written statement from the school excusing him or her from school those days. The bill specifies, however, that in no case can a person 16 or 17 years old serve as a member of a district board on the day of an election for more than the number of hours permitted for such a person to work pursuant to current State child labor laws.

Under current law, appointments of members of the Republican and Democratic parties to the district board are made first. If there are not enough qualified applicants from the two major political parties in this State to compose a district board, applicants who are unaffiliated with either party are considered for appointment. In no event can a district board have more than two unaffiliated members.

Under the bill, high school student applicants would be considered for appointment on the same basis as applicants that are not affiliated with either of the two major political parties in this State. Under the bill, in conjunction with current law (N.J.S.A.19:6-3), such students along with any other unaffiliated members could not comprise more than half of the membership of a district board.

The committee amended the bill to provide that in no case can a person 16 or 17 years old serve as a member of a district board on the day of an election for more than the number of hours permitted for

such a person to work pursuant to current State child labor laws.

This bill was prefiled for introduction in the 2002-2003 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 415

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2002

The Senate State Government Committee reports favorably Assembly Bill No. 415 (1R).

This bill allows a person who is 16 or 17 years of age to apply to be appointed as a member of a district board of elections (commonly known as a poll worker) of a municipality in the county in which he or she resides if the applicant: (1) is a citizen of the United States and resident of this State and is enrolled in a secondary school; (2) submits with the application a written statement signed by his or her parent or guardian that gives the applicant permission to serve as a poll worker if appointed; and (3) submits with the application a written statement from the school excusing him or her from school those days if an election, training or board meeting is to occur when school is in session.

The bill specifies that in no case can a person 16 or 17 years old serve as a member of a district board on the day of an election for more than the number of hours permitted for such a person to work pursuant to current State child labor laws.

Under current law, appointments of members of the Republican and Democratic parties to the district board are made first. If there are not enough qualified applicants from the two major political parties in this State to compose a district board, applicants who are unaffiliated with either party are considered for appointment. In no event can a district board have more than two unaffiliated members.

Assembly Bill No. 415 (1R) is the same as Senate Bill No. 1366.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 415

with Senate Floor Amendments
(Proposed By Senator BAGGER)

ADOPTED: OCTOBER 7, 2002

This Senate amendment adds to the list of persons eligible to be appointed to a district board of elections a United States citizen and resident of this State who is 16 or 17 years of age and has graduated from a secondary school or has passed a general educational development test, GED. Such a person, like other similar persons, must have the written permission of his or her parent or guardian to serve as a member of the board if appointed, but such an applicant would not be required to provide a written document from his or her school that acknowledges the applicant's application for appointment as a member of a district board and excuses the applicant from school on the dates of service if appointed.

SENATE, No. 1366

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED MARCH 25, 2002

Sponsored by:

Senator RICHARD H. BAGGER

District 21 (Essex, Morris, Somerset and Union)

SYNOPSIS

Permits certain persons aged 16 or 17 to be appointed to district boards of elections in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



S1366 BAGGER

2

1 AN ACT expanding eligibility for appointment to the district board of
2 elections and amending R.S.19:6-2.

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

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7 1. R.S.19:6-2 is amended to read as follows:

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9 the county board, on a form prepared and furnished by the county
10 board, for appointment as a member of a district board of any
11 municipality in the county in which he or she resides: (1) a legal voter
12 **[(1)]** who is a member of a political party by virtue of having voted
13 in a party primary or who **[shall have]** has filed a party declaration
14 form for the ensuing primary election for the general election with the
15 commissioner of the county in which the voter is registered and who,
16 for two years prior to making written application, has not espoused the
17 cause of another political party or its candidates **[, or]** ; (2) a legal
18 voter who is not affiliated with a political party **[may make written**
19 **application for service as a member of a district board of any**
20 **municipality in the county in which he or she resides on a form to be**
21 **prepared and furnished for that purpose by such board and signed by**
22 **him or her and stating thereon, under the applicant's oath,]** ; or (3) a
23 United States citizen and resident of this State who is 16 or 17 years
24 of age, attends a secondary school and has the written permission of
25 his or her parent or guardian to serve as a member of the board if
26 appointed.

27 b. The application, signed by the applicant under his or her oath,
28 shall state: (1) the applicant's name and address [and] ; (2) the
29 applicant's age, if the applicant is less than 18 years of age; (3) the
30 political party to which he or she belongs or, if the applicant is not
31 affiliated with a political party, the fact that the applicant is not so
32 affiliated [, and] ;(4) that the applicant is of good moral character and
33 has not been convicted of any crime involving moral turpitude ; and
34 (5) that the applicant possesses the following qualifications [, namely:
35 such] ; eyesight [as will enable the applicant], with or without
36 [eyeglasses,] correction, sufficient to read nonpareil type; ability to
37 read the English language readily; ability to add and subtract figures
38 correctly; ability to write [in a legible hand] legibly with reasonable
39 facility; reasonable knowledge of the duties to be performed by the
40 applicant as an election officer under the election laws of this State ;
41 and [such] health [as will permit the applicant] sufficient to discharge
42 his or her duties as [such] an election officer.

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

Matter underlined thus is new matter.

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1 c. If an applicant for appointment to a district board is 16 or 17
2 years of age, then the applicant shall provide to the county board,
3 along with the application provided under subsection b. of this section:
4 (1) a written document signed by the applicant's parent or guardian
5 giving the applicant permission to serve as a member of a district
6 board if appointed and (2) if an election, meeting or training is
7 scheduled to take place when school is in session, a written document
8 from his or her school that acknowledges the applicant's application
9 for appointment as a member of a district board and excuses the
10 applicant from school on the dates of service if appointed.

11 **[b.] d.** No person shall be precluded from applying to serve as a
12 member of a district board of any municipality for failure to vote in
13 any year such person was ineligible to vote by reason of age or
14 residence.

15 e. In no case shall a person 16 or 17 years of age be permitted to
16 serve as a member of a district board on the day of an election for
17 more than the number of hours permitted for such a person to work
18 pursuant to P.L.1940, c.153 (C.34:2-21.1 et seq.), as amended and
19 supplemented.

20 (cf: P.L.1996, c.120, s.2)

21

22 2. This act shall take effect immediately.

23

24

25

STATEMENT

26

27 This bill allows a person who is 16 or 17 years old to apply to be
28 appointed as a member of a district board of elections (commonly
29 known as a poll worker) of a municipality in the county in which he or
30 she resides under certain circumstances.

31 The circumstances include when: a) the applicant is a citizen of the
32 United States and resident of this State and is enrolled in a secondary
33 school; b) the applicant has completed the written application required
34 of any applicant for appointment as a poll worker; c) the applicant
35 submits with the application a written statement signed by his or her
36 parent or guardian that gives the applicant permission to serve as a
37 poll worker if appointed; and d) if an election, training or board
38 meeting is to occur when school is in session, the applicant submits
39 with the application a written statement from the school excusing him
40 or her from school those days. The bill specifies, however, that in no
41 case can a person 16 or 17 years old serve as a member of a district
42 board on the day of an election for more than the number of hours
43 permitted for such a person to work pursuant to current State child
44 labor laws.

45 Under current law, appointments of members of the Republican and
46 Democratic parties to the district board are made first. If there are not

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1 enough qualified applicants from the two major political parties in this
2 State to compose a district board, applicants who are unaffiliated with
3 either party are considered for appointment. In no event can a district
4 board have more than two unaffiliated members.

5 Under the bill, high school student applicants would be considered
6 for appointment on the same basis as applicants that are not affiliated
7 with either of the two major political parties in this State. Under the
8 bill, in conjunction with current law (N.J.S.A.19:6-3), such students
9 along with any other unaffiliated members could not comprise more
10 than half of the membership of a district board.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1366

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2002

The Senate State Government Committee reports favorably Senate Bill No. 1366.

This bill allows a person who is 16 or 17 years of age to apply to be appointed as a member of a district board of elections (commonly known as a poll worker) of a municipality in the county in which he or she resides if the applicant: (1) is a citizen of the United States and resident of this State and is enrolled in a secondary school; (2) submits with the application a written statement signed by his or her parent or guardian that gives the applicant permission to serve as a poll worker if appointed; and (3) submits with the application a written statement from the school excusing him or her from school those days if an election, training or board meeting is to occur when school is in session.

The bill specifies that in no case can a person 16 or 17 years old serve as a member of a district board on the day of an election for more than the number of hours permitted for such a person to work pursuant to current State child labor laws.

Under current law, appointments of members of the Republican and Democratic parties to the district board are made first. If there are not enough qualified applicants from the two major political parties in this State to compose a district board, applicants who are unaffiliated with either party are considered for appointment. In no event can a district board have more than two unaffiliated members.

Senate Bill No. 1366 is the same as Assembly Bill No. 415 (1R).