

19:45-2

12/14/87

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 19:45-2, 19:45-6, 19:50-1 (Boards of Election-- various amendments)

**Laws Of:** 1987 **CHAPTER** 151

**Bill No:** S1570, S804, A2782

**Sponsor(s):** Lynch, Brown, Crecco

**Date Introduced:** September 18, 1986

**Committee:** **Assembly:** Appropriations; State Government  
**Senate:** Revenue, Finance & Appropriations; State Government

**Amended during passage:** Yes according to Governor's recommendations Assembly Committee Substitute for Senate Committee Substitute (2nd OCR) enacted.

**Date of Passage:** **Assembly:** October 23, 1986 Re-enacted 5-2-87  
**Senate:** June 2, 1986 Re-enacted 6-18-87

**Date of Approval:** June 25, 1987

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** Yes 10-20-86 and 9-18-86  
**Senate** Yes 5-19-86 and 4-3-86

**Fiscal Note:** No

**Veto Message:** Yes

**Message on Signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

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[SECOND OFFICIAL COPY REPRINT]  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 1570, 804 and**  
**ASSEMBLY, No. 2782**

[CORRECTED COPY]

**STATE OF NEW JERSEY**

ADOPTED SEPTEMBER 18, 1986

By Senators LYNCH and BROWN; Assemblywoman CRECCO

AN ACT concerning the compensation of members of the district boards of elections, amending R. S. 19:45-2, R. S. 19:45-6 and R. S. 19:50-1 and making an appropriation.

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

1 1. R. S. 19:45-2 is amended to read as follows:

2 19:45-2. All costs, charges and expenses incurred by the State  
3 Board of Canvassers, Secretary of State or any other officer or  
4 official of the State government in carrying out any provisions of  
5 this Title shall be paid by the State. \***[In addition, the State shall,**  
6 *on or before February 1 of each year, pay to each county an amount*  
7 *equal to the amount by which the total compensation properly paid*  
8 *by the county to members of district boards of election with respect*  
9 *to elections held during the preceding calendar year exceeds*  
10 *\$50.00 in each such election for each member properly so paid.]\**

1 2. R. S. 19:45-6 is amended to read as follows:

2 19:45-6. The compensation of each member of the district boards  
3 for all services performed by them under the provisions of this  
4 Title shall be as follows:

5 In all counties, for all services rendered including the counting  
6 of the votes, and in counties wherein voting machines are used,  
7 the tabulation of the votes registered on the voting machines,  
8 and the delivery of the returns, registry binders, ballot boxes and  
9 keys for the voting machines to the proper election officials,  
10 **[\$50.00] \$75.00** each time the primary election, the general elec-  
11 tion or any special election is held under this Title; provided, how-  
12 ever, that **[in]:**

**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 printed in italics *thus* is new matter.

**Matter enclosed in asterisks or stars has been adopted as follows:**

\*—Assembly amendments adopted in accordance with Governor's recommendation December 15, 1986.

13 a. (1) the member of the board charged with the duty of obtain-  
 14 ing and signing for the signature copy registers shall receive an  
 15 additional \$12.50 per election, such remuneration being limited to  
 16 only one board member per election, or \$6.25 to each of two board  
 17 members if they share such responsibility for the signature copy  
 18 registers, and (2) the member of the board charged with the duty  
 19 of returning the signature copy registers shall receive an addi-  
 20 tional \$12.50 per election, such remuneration being limited to only  
 21 one board member per election, or \$6.25 to each of two board mem-  
 22 bers if they share such responsibility for the signature copy  
 23 registers;

24 b. In the case of any member of the board who is required under  
 25 R. S. 19:50-1 to attend a given year a training program for dis-  
 26 trict board members, but who fails to attend such a training pro-  
 27 gram in that year, that compensation shall be \$50.00 for each of  
 28 those elections; and

29 c. In counties wherein voting machines are used no compen-  
 30 sation shall be paid for any services rendered at any special elec-  
 31 tion held at the same time as any primary or general election.  
 32 Such compensation shall be in lieu of all other fees and payments.

33 Compensation due each member shall be paid within 30 days but  
 34 not within 20 days after each election; provided, however, that no  
 35 compensation shall be paid to any member of any such district  
 36 board who may have been removed from office or application for  
 37 the removal of whom is pending under the provisions of R. S.  
 38 19:6-4.

1 3. R. S. 19:50-1 is amended to read as follows:

2 19:50-1. Not less than 10 nor more than 21 days before each  
 3 election, the county board of elections shall cause [the] new mem-  
 4 bers of the district boards who are to serve in election districts  
 5 to be instructed in the conduct of elections, and in their duties in  
 6 connection therewith[, and]. All district board members shall be  
 7 required to attend said instructional sessions for each election at  
 8 least once every two years. The county board of elections shall  
 9 cause to be given to each member of each district board who has  
 10 received such instruction and is fully qualified to properly con-  
 11 duct the election [with the machine], a certificate to that effect[;]  
 12 provided, however, that members of district boards of elections  
 13 who have served in a district or districts in which voting machines  
 14 have been used for two consecutive general elections and who  
 15 have received such certificate shall not be required to receive  
 16 further instruction, except in the discretion of the county board

17 of elections]. For the purpose of giving such instruction the  
 18 county board of elections shall call such meeting or meetings of  
 19 the district boards as shall be necessary. *The content of said*  
 20 *meeting or meetings shall be limited solely to the instruction of*  
 21 *district board members; lobbying or the advancement of political*  
 22 *ends shall be prohibited.* The members of the district board of  
 23 each election district [in which a voting machine is to be used],  
 24 unless excused from such attendance as herein provided,] shall  
 25 attend such meeting or meetings as shall be called for the purpose  
 26 of receiving such instruction concerning their duties as shall be  
 27 necessary for the proper conduct of the election [with the ma-  
 28 chine]. No member of any district board shall serve in any election  
 29 [at which a voting machine is used] unless he shall have received  
 30 such instruction *as herein provided* and is fully qualified to per-  
 31 form the duties in connection with the [machine] election, and has  
 32 received a certificate to that effect from the county board of elec-  
 33 tions; but this shall not prevent the appointment of a person as a  
 34 member of the district board to fill a vacancy in an emergency, as  
 35 now provided by law.

1 \* [4. There is appropriated to the Department of State from the  
 2 General Fund the sum of \$1,500,000.00 for the purposes of this  
 3 act.]\*

1 \* [5.]\* \*4.\* This act shall take effect immediately.

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#### ELECTIONS

Increases compensation of members of district boards of elections  
 and; establishes requirement of biennial training of district board  
 workers; appropriates \$1,500,000.00.

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**ASSEMBLY, No. 2782**  
**STATE OF NEW JERSEY**

INTRODUCED JUNE 12, 1986

By Assemblywoman CRECCO, Assemblymen KELLY, Catrillo  
and Gargiulo

AN ACT concerning the organization, functioning and compensation  
of district boards of election, amending parts of Title 19 of the  
Revised Statutes and making an appropriation.

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

1 1. R. S. 19:6-4 is amended to read as follows:

2 19:6-4. A judge of the **[County]** *Superior* Court or the county  
3 board shall have power to dismiss any member of a district board  
4 from such board for an illegal act, or for any cause which shall be  
5 determined in a summary way by such judge or county board. The  
6 county board shall dismiss the members of a district board from  
7 such board if upon any recount of the votes cast in such district it  
8 shall appear that errors occurred in the count or the certificate  
9 thereof, which, under the provisions of this Title, are sufficient to  
10 cause the costs of such recount to be paid by the State, county or  
11 municipality; and no person so removed from any board shall  
12 thereafter be eligible to serve as a member of the same or any other  
13 district election board. Application for the removal of all of the  
14 members, or of any member of any district election board, may,  
15 within 10 days after the final order has been entered on any re-  
16 count which may have been allowed affecting such district, be  
17 made by any candidate at the last election to a judge of the  
18 **[County]** *Superior* Court or the county board. On the application,  
19 summary hearings shall be held to determine whether the board or  
20 the member was incompetent or careless in the receipt of illegal  
21 votes or the rejection of legal votes or otherwise in the conduct of

**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 printed in italics thus is new matter.**

22 the election generally. If, upon such hearing, it appears to the  
 23 judge or the county board, as the case may be, that such incompe-  
 24 teny or carelessness existed, the board or the member thereof  
 25 found so to be incompetent or careless shall be removed and upon  
 26 such removal disqualified from further service as a member of any  
 27 district board.

28 *When a member of a district board has been dismissed hereunder*  
 29 *by a judge of the Superior Court, the clerk of that court shall forth-*  
 30 *with transmit to the county board a copy of the order of dismissal.*

31 *Where a member of a district board who has been removed under*  
 32 *this section holds, at the time of the removal, the position of execu-*  
 33 *tive clerk of the board or assistant executive clerk of the board, the*  
 34 *county board shall, upon issuance to the person filling the vacancy*  
 35 *of the certificate of that person's appointment, transmit to the*  
 36 *municipal clerk of the municipality in which the election district is*  
 37 *located a copy of the certificate or order of dismissal and a copy of*  
 38 *the certificate of appointment.*

1 2. R. S. 19:6-5 is amended to read as follows:

2 19:6-5. Any member of a district board in an election district  
 3 may be summarily removed from office, with or without cause, and  
 4 vacancies filled, at any time by the members of the county board  
 5 of the county in which such election district is located in the manner  
 6 hereinafter provided. Such removal shall be made by the members  
 7 of the county board of the same political party of the person so  
 8 removed, and upon a removal the members of the county board so  
 9 acting shall make a certificate of removal and file same with the  
 10 county board.

11 The members of the county board removing such election officer  
 12 shall forthwith proceed to fill the vacancy caused by the removal,  
 13 and shall issue to the person selected to fill the vacancy a certificate  
 14 which shall entitle that person to perform all the duties of a member  
 15 of the district board for such election district.

16 *Where a member of a district board who has been removed under*  
 17 *this section holds, at the time of the removal, the position of execu-*  
 18 *tive clerk of the board or assistant executive clerk of the board, the*  
 19 *county board shall, upon issuance to the person filling the vacancy*  
 20 *of the certificate of that person's appointment, transmit to the*  
 21 *municipal clerk of the municipality in which the election district is*  
 22 *located a copy of the certificate of dismissal and a copy of the*  
 23 *certificate of appointment.*

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

2 19:6-7. Any person selected as a member of a district board may  
 3 be assigned by the county board to any election district, or trans-

4 ferred from one district to another after having been so assigned,  
 5 in the municipality for which such person was selected, **[and the]**  
 6 *except that a board member who holds the position of executive clerk*  
 7 *of the board or assistant executive clerk of the board shall not be*  
 8 *transferred or reassigned from the district in which he holds that*  
 9 *position without his written consent. The county board shall, on or*  
 10 *before April 15 in each year, certify to the clerk of the county and*  
 11 *to the municipal clerk the names of the persons appointed to the*  
 12 *district boards of registry and election in the election districts in*  
 13 *the county, specifying the municipalities and the districts therein*  
 14 *for which such members shall have been appointed.*

1 4. R. S. 19:6-8 is amended to read as follows:

2 19:6-8. The terms of office of the members of the district boards  
 3 shall be for one year, or until their successors are appointed, and  
 4 shall begin on April 25 of each year. The county board shall notify  
 5 the members of each district board of their appointment *under R. S.*  
 6 *19:6-3* by forwarding a certificate to each member on or before  
 7 April 20 in each year, specifying the district to which such member  
 8 has been assigned, *and shall at the same time transmit to the*  
 9 *municipal clerk a copy of that certificate.*

1 5. R. S. 19:6-10 is amended to read as follows:

2 19:6-10. Each district board shall, on or before the second  
 3 Tuesday next preceding the primary election, meet and organize  
 4 by the election of one of its members **[as judge, who shall be**  
 5 **chairman]** *as executive clerk* of the board, and another of its  
 6 members as **[inspector]** *assistant executive clerk of the board.*  
 7 **[such]** *The [judge] executive clerk and [inspector] assistant*  
 8 *executive clerk shall be members or voters of different political*  
 9 *parties. In case of failure to [elect a judge] elect an executive*  
 10 *clerk as herein provided, after balloting or voting three times, the*  
 11 *senior member of the board in respect to length of continuous*  
 12 *service as a member of such district board shall become [judge]*  
 13 *executive clerk, and in case of failure to elect an [inspector]*  
 14 *assistant executive clerk after balloting or voting three times,*  
 15 *the [next] senior member of the board in respect to length of*  
 16 *continuous service as a member of such district board who is not*  
 17 *a member or voter of the same political party as the executive*  
 18 *clerk shall become [inspector; provided, that both the chairman*  
 19 *and the inspector shall not be members or voters of the same*  
 20 *political party] assistant executive clerk.*

21 *Each executive clerk so elected or designated shall immediately*  
 22 *designate a board member to be responsible in his absence for re-*  
 23 *ceiving, signing for, and delivering signature copy registers.*

24     *Within 48 hours of notification of the election or designation of*  
 25     *the executive clerk or of the assistant executive clerk, or both, the*  
 26     *municipal clerk shall transmit to the person so elected or desig-*  
 27     *nated a certificate of election or designation, and shall likewise*  
 28     *transmit a copy of that certificate to the county clerk and an addi-*  
 29     *tional copy to the county board.*

30     The other two members of the board shall be clerks of election,  
 31     and shall perform all the duties *generally* required by law of the  
 32     clerks of district boards.

1     6. R. S. 19:9-2 is amended to read as follows:

2     19:9-2. The Secretary of State shall prepare and distribute on or  
 3     before April 1 in each year prior to the primary election for the  
 4     general election and the general election the following information  
 5     and election supplies: pamphlets of the election laws and instruc-  
 6     tions; precinct returns; electors of President and Vice-President;  
 7     United States Senator; member of the House of Representatives;  
 8     Governor; State Senator; General Assembly and county officers;  
 9     public question submitted to the voters of the entire State: self-  
 10     addressed envelopes, plain and stamped, to each district; returns  
 11     for the county board of canvassers for the above officers; primary  
 12     return sheets.

13     All other books, ballots, envelopes and other blank forms which  
 14     the county clerk is required to furnish under any other section of  
 15     this Title, stationery and supplies for the primary election for the  
 16     general election, the primary election for delegates and alternates  
 17     to national conventions and the general election, shall be furnished,  
 18     prepared and distributed by the clerks of the various counties;  
 19     except that all books, blank forms, stationery and supplies, articles  
 20     and equipment which may be deemed necessary to be furnished,  
 21     used or issued by the county board or superintendent shall be  
 22     furnished, used or issued, prepared and distributed by such county  
 23     board or superintendent, as the case may be.

24     The county board in counties having a superintendent of elec-  
 25     tions shall furnish and deliver to the county clerk, the municipal  
 26     clerks and the *executive clerks of the* district boards in munici-  
 27     palities having more than one election district, a map or description  
 28     of the district lines of their respective election districts, together  
 29     with the street and house numbers where possible in such election  
 30     districts. In counties not having a superintendent of elections the  
 31     municipal clerks shall furnish and deliver such map or description  
 32     of district lines to the county clerk, the county board and the *execu-*  
 33     *tive clerk of each* district board in municipalities having more than  
 34     one election district.



35 Nothing in subtitle 2 of the Title, Municipalities and Counties  
 36 (section 40:16-1 et seq.), shall in anywise be construed to affect,  
 37 restrict, or abridge the powers conferred on the county clerks,  
 38 county boards or superintendents by this Title.

1 7. R. S. 19:9-4 is amended to read as follows:

2 19:9-4. Where such supplies prepared either by the Secretary of  
 3 State or the county clerk shall be required in a municipality the  
 4 county clerk shall deliver the same to **[a member]** *the executive*  
 5 *clerk* of the district board at his office, or in any other way that he  
 6 sees fit, on or before the time they are so required and take a  
 7 receipt for the same, which receipt shall indicate the time when the  
 8 supplies were delivered by the county clerk and the time when they  
 9 were received by **[such member]** *the executive clerk*. The county  
 10 clerk shall file such receipt in his office for at least one year.

1 8. R. S. 19:9-5 is amended to read as follows:

2 19:9-5. Where supplies are delivered by the county clerk or the  
 3 county board to the municipal clerk for distribution, the municipal  
 4 clerk shall deliver the same at his office, or in any other way that  
 5 he sees fit, to **[a member]** *the executive clerk* of the district board  
 6 and take a proper receipt therefor and file the same in his office.

1 9. R. S. 19:14-24 is amended to read as follows:

2 19:14-24. The municipal clerk to whom the sample ballots and  
 3 stamped envelopes have been so delivered by the county clerk shall  
 4 deliver the same at his office, or in any other way he sees fit, on  
 5 or before noon of the Tuesday preceding the general election, to  
 6 **[a member or members]** *the executive clerk* of each district board,  
 7 and shall take a receipt for the same from the **[member or mem-**  
 8 **bers]** *executive clerks* of the district boards of such municipality,  
 9 which receipt shall indicate the number of sample ballots and  
 10 stamped envelopes delivered by the municipal clerk and the date  
 11 and hour of their delivery.

1 10. R. S. 19:14-35 is amended to read as follows:

2 19:14-35. The municipal clerk shall on the day preceding any  
 3 such general election, deliver, at his office or in any other way that  
 4 he sees fit, to **[one of the members]** *the executive clerk* of each  
 5 district board within his municipality, the ballot box, the ballot box  
 6 keys, the ballots, and all other equipment and supplies received  
 7 from the county clerk or the county board for such election district,  
 8 and in addition shall deliver to the **[member]** *executive clerk* all  
 9 other equipment and supplies as herein provided to be furnished  
 10 by the municipal clerk to the district boards of his municipality for  
 11 balloting at the general election, and take the receipt of the **[mem-**  
 12 **ber]** *executive clerk* therefor, which last mentioned receipt the  
 13 clerk of the municipality shall file and preserve for one year.

14 The [member] *executive clerk* of each district board shall on the  
 15 morning of election and before the proclamation of the opening of  
 16 the polls, deliver the ballot box, the packages of ballots and all other  
 17 equipment and supplies by him received to the district board of  
 18 which he is [a member] *the executive clerk* with the seals thereof  
 19 unbroken, and shall take a receipt therefor from the board, which  
 20 receipt the [member] *executive clerk* shall file and preserve for one  
 21 year.

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

2 19:15-2. The district boards shall open the polls for such election  
 3 at seven o'clock in the morning and close them at eight o'clock in  
 4 the evening, and shall keep them open during the whole day of  
 5 election between these hours.

6 The *executive clerk of the board* may allow one member thereof  
 7 at a time to be absent from the polling place and room for a period  
 8 not exceeding one hour between the hours of one o'clock and five  
 9 o'clock in the afternoon or for such shorter time as [it] *he* shall  
 10 see fit. *During any such period in which the executive clerk or the*  
 11 *assistant executive clerk is thus absent, the other member or voter*  
 12 *of the board who is a member of the same political party shall serve*  
 13 *as temporary executive clerk or temporary assistant executive*  
 14 *clerk, as appropriate. If the membership of the board includes more*  
 15 *than one other such member of the same political party, the execu-*  
 16 *tive clerk or assistant executive clerk shall designate his temporary*  
 17 *replacement from among those members of his political party.*

18 At no time from the opening of the polls to the completion of the  
 19 canvass shall there be less than a majority of the board present in  
 20 the polling room or place.

1 12. R. S. 19:15-5 is amended to read as follows:

2 19:15-5. If at any election the ballots to be furnished therefor  
 3 shall not be delivered at the time above mentioned, or if after  
 4 delivery they shall be destroyed or stolen and other official ballots  
 5 cannot be obtained in time for such election, the clerk of the county  
 6 or municipality, or the *executive clerk of the district board*, as the  
 7 case may require, shall cause other ballots to be prepared as nearly  
 8 in the form heretofore prescribed as practicable, but without the  
 9 indorsement on the top.

10 Upon the receipt of ballots thus prepared from the clerk of the  
 11 county or municipality, accompanied by a statement, under oath,  
 12 of the person preparing the same, that they have been so prepared  
 13 and furnished because the original ballots have so failed to be  
 14 received or have been destroyed or stolen, and that other official  
 15 ballots could not be obtained in time for such election, or where

16 the *executive clerk of the* district board has caused such unofficial  
 17 ballots to be prepared, the board shall cause the ballots so sub-  
 18 stituted to be used at the election.

1 13. R. S. 19:15-10 is amended to read as follows :

2 19:15-10. **【The】** *Before a* district **【boards, before they receive】**  
 3 *board receives* any vote, *the executive clerk thereof* shall make  
 4 public proclamation of the opening of the election and of **【their】**  
 5 *the readiness of the board* to receive the votes of the voters, and  
 6 thereupon the election shall be opened.

1 14. R. S. 19:15-20 is amended to read as follows :

2 19:15-20. If a person shall be challenged as not qualified or  
 3 entitled to vote, and the person challenging him shall specify a  
 4 ground for such challenge to be that the person so challenged is an  
 5 alien, the **【judge of election】** *executive clerk of the district board*  
 6 may forthwith tender to him an oath or affirmation, in the following  
 7 form : "You do swear (or affirm, as the case may be), that to the best  
 8 of your knowledge, information and belief, you were born a citizen  
 9 of the United States, and that you do not owe allegiance to any  
 10 foreign prince, potentate, state or sovereignty", and if the person  
 11 so challenged shall refuse to take the oath or affirmation so tendered  
 12 to him, he shall be deemed to be an alien, unless he shall produce  
 13 at the time of claiming his vote, to the board, a lawful certificate,  
 14 issued out of and under the seal of some court of record, having  
 15 authority to admit aliens to the rights of a citizen of the United  
 16 States, showing that he has been admitted to the rights of a citizen  
 17 of the United States. In this case the **【judge】** *executive clerk* shall  
 18 tender to the person so challenged an oath or affirmation in the  
 19 following form :

20 "You do swear (or affirm, as the case may be), that you are the  
 21 person named in the certificate of naturalization which you have  
 22 produced to the board." In case the person producing the same  
 23 shall claim to have derived the rights of such citizen through the  
 24 naturalization of his parent, such certificate shall show that the  
 25 person alleged to be such parent has been admitted to the rights of  
 26 such citizen. In this event, an oath or affirmation, in the following  
 27 form, shall be tendered to such person :

28-29 "You do swear (or affirm, as the case may be), that to the best  
 30 of your knowledge, information and belief, the person named in the  
 31 certificate of naturalization which you have produced to this board  
 32 was your parent, and that you were at the time of the naturalization  
 33 of your parent under the age of twenty-one years, and resident of  
 34 the United States." If the person so challenged shall in either case  
 35 refuse to take the oath or affirmation so tendered to him, he shall  
 36 be deemed to be an alien.

1 15. R. S. 19:15-21 is amended to read as follows:

2 19:15-21. If a person shall be challenged as not qualified or  
3 entitled to vote, the **[judge]** *executive clerk of the district board*  
4 may forthwith tender to him an oath or affirmation, in the following  
5 form:

6 "You do swear (or affirm, as the case may be), that you are a  
7 citizen of the United States; that you have resided in the State **[six**  
8 months,] and in this county for **[40]** 30 days next before this elec-  
9 tion, and not elsewhere; that you are now a resident of this election  
10 district; that, as far as you know and verily believe, you are **[21]**  
11 18 years of age, and in all respects qualified to vote in this election,  
12 in this election district, and that you have not voted elsewhere in this  
13 election," and if the person so challenged shall refuse to take the  
14 oath or affirmation so tendered to him, he shall be deemed not to be  
15 qualified or entitled to vote.

1 16. R. S. 19:15-25 is amended to read as follows:

2 19:15-25. In all municipalities after the district board shall have  
3 ascertained that a voter is properly registered and qualified to vote  
4 the **[inspector of election]** *assistant executive clerk of that board*  
5 shall furnish to the voter one official ballot numbered to correspond  
6 with the poll number of the voter, allowing for spoiled ballots, if  
7 any.

8 No ballot shall be handed to a voter until there is a booth ready  
9 for occupancy. The members of the district board shall not allow  
10 a voter to mark his ballot outside of an election booth unless the  
11 voter is unable to enter the booth by reason of his physical dis-  
12 ability.

13 The **[inspector]** *assistant executive clerk* shall instruct the voter  
14 how to fold the ballot and shall crease the ballot so as to indicate  
15 the point where the voter shall fold the ballot, but before handing  
16 the ballot to the voter the **[inspector]** *assistant executive clerk*  
17 shall see that the face of the ballot including the coupon is exposed,  
18 and at the same time shall call off the ballot number to the **[mem-**  
19 **ber having charge of the polling book]** *executive clerk*, who shall  
20 make certain that the ballot number and poll number agree, allow-  
21 ing for spoiled ballots, if any.

22 If the number of the ballot does not follow consecutively, *the*  
23 *executive clerk shall write* the missing number or numbers **[shall be**  
24 **written]** on a blank sheet of paper, *which shall thereupon be signed*  
25 *by the members of the district board and placed on the string with*  
26 *the coupons in its or their proper place or places.*

1 17. R. S. 19:15-31 is amended to read as follows:

2 19:15-31. He shall then hand the ballot with the coupon un-

3 detached to the [member] *assistant executive clerk* of the [elec-  
 4 tion] *district board* [having charge of the ballot box], [which  
 5 member] *who* shall call off the number of the ballot and the name  
 6 of the voter. If the name and number agree with the record in the  
 7 poll book, the [election officer having charge of the poll book]  
 8 *executive clerk* shall so announce and place the word "voted"  
 9 opposite the poll number to indicate that the person shown thereon  
 10 as receiving the ballot has voted.

11 [In districts having permanent registration the member of the  
 12 board having charge of the signature copy register shall record the  
 13 ballot number in the proper column of the record of voting form.]

14 *The member of the board having charge of the signature copy*  
 15 *register shall record the ballot number in the proper column of*  
 16 *the record of voting form.*

1 18. R. S. 19:15-32 is amended to read as follows:

2 19:15-32. Thereupon the [member] *assistant executive clerk*  
 3 of the *district board* [having charge of the ballot box] without  
 4 displaying any part of the face of the ballot, shall remove the  
 5 coupon from the top of the ballot and place the ballot in the box  
 6 and the coupon on a file string. The [member of the board having  
 7 charge of the ballot box] *assistant executive clerk* shall keep the  
 8 ballot in full view of the voter and the other election officers until  
 9 it is deposited and the voter may take hold thereof, with the  
 10 [member of the board having charge of the ballot box] *assistant*  
 11 *executive clerk*, until it is actually deposited.

1 19. R. S. 19:16-7 is amended to read as follows:

2 19:16-7. The board in the actual procedure of counting the  
 3 ballots shall thereupon unlock and open the ballot box; the ballots  
 4 shall then be taken singly and separately therefrom by the [judge]  
 5 *executive clerk* of the [election] *district board*, and while each  
 6 ballot shall remain in his hands, he shall audibly and publicly read  
 7 the same in full view of the [inspector] *assistant executive clerk*.  
 8 The [inspector] *assistant executive clerk* shall [be satisfied]  
 9 *verify* that the ballot is being correctly read by the [judge] *execu-*  
 10 *tive clerk and shall thereupon indicate such verification.*

11 After the reading of the ballot and before taking another ballot  
 12 from the box the [judge] *executive clerk* shall fold the ballot to a  
 13 size about five inches square, and shall deliver the same so folded to  
 14 the [inspector] *assistant executive clerk* who shall write on the  
 15 back thereof the number of such ballot from one onward, in the  
 16 order in which the same shall have been taken from the box; and  
 17 shall string the ballot as one ticket in the order in which the same  
 18 shall be taken from the box and numbered, by means of a needle  
 19 and string to be provided for that purpose.

20 Void ballots shall be strung in the same manner as valid ballots  
21 but on a separate string.

1 20. R. S. 19:16-10 is amended to read as follows:

2 19:16-10. After completing the same the **[chairman]** *executive*  
3 *clerk* of the *district* board shall audibly and publicly announce the  
4 result thereof, particularly specifying the whole number of the  
5 votes in the poll book, the name of each person for whom any vote  
6 shall have been given for any office to be filled by such election, and  
7 the number of votes for each person for the office designated for  
8 him by such votes, together with those cast upon any public  
9 question.

1 21. R. S. 19:17-3 is amended to read as follows:

2 19:17-3. After the district board shall have made up and certified  
3 such statements, **[if]** *the executive clerk and the assistant execu-*  
4 *tive clerk* shall at the same time and with the ballot boxes, as  
5 hereinafter provided, deliver or safely transmit one of the state-  
6 ments to the clerk of the municipality wherein such election is  
7 held, who shall forthwith file the same. In counties having a super-  
8 intendent of elections one of such statements shall forthwith be  
9 filed with the superintendent of elections of the county. The super-  
10 intendent may arrange to accept such certificates in such munici-  
11 pality within the county at the office of the clerk of such municipality  
12 or some other convenient place. Any municipal clerk who shall  
13 refuse to permit such superintendent or his deputies or assistants  
14 access to his office for the purpose of collecting such certificates or  
15 any municipal clerk or other person who shall interfere or obstruct  
16 the superintendent, his deputies or assistants in the collection of  
17 such certificates, or any member of a district board who shall  
18 willfully fail or refuse to deliver such statement to the superin-  
19 tendent, his deputies or assistants as the case may be, shall be guilty  
20 of a **[misdemeanor]** *crime of the fourth degree*. In all counties the  
21 *executive clerk and the assistant executive clerk of the board* shall,  
22 immediately after election, deliver or safely transmit another of the  
23 statements to the clerk of the county, who shall forthwith file the  
24 same.

25 If officers were voted for or public questions were voted upon  
26 at the election by the voters of the entire State or of more than one  
27 county thereof, or of a congressional district, then the *executive*  
28 *clerk and the assistant executive clerk of the board* shall, im-  
29 mediately after the election, inclose, seal up and transmit the  
30 fourth statement to the Secretary of State by mail in stamped  
31 envelopes to be furnished by the Secretary of State, addressing  
32 the same in the following manner: "To the Secretary of State of

33 New Jersey, Trenton, New Jersey." Upon receiving such state-  
 34 ments the Secretary of State shall forthwith file the same in his  
 35 office.

1 22. R. S. 19:18-1 is amended to read as follows:

2 19:18-1. As soon as the election shall be finished and the votes  
 3 canvassed and the statements made and certified by the district  
 4 board as herein required, *the executive clerk and the assistant*  
 5 *executive clerk shall carefully collect* all ballots which have been  
 6 cast, whether the same have been canvassed and counted or rejected  
 7 for any cause, and *shall deposit those ballots, together with one*  
 8 *tally sheet* **[,] and all** spoiled and unused ballots, **[,] shall be carefully**  
 9 **collected and deposited** in the ballot box.

10 In all municipalities the signature copy registers shall not be  
 11 placed in the ballot box but shall be delivered immediately by the  
 12 *executive clerk of the district board, or his designee*, to the commis-  
 13 sioner of registration.

14 In order to carry out his duties, any superintendent of elections  
 15 in counties having a superintendent of elections shall have access  
 16 and be permitted to inspect and examine any and all signature copy  
 17 registers for said county for any election which may have been or  
 18 shall be held in said county and any official or person having pos-  
 19 session or custody of same who shall refuse to deliver said signa-  
 20 ture copy registers to the office of said superintendent of elections  
 21 forthwith upon demand having been made upon him by said super-  
 22 intendent of elections as aforesaid shall be guilty of a **[,] misde-**  
 23 **meanor** *crime of the fourth degree*. Unless the said official having  
 24 custody or possession of said signature copy registers shall forth-  
 25 with produce the same at the office of the superintendent of elec-  
 26 tions when demanded by him so to do, the said superintendent of  
 27 elections may apply to a judge of the Superior Court assigned to  
 28 the county **[,] or a judge of the County Court of the county**, and  
 29 such judge shall forthwith make an order directing the official  
 30 having possession or custody of the said signature copy registers  
 31 to produce them at once in the court in which said judge may be  
 32 sitting, and upon their being produced said judge shall deliver the  
 33 same to the superintendent of elections.

1 23. R. S. 19:18-2 is amended to read as follows:

2 19:18-2. The ballot box, after being locked and bound with tape  
 3 and sealed, shall in all municipalities be immediately taken in  
 4 charge by **[,] 2 members** *the executive clerk and the assistant execu-*  
 5 *tive clerk* of the district board. **[,] If** *They* shall then **[,] be delivered**  
 6 *deliver it* to the office of the clerk of the municipality in which the  
 7 election may be held, **[,] by said members or** *either* by **[,] said**

8 members] *themselves only* or with the assistance of an officer or  
 9 officers to be designated by the governing body thereof, by the most  
 10 direct route and without delay, and such members or officers shall  
 11 not stop at any place between the polls and the municipal clerk's  
 12 office.

13 When the municipal governing body designates an officer or  
 14 officers to assist said members in transmitting the ballot boxes it  
 15 shall provide for suitable transportation.

1 24. R. S. 19:18-6 is amended to read as follows:

2 19:18-6. Not later than noon of the day following the canvass  
 3 of the votes the keys of each ballot box shall be deposited by [a  
 4 member] *the executive clerk* of the district board with the county  
 5 clerk.

1 25. R. S. 19:23-2 is amended to read as follows:

2 19:23-2. In addition to the notice of the primary for the general  
 3 election hereinbefore provided to be published along with the  
 4 notice of the general election in the newspapers circulating in  
 5 municipalities wherein such elections are to be held, notice of the  
 6 time and place of holding such primary elections shall be given by  
 7 *the executive clerk of each district board* by five notices [posted]  
 8 *which he shall post* at conspicuous places in [its] *the election*  
 9 district at least two weeks before the primary elections.

1 26. R. S. 19:23-33 is amended to read as follows:

2 19:23-33. In counties not having a superintendent of elections  
 3 where the county board of elections does not have the equipment or  
 4 facilities to address and mail sample ballot envelopes, the municipal  
 5 clerk in each municipality shall furnish to [a member] *the execu-*  
 6 *tive clerk* of each district board in his municipality, at his office,  
 7 or in any other way that he sees fit, on or before Tuesday preceding  
 8 the primary election in each year, sufficient sample ballots and  
 9 sufficient stamped envelopes to enable the board to mail sample  
 10 ballots to the voters as hereinbefore provided. [Each] *The execu-*  
 11 *tive clerk* of [the boards] *each district board* shall give the mu-  
 12 nicipal clerk a receipt for such sample ballots and envelopes signed  
 13 by [one of its members] *him*.

14 In counties having a superintendent of elections, and in other  
 15 counties where the county board of elections shall elect to operate  
 16 under the provisions of subsection b of [section] *R. S. 19:23-30*  
 17 [of this Title], the municipal clerk in each municipality shall  
 18 furnish to the commissioner of registration of his county not later  
 19 than 30 days preceding the primary election of each year, suffi-  
 20 cient stamped envelopes to enable the commissioner of registration  
 21 to mail sample ballots to each voter who is registered in the county



22 and shall, not later than noon of the twelfth day preceding the  
 23 primary election furnish sufficient sample ballots to the commis-  
 24 sioner of registration of his county for that purpose. The com-  
 25 missioner of registration shall give the municipal clerk a receipt  
 26 for such sample ballots and envelopes.

1 27. R. S. 19:23-34 is amended to read as follows:

2 19:23-34. **[Each of such district boards, in]** *In* counties not  
 3 having a superintendent of elections where the county board of  
 4 elections does not have the equipment or facilities to address and  
 5 mail sample ballot envelopes, **[and the commissioner of registra-**  
 6 **tion in all other counties]** *the district boards, under the direction of*  
 7 *the executive clerk thereof*, shall prepare and deposit in the post  
 8 office, on or before twelve o'clock noon on Wednesday preceding  
 9 the primary day, the stamped envelopes containing a copy of the  
 10 sample primary ballot of each political party addressed to each  
 11 voter whose name appears in the primary election registry book.  
 12 *In all other counties, the commissioner of registration shall so*  
 13 *prepare and deposit those stamped envelopes.*

1 28. R. S. 19:23-35 is amended to read as follows:

2 19:23-35. In counties not having a superintendent of elections,  
 3 where the county board of elections does not have the equipment  
 4 or facilities to address and mail sample ballot envelopes, **[such]**  
 5 *the executive clerk of each* district board shall also post three  
 6 sample ballots in the polling place in **[its]** *the* district.

7 The county board of elections in all counties of the first class,  
 8 and in other counties where the county board of elections shall elect  
 9 to operate under the provisions of subsection b of **[section]**  
 10 *R. S. 19:23-30* **[of this Title]**, shall, not later than noon of the  
 11 second Monday preceding the primary election, deliver or mail to  
 12 the **[members]** *executive clerk* of **[the]** *each* district board three  
 13 sample ballots for **[their respective]** *his* election district. The  
 14 **[board]** *executive clerk* shall post the sample ballots in the polling  
 15 place in **[its]** *the* district.

1 29. R. S. 19:23-36 is amended to read as follows:

2 19:23-36. In counties not having a superintendent of elections  
 3 where the county board of elections does not have the equipment  
 4 or facilities to mail sample ballot envelopes, the *executive clerk of*  
 5 *each* district **[boards]** *board* shall return to the municipal clerk the  
 6 unused sample ballots and stamped envelopes, with a sworn state-  
 7 ment in writing, signed by a majority of the members of the board,  
 8 to the effect that the remainder of the sample ballots in envelopes  
 9 were actually mailed or posted as provided in this Title, and the  
 10 members of the board failing to **[file]** *sign* such statement shall  
 11 receive no compensation for the service of mailing.

12 In counties having a superintendent of elections, and in other  
 13 counties where the county board of elections shall elect to operate  
 14 under the provisions of subsection b of **[section]** *R. S. 19:23-30*  
 15 **[of this Title]**, the commissioner of registration shall return to  
 16 the municipal clerk the unused sample ballots and stamped en-  
 17 velopes with a sworn statement to the effect that the remainder  
 18 of the sample ballots and envelopes were actually mailed or posted  
 19 as herein provided.

1 30. *R. S. 19:23-38* is amended to read as follows:

2 19:23-38. The municipal clerk shall on the day preceding the  
 3 primary election cause to be delivered, at his office, to **[a member or**  
 4 **members]** *the executive clerk* of the district board of each election  
 5 district within his municipality, the ballots and the ballot boxes  
 6 provided for each election district, and any registers, poll books  
 7 and other documents that he may have received from the county  
 8 clerk, the county board or the commissioner, and take a receipt  
 9 from such **[member or members]** *executive clerk* therefor, which  
 10 last mentioned receipt the clerk of the municipality shall file and  
 11 preserve for one year.

1 31. *R. S. 19:23-39* is amended to read as follows:

2 19:23-39. Such **[member or members]** *executive clerk* shall on  
 3 the morning of the primary election, before proclamation of the  
 4 opening of the polls, deliver the ballot boxes and the ballots **[by**  
 5 **them received]** to the election boards of **[their respective]** *his*  
 6 election **[districts]** *district*, with the seals thereof unbroken, and  
 7 shall take receipts therefor from *the other members of the district*  
 8 board, which receipts **[such member or members]** *he* shall preserve  
 9 for one year.

1 32. *R. S. 19:23-42* is amended to read as follows:

2 19:23-42. The primary election for the general election shall be  
 3 conducted by the district boards substantially in the same manner  
 4 as the general election, except as herein otherwise provided.

5 **[Each]** *The executive clerk of the district board* may allow one  
 6 member thereof at a time to be absent from the polling place or  
 7 room for a period not exceeding one hour between the hours of one  
 8 o'clock and five o'clock in the afternoon or for such shorter time as  
 9 **[it]** *he* shall see fit**;** but at**].** *During any such period in which the*  
 10 *executive clerk or the assistant executive clerk is thus absent, the*  
 11 *member of the board who is affiliated with the same political party*  
 12 *as the absent member shall serve as temporary executive clerk or*  
 13 *temporary assistant executive clerk, as appropriate. If the member-*  
 14 *ship of the board includes more than one other such member of the*  
 15 *same political party, the executive clerk or assistant executive clerk*

16 shall designate his temporary replacement from among those mem-  
 17 bers affiliated with the political party with which he himself is  
 18 affiliated. At no time from the opening of the polls to the completion  
 19 of the canvass shall there be less than a majority of the board  
 20 present in the polling room or place.

1 33. R. S. 19:23-48 is amended to read as follows:

2 19:23-48. If a voter who desires to vote in the same political  
 3 party box in which he voted at the next preceding primary election  
 4 is challenged, he shall take an oath or affirmation, to be administered  
 5 by [a member] *the executive clerk* of the district board in the  
 6 following form: "You do solemnly swear (or affirm) that you are a  
 7 member of the ..... political party (specifying the  
 8 political party in which ballot box the affiant voted at the next  
 9 preceding primary election); that at the last election for members  
 10 of the general assembly at which you voted you voted for a majority  
 11 of the candidates of said party nominated for national, state and  
 12 county offices, and that you intend to support the candidates of said  
 13 party at the ensuing election, and that you are not ineligible or  
 14 otherwise disqualified by law to vote in this party primary of the  
 15 said ..... political party." If the person so challenged  
 16 shall refuse to take the oath or affirmation so tendered to him,  
 17 he shall be deemed not qualified or entitled to vote at such primary  
 18 election.

1 34. R. S. 19:23-50 is amended to read as follows:

2 19:23-50. The *executive clerk of each* district [boards] *board*  
 3 shall at the conclusion of the canvass make up and *all members*  
 4 *participating in the counting of the ballots shall* sign three state-  
 5 ments of the result of such election. The statements shall in words  
 6 at length show the total number of names of persons entitled to  
 7 vote, the whole number of ballots cast for each political party as  
 8 indicated by the party names at the head of the respective party  
 9 tickets, the whole number of ballots rejected for each political  
 10 party, and the number of votes received by each person as a can-  
 11 didate for nomination for office or position.

1 35. R. S. 19:23-53 is amended to read as follows:

2 19:23-53. The *executive clerk and the assistant executive clerk*  
 3 *of each* district board shall immediately deliver or transmit this  
 4 statement to the clerks of the county and municipality within which  
 5 such primary election was held. In counties having a superinten-  
 6 dent of elections one of such statements shall forthwith be filed  
 7 with the superintendent of elections of the county. The superin-  
 8 tendent may arrange to accept such certificates in each munici-  
 9 pality within the county at the office of the clerk of such municipality

10 or some other convenient place. Any municipal clerk who shall  
 11 refuse to permit such superintendent or his deputies or assistants  
 12 access to his office for the purpose of collecting such certificates  
 13 or any municipal clerk or other person who shall interfere or  
 14 obstruct the superintendent, his deputies or assistants in the  
 15 collection of such certificates, or any **member** *executive clerk or*  
 16 *assistant executive clerk* of a district board who shall willfully fail  
 17 or refuse to deliver such statement to the superintendent, his  
 18 deputies or assistants as the case may be, shall be guilty of a  
 19 **misdemeanor** *crime of the fourth degree.*

1 36. R. S. 19:26-1 is amended to read as follows:

2 19:26-1. At the close of all primary elections held according to  
 3 the provisions of this title, and after counting the ballots cast at  
 4 such primary and making the statements thereof as herein pro-  
 5 vided, *the executive clerk and the assistant executive clerk* of each  
 6 district board shall place all ballots voted at the election and all  
 7 spoiled and unused ballots inside the ballot boxes used at such elec-  
 8 tion, and after locking and sealing the same, shall forthwith deliver  
 9 the ballot boxes to the municipal clerk and the keys thereof to the  
 10 county clerk. **The district board in municipalities not having**  
 11 **permanent registration shall deliver to the county clerk the party**  
 12 **primary poll books of the previous year, together with the primary**  
 13 **election registry books and the primary party poll books made up**  
 14 **at the current primary election.** In all municipalities **having**  
 15 **permanent registration**, the signature copy register binders and  
 16 the current primary party poll books shall be returned by the *execu-*  
 17 *tive clerk or his designee of the respective* district boards to the com-  
 18 missioner, not later than noon of the day following the primary  
 19 election for the general election.

20 The commissioner shall return the primary party poll books to  
 21 the municipal clerks **in municipalities having permanent registra-**  
 22 **tion** not later than one month preceding the next primary election.

23 **In all municipalities not having permanent registration the**  
 24 **register of voters shall be returned by the district boards to the**  
 25 **county clerk not later than the day following the primary election**  
 26 **for the general election.**

27 The county clerks, in counties other than counties of the first  
 28 class, shall, during the ten days next preceding the third registry  
 29 day deliver, at their offices or in any other way they may see fit,  
 30 the register of voters to the *executive clerks of the* respective  
 31 district boards *or their designees.*

32 The county clerks in counties of the first class shall deliver the  
 33 register of voters to the municipal clerks, who shall deliver such

34 register to the *executive clerks of the respective* district boards, or  
35 *their designees*, at the same time and with the official general elec-  
36 tion sample ballots.

1 37. R. S. 19:27-14 is amended to read as follows:

2 19:27-14. In each municipality in counties not having a super-  
3 intendent of elections, the commissioner shall deliver to the clerk  
4 of the municipality in which the special election is to be held, at  
5 least thirty days prior thereto, the signature copy registers. The  
6 municipal clerk shall deliver such signature copy registers and also  
7 the registers of voters to the *executive clerks of the several* district  
8 boards, *or their designees*, in time to be used at the special election.

9 In counties having a superintendent of elections the commis-  
10 sioner shall deliver the signature copy registers at his office or in  
11 any other way he may see fit, and the municipal clerks shall deliver  
12 the registers of voters to the *executive clerks of the several* district  
13 boards, *or their designees*, in time to be used at the special election.

14 At the close of the special election the *executive clerks, or their*  
15 *designees, of the several* district boards shall return such registers  
16 as provided in the case of a general election.

1 38. R. S. 19:31-11 is amended to read as follows:

2 19:31-11. a. In all counties within the State, change of residence  
3 notices shall be made by a written request, signed by the registrant,  
4 forwarded to the commissioner by mail, and actually received by  
5 him, or by calling in person at the office of the commissioner or the  
6 municipal clerk. The commissioner shall provide change of resi-  
7 dence notices in card form for the use of any registered voter  
8 moving to another address within the same election district or to  
9 another election district within the same county. Copies of these  
10 notices shall also be available at the office of the municipal clerk in  
11 each municipality. Each municipal clerk shall transmit daily to  
12 the commissioner all the filled out change of residence notices that  
13 he may have in his office at the time. These notices shall be printed  
14 upon cards, shall contain a blank form showing where the applicant  
15 last resided and the address and exact location to which he has  
16 moved and shall have a line for his signature. Upon receipt of  
17 such change of residence notice the commissioner shall cause the  
18 signature to be compared with the permanent registration forms  
19 of the applicant and, if such signature appears to be of and by  
20 one and the same legal voter, the commissioner shall cause the  
21 entry of the change of residence to be made on the permanent  
22 registration forms and the registrant shall thereupon be qualified  
23 to vote in the election district to which he shall have so moved.  
24 If the commissioner is not satisfied as to the signature on the

25 request for a change of residence, a notice shall be sent by mail  
26 with postage prepaid to the registrant at his new address directing  
27 him to appear at a time to be fixed in the notice not less than  
28 10 days from the date thereof at the office of the commissioner to  
29 answer such questions as may be deemed necessary to determine  
30 the applicant's place of residence and eligibility to vote. In such  
31 registrant fails to appear at the time and place as directed, or if  
32 the notice is returned as not delivered or if it is not returned as  
33 undelivered, the registration forms of the applicant shall be  
34 placed in the inactive file until such time as he establishes to the  
35 satisfaction of the commissioner the accuracy of the signature on  
36 such change of residence notice; provided, however, that such  
37 application for change of residence shall be filed with the com-  
38 missioner or municipal clerk, as the case may be, on or before  
39 the twenty-ninth day preceding any election. All applications for  
40 change of residence postmarked on or before the twenty-ninth day  
41 preceding any election shall be deemed timely.

42 b. In any county any voter who shall move within the same  
43 county after the time above prescribed for filing an application for  
44 change of residence without having made application for change of  
45 residence, shall be permitted to vote in the district from which he  
46 has moved, upon signing an affidavit which shall set forth (1) the  
47 date upon which he moved, (2) the address from which he moved,  
48 (3) the address to which he moved, and such affidavit shall consti-  
49 tute a transfer to the said new residence for any subsequent elec-  
50 tion. The county clerk shall furnish to the [election board] *execu-*  
51 *tive clerk* of each district *board* form affidavits for this purpose and  
52 the *executive clerks and assistant executive clerks of the said*  
53 *district boards* shall turn over all signed affidavits to the commis-  
54 sioner; provided, however, if the voter has moved from one resi-  
55 dence to another within the same election district at any time, he  
56 or she shall be permitted to vote in such election district at any  
57 election within two years subsequent to the date of such change of  
58 residence within the district upon signing the affidavit herein set  
59 forth.

1 39. R. S. 19:31-15 is amended to read as follows:

2 19:31-15. For the purpose of preventing fraudulent voting and  
3 of eliminating names improperly registered, the commissioner in  
4 counties having a superintendent of elections, and the county board  
5 in all other counties, may within ninety days after each general  
6 election preceding the general election at which members of the  
7 House of Representatives are elected send by government reply

8 postal card to each registrant who failed to vote at such election,  
9 at his registered address, a notice substantially as follows:

10 "Please answer the question as to residence and removal as in-  
11 dicated on attached reply card.

12 .....  
Commissioner of Registration"

13 The reply card shall be addressed to the commissioner and shall  
14 bear substantially the following questions with appropriate spaces  
15 for answers:

16 "(1) Do you still reside at the address to which this notice has  
17 been mailed?

18 (2) If not, where do you now reside? (Stating street address and  
19 city or town to which you have moved.)

20 Signed ....."

21 The county board in counties not having a superintendent of  
22 elections may also, and in addition to the method hereinbefore pro-  
23 vided, direct at any time an authorized clerk or clerks to make any  
24 personal investigation which the commissioner or county board may  
25 deem necessary to establish the fact of continued residence or of  
26 removal of any registrant.

27 The commissioner in counties having a superintendent of elec-  
28 tions, and the county board in all other counties, shall, in addition  
29 to the method hereinbefore provided, at least once during every  
30 four years and as often as the commissioner in counties having a  
31 superintendent of elections or the county board in all other counties  
32 may deem necessary, cause the entire registry list to be investigated  
33 by house-to-house canvass to establish the fact of continued resi-  
34 dence, removal, death, disqualification or improper registration.

35 In case of registrants who have been found to the satisfaction  
36 of the commissioner in counties having a superintendent of elec-  
37 tions and to the county board in all other counties, to have moved  
38 from one address to another within the same county, the commis-  
39 sioner in counties having a superintendent of elections, and the  
40 county board in all other counties, shall cause the permanent  
41 registration forms of said registrants to be transferred to the  
42 proper registers, upon receipt of a change of residence notice duly  
43 executed by such registrants, as provided by law.

44 In case of registrants so found to have moved to any place  
45 outside the county or State, the commissioner in counties having a  
46 superintendent of elections, and the county board in all other coun-  
47 ties, shall cause the permanent registration forms of such persons  
48 to be transferred to the inactive file. Such persons upon return to  
49 any municipality within the county shall be required to reregister  
50 before being allowed to vote.

51 In case of registrants so found to have died, been disqualified or  
52 improperly registered, the county board in counties not having a  
53 superintendent of elections shall cause the permanent registration  
54 forms of such persons to be transferred to the inactive or death  
55 file as the case may be.

56 The county board in counties not having a superintendent of elec-  
57 tions before removing, for any reason whatsoever, the permanent  
58 registration forms of any registrant from the signature copy  
59 registers, or before transferring such forms to the inactive file shall  
60 cause to be published a notice setting forth the proposed action of  
61 the county board. This notice shall contain the list of the names  
62 and registered addresses of all registrants to be affected by the  
63 proposed action. Such notice and list shall be published at least  
64 two entire days prior to the removal of such names and shall be  
65 published in at least one, and if the county board deems necessary,  
66 two or more newspapers published within the county, one of which  
67 newspapers, at least, shall be published in the municipality affected,  
68 if there be one published therein; otherwise, one which shall have a  
69 circulation in said municipality. At least one of such newspapers  
70 shall be a daily newspaper, but if there be no daily newspapers  
71 published in the county then such notices shall be published as  
72 above provided in weekly papers. The notice and list shall in addi-  
73 tion specify the reason or reasons for the contemplated removal or  
74 transfer of the permanent registration forms of the registrants  
75 affected. The notice and list shall be published in the manner above  
76 provided prior to the second Tuesday preceding any election.

77 Any person affected by any action of the county board in counties  
78 not having a superintendent of elections shall, during the two  
79 weeks immediately preceding any election and on election day, have  
80 the right to make application to any judge of the **【County】**  
81 *Superior* Court of that county, for the purpose of obtaining an  
82 order entitling him to vote in the district in which he actually  
83 resides. The burden of proof shall be upon the applicant. The  
84 judge of the **【County】** *Superior* Court if satisfied that the applicant  
85 is entitled, under the law, to vote at such election, and after deter-  
86 mining the election district in which such person actually resides,  
87 may issue an order directing the district board of that district to  
88 permit such person to vote. Such person must reregister before  
89 voting at any subsequent election by court order or otherwise. If  
90 the applicant shall be refused the right to vote, due to inability of  
91 the district board or of the commissioner or of the county board  
92 to find the permanent registration forms of such applicant, then in  
93 addition such applicant shall establish by reference to the registry



94 lists of former elections, that he was previously registered. Such  
95 evidence shall be deemed sufficient to establish the fact that the  
96 applicant was formerly registered. If the order is directed to a  
97 district board, the district board shall certify and *the executive*  
98 *clerk thereof shall* return the order at the close of the election to  
99 the commissioner.

100 In counties having a superintendent of elections, any registrant  
101 so found to have died, or been disqualified by conviction of a crime  
102 which would disfranchise a person under the laws of this State, or  
103 never has resided at the place of registry or is registered from  
104 some place other than his actual residence, or does not possess the  
105 qualifications to vote required by the Constitution of this State, or  
106 is otherwise not entitled to vote, the commissioner shall cause the  
107 permanent registration forms of such registrant to be transferred  
108 to the inactive or death file as the case may be.

109 The commissioner in counties having a superintendent of elec-  
110 tions, before transferring such forms to the inactive file or death  
111 file, shall serve an order in writing, signed by him, upon the proper  
112 district board, ordering it to refuse to allow such person to vote at  
113 the next election.

114 The commissioner in counties having a superintendent of elec-  
115 tions, before signing such order in writing to any district board,  
116 shall give notice of his proposed action to such registered person  
117 (1) personally, or (2) by leaving the same at the person's registered  
118 place of residence with a person above the age of fourteen years,  
119 if any such person can be found, and if not, by affixing the same to  
120 the outer door of such place of residence or to any other portion of  
121 such premises if no building be found thereon, or (3) by sending  
122 the same by mail addressed to the person at his registered place of  
123 residence at least two entire days before the issuance of the order;  
124 and the commissioner shall cause a list of the names of such per-  
125 sons, with their registry addresses, to be published at least two  
126 entire days before the issuance of the order in at least one, and if  
127 the commissioner deems necessary, two or more newspapers pub-  
128 lished within the county, at least one of which shall be a daily news-  
129 paper, if there be one published therein; otherwise, one which shall  
130 be published most frequently. Such published notice, in addition  
131 to containing the names and addresses of such persons, shall give  
132 notice to them of the proposed action of the commissioner. No such  
133 order in writing shall be signed by the commissioner subsequent to  
134 the Tuesday preceding an election.

135 In all counties when the transfer of any person's permanent  
136 registration form is to be made to the death file or is to be made

137 to the inactive file because such person did not vote at any election  
138 during four consecutive years, or because the name of such person  
139 has been ordered stricken from the register by the court, or because  
140 such person has changed his or her name by decree of court, or be-  
141 cause such person is a woman who changed her name due to  
142 marriage or divorce and neglected to reregister in accordance with  
143 law, or because the information which forms the basis of such pro-  
144 posed action in making such transfer was received from such person  
145 directly, no notice of such proposed action need be given to such  
146 registered person and such person's name and registry address  
147 need not be published as required in this section.

148 The commissioner in counties having a superintendent of elec-  
149 tions shall cause such order to be delivered to the district board at  
150 the same time as the challenge lists are delivered, which order shall  
151 be receipted for by the judge of the district board, who shall use the  
152 order in conjunction with the registry list, so that no person whose  
153 name appears upon the order shall be allowed to vote. Such order  
154 shall be signed and certified to by each member of the district board  
155 to the effect that no person whose name appears therein has been  
156 allowed to vote. The order shall be returned to the commissioner  
157 at the same time and together with the challenge lists. Upon receipt  
158 of such order the commissioner shall thereupon transfer the perma-  
159 nent registration forms of the person named in such order to the  
160 inactive, death or conviction file, as the case may be, and he shall  
161 not be permitted to vote at any subsequent election, by court order  
162 or otherwise, unless he has reregistered.

163 Any person affected by the action of the commissioner in counties  
164 having a superintendent of elections shall, during the week im-  
165 mediately preceding the election and on the election day, have the  
166 right to make application to a judge of the **[County]** *Superior*  
167 Court of the county for the purpose of obtaining an order entitling  
168 him to vote in the district in which he actually resides. The burden  
169 of proof shall be upon the applicant. The judge of the **[County]**  
170 *Superior* Court if satisfied that the applicant is entitled under the  
171 law to vote at such election and after determining the election  
172 district in which the person actually resides may issue an order  
173 directing the district board of that district to permit such person to  
174 vote. If the applicant shall be refused the right to vote, due to the  
175 inability of the district board or of the commissioner or of the  
176 county board to find the permanent registration forms of such  
177 applicant, then in addition such applicant shall establish by refer-  
178 ence to the registry lists of former elections that he was previously  
179 registered. Such evidence shall be deemed sufficient to establish

180 the fact that the applicant was formerly registered. The district  
 181 board shall certify and *the executive clerk thereof shall* return the  
 182 order to the commissioner at the close of the election, who there-  
 183 upon shall restore the permanent registration forms of such person  
 184 to the active file. Before the issuance of such order, the commis-  
 185 sioner shall be heard personally, or by his chief deputy or assis-  
 186 tants, as to the reasons why he has issued an order denying such  
 187 person the right to vote. The commissioner or any one represent-  
 188 ing him shall have full power to cross-examine any witness. The  
 189 judge of the **County** *Superior Court* making such order shall  
 190 cause a full record of the proceedings of the application to be  
 191 taken stenographically, transcribed and filed in the office of the  
 192 county clerk of the county, which record shall be an open and public  
 193 record. All costs and expenses of such proceedings shall be paid  
 194 by the county.

195 In no event shall the permanent registration forms or voting  
 196 record of any registrant be removed or transferred to the inactive  
 197 file subsequent to the second Tuesday preceding any election, until  
 198 after such election: nor shall the permanent registration forms or  
 199 voting record of any registrant in counties not having a super-  
 200 intendent of elections be removed or transferred to the inactive  
 201 file if the name of such registrant is not first published in the  
 202 manner above described, except as herein otherwise provided.

203 Any commissioner who, after ascertaining that a person has died,  
 204 been disqualified, moved out of the permanent registration area  
 205 or has been improperly registered, and who willfully or fraudu-  
 206 lently refuses to cause to transfer the permanent registration  
 207 forms of such persons to the proper file shall be guilty of a **misde-**  
 208 **meanor** *crime of the fourth degree.*

1 40. Section 2 of P. L. 1947, c. 347 (C. 19:31-18.1) is amended  
 2 to read as follows:

3 2. a. The county clerk in all counties shall cause copies of the  
 4 registry lists, certified and transmitted under R. S. 19:31-18, to be  
 5 printed in handbill form, and shall furnish to any voter applying  
 6 for the same such copies, charging therefor \$0.25 per copy of the  
 7 list of voters of each election district. He shall also furnish five  
 8 printed copies thereof to *the executive clerk of each district board,*  
 9 **which** *who* shall within two days post two such registry lists,  
 10 one in the polling place and one in another conspicuous place within  
 11 the election district. The county clerk shall also forthwith deliver  
 12 to the superintendent of elections if any there be and the municipal  
 13 clerk of each of the municipalities in the county for which the lists  
 14 have been printed five copies of the lists of voters of each election

15 district in such municipality, and to the county board 10 copies of  
 16 the lists of voters of each election district in each of such munici-  
 17 palities. The county clerk shall also forthwith deliver to the chair-  
 18 men of the State committees and to the chairmen of the county  
 19 committees of the several political parties, five copies of the lists  
 20 of voters of each election district in each of the municipalities in his  
 21 county.

22 b. In any county where the voter registration lists are recorded  
 23 on magnetic tape or electronic data processing cards, the commis-  
 24 sioner of registration shall furnish a copy of such tape or cards  
 25 to any voter requesting such tape or cards, for which copy such  
 26 commissioner shall make a charge which shall be uniform in any  
 27 calendar year and which shall reflect only the cost of reproducing  
 28 such tape or cards.

29 c. No person shall use voter registration lists or copies thereof  
 30 prepared pursuant to this section as a basis for commercial sollicita-  
 31 tion of the voters listed thereon. Any person making such use of  
 32 such lists or copies thereof shall be a disorderly person, and shall  
 33 be punished by a fine not exceeding \$500.00.

1 41. R. S. 19:31-20 is amended to read as follows:

2 19:31-20. On or before the second Monday preceding the primary  
 3 election for the general election and the general election, respec-  
 4 tively, the commissioner in counties not having a superintendent of  
 5 elections, shall deliver to the municipal clerk in each municipality  
 6 the signature copy registers for each election district in such munici-  
 7 pality and shall take a receipt for same. The municipal clerk shall  
 8 thereupon deliver at his office, or in any other way he sees fit, such  
 9 registers to [a member or members of the proper] *the executive*  
 10 *clerks of the various* district boards, *or their designees*, at the same  
 11 time and together with the primary for the general election sample  
 12 ballots or the general election sample ballots, as the case may be.  
 13 The registers shall be used by the district boards on election days  
 14 and for the purpose of mailing the sample ballots. The commis-  
 15 sioner in counties having a superintendent of elections shall deliver  
 16 such registers at his office, or in any other way he may see fit, to the  
 17 *executive clerks of the various* district boards, *or their designees*,  
 18 taking a receipt for same.

19 Before delivering the registers the commissioner shall cause to  
 20 be printed upon a separate sheet or sheets of paper, to be inserted  
 21 inside of the front cover of such registers in conspicuous type, such  
 22 instructions to election officers regarding the use and disposition  
 23 of the binders and forms as he deems necessary.

1 42. R. S. 19:31-21 is amended to read as follows:

2 19:31-21. A person whose name appears in the signature copy  
3 register and who upon applying for a ballot or voting authority  
4 shall have given the information and signed the signature com-  
5 parison record as provided in this Title and whose signature in the  
6 signature comparison record shall have been compared by a member  
7 of the district board and in the presence and view of the challengers  
8 with the signature of the applicant as recorded in the register shall  
9 be eligible to receive a ballot or voting authority unless it be shown  
10 to the satisfaction of a majority of the members of the district  
11 board that he is not entitled to vote in the district or has otherwise  
12 become disqualified.

13 No person shall be required to sign the signature comparison  
14 record as a means of identification if he shall have been unable to  
15 write his name when he registered, or if, having been able to write  
16 his name when registered he subsequently shall have lost his sight  
17 or lost the hand with which he was accustomed to write or shall by  
18 reason of disease or accident be unable to write his name when he  
19 applies to vote, but each such person shall establish his identity in  
20 the manner provided in this Title.

21 In addition to signing the signature comparison record and after  
22 the comparison of the signature with the signature in the register,  
23 a person offering to vote at a primary election for the general elec-  
24 tion shall announce his name and the party primary in which he  
25 wishes to vote.

26 After a person has voted the member of the district board having  
27 charge of the signature copy registers shall place the number of  
28 the person's ballot in the proper column on the record of voting  
29 form of such person, which number shall constitute a record that  
30 the person has voted. In the case of a primary election for the  
31 general election such member of the district board shall also place  
32 in the proper column on the record of voting form the first three  
33 letters of the name of the political party whose primary ballot such  
34 person has voted.

35 In the event that the duplicate permanent registration form of  
36 any person cannot be found in the signature copy register at the  
37 time he applies for a ballot or voting authority, **[a member]** *the*  
38 *executive clerk* of the district board shall promptly ascertain from  
39 the commissioner or a duly authorized clerk if such person is  
40 permanently registered. Upon information that such is the fact,  
41 **[such member]** *the executive clerk* of the district board shall re-  
42 quire the person applying for a ballot or voting authority to obtain  
43 an order from the commissioner authorizing him to receive a ballot  
44 or voting authority. The commissioner shall specially authorize

45 and deputize clerks to issue such orders in municipalities within  
 46 his county. The commissioner or his clerk shall require the voter  
 47 to sign his name upon such order for the purpose of signature  
 48 comparison. The district board shall require the voter to again  
 49 sign his name on said order, in the presence of the board, and if the  
 50 signatures compare, to permit him to vote. At primary elections  
 51 the commissioner or his duly authorized clerk shall endorse on the  
 52 order the political party whose ballot such person voted at the  
 53 last preceding primary election. The order shall be returned to the  
 54 commissioner at the same time and along with the signature copy  
 55 registers.

1 43. R. S. 19:31-22 is amended to read as follows :

2 19:31-22. Not later than noon of the day following the canvass  
 3 of the votes cast at the primary election for the general election or  
 4 the general election, the signature copy registers shall be returned  
 5 by *the executive clerk of each district board, or their designees*, to  
 6 the commissioner at his office or in any other way as the commis-  
 7 sioner may see fit.

8 Upon receipt of the registers the commissioner shall inspect  
 9 them and verify from the party primary poll books and the general  
 10 election poll books, as the case may be, that the entries required  
 11 to be made on the record of voting forms in such registers by the  
 12 district boards have been made. If the commissioner shall as-  
 13 certain that such entries have not been made or have been im-  
 14 properly made, he shall cause such entries and corrections to be  
 15 made forthwith and also notify the county board of such failure  
 16 of duty and the members of such district board who have so failed  
 17 in their duty and shall be ineligible for appointment as members  
 18 of any district board thereafter.

1 44. R. S. 19:32-10 is amended to read as follows :

2 19:32-10. In respect to each general, primary, municipal and  
 3 special election, the superintendent shall prepare for each election  
 4 district **[in municipalities not having permanent registration]** in  
 5 the county a challenge list containing the names, alphabetically  
 6 arranged, and the addresses of all persons who have lost the right  
 7 to register from the addresses within such election district from  
 8 which they registered at the last preceding election. **[Such]** *The*  
 9 challenge **[list]** *lists for the several municipalities in the county*  
 10 shall be delivered to the respective **[district boards]** *officers* in such  
 11 municipalities *who are authorized to register the residents thereof*  
 12 *as voters* at least one-half hour before the commencement of  
 13 registration. **[The chairman of the respective district boards]**  
 14 *Those officers* shall challenge the registration of any person apply-

15 ing to them for registration under any name on such challenge list,  
16 unless it shall affirmatively appear after strict examination of the  
17 voter, and, if necessary, of others, that such voter is domiciled at  
18 a new address within the election district. At the close of the last  
19 day of registration, the challenge list with the remarks of the  
20 **【district board or of any member or members thereof】** *registration*  
21 *officers* to be noted thereon shall be signed and certified as true  
22 **【by each member of the respective district boards】** and returned  
23 to the superintendent in a sealed envelope provided therefor.

24 After the last day of registration and before each general,  
25 primary, municipal and special election, the superintendent shall  
26 also prepare for each election district a challenge list containing  
27 the names, alphabetically arranged, and addresses of all persons  
28 registered in the district whom he believes or has reason to suspect  
29 are not entitled to vote at the election in the district. Such challenge  
30 list shall be delivered to the *executive clerks of the* respective  
31 district boards at last one-half hour before the opening of the polls  
32 at each election. The **【chairman of the respective district boards】**  
33 *executive clerk* shall challenge the vote of any person presenting  
34 himself to vote under any name on the challenge list. The challenge  
35 list shall contain a column headed "remarks", and the **【chairman】**  
36 *executive clerks* of the respective district boards shall enter therein  
37 opposite the names on such list whether any person applying to  
38 vote under any name thereon who was challenged was allowed to  
39 vote, and the reason for allowing him to vote.

40 All persons whose names appear on any challenge list before  
41 being allowed to vote shall subscribe to an affidavit on forms  
42 supplied by the superintendent to the respective district boards  
43 together with the challenge list. Any members of the district  
44 boards are hereby empowered to take such affidavits. The affidavit  
45 shall show that the affiant is eligible to vote in that district and  
46 shall set forth the place of his residence, the fact that he actually  
47 resides at that place, the length of time of such residence, and also  
48 all the facts necessary to qualify him as voter under the Constitu-  
49 tion of this State. At the close of the polls the affidavits shall be  
50 returned *by the executive clerk and the assistant executive clerk* to  
51 the superintendent in an envelope provided therefor and they shall  
52 be preserved in the office of the superintendent.

53 If a person applying to vote under any name on the challenge list  
54 is challenged and does not vote, there shall be entered opposite his  
55 name in such column the words "challenged, but did not vote". If  
56 no person applies to vote under any name on such challenge list,  
57 there shall be noted opposite each such name in such column the

58 words “no application”. At the close of the polls the challenge list  
 59 shall be signed and certified as true by each member of the respec-  
 60 tive district boards and returned *by the executive clerk and the*  
 61 *assistant executive clerk* to the superintendent of the county in a  
 62 sealed envelope provided therefor.

63 The superintendent, concurrently with delivering the challenge  
 64 lists, shall deliver to the commissioner a true copy, certified by him  
 65 as correct, of each challenge list delivered by him pursuant to this  
 66 section to each *municipal registration officer and each* district board  
 67 in *the several* municipalities [having permanent registration].

68 The superintendent shall prepare duplicates of all challenge lists  
 69 provided for in this section, and shall keep duplicate challenge lists  
 70 on file in his office from the time of their preparation until the  
 71 close of the third general election following their preparation. The  
 72 original challenge lists shall also be kept on file for two years after  
 73 the general election following their preparation. All such challenge  
 74 lists shall be open to inspection by any citizen at any time the  
 75 superintendent’s office is open for business.

1 45. R. S. 19:32-17 is amended to read as follows:

2 19:32-17. The superintendent shall cause such order to be  
 3 delivered to the district board at the same time as the challenge lists  
 4 are delivered, which order shall be receipted for by the [judge]  
 5 *executive clerk* of the district board, who shall use the order in con-  
 6 junction with the registry list, so that no person whose name  
 7 appears upon the order shall be allowed to vote. Such order shall  
 8 be signed and certified to by each member of the district board to  
 9 the effect that no person whose name appears therein has been  
 10 allowed to vote. The order shall be returned *by the executive clerk*  
 11 *and the assistant executive clerk of the board* to the superintendent  
 12 at the same time and together with the challenge lists.

13 The superintendent, concurrently with the return of such order,  
 14 shall deliver to the commissioner a true copy, certified by him as  
 15 correct, of each order delivered by him pursuant to this section  
 16 to each district board. Upon receipt of such copy the commissioner  
 17 shall thereupon transfer the permanent registration forms of the  
 18 person named in such order to the inactive, death or conviction file,  
 19 as the case may be, and he shall not be permitted to vote at any  
 20 subsequent election, by court order or otherwise, unless he has  
 21 reregistered.

1 46. R. S. 19:32-18 is amended to read as follows:

2 19:32-18. Any person affected by the action of the superin-  
 3 tendent shall during the week immediately preceding the election  
 4 and on the election day have the right to make application to a



5 judge of the **【County】** *Superior* Court of the county for the purpose  
6 of obtaining an order entitling him to vote in the district in which  
7 he actually resides. The burden of proof shall be upon the applicant.

8 A judge of the **【County】** *Superior* Court, if satisfied that the  
9 applicant is entitled under the law to vote at such election and after  
10 determining the election district in which the person actually  
11 resides may issue an order directing the district board of that  
12 district to permit such person to vote. The district board shall  
13 certify and *the executive clerk and the assistant executive clerk*  
14 *thereof shall* return the order to the commissioner at the close of  
15 the election, who thereupon shall restore the permanent registra-  
16 tion forms of such person to the active file. Before the issuance of  
17 such order, the superintendent shall be heard personally, or by  
18 his chief deputy or assistants, as to the reasons why he has issued  
19 an order denying such person the right to vote. The superintendent  
20 or anyone representing him shall have full power to cross-examine  
21 any witness.

22 The judge of the **【County】** *Superior* Court making such order  
23 shall cause a full record of the proceedings of the application to  
24 be taken stenographically, transcribed and filed in the office of the  
25 county clerk of the county, which record shall be an open and  
26 public record. All costs and expense of such proceedings shall be  
27 paid by the county.

28 Any person whose name shall appear on the peremptory order  
29 list and who shall not apply for and be granted an order to vote,  
30 during the week immediately preceding the election or on the elec-  
31 tion day immediately following the publication of his name as  
32 heretofore provided, shall not be permitted to vote by court order  
33 or otherwise until he shall have first reregistered.

1 47. Section 15 of P. L. 1947, c. 167 (C. 19:32-40) is amended  
2 to read as follows:

3 15. The superintendent shall cause such order to be delivered  
4 to the district board at the same time as the challenge lists are  
5 delivered, which order shall be receipted for by the **【judge】** *execu-*  
6 *tive clerk* of the district board, who shall use the order in conjunc-  
7 tion with the registry list, so that no person whose name appears  
8 upon the order shall be allowed to vote. Such order shall be signed  
9 and certified to by each member of the district board to the effect  
10 that no person whose name appears therein has been allowed to  
11 vote. The order shall be returned *by the executive clerk and the*  
12 *assistant executive clerk of the board* to the superintendent at the  
13 same time and together with the challenge lists.

14 The superintendent, concurrently with the return of such order,

15 shall deliver to the commissioner a true copy, certified by him as  
 16 correct, of each order delivered by him pursuant to this section to  
 17 each district board. Upon receipt of such copy the commissioner  
 18 shall thereupon transfer the permanent registration forms of the  
 19 person named in such order to the inactive, death or conviction  
 20 file, as the case may be, and he shall not be permitted to vote at any  
 21 subsequent election, by court order or otherwise, unless he has  
 22 reregistered.

1 48. Section 16 of P. L. 1947, c. 167 (C. 19:32-41) is amended  
 2 to read as follows:

3 16. Any person affected by the action of the superintendent  
 4 shall during the week immediately preceding the election and on the  
 5 election day have the right to make application to a judge of the  
 6 **【County】 Superior** Court of the county for the purpose of obtain-  
 7 ing an order entitling him to vote in the district in which he  
 8 actually resides. The burden of proof shall be upon the applicant.

9 The judge of the **【County】 Superior** Court, if satisfied that the  
 10 applicant is entitled under the law to vote at such election and after  
 11 determining the election district in which the person actually  
 12 resides may issue an order directing the district board of that  
 13 district to permit such person to vote. The district board shall  
 14 certify and *the executive clerk and the assistant executive clerk*  
 15 *thereof shall* return the order to the commissioner at the close of  
 16 the election, who thereupon shall restore the permanent registration  
 17 forms of such person to the active file. Before the issuance of such  
 18 order, the superintendent shall be heard personally, or by his chief  
 19 deputy or assistants, as to the reasons why he has issued an order  
 20 denying such person the right to vote. The superintendent or any-  
 21 one representing him shall have full power to cross-examine any  
 22 witness.

23 The judge of the **【County】 Superior** Court making such order  
 24 shall cause a full record of the proceedings of the application to  
 25 be taken stenographically, transcribed and filed in the office of the  
 26 county clerk of the county, which record shall be an open and  
 27 public record. All costs and expense of such proceedings shall be  
 28 paid by the county.

1 49. R. S. 19:34-13 is amended to read as follows:

2 19:34-13. **【Every inspector, judge or clerk of an election,】** *Any*  
 3 *member of a district board* who, previous to putting the ballot of an  
 4 elector in the ballot box, attempts to find out any name of such  
 5 ballot, or who opens or suffers the folded ballot of any elector which  
 6 has been handed in to be opened or examined previous to putting  
 7 the same in the ballot box, or who makes or places any mark or

8 device on any folded ballot with the view to ascertain the name of  
 9 any person for whom the elector has voted, shall be guilty of a  
 10 **【misdemeanor】** *crime of the fourth degree.*

1 50. R. S. 19:34-23 is amended to read as follows:

2 19:34-23. If any **【judge, inspector, clerk】** *member of a district*  
 3 *board* or other officer of a primary election shall act in such ca-  
 4 pacity before taking and subscribing to the oath or affirmation  
 5 required by this title, or shall willfully disregard or violate the  
 6 provisions of any rule duly made by the party of which he is a  
 7 member and for whom he is acting for the government of the  
 8 primary elections of the party, or if any **【judge】** *executive clerk* or  
 9 **【inspector】** *assistant executive clerk* of any primary election shall  
 10 knowingly reject the vote of any person entitled to vote under the  
 11 rules of such party or shall knowingly receive the vote of any  
 12 person not qualified, or if any **【judge, inspector, clerk】** *member of*  
 13 *a district board* or any other officer of a primary election shall com-  
 14 mit any willful fraud in the discharge of his duties by destroying  
 15 or marking any ballot in any way before such ballot is delivered to  
 16 the voter or by defacing ballots, adding marks to the poll by false  
 17 counting, making false returns or by any act or thing whatsoever,  
 18 he shall be guilty of a **【misdemeanor】** *crime of the fourth degree*  
 19 and shall be punished by a fine not exceeding five hundred dollars  
 20 or by imprisonment not exceeding one year, or both.

1 51. R. S. 19:45-2 is amended to read as follows:

2 19:45-2. All costs, charges and expenses incurred by the State  
 3 Board of Canvassers, Secretary of State or any other officer or  
 4 official of the State government in carrying out any provisions of  
 5 this Title shall be paid by the State. *In addition, the State shall,*  
 6 *on or before February 1 of each year, pay to each county an amount*  
 7 *equal to the amount by which the total compensation properly paid*  
 8 *by the county to members of district boards of election with respect*  
 9 *to elections held during the preceding calendar year exceeds the*  
 10 *amount which the county would have paid under subsection a. of*  
 11 *R. S. 19:45-6 to those members if none had attended the training*  
 12 *program for district board members as provided by R. S. 19:50-1.*

1 52. R. S. 19:45-6 is amended to read as follows:

2 19:45-6. The compensation of each member of the district boards  
 3 for all services performed by them under the provisions of this  
 4 Title shall be as follows:

5 In all counties, for all services rendered including the counting  
 6 of the votes, and in counties wherein voting machines are used, the  
 7 tabulation of the votes registered on the voting machines, and the  
 8 delivery of the returns, registry binders, ballot boxes and keys for

9 the voting machines to the proper election officials, **[\$50.00]**  
 10 \$75.00 each time the primary election, the general election or any  
 11 special election is held under this Title; provided, however, that:

12 *a. The member of the board charged with the duty of obtaining,*  
 13 *signing for and delivering the signature copy registers shall receive*  
 14 *an additional \$25.00 per election, such remuneration being limited*  
 15 *to only one board member per election, or to \$12.50 to each of two*  
 16 *board members if they share the responsibility for the signature*  
 17 *copy register; b. in the case of any member of the board who has not*  
 18 *attended a training program for district board members as pro-*  
 19 *vided in R. S. 19:50-1, that compensation shall be \$50.00 for each*  
 20 *of those elections; and*

21 *c. In counties wherein voting machines are used no compen-*  
 22 *sation shall be paid for any services rendered at any special elec-*  
 23 *tion held at the same time as any primary or general election.*  
 24 *Such compensation shall be in lieu of all other fees and payments.*

25 Compensation due each member shall be paid within 30 days but  
 26 not within 20 days after each election; provided, however, that no  
 27 compensation shall be paid to any member of any such district  
 28 board who may have been removed from office or application for  
 29 the removal of whom is pending under the provisions of R. S. 19:6-4.

1 53. R. S. 19:50-1 is amended to read as follows:

2 19:50-1. Not less than 10 nor more than 21 days before each  
 3 election, the county board of elections shall cause **[the]** *new mem-*  
 4 *bers of the district boards who are to serve in election districts*  
 5 *to be instructed in the use of the machine, and in their duties in*  
 6 *connection therewith**], and]. All district board members shall be***  
 7 *required to attend said instructional sessions for each election at*  
 8 *least once every **[two]** three years. The county board of elec-*  
 9 *tions shall cause to be given to each member of each district board*  
 10 *who has received such instruction and is fully qualified to properly*  
 11 *conduct the election with the machine, a certificate to that effect**];***  
 12 *provided, however, that members of district boards of elections who*  
 13 *have served in a district or districts in which voting machines have*  
 14 *been used for two consecutive general elections and who have re-*  
 15 *ceived such certificate shall not be required to receive further in-*  
 16 *struction, except in the discretion of the county board of elections**].***  
 17 *For the purpose of giving such instruction the county board of*  
 18 *elections shall call such meeting or meetings of the district boards as*  
 19 *shall be necessary. The content of said meeting or meetings shall be*  
 20 *limited solely to the instruction of district board members; lobby-*  
 21 *ing or the advancement of political ends shall be prohibited. The*  
 22 *members of the district board of each election district in which a*

23 voting machine is to be used, unless excused from such attendance  
24 as herein provided, shall attend such meeting or meetings as  
25 shall be called for the purpose of receiving such instruction con-  
26 cerning their duties as shall be necessary for the proper conduct  
27 of the election with the machine. No member of any district board  
28 shall serve in any election at which a voting machine is used unless  
29 he shall have received such instruction *as herein provided* and is  
30 fully qualified to perform the duties in connection with the ma-  
31 chine, and has received a certificate to that effect from the county  
32 board of elections; but this shall not prevent the appointment of  
33 a person as a member of the district board to fill a vacancy in an  
34 emergency, as now provided by law.

1 54. R. S. 19:50-3 is amended to read as follows:

2 19:50-3. For instructing the voters on any election day there  
3 shall, so far as practicable, be provided by the county board of  
4 elections or the superintendent of elections or the municipal clerk,  
5 as the case may be, having custody of voting machines, for each  
6 polling place a mechanically operated model of a portion of the  
7 face of the machine. Such model, if furnished, shall, during the  
8 election, be located on the district election officers' table or in some  
9 other place which the voters must pass to reach the machine, and  
10 each voter shall, before entering the voting machine booth, be  
11 instructed regarding the operation of the machine and such instruc-  
12 tion illustrated on the model, and the voter given opportunity to  
13 personally operate the model. The voter's attention shall also be  
14 called to the diagram of the face of the machine so that the voter  
15 can become familiar with the location of the question and the  
16 names of the officers and candidates. If any voter, before entering  
17 the voting machine booth, declares under oath, and establishes  
18 to the satisfaction of a majority of all the members of the district  
19 board that by reason of an inability to read or write, blindness  
20 or other physical disability he is unable to cast his vote without  
21 assistance, he shall have the assistance of two members of the board  
22 of opposite political faith, to be assigned by the board. Such  
23 members shall retire with such voter to the booth and assist him.  
24 The [member acting as] *executive* clerk of the district board shall  
25 make an entry on a disability certificate for assistance, which entry  
26 shall be on the form of an oath inserted in the front of the duplicate  
27 registry binders at each election.

28 In every instance when such oath is administered to a voter as  
29 herein provided it shall state briefly what facts were sworn to and  
30 the names of the members of the board who aided such voter shall  
31 be signed on the form. Any members of the district board shall be

32 eligible to assist any such voter, but no other person except as  
33 hereinafter provided shall be allowed to assist him. No member of  
34 the board shall reveal the name of any person for whom such  
35 voter has voted [.] or anything that took place while he was being  
36 assisted.

37 Such voter if blind, disabled or unable to read or write may, in  
38 lieu of the assistance of the board as above provided, have assis-  
39 tance of some person of his own selection. Such person shall retire  
40 with such voter to the booth and assist him in voting. The name and  
41 address of such person shall be recorded as above. In such case,  
42 no other person than the one so selected by the voter shall be allowed  
43 to assist such voter. No person so selected shall reveal the name of  
44 any person for whom such voter has voted or anything that took  
45 place while he was being assisted.

46 The disability certificates shall be numbered serially 1 to 20. The  
47 commissioner of registration shall furnish sufficient disability  
48 certificates for assistance for each election district in his county  
49 which shall be inserted in the front of the duplicate registry binders.

1 55. R. S. 19:52-1 is amended to read as follows:

2 19:52-1. The district boards of each election district shall meet  
3 at the polling place three-quarters of an hour before the time set for  
4 opening of the polls at each election and shall proceed to arrange  
5 the furniture, stationery and voting machine or machines for the  
6 conduct of the election. The district boards shall then and there  
7 have the voting machine, ballots and stationery required to be de-  
8 livered to them for such election by the officials charged by law with  
9 that duty. If not previously done, they shall insert in their proper  
10 place on the voting machine the ballots containing the names of  
11 offices to be filled at such election and the names of candidates  
12 nominated therefor.

13 The keys to the voting machine shall be delivered to the *executive*  
14 *clerk of the district [election officers] board* in any manner that  
15 the county board of elections or the superintendent of elections or  
16 the municipal clerk, as the case may be, having custody of voting  
17 machines, may determine, at least three-quarters of an hour before  
18 the time set for opening the polls, in a sealed envelope, on which  
19 shall be written or printed the number and location of the voting  
20 machine, the number of the seal with which it is sealed and the  
21 number registered on the protective counter or device, as reported  
22 by the custodian. The envelope containing the keys shall not be  
23 opened until at least one member of the board from each of two  
24 political parties shall be present at the polling place and shall have  
25 examined the envelope to see that it has not been opened. Before

26 opening the envelope all election officers present shall examine the  
 27 number on the seal on the machine, also the number registered on  
 28 the protective counter, and shall ascertain if they are the same as  
 29 the number written on the envelope; and if they are not the same,  
 30 the machine must not be opened until such county board of elec-  
 31 tions or such superintendent of elections or such municipal clerk,  
 32 as the case may be, after due notice of such discrepancy, shall have  
 33 caused such machine to be re-examined and properly arranged by  
 34 any person or persons employed or appointed pursuant to [section]  
 35 *R. S. 19:48-6* [of this Title]. If the numbers on the seal and pro-  
 36 tective counter are found to agree with the numbers on the en-  
 37 velope, the *executive clerk and the assistant executive clerk of the*  
 38 district [election officers] *board* shall proceed to open the doors  
 39 concealing the counters, and each district election officer shall  
 40 carefully examine every counter and ascertain whether or not it  
 41 registers zero (000) and the same shall be subject to the inspection  
 42 of official watchers.

43 The machine shall remain locked against voting until the polls  
 44 are formally opened and shall not be operated except by voters in  
 45 voting. If any counter is found not to register zero (000) the  
 46 *executive clerk of the* district board shall immediately notify such  
 47 county board of elections or such superintendent of elections or  
 48 such municipal clerk, as the case may be, who shall, if practicable,  
 49 cause such counter to be adjusted at zero (000) by any person or  
 50 persons employed appointed pursuant to [section] *R. S. 19:48-6*  
 51 [of this Title]. If it shall be impracticable for such person or  
 52 persons to arrive in time to so adjust such counter before the time  
 53 set for opening the polls, the *executive clerk of the* district [election  
 54 officers] *board* shall immediately make a written statement of the  
 55 designating letter and number of such counter, together with the  
 56 number registered thereon, and *each member* shall sign the *state-*  
 57 *ment* and the *executive clerk shall* post same upon the wall of the  
 58 polling room, where it shall remain throughout election day, and in  
 59 filling out the statement of canvass, they shall subtract such number  
 60 from the number registered thereon at the close of the polls.

1 56. R. S. 19:52-5 is amended to read as follows:

2 19:52-5. Immediately upon the close of the polls, the *executive*  
 3 *clerk and the assistant executive clerk of the* district [election  
 4 officers] *board* shall lock and seal the voting machine against  
 5 further voting and open the counter compartment in the presence  
 6 of persons who may be lawfully present at that time, giving full  
 7 view of the counters. The [judge] *executive clerk* of the district  
 8 board, under the scrutiny of [a member of such board of a different

9 political party] *the assistant executive clerk thereof*, shall then in  
 10 the order of the offices as their titles are arranged on the machine,  
 11 read and announce in distinct tones the result as shown by the  
 12 counters, and shall then read the votes recorded for each office on  
 13 the irregular ballots. He shall also, in the same manner, read and  
 14 announce the vote on each constitutional amendment, proposition  
 15 or other question. As each vote is read and announced, it shall be  
 16 recorded in two statements of canvass by two other members of  
 17 such district board of opposite political party, and when completed  
 18 the record thereof shall be compared with the numbers on the  
 19 counters of the machine. If found to be correct, the result shall be  
 20 announced by the [judge] *executive clerk* of such board and the  
 21 statement of canvass, after being duly certified, shall be filed as now  
 22 provided by law for filing election returns. After the reading and  
 23 announcing of the vote and before the doors of the counter compart-  
 24 ment of the voting machine shall be closed, ample opportunity shall  
 25 be given to any person or persons lawfully present to compare the  
 26 results so announced with the counters of the machine and any  
 27 necessary corrections shall then and there be made by such district  
 28 board. No tally sheets nor return blanks as required by law for  
 29 use in election districts where paper ballots are used shall be  
 30 furnished or used in election districts where voting machines are  
 31 used, but in lieu thereof there shall be furnished two copies of a  
 32 statement of canvass to conform to the requirements of the make  
 33 and type of voting machine or machines being used.

1 57. R. S. 19:52-6 is amended to read as follows:

2 19:52-6. *The executive clerk and the assistant executive clerk of*  
 3 *the district [election officers] board* shall, as soon as the count is  
 4 completed and fully ascertained, as by this subtitle required, lock  
 5 the counter compartment and it shall so remain for a period of 15  
 6 days, except it be opened by order of a judge of the Superior Court  
 7 assigned to the county. Within such period and upon written re-  
 8 quest of any defeated candidate, or in the case where a public  
 9 question is involved upon petition of any 10 qualified voters of a  
 10 county or municipality using machines who voted in the election  
 11 in question, the judge shall, at a cost of \$2.00 per district to the  
 12 candidate or petitioners, order the machines in question opened  
 13 and the registering counters rechecked against the election officers'  
 14 returns. Any candidate or petitioners requesting such recheck,  
 15 shall deposit with the county clerk, the amount necessary for all  
 16 the districts requested. The county clerk, if it appears that an  
 17 error or errors have occurred as a result of which the election is  
 18 changed or the difference between the negative and affirmative of



19 any public question is altered so as to change the results of the  
20 election, shall upon the warrant of such judge of the Superior  
21 Court, pay to such candidate or petitioners the cost of such recheck.  
22 In the event it shall appear after such recheck that the results of  
23 the election remain unchanged, the county clerk shall, upon the  
24 warrant of such judge, pay the funds so deposited into the county  
25 treasury. Such recheck shall be made under the supervision of the  
26 county election officials and in cooperation with the parties at  
27 interest or their representatives. When irregular ballots of what-  
28 ever description have been voted, the *executive clerk of the* district  
29 **[election officers]** *board* shall return all such ballots in a properly  
30 secured package indorsed "irregular ballots" and return and file  
31 such package with the municipal clerk at the same time the original  
32 statement of the results of the election made by them is filed. Such  
33 package shall be preserved for six months next succeeding such  
34 election, and it shall not be opened or its contents examined during  
35 that time except by the order of a judge of a court lawfully em-  
36 powered to direct the same to be opened and examined. At the end  
37 of the six months, such packages may be opened and the ballots  
38 disposed of at the discretion of the official having charge thereof.

1 58. Section 7 of P. L. 1973, c. 82 (C. 19:53A-7) is amended  
2 to read as follows:

3 7. a. Thirty minutes before the opening of the polls the local  
4 district election officers shall arrive at the polling place, place the  
5 voting devices in position for voting, and examine them to see that  
6 they have the correct ballot labels by comparing them with the  
7 sample ballots, and are in proper working order. They shall open  
8 and check the ballot cards, supplies, records and forms, and post  
9 the sample ballots and instructions to voters.

10 b. Each voter requesting assistance shall be instructed how to  
11 operate the voting device before he enters the voting booth. If he  
12 needs additional instruction after entering the voting booth and  
13 requests assistance, two members of the district board of opposite  
14 political parties, may if necessary enter the booth and give him  
15 additional instructions.

16 c. The district election official attending the voting machine shall  
17 inspect the face of the machine and the ballot at least once per hour  
18 to see that the face of the machine and the ballot are in their proper  
19 place and that neither has been mutilated, defaced, tampered with  
20 or changed and that the machine has not been changed.

21 d. After the voter has marked his ballot cards, he shall place the  
22 ballot card inside the envelope provided for this purpose and  
23 return it to the election officer, who shall remove the stub, place it

24 on a file string, and deposit the envelope with the ballot card inside  
25 in the ballot box. No ballot card from which the stub has been  
26 detached shall be accepted by the election official in charge of the  
27 ballot box, but it shall be marked "Spoiled" and placed with the  
28 spoiled ballot cards.

29 e. Any voter who spoils his ballot card may return it enclosed  
30 in the envelope and secure another. The word "Spoiled" shall be  
31 written across the face of the envelope, which shall be placed on  
32 the same string with the stubs.

33 f. As soon as the polls have been closed and the last qualified  
34 voter has voted, all unused ballot cards shall be placed in a con-  
35 tainer and sealed for return to the board of elections. The ballot  
36 box shall be opened and any write-in votes counted, unless these  
37 votes are to be counted by duly appointed bipartisan tabulating  
38 teams at the counting center. Before write-in votes are counted  
39 they shall be compared with votes cast on the ballot card for the  
40 same office. If the voter has cast more votes for an office than he  
41 is entitled to vote for, the vote for that office shall be declared null  
42 and void and that vote shall not be counted for that office. Votes  
43 cast for duly nominated candidates on the ballot card will not be  
44 voided because of an invalid write-in vote, but if otherwise valid  
45 shall be counted. The voted ballot card shall next be placed in the  
46 ballot card container for delivery to the counting center, and the  
47 voting devices shall be placed in their containers for returning to  
48 the county board of elections.

49 g. The *executive clerk and the assistant executive clerk of the*  
50 district board [election officers] shall prepare a report of the  
51 number of voters who have voted, as indicated by the poll list, the  
52 number of write-in votes and any other votes counted by the district  
53 board and the number of spoiled ballots, and shall place the original  
54 copy of this report in the ballot card container for delivery to the  
55 counting center, which thereupon shall be sealed so that no addi-  
56 tional ballot cards may be deposited or removed. Such container  
57 shall be durably constructed so as to be resistant to fire, water and  
58 tampering. The duplicate copy of said report shall be returned to  
59 the county election board with other records. [Two] *The executive*  
60 *clerk and the assistant executive clerk of the district [election]*  
61 board [officers one of each opposite political party as in this act  
62 defined] shall forthwith deliver the ballot card container to the  
63 counting center or other place designated by the county board.  
64 The county board may, in its discretion, direct that ballots be  
65 delivered to one or more collection points from which points the  
66 ballots shall be transported collectively to the counting center by

67 two duly appointed deputies of opposite political parties. The  
68 *executive clerk of the* district board shall receive a receipt before  
69 releasing the ballots to said deputies.

1 59. Section 22 of P. L. 1953, c. 211 (C. 19:57-22) is amended  
2 to read as follows:

3 22. The commissioner of registration upon receipt of such infor-  
4 mation from the county clerk shall, in the case of a military service  
5 voter, remove the permanent registration form of each such voter  
6 from the permanent registration binders, if it appears therein, and  
7 file such forms in a special file designated "Military File" and in  
8 the case of civilian absentee voters shall mark the applicant's dupli-  
9 cate voting record appearing on the signature copy registers as  
10 follows:

11 In the proper column provided for the recording of the number  
12 of the voter's ballot at the election in which the applicant wishes to  
13 vote, the commissioner of registration shall record therein in red  
14 ink the initial "A," which shall mean that a civilian absentee ballot  
15 was delivered or mailed to the applicant by the county clerk.

16 Whenever the commissioner of registration receives from the  
17 county clerk notice that a civilian absentee ballot has been for-  
18 ward to a voter, during the time when the signature copy regis-  
19 ters are in the custody of other election officials pursuant to this  
20 Title, or are in transit to or from such officials, the said commisi-  
21 sioner shall prior to the opening of the polls on election day, for-  
22 ward to *the executive clerk of* each district board of elections a list  
23 of all civilian absentee voters to whom ballots have been sent but  
24 whose duplicate voting record has not been marked in the manner  
25 herein prescribed. Such lists may be prepared in the same manner  
26 as a challenge sheet and may be included therein together with other  
27 causes for challenge. No district board of elections shall permit  
28 any person to vote whose registration record shall be marked with  
29 the initial A in red ink or whose name shall appear on any list or  
30 notice furnished by the commissioner of registration to the effect  
31 that such voter has received an absentee ballot.

32 Whenever a civilian absentee ballot has been delivered to a voter  
33 less than seven days prior to an election and up to 3 p.m. of the day  
34 before the election, and the signature copy registers are in the  
35 custody of other election officials, or in transit to or from such  
36 officials, the county clerk shall prepare a master list of all such  
37 ballots, which list shall be transmitted to the commissioner of  
38 registration in sufficient time to permit such commissioner to notify  
39 the appropriate municipal clerk. The municipal clerk shall notify

40 the [judge] *executive clerk* of the district election board to mark the  
41 voter's record accordingly.

1 60. There is appropriated to the Department of State the sum of  
2 \$1,500,000.00 from the General Fund for the purposes of this act.

1 61. This act shall take effect immediately.

\_\_\_\_\_  
Sponsor's STATEMENT

A 2782

This bill reorganizes the structure of district boards of election, requires periodic training for boards members and increases the per diem compensation of those members.

Specifically, the bill abolishes the titles of judge and inspector of the district boards of elections and creates instead the titles of executive clerk and assistant executive clerk of the board. The executive clerk and the assistant executive clerk shall be elected by the board members, as the judge and inspector now are, and shall be from different political parties.

The bill also provides that the executive clerk and the assistant executive clerk shall have the responsibilities now vested in the judge and inspector of the board, respectively. Under certain circumstances, activities now allocated to the district board as a whole are also vested in the executive clerk or, where partisan considerations so indicate, in both the executive clerk and the assistant executive clerk. The executive clerk and assistant executive clerk shall collect and deposit ballots. The executive clerk shall obtain and deliver signature copy registers, and designate a board member to perform this task in the clerk's absence.

Under the bill, each new election board member is required to attend an instructional session and all district board members shall attend an instructional session at least once every three years.

Finally, the bill raises the compensation paid to district board members for each primary and general election day worked from \$50.00 to \$75.00. An additional \$25.00 would be paid to the board member charged with obtaining and delivering the signature copy registers. If two members share the responsibility for the signature copy registers, then they would each be entitled to \$12.50 per election. The bill includes an appropriation of \$1,500,000.00 to pay for the additional costs associated with increased election board member compensation paid for by the State.

\_\_\_\_\_  
ELECTIONS

Reorganizes the structure of district boards of elections, requires periodic training for board members and increases their per diem compensation; appropriates \$1.5 million.

\_\_\_\_\_

ASSEMBLY STATE GOVERNMENT COMMITTEE  
STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

**SENATE, Nos. 1570, 804 and  
ASSEMBLY, No. 2782**

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**STATE OF NEW JERSEY**

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DATED: SEPTEMBER 18, 1986

The Assembly State Government Committee reports favorably an Assembly Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1570 and 804, and Assembly Bill No. 2782.

This committee substitute raises the basic compensation payable to district board election workers from the current \$50.00 per election to \$75.00 per election. The bill also provides for additional compensation to be paid to members of district boards who undertake the duty of obtaining or returning the signature copy registers used at the polls on election day: for transporting the register to or from the polling place, one worker would be entitled to \$12.50, while two workers would receive \$6.25 each for sharing either such responsibility.

The bill also establishes a requirement that election board workers receive training every other year. If a member failed to attend a training program during a year in which he was required to attend such program, he would receive only \$50.00 for each election at which he worked during that year.

The bill requires the State to pay for the increase in the cost of compensating district election board workers which would result from the enactment of the legislation. The bill appropriates \$1,500,000.00 to cover this State obligation.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

**SENATE, Nos. 1570 and 804**

**ASSEMBLY, No. 2782**

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**STATE OF NEW JERSEY**

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DATED: OCTOBER 20, 1986

The Assembly Appropriations Committee favorably reports the Assembly Committee Substitute for the Senate Committee Substitute for Senate Bill Nos. 1570 and 804 and Assembly Bill No. 2782.

This bill increases the basic compensation payable to workers of district boards of election from the current \$50.00 to \$75.00. Also provided, is additional compensation to be paid to members of district boards charged with the duty of obtaining or returning the signature copy registers used at the polls on election day: for transporting the register to or from the polling place, one worker would be entitled to \$12.50, while two workers would receive \$6.25 each for sharing either such responsibility.

The bill also establishes a requirement that election board workers receive training every other year. Any member not attending a training program during a year in which he or she was required to attend, would receive only \$50.00 for each election at which he/she worked during that year.

The State is required to pay for the increase in costs and the bill appropriates \$1,500,000.00 to the Department of State from the General Fund.

9 cate voting record appearing on the signature copy registers as  
10 follows:

11 In the proper column provided for the recording of the number  
12 of the voter's ballot at the election in which the applicant wishes to  
13 vote, the commissioner of registration shall record therein in red  
14 ink the initial "A," which shall mean that a civilian absentee ballot  
15 was delivered or mailed to the applicant by the county clerk.

16 Whenever the commissioner of registration receives from the  
17 county clerk notice that a civilian absentee ballot has been for-  
18 warded to a voter, during the time when the signature copy regis-  
19 ters are in the custody of other election officials pursuant to this  
20 Title, or are in transit to or from such officials, the said commis-  
21 sioner shall prior to the opening of the polls on election day, for-  
22 ward to the executive clerk of each district board of elections a list  
23 of all civilian absentee voters to whom ballots have been sent but  
24 whose duplicate voting record has not been marked in the manner  
25 herein prescribed. Such lists may be prepared in the same manner  
26 as a challenge sheet and may be included therein together with other  
27 causes for challenge. No district board of elections shall permit  
28 any person to vote whose registration record shall be marked with  
29 the initial A in red ink or whose name shall appear on any list or  
30 notice furnished by the commissioner of registration to the effect  
31 that such voter has received an absentee ballot.

32 Whenever a civilian absentee ballot has been delivered to a voter  
33 less than seven days prior to an election and up to 3 p.m. of the day  
34 before the election, and the signature copy registers are in the  
35 custody of other election officials, or in transit to or from such  
36 officials, the county clerk shall prepare a master list of all such  
37 ballots, which list shall be transmitted to the commissioner of  
38 registration in sufficient time to permit such commissioner to notify  
39 the appropriate municipal clerk. The municipal clerk shall notify  
40 the [judge] executive clerk of the district election board to mark the  
41 voter's record accordingly.

1 60. This act shall take effect immediately.

Sponsor's STATEMENT

This bill amends Title 19 of the Revised Statutes to reorganize the structure of district boards of election, require board member training, and increase the per-diem compensation of board members. Specific provisions include the following:

- (1) The bill abolishes the titles of judge and inspector of the district boards of elections and creates in place thereof the titles

of executive clerk and assistant executive clerk of the board. The executive clerk and the assistant executive clerk will be elected by the board members themselves, as the judge and inspector now are. Like the judge and inspector, the executive clerk and the assistant executive clerk must be members of different political parties.

The executive clerk and the assistant executive clerk will have the responsibilities now vested in the judge and inspector of the board, respectively. In addition, where it would contribute to the effectiveness of election and election-related procedures, or where it would facilitate the performance by other officials of their election-related functions, activities now allocated to the district board as a whole are, under the bill, vested in the executive clerk alone, or where partisan considerations so indicate, in both the executive clerk and the assistant executive clerk jointly. The executive clerk and assistant executive clerk shall be responsible for the collection and deposit of ballots.

(2) Each new election board member is required to attend a training session within 30 days of appointment and all board members shall attend a training session at least once every three years. Training sessions will be given by, or under the supervision of, county boards of elections.

(3) The bill raises the compensation paid to district board members for each election day worked from the current level of \$50.00 to \$75.00. An additional \$25.00 would be paid to the board member or members charged with obtaining and delivering the signature copy registers. A board member who fails to attend training sessions would receive only \$50.00 per election.

(4) The additional costs associated with increased election board member compensation would be reimbursed to the counties by the State.

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#### ELECTIONS

Revises the law concerning district boards of election.

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SENATE, No. 804

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STATE OF NEW JERSEY

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PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator BROWN

AN ACT concerning the compensation of members of the district  
board of elections and amending R. S. 19:45-6.

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

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

2 19:45-6. The compensation of each member of the district boards  
3 for all services performed by them under the provisions of this  
4 Title shall be as follows:

5 In all counties, for all services rendered including the counting  
6 of the votes, and in counties wherein voting machines are used,  
7 the tabulation of the votes registered on the voting machines, and  
8 the delivery of the returns, registry binders, ballot boxes and keys  
9 for the voting machines to the proper election officials, \$50.00 each  
10 time the primary election, the general election or any special elec-  
11 tion is held under this Title, *except that if a person performing*  
12 *these services receives instruction in the use of the voting machines*  
13 *and in any other required duties prior to the primary, general or*  
14 *special election, or has received instruction and is not required to*  
15 *receive further instruction, pursuant to the provisions of R. S.*  
16 *19:50-1, the person shall receive \$100.00 each time; provided, how-*  
17 *ever, that in counties wherein voting machines are used no compen-*  
18 *sation shall be paid for any services rendered at any special election*  
19 *held at the same time as any primary or general election.*

20 Such compensation shall be in lieu of all other fees and payments.

**Matter printed in italics thus is new matter.**

S804

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21 Compensation due each member shall be paid within 30 days but  
22 not within 20 days after each election; provided, however, that no  
23 compensation shall be paid to any member of any such district  
24 board who may have been removed from office or application for  
25 the removal of whom is pending under the provisions of R. S. 19:6-4.

1 2. This act shall take effect immediately.

*Sponsors*

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STATEMENT

This bill increases the compensation paid to members of district boards for services performed on election day from \$50.00 to \$100.00 if that person receives instruction in the use of the voting machines and other related duties prior to the election.

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SENATE STATE GOVERNMENT, FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 804**

with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: APRIL 3, 1986

The Senate State Government Committee reports Senate Bill No. 804 favorably and with amendments.

This bill increases from \$50.00 to \$100.00 the compensation paid to members of district boards of elections for services performed on election day if the member receives instruction in the use of voting machines and other related duties at least once every three years. If the member does not receive such instruction, the compensation shall remain at \$50.00. The bill also provides that the additional costs associated with increased election board member compensation shall be paid for by the State.

The committee amended the bill to provide for increased compensation for board members receiving instruction at least once every three years. As originally introduced, the bill provided for increased compensation for those who receive instruction prior to the primary, general or special election and those who have received instruction but are not required to have further instruction. The amendments also mandate that the additional costs associated with increased election board compensation be paid by the State.

SENATE REVENUE, FINANCE AND APPROPRIATIONS  
COMMITTEE

STATEMENT TO  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 1570 and 804**

[OFFICIAL COPY REPRINT]

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**STATE OF NEW JERSEY**

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DATED: MAY 19, 1986

The Senate Revenue, Finance and Appropriations Committee reported, by Senate Committee Substitute, Senate Bill Nos. 1570 OCR and 804 OCR.

This Senate committee substitute amends Title 19 of the Revised Statutes to reorganize the structure of district boards of election, require board member training and increase the per diem compensation of board members. Specific provisions include the following:

(1) The bill abolishes the titles of judge and inspector of the district boards of elections and creates instead the titles of executive clerk and assistant executive clerk of the board. The executive clerk and the assistant executive clerk shall be elected by the board members, as the judge and inspector now are, and shall be from different political parties.

(2) The executive clerk and the assistant executive clerk shall have the responsibilities now vested in the judge and inspector of the board, respectively. Under certain circumstances, activities now allocated to the district board as a whole are also vested in the executive clerk or, where partisan considerations so indicate, in both the executive clerk and the assistant executive clerk. The executive clerk and assistant executive clerk shall collect and deposit ballots. The executive clerk shall obtain and deliver signature copy registers, and designate a board member to perform this task in the clerk's absence.

(3) Each new election board member is required to attend an instructional session and all district board members shall attend an instructional session at least once every three years.

(4) The bill raises the compensation paid to district board members for each primary and general election day worked from \$50.00 to \$75.00. An additional \$25.00 would be paid to the board member charged with obtaining and delivering the signature copy registers. If two members share the responsibility for the signature copy registers, then they would each be entitled to \$12.50 per election. The additional costs associated with increased election board member compensation would be paid for by the State.

**FISCAL IMPACT:**

The compensation paid to all district board of election members is raised for each election day worked from \$50.00 to \$75.00. Based on an average of four workers per district, and a total of 5,709 districts, the estimated cost per election is \$570,900.00. The additional compensation to one board member for obtaining and returning the signatory register is estimated to cost \$142,725.00 per election, for a total increased cost of \$713,625.00 per election. This estimate assumes that all members will have attended the required training sessions and will therefore be eligible for the maximum remuneration.

Based on an average of two elections per year, the annual cost of this bill is approximately \$1,427,250.00.

This bill appropriates \$1,500,000.00 from the General Fund for the specified purpose.

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STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

December 12, 1986

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NOS. 1570, 804 AND  
ASSEMBLY BILL NO. 2782

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Assembly Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1570, 804 and Assembly Bill No. 2782 with my objections for reconsideration.

The Assembly Committee Substitute raises the compensation level of district board election members from \$50 per election to \$75 per election. The member of the board charged with the duty of obtaining and signing for the signature copy register shall receive an additional \$12.50 per election or \$6.50 each if two board members share the responsibility. The member of the board charged with the duty of returning the signature copy register shall receive an additional \$12.50 an election or \$6.25 each if two board members share that responsibility.

While I am supportive of an increase in compensation to members of district boards of election, I cannot sign the Assembly Committee Substitute in its present form. The legislation mandates that the State pay for the increase in the compensation to members of district boards of election. Although I believe that board member compensation is inadequate and should be increased, I cannot approve the State's assumption of the cost of this increase as required by this bill. In this time of budget constraints, every commitment to new spending programs must be carefully reviewed. I cannot in good conscience commit the State to expenditures such as this which will continue on into years in which budget constraints may be even more severe.

Therefore, I herewith return Assembly Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1570, 804 and Assembly Bill No. 2782 and recommend that it be amended as follows:

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

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Page 1, Section 1, Line 5: Delete "In addition, the State shall,"

Page 1, Section 1, Lines 6-10: Delete in entirety.

Page 3, Section 4, Lines 1-2: Delete in entirety.

Page 3, Section 5, Line 1: Delete "5" and insert "4"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Michael R. Cole

Chief Counsel