

LEGISLATIVE NOTES ON R. S. 19:32-1

(Supt. of Elections)

L. 1930 - Chap. 187S-242 (No statement on bill)March 25 - Introduced by Senator Wolbert
Revision of 1930.

Bill was drafted and recommended by

974.90	N. J. Commission to Codify
E38	and Revise Election Law
1930	Report, 1930.

L. 1933 - Chap. 113 - A-251

(Bill had statement (copy of original bill enc.))

Feb. 27 - Introduced by Bradley

Mar. 13 - Passed Assembly

Mar. 28 - Passed in Senate, amended (copy of amend. enc.)

April 3, Senate amendment passed in Assembly

April 10 - vetoed by Governor (Minutes of Assembly 1933 - 974.901 L-47)

April 11 - repassed in Assembly

April 11 - repassed in Senate

April 12 - filed as law

No hearings held

✓ L. 1940 - Chap. 165 - ACS FOR SCS B AND C FOR A-14

Introduced Jan. 22 by Mahr

Bill had statement

(copy of original bill and all other forms enc.)

Chronology of this bill was:

Apr. 8 - Passed in Assembly.

Apr. 15 - Received in Senate.

Apr. 15 - Elections Com.

May 23 - Reported by three com. subs.

SCS 14 (A) Amends Section 19:48-3 to require voting machines in first class counties after Sept. 1, 1940; permits municipalities or counties, other than first class, to adopt voting machines by resolution or referenda; limits cost to \$300,000 in any one year.

June 3 - Com. sub. passed in Senate.

June 10 - Sen. com. sub. passed in Assem.

June 18 - Vetoed by the Governor

June 24 - Repassed in Assembly.

June 25 - Filed, Chapter 152

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SCS A 14 (B) Amends 19:32-2 to permit Superintendent of Election to appoint such assistants as he deems necessary; grants Superintendent removal power over such assistants; limits expenses of his office to \$200,000 annually.

June 3 - Com. sub. passed in Senate.

June 10 - Sen. com. sub. received in Assembly.

June 24 - Reported by com. sub. jointly with SCS A14 (C).

SCS A 14 (C) Amends 19:32-2 to constitute Clerk of County Board of Election as Commissioner of Registration in first class counties; in all other counties, where municipalities have permanent registration, Secretary of Board to be such Commissioner; limits expenses to \$300,000 per annum.

June 3 - Com. sub. passed in Senate.

June 10 - Sen. com. sub. received in Assembly.

June 24 - Reported by com. sub. jointly with SCS A 14 (B).

ACS FOR SCS B AND C FOR A 14 -- Constitutes Superintendents of Elections in first class counties as Commissioner of Registration; limits combined expenses of Superintendents and Commissioners in first-class counties to \$500,000 for 1941 and \$450,000 for each year thereafter.

June 24 - Com. sub. passed in Assembly.

June 24 - Passed in Senate.

July 1 - Vetoed by the Governor.

July 2 - Repassed in Assembly.

July 2 - Repassed in Senate.

July 2 - Filed, Chapter 165.

Hearing on this bill:

974.90 - New Jersey . Legislature . Senate Committee on elections.
E38 Public hearing on Assembly Bill 14 (voting machines). . .
1940b May 3, 1940. Trenton, 149 leaves, typed

Election Office in Hudson County was investigated in 1943:

974.90 - New Jersey. Governor's investigation into the affairs of
E38 the Commissioner of Registration and Superintendent of
1943 Elections of Hudson County.
 Report of the Examiners.

L.1944 - Chap. 45 - S-221

Bill had statement (copy of orig. bill enc.)

March 27 - Introduced by Farley

March 27 - passed Senate

March 27 - passed Assembly

March 29 - approved, Chap. 45

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L. 1961 - Chap. 59 - S210

No statement (~~copy of orig. bill enc.~~)

May 15 - Introduced by Jones

May 15 - passed Senate under emergency resolution

May 31 - passed Assembly

June 3 - approved, Chap. 59

L. 1965 - Chap. 143 - S148

No statement on bill (~~copy of orig. bill enc.~~)

Feb. 1 - Introduced by Stout and Kelly

Mar. 29 - passed Senate without amendment

May 10 - passed Assembly without amendment

July 19 - approved, Chap. 143

L. 1967 - Chap. 13 - S258

No statement on bill (~~copy of orig. bill enc.~~)

Feb. 6 - Introduced by Feldman, O'Connor and Keifer

Feb. 14 - Passed S without amendment

Mar. 6 - Passed Assembly without amendment

Mar. 13 - Approved, Chap. 13

ASSEMBLY, No. 14

STATE OF NEW JERSEY

INTRODUCED JANUARY 22, 1940

By Mr. MAHR

Referred to Committee on Elections

AN ACT to regulate elections, and amending section 19:48-3 of the Revised Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. Section 19:48-3 of the Revised Statutes is amended to read as follows:

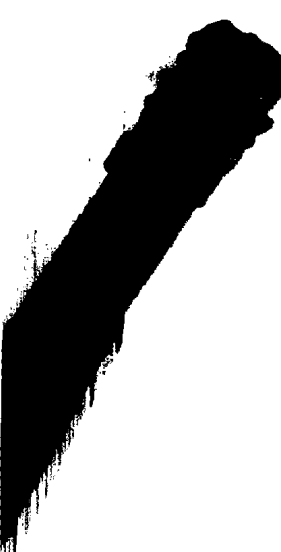
2 19:48-3. In all counties other than counties of the first class the board
3 of chosen freeholders [of any county] or the governing body of any munic-
4 ipality by a majority vote of their respective bodies may adopt for use at
5 all elections any kind of voting machine that meets the requirements of
6 this subtitle, or any voting machines which meet the requirements of this
7 subtitle may also be adopted in any county or municipality at any general,
8 local, or special election, by popular referendum, by a majority of the qual-
9 ified votes cast. Such referendum shall be placed on the ballot on petition
10 of ten per centum of the qualified voters of such county or municipality
11 who cast their votes at the last preceding general election in such county
12 or municipality and shall be adopted by a majority vote of the qualified
13 electors voting thereon. Such referendum shall read as follows: "Shall
14 voting machines be adopted and used in all elections in the (county or munic-
15 ipality) of?" Upon the adoption thereof the local govern-
16 ing body of such political unit shall proceed to acquire within eighteen
17 months, by rental or purchase, a complete equipment of voting machines.

18 The governing body of a county or municipality shall provide that all elec-
19 tion districts of any one municipality shall be equipped with voting machines
20 on the same day. In all counties of the first class on and after June first,
21 one thousand nine hundred and forty, voting machines of the type to meet
22 the requirements of this subtitle shall be adopted and furnished by rental
23 or purchase, by the board of chosen freeholders and used at all elections,
24 in all election districts, in said counties.

1 2. This act to take effect on June first, one thousand nine hundred and
2 forty.

STATEMENT

The purpose of this bill is to make mandatory the use of voting machines in counties of the first class, which voting machines are to be provided by the board of freeholders of such counties either by purchase or rental.



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ASSEMBLY COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTES **B** AND **C**

FOR

ASSEMBLY, No. 14

STATE OF NEW JERSEY

ADOPTED JUNE 24, 1940

AN ACT to regulate elections, and amending sections 19:31-2, 19:32-1, 19:32-2
and 19:45-7 of the Revised Statutes.

1 **BE IT ENACTED** *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 19:31-2 of the Revised Statutes is amended to read as follows:
2 19:31-2. In all counties of the first class the term of office of the pres-
3 ent commissioners of registration is hereby terminated. In all counties of
4 the first class the superintendent of elections is hereby constituted the com-
5 missioner of registration and in all other counties having municipalities
6 having permanent registration the secretary of the county board is hereby
7 constituted the commissioner of registration.

8 The commissioner of registration in all counties of the first class, and
9 the county board in all other counties, shall have complete charge of the
10 permanent registration of all eligible voters in municipalities within their
11 respective counties having permanent registration.

12 The commissioner of registration in counties of the first class, and the
13 county board in all other counties, shall have power to appoint temporarily
14 such number of persons as in his or its judgment may be necessary in order
15 to carry out the provisions of this Title. Such persons when temporarily
16 appointed shall not be subject to any of the provisions of Title 11, Civil
17 Service, but shall be in the unclassified service.

18 The commissioner of registration in counties of the first class, and the
19 county board in all other counties, shall provide such printed forms, blanks,
20 supplies and office telephone and transportation equipment and shall pre-
21 scribe such reasonable rules and regulations as are necessary in the opin-
22 ion of the commissioner or county board to carry out the provisions of this
23 Title and any amendments or supplements thereto.

24 All necessary expenses incurred, as and when certified and approved
25 by the commissioner of registration in counties of the first class, and by
26 the county board in all other counties, shall be paid by the county treasurer
27 of the county: *provided, however,* that all expenses of every nature
28 in the office of the commissioner of registration in counties of the first class,
29 exclusive of county board expenses, shall not exceed the sum of three hun-
30 dred thousand dollars (\$300,000.00) for the year one thousand nine hundred
31 and forty-one and shall not exceed the sum of two hundred fifty thousand
32 dollars (\$250,000.00) per annum for each succeeding year thereafter.

33 Nothing in the provisions of subtitle two of the Title, Municipalities and
34 Counties (40:16-1 et seq.), shall in anywise be construed to affect, restrict
35 or abridge the powers herein conferred on the commissioners in counties
36 of the first class, and upon the county boards in all other counties.

37 All powers granted to the commissioner in all counties other than coun-
38 ties of the first class by the provisions of this Title are hereby conferred
39 upon the county board in such counties, and any and all duties conferred
40 upon the commissioner in all counties other than counties of the first class
41 by the provisions of this Title shall only be exercised and performed by
42 such commissioner under the instructions and directions of and subject to
43 the approval of the county board of such counties.

1 2. Section 19:32-1 of the Revised Statutes is amended to read as follows:

2 19:32-1. The office of superintendent of elections in counties of the first
3 class is established. The offices shall be filled by some suitable persons who
4 shall be appointed by the Senate and General Assembly in joint meeting as-
5 sembled and who shall hold office for the term of five years from the date of

6 appointment and until their successors are appointed and have qualified.
7 Each superintendent shall receive a salary of five thousand dollars
8 (\$5,000.00) per annum to be paid by the county treasurer. The persons so
9 appointed shall have their offices in the counties for which they are appointed.
10 If a vacancy happens it shall be filled during the sitting by the Senate and
11 General Assembly. If a vacancy happens during the recess of the Legis-
12 lature, the chief deputy to the superintendent shall automatically serve to
13 fill it until the next meeting of the Legislature, which shall then fill the
14 vacancy. The persons so appointed by the Legislature shall qualify and
15 take office immediately following his appointment, and shall continue in
16 office for a period of five years and until his successor is appointed and has
17 qualified.

1 3. Section 19:32 2 of the Revised Statutes is amended to read as follows:
2 19:32-2. Each superintendent may appoint a chief deputy, a clerk, a sec-
3 retary and any other assistants he considers necessary to carry out the pro-
4 visions of this Title, and may remove the same whenever he deems it neces-
5 sary. Those so appointed shall not be subject to any of the provisions of
6 Title 11, Civil Service, but shall be in the unclassified service. Each super-
7 intendent shall fix the salaries of the persons so appointed and such salaries
8 certified to and approved under his hand shall be paid semimonthly by the
9 county treasurer of the county in which such persons are so engaged. All
10 other necessary expenses incurred in carrying out the provisions of this
11 Title when certified to and approved by the superintendent shall be paid by
12 the county treasurer of the county in which the superintendent shall main-
13 tain his office: *provided, however,* that all expenses of every nature in
14 the office of the superintendent of elections shall not exceed the sum of two
15 hundred thousand dollars (\$200,000.00) per annum commencing in the year
16 one thousand nine hundred and forty-one and annually thereafter.

1 4. Section 19:45-7 of the Revised Statutes is amended to read as fol-
2 lows:

3 19:45-7. The compensation of the members of the several county boards
4 shall be as follows: In counties having a population exceeding five hundred
5 thousand, two thousand six hundred dollars (\$2,600.00) per annum; in coun-
6 ties having a population of not more than five hundred thousand or less than
7 two hundred thousand, two thousand dollars (\$2,000.00) per annum; in
8 counties having a population of not more than two hundred thousand or
9 less than one hundred and fifty thousand, fifteen hundred dollars (\$1,500.00)
10 per annum; in counties having a population of not more than one hundred
11 and fifty thousand or less than one hundred thousand, nine hundred dollars
12 (\$900.00) per annum; in counties having a population of not more than one
13 hundred thousand or less than eighty-two thousand, seven hundred and
14 fifty dollars (\$750.00) per annum; in counties having a population of not
15 more than eighty-two thousand or less than fifty thousand, six hundred dol-
16 lars (\$600.00) per annum; in counties having a population of not more than
17 fifty thousand or less than forty thousand, four hundred dollars (\$400.00)
18 per annum; in counties having a population of less than forty thousand,
19 three hundred dollars (\$300.00) per annum. The member of the county
20 board in counties other than counties of the first class who shall be secretary
21 thereof and who shall perform the clerical duties thereof shall receive an
22 additional compensation of one half of the compensation of the individual
23 members of the board.

24 The compensation of the clerk of the county board of elections in coun-
25 ties of the first class shall be as follows: For the first year of service in
26 such position the sum of thirty-five hundred dollars (\$3,500.00) per annum,
27 to be increased at the rate of one hundred and fifty dollars (\$150.00) per
28 annum for each year of service, to the maximum of fifty-five hundred
29 dollars (\$5,500.00) per annum; and the compensation of the assistant clerks
30 shall be, for the first year of service in such positions, the sum of three
31 thousand dollars (\$3,000.00) per annum, to be increased at the rate of one

32 hundred dollars (\$100.00) per annum for each year of service to the maxi-
33 mum of forty-five hundred dollars (\$4,500.00) per annum. The compensa-
34 tion of the clerk-stenographer shall be fixed by the county board, to be paid
35 by the county treasurer, semimonthly as other county employees are paid.
36 This section shall apply to such clerks and assistant clerks whether hereto-
37 fore or hereafter appointed and the years of service shall be computed
38 from the time of their respective appointments to such positions.

39 The commissioner of registration in a county of the first class shall
40 receive twenty-five hundred dollars (\$2,500.00) per annum, for services per-
41 formed as such commissioner of registration, and for such services
42-45 performed by a commissioner of registration in a county other
46 than a county of the first class additional compensation shall be paid to such
47 commissioner in an amount equal to fifty per centum (50%) of his salary as
48 member and secretary of the county board. In counties of the second class
49 where a member of the county board serves as commissioner of registra-
50 tion, he shall receive no additional compensation for the performance of his
51 duties as such commissioner unless he shall devote his full time to the per-
52 formance of his duties as a member of the county board, secretary thereof,
53 and commissioner of registration. "Full time" as here used means such
54 time as is daily required of employees in the office of the county board.

1 5. This act shall take effect immediately.