

19:2-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 245
NJSA: 19:2-1 (Extends polling place hours for certain elections)
BILL NO: A3714 (Substituted for S1743)

SPONSOR(S): Kean and Sires

DATE INTRODUCED: June 21, 2001

COMMITTEE: **ASSEMBLY:** Appropriations

SENATE: ----

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 28, 2001

SENATE: June 28, 2001

DATE OF APPROVAL: September 6, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (2nd reprint enacted)

(Amendments during passage denoted by superscript numbers)

A3714

SPONSORS STATEMENT: (Begins on page 4 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENTS: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S1743

SPONSORS STATEMENT: (Begins on page 4 of original bill) Yes

Bill and Sponsors Statement identical to A3714

COMMITTEE STATEMENT: **ASSEMBLY:** No
SENATE: Yes 6-21-2001 (State
Govt.) 6-25-2001(Budget)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

'Earlier poll hours draw fire statewide," 9-8-2001 The Press, p. A1

ASSEMBLY, No. 3714

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JUNE 21, 2001

Sponsored by:

Assemblyman THOMAS H. KEAN

District 22 (Middlesex, Morris, Somerset and Union)

Assemblyman ALBIO SIRES

District 33 (Hudson)

SYNOPSIS

Extends polling place hours for certain elections.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT extending polling place hours for certain elections and
2 amending various parts of statutory law.

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

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

8 19:2-1. Primary elections for delegates and alternates to national
9 conventions of political parties and for the general election shall be
10 held in each year on the Tuesday next after the first Monday in June,
11 between the hours of [~~7:00~~] 6:00 A.M. and 8:00 P.M., Standard
12 Time. Primary elections for special elections shall be held not earlier
13 than 30 nor later than 20 days prior to the special elections.

14 (cf: P.L.1968, c.292, s.1)

15

16 2. R.S. 19:6-25 is amended to read as follows:

17 19:6-25. The county boards in each of the counties shall sit on the
18 day of the general election at the office of the county boards between
19 the hours of [~~six~~] 5:00 A.M. and midnight.

20 (cf: R.S.19:6-25)

21

22 3. R.S.19:15-2 is amended to read as follows:

23 19:15-2. The district boards shall open the polls for such election
24 at [~~seven o'clock in the morning~~] 6:00 A.M. and close them at [~~eight~~
25 o'clock in the evening] 8:00 P.M. , and shall keep them open during
26 the whole day of election between these hours; except that for a school
27 election the polls shall be open between the hours of [~~five~~] 5:00 P.M.
28 and [~~nine~~] 9:00 P.M. and during any additional time which the school
29 board may designate between the hours of [~~seven~~] 7:00 A.M. and
30 [~~nine~~] 9:00 P.M.

31 The board may allow one member thereof at a time to be absent
32 from the polling place and room for a period not exceeding one hour
33 between the hours of [~~one o'clock~~] 1:00 P.M. and [~~five o'clock in the~~
34 afternoon] 5:00 P.M. or for such shorter time as it shall see fit.

35 At no time from the opening of the polls to the completion of the
36 canvass shall there be less than a majority of the board present in the
37 polling room or place, except that during a school election there shall
38 always be at least one member of each district election board present
39 or if more than two district board members are designated to serve at
40 the polling place, at least two members present.

41 (cf: P.L.1996, c.3 s.4)

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

Matter underlined thus is new matter.

1 4. R.S.19:23-40 is amended to read as follows:

2 19:23-40. The primary election for the general election shall be
3 held for all political parties upon the Tuesday next after the first
4 Monday in June between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00
5 P.M., Standard Time. It shall be held for all political parties in the
6 same places as hereinbefore provided for the ensuing general election.
7 (cf: P.L.1968, c.292, s.5)

8

9 5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read
10 as follows:

11 23. Any absentee voter shall be entitled to mark any absentee
12 ballot, so forwarded to him, for voting at any election by indicating his
13 choice of candidates for the offices named, and as to public questions,
14 if any, stated thereon, in accordance with the election laws of this
15 State, except that in such ballots to be voted in any primary election
16 for the general election his choice shall be limited to the candidates of
17 his political party or to any person or persons whose names are written
18 thereon by him. When so marked, such ballot shall be placed in said
19 inner envelope, which shall then be sealed, and the voter shall then fill
20 in the form of certificate attached to said inner envelope, at the end
21 of which he shall sign and print his name in his own handwriting. The
22 inner envelope with the certificate shall then be placed in said outer
23 envelope, which shall then be sealed.

24 No absentee voter shall permit any person in any way, except as
25 provided hereafter, to unseal, mark or inspect his ballot, interfere with
26 the secrecy of his absentee ballot vote, complete or sign the certificate,
27 or seal the inner or outer envelope, nor shall any person do so.

28 An absentee voter shall be entitled to assistance from a family
29 member in performing any of the actions above. An incapacitated
30 absentee voter shall also be entitled to assistance from a person other
31 than a family member in performing any of such actions. The family
32 member or other person providing such assistance shall certify that he
33 did assist the voter and will maintain the secrecy of the vote by both
34 printing and signing his name in the space provided on the certificate.
35 In no event may a candidate for election provide such assistance, nor
36 may any person, at the time of providing such assistance, campaign or
37 electioneer on behalf of any candidate.

38 Said sealed outer envelope with the inner envelope and the ballot
39 enclosed therein shall then either be mailed with sufficient postage to
40 the county board of elections to which it is addressed or delivered
41 personally by the voter or a bearer designated by him to such board
42 or its designee. Such ballot must be received by such board or its
43 designee before ~~[8 p.m.]~~ the time designated by R.S.19:15-2 or
44 R.S.19:23-40 for the closing of the polls, as may be appropriate on the
45 day of an election.

46 At the time any person delivers a ballot to the county board, he

1 shall sign a record which the county shall maintain of all absentee
2 ballots personally delivered to it.
3 (cf: P.L.1981, c.390, s.8)

4

5 6. This act shall take effect on January 1 following enactment.

6

7

8

STATEMENT

9

10 The purpose of this bill is to extend the hours that polling places are
11 open on the day of primary, general, nonpartisan municipal, special
12 and recall elections, from 7:00 A.M. - 8:00 P.M., as provided for in
13 current law, to 6 A.M. - 8:00 P.M.

14 Opening the polling places one hour earlier would enable voters
15 who work long hours far from home to exercise their right to vote in
16 the early morning before work.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3714

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JUNE 25, 2001

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3714 with committee amendments.

Assembly Bill No. 3714, as amended, provides that polling places will open one hour earlier.

The bill extends the hours that polling places are open on the day of primary, general, nonpartisan municipal, special and recall elections from 7:00 A.M. - 8:00 P.M., as provided for in current law, to 6:00 A.M. - 8:00 P.M.

FISCAL IMPACT:

The estimated increased cost, if any, is not available at this time.

COMMITTEE AMENDMENTS:

The committee amended the effective date of the bill, changing it from the January 1 following enactment to effective immediately.

[First Reprint]

ASSEMBLY, No. 3714

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 21, 2001

Sponsored by:

Assemblyman THOMAS H. KEAN

District 22 (Middlesex, Morris, Somerset and Union)

Assemblyman ALBIO SIRES

District 33 (Hudson)

Co-Sponsored by:

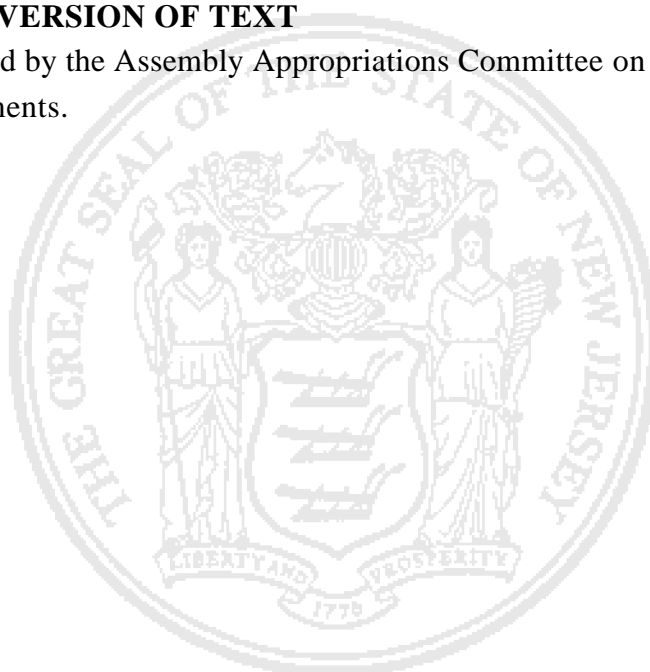
Senators Bucco, Kenny and Inverso

SYNOPSIS

Extends polling place hours for certain elections.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 25, 2001,
with amendments.



(Sponsorship Updated As Of: 6/29/2001)

1 AN ACT extending polling place hours for certain elections and
2 amending various parts of statutory law.

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

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

8 19:2-1. Primary elections for delegates and alternates to national
9 conventions of political parties and for the general election shall be
10 held in each year on the Tuesday next after the first Monday in June,
11 between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00 P.M., Standard
12 Time. Primary elections for special elections shall be held not earlier
13 than 30 nor later than 20 days prior to the special elections.

14 (cf: P.L.1968, c.292, s.1)

15

16 2. R.S. 19:6-25 is amended to read as follows:

17 19:6-25. The county boards in each of the counties shall sit on the
18 day of the general election at the office of the county boards between
19 the hours of ~~[six]~~ 5:00 A.M. and midnight.

20 (cf: R.S.19:6-25)

21

22 3. R.S.19:15-2 is amended to read as follows:

23 19:15-2. The district boards shall open the polls for such election
24 at ~~[seven o'clock in the morning]~~ 6:00 A.M. and close them at ~~[eight~~
25 ~~o'clock in the evening]~~ 8:00 P.M. , and shall keep them open during
26 the whole day of election between these hours; except that for a school
27 election the polls shall be open between the hours of ~~[five]~~ 5:00 P.M.
28 and ~~[nine]~~ 9:00 P.M. and during any additional time which the school
29 board may designate between the hours of ~~[seven]~~ 7:00 A.M. and
30 ~~[nine]~~ 9:00 P.M.

31 The board may allow one member thereof at a time to be absent
32 from the polling place and room for a period not exceeding one hour
33 between the hours of ~~[one o'clock]~~ 1:00 P.M. and ~~[five o'clock in the~~
34 ~~afternoon]~~ 5:00 P.M. or for such shorter time as it shall see fit.

35 At no time from the opening of the polls to the completion of the
36 canvass shall there be less than a majority of the board present in the
37 polling room or place, except that during a school election there shall
38 always be at least one member of each district election board present
39 or if more than two district board members are designated to serve at
40 the polling place, at least two members present.

41 (cf: P.L.1996, c.3 s.4)

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted June 25, 2001.

1 4. R.S.19:23-40 is amended to read as follows:

2 19:23-40. The primary election for the general election shall be
3 held for all political parties upon the Tuesday next after the first
4 Monday in June between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00
5 P.M., Standard Time. It shall be held for all political parties in the
6 same places as hereinbefore provided for the ensuing general election.
7 (cf: P.L.1968, c.292, s.5)

8

9 5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read
10 as follows:

11 23. Any absentee voter shall be entitled to mark any absentee
12 ballot, so forwarded to him, for voting at any election by indicating his
13 choice of candidates for the offices named, and as to public questions,
14 if any, stated thereon, in accordance with the election laws of this
15 State, except that in such ballots to be voted in any primary election
16 for the general election his choice shall be limited to the candidates of
17 his political party or to any person or persons whose names are written
18 thereon by him. When so marked, such ballot shall be placed in said
19 inner envelope, which shall then be sealed, and the voter shall then fill
20 in the form of certificate attached to said inner envelope, at the end
21 of which he shall sign and print his name in his own handwriting. The
22 inner envelope with the certificate shall then be placed in said outer
23 envelope, which shall then be sealed.

24 No absentee voter shall permit any person in any way, except as
25 provided hereafter, to unseal, mark or inspect his ballot, interfere with
26 the secrecy of his absentee ballot vote, complete or sign the certificate,
27 or seal the inner or outer envelope, nor shall any person do so.

28 An absentee voter shall be entitled to assistance from a family
29 member in performing any of the actions above. An incapacitated
30 absentee voter shall also be entitled to assistance from a person other
31 than a family member in performing any of such actions. The family
32 member or other person providing such assistance shall certify that he
33 did assist the voter and will maintain the secrecy of the vote by both
34 printing and signing his name in the space provided on the certificate.
35 In no event may a candidate for election provide such assistance, nor
36 may any person, at the time of providing such assistance, campaign or
37 electioneer on behalf of any candidate.

38 Said sealed outer envelope with the inner envelope and the ballot
39 enclosed therein shall then either be mailed with sufficient postage to
40 the county board of elections to which it is addressed or delivered
41 personally by the voter or a bearer designated by him to such board
42 or its designee. Such ballot must be received by such board or its
43 designee before ~~[8 p.m.]~~ the time designated by R.S.19:15-2 or
44 R.S.19:23-40 for the closing of the polls, as may be appropriate on the
45 day of an election.

46 At the time any person delivers a ballot to the county board, he

A3714 [1R] KEAN, SIRES

4

1 shall sign a record which the county shall maintain of all absentee
2 ballots personally delivered to it.

3 (cf: P.L.1981, c.390, s.8)

4

5 6. This act shall take effect ¹[on January 1 following enactment]

6 immediately¹.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3714

with Senate Floor Amendments
(Proposed By Senator BUCCO)

ADOPTED: JUNE 28, 2001

These amendments make the bill identical to Senate Bill No. 1743 [2R]. The changes raise from \$75 to \$200 the required compensation paid to district board members who serve at an election, provide for the State to reimburse counties for \$125 of the required \$200 compensation and require the State to reimburse counties for any additional costs incurred as a result of the bill's enactment. An appropriation for \$3,000,000, and such additional sums as may be required, is made.

The amendments also require the Attorney General to prepare a report recommending how county boards of elections can better attract and retain district board members.

[Second Reprint]

ASSEMBLY, No. 3714

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 21, 2001

Sponsored by:

Assemblyman THOMAS H. KEAN

District 22 (Middlesex, Morris, Somerset and Union)

Assemblyman ALBIO SIRES

District 33 (Hudson)

Co-Sponsored by:

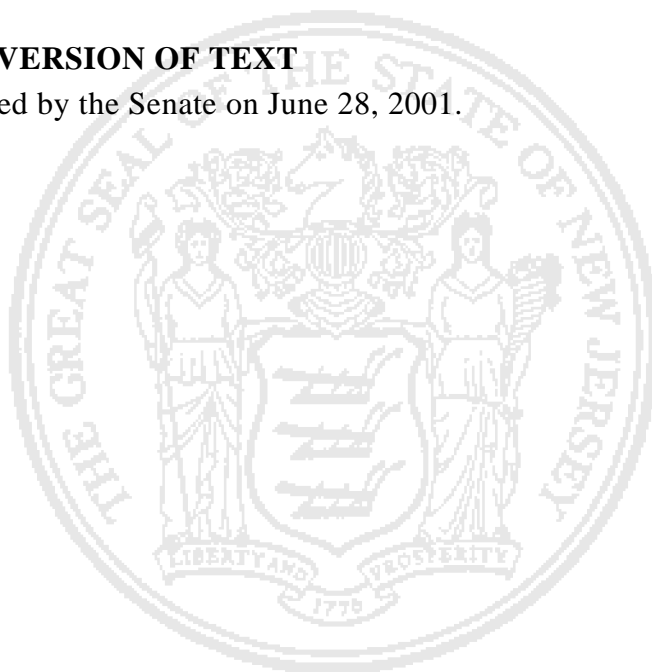
Senators Bucco, Kenny and Inverso

SYNOPSIS

Extends polling place hours for certain elections; makes an appropriation.

CURRENT VERSION OF TEXT

As amended by the Senate on June 28, 2001.



(Sponsorship Updated As Of: 6/29/2001)

1 AN ACT ²[extending polling place hours for certain] concerning²
2 elections ²[and],² amending various parts of statutory law²,
3 supplementing Title 19 of the Revised Statutes, and making an
4 appropriation².

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

8
9 1. R.S.19:2-1 is amended to read as follows:

10 19:2-1. Primary elections for delegates and alternates to national
11 conventions of political parties and for the general election shall be
12 held in each year on the Tuesday next after the first Monday in June,
13 between the hours of [7:00] 6:00 A.M. and 8:00 P.M., Standard
14 Time. Primary elections for special elections shall be held not earlier
15 than 30 nor later than 20 days prior to the special elections.

16 (cf: P.L.1968, c.292, s.1)

17

18 2. R.S.19:6-25 is amended to read as follows:

19 19:6-25. The county boards in each of the counties shall sit on the
20 day of the general election at the office of the county boards between
21 the hours of [six] 5:00 A.M. and midnight.

22 (cf: R.S.19:6-25)

23

24 3. R.S.19:15-2 is amended to read as follows:

25 19:15-2. The district boards shall open the polls for such election
26 at [seven o'clock in the morning] 6:00 A.M. and close them at [eight
27 o'clock in the evening] 8:00 P.M., and shall keep them open during
28 the whole day of election between these hours; except that for a school
29 election the polls shall be open between the hours of [five] 5:00 P.M.
30 and [nine] 9:00 P.M. and during any additional time which the school
31 board may designate between the hours of [seven] 7:00 A.M. and
32 [nine] 9:00 P.M.

33 The board may allow one member thereof at a time to be absent
34 from the polling place and room for a period not exceeding one hour
35 between the hours of [one o'clock] 1:00 P.M. and [five o'clock in the
36 afternoon] 5:00 P.M. or for such shorter time as it shall see fit.

37 At no time from the opening of the polls to the completion of the
38 canvass shall there be less than a majority of the board present in the
39 polling room or place, except that during a school election there shall
40 always be at least one member of each district election board present

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted June 25, 2001.

² Senate floor amendments adopted June 28, 2001.

1 or if more than two district board members are designated to serve at
2 the polling place, at least two members present.

3 (cf: P.L.1996, c.3 s.4)

4

5 4. R.S.19:23-40 is amended to read as follows:

6 19:23-40. The primary election for the general election shall be
7 held for all political parties upon the Tuesday next after the first
8 Monday in June between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00
9 P.M., Standard Time. It shall be held for all political parties in the
10 same places as hereinbefore provided for the ensuing general election.

11 (cf: P.L.1968, c.292, s.5)

12

13 5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read
14 as follows:

15 23. Any absentee voter shall be entitled to mark any absentee
16 ballot, so forwarded to him, for voting at any election by indicating his
17 choice of candidates for the offices named, and as to public questions,
18 if any, stated thereon, in accordance with the election laws of this
19 State, except that in such ballots to be voted in any primary election
20 for the general election his choice shall be limited to the candidates of
21 his political party or to any person or persons whose names are written
22 thereon by him. When so marked, such ballot shall be placed in said
23 inner envelope, which shall then be sealed, and the voter shall then fill
24 in the form of certificate attached to said inner envelope, at the end
25 of which he shall sign and print his name in his own handwriting. The
26 inner envelope with the certificate shall then be placed in said outer
27 envelope, which shall then be sealed.

28 No absentee voter shall permit any person in any way, except as
29 provided hereafter, to unseal, mark or inspect his ballot, interfere with
30 the secrecy of his absentee ballot vote, complete or sign the certificate,
31 or seal the inner or outer envelope, nor shall any person do so.

32 An absentee voter shall be entitled to assistance from a family
33 member in performing any of the actions above. An incapacitated
34 absentee voter shall also be entitled to assistance from a person other
35 than a family member in performing any of such actions. The family
36 member or other person providing such assistance shall certify that he
37 did assist the voter and will maintain the secrecy of the vote by both
38 printing and signing his name in the space provided on the certificate.
39 In no event may a candidate for election provide such assistance, nor
40 may any person, at the time of providing such assistance, campaign or
41 electioneer on behalf of any candidate.

42 Said sealed outer envelope with the inner envelope and the ballot
43 enclosed therein shall then either be mailed with sufficient postage to
44 the county board of elections to which it is addressed or delivered
45 personally by the voter or a bearer designated by him to such board
46 or its designee. Such ballot must be received by such board or its

1 designee before [8 p.m.] the time designated by R.S.19:15-2 or
2 R.S.19:23-40 for the closing of the polls, as may be appropriate on the
3 day of an election.

4 At the time any person delivers a ballot to the county board, he
5 shall sign a record which the county shall maintain of all absentee
6 ballots personally delivered to it.

7 (cf: P.L.1981, c.390, s.8)

8
9 ²6. (New section) In accordance with the provisions of Art.VIII,
10 Sec.II, par.5 of the Constitution, upon application for reimbursement
11 by a county governing body to the Attorney General and approval of
12 the application by the Director of the Division of Budget and
13 Accounting, a county shall be reimbursed by the State for:

14 a. compensation to each member of the district board of elections
15 who shall have served at the general election, the primary election, and
16 any nonpartisan municipal, special, or recall election, and who shall
17 have qualified for and been paid \$200 for such service in accordance
18 with R.S.19:45-6, the sum of \$125; and

19 b. any additional costs incurred by the county as a result of the
20 provisions of this act, P.L. _____, c. _____ (now pending before the
21 Legislature as this bill).²

22
23 ²7. The Attorney General shall prepare a report to the Governor
24 and the Legislature recommending steps that can be taken to assist
25 county boards of elections in attracting and retaining district board
26 members. In preparing the report, the Attorney General shall solicit
27 the views of county boards of elections, county superintendents of
28 elections, and district board members in this State, and shall study
29 what is being done in other states to attract and retain district board
30 members. The Attorney General shall submit the report to the
31 Governor and the Legislature within six months after the effective date
32 of this act, P.L. _____, c. _____ (now pending before the Legislature as this
33 bill).²

34
35 ²8. There is appropriated from the General Fund to the Department
36 of Law and Public Safety the sum of \$3,000,000, together with such
37 additional sums as the Director of the Division of Budget and
38 Accounting may certify to be necessary to effectuate the purposes of
39 this act, P.L. _____, c. _____ (now pending before the Legislature as this bill).²

40
41 ²9. R.S.19:45-6 is amended to read as follows:

42 19:45-6. The compensation of each member of the district boards
43 for all services performed by them under the provisions of this Title
44 shall be as follows:

45 In all counties, for all services rendered including the counting of
46 the votes, and in counties wherein voting machines are used, the
47 tabulation of the votes registered on the voting machines, and the

1 delivery of the returns, registry binders, ballot boxes and keys for the
2 voting machines to the proper election officials, [~~\$75.00~~] \$200 each
3 time the primary election, the general election or any special election
4 is held under this Title[, except that the governing body of a county
5 may increase the compensation, by ordinance or resolution as
6 appropriate, to an amount not to exceed \$150 for the members of each
7 district board within the county performing those services at such an
8 election]; provided, however, that:

9 a. (1) The member of the board charged with the duty of obtaining
10 and signing for the signature copy registers shall receive an additional
11 \$12.50 per election, such remuneration being limited to only one board
12 member per election, or \$6.25 to each of two board members if they
13 share such responsibility for the signature copy registers, and (2) the
14 member of the board charged with the duty of returning the signature
15 copy registers shall receive an additional \$12.50 per election, such
16 remuneration being limited to only one board member per election, or
17 \$6.25 to each of two board members if they share such responsibility
18 for the signature copy registers;

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

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

27 d. Compensation for district board members serving at a school
28 election shall be paid by the board of education of the school district
29 conducting the election at an hourly rate of \$5.77, except that the
30 board of education may compensate such district board members at a
31 pro-rated hourly rate consistent with the daily rate up to a maximum
32 of [~~\$11.54 if the school district is within a county that provides~~
33 compensation greater than \$75 for its district board members at a
34 primary, general or special election] \$14.29. The provisions of
35 subsections a., b., and c. of this section shall also apply to district
36 board members serving at a school election, except that in the case of
37 subsection b., the compensation shall be at an hourly rate of \$3.85.

38 Compensation due each member shall be paid within 30 days but
39 not within 20 days after each election; provided, however, that no
40 compensation shall be paid to any member of any such district board
41 who may have been removed from office or application for the
42 removal of whom is pending under the provisions of R.S.19:6-4.²
43 (cf: P.L.2001, c.15, s.1)

44
45 ²[~~6.~~] 10.² This act shall take effect [on January 1 following
46 enactment] immediately¹.

SENATE, No. 1743

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 7, 2001

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Senator BERNARD F. KENNY, JR.

District 33 (Hudson)

SYNOPSIS

Extends polling place hours for certain elections.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT extending polling place hours for certain elections and
2 amending various parts of statutory law.

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

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

8 19:2-1. Primary elections for delegates and alternates to national
9 conventions of political parties and for the general election shall be
10 held in each year on the Tuesday next after the first Monday in June,
11 between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00 P.M., Standard
12 Time. Primary elections for special elections shall be held not earlier
13 than 30 nor later than 20 days prior to the special elections.

14 (cf: P.L.1968, c.292, s.1)

15

16 2. R.S. 19:6-25 is amended to read as follows:

17 19:6-25. The county boards in each of the counties shall sit on the
18 day of the general election at the office of the county boards between
19 the hours of ~~[six]~~ 5:00 A.M. and midnight.

20 (cf: R.S.19:6-25)

21

22 3. R.S.19:15-2 is amended to read as follows:

23 19:15-2. The district boards shall open the polls for such election
24 at ~~[seven o'clock in the morning]~~ 6:00 A.M. and close them at ~~[eight~~
25 ~~o'clock in the evening]~~ 8:00 P.M. , and shall keep them open during
26 the whole day of election between these hours; except that for a school
27 election the polls shall be open between the hours of ~~[five]~~ 5:00 P.M.
28 and ~~[nine]~~ 9:00 P.M. and during any additional time which the school
29 board may designate between the hours of ~~[seven]~~ 7:00 A.M. and
30 ~~[nine]~~ 9:00 P.M.

31 The board may allow one member thereof at a time to be absent
32 from the polling place and room for a period not exceeding one hour
33 between the hours of ~~[one o'clock]~~ 1:00 P.M. and ~~[five o'clock in the~~
34 ~~afternoon]~~ 5:00 P.M. or for such shorter time as it shall see fit.

35 At no time from the opening of the polls to the completion of the
36 canvass shall there be less than a majority of the board present in the
37 polling room or place, except that during a school election there shall
38 always be at least one member of each district election board present
39 or if more than two district board members are designated to serve at
40 the polling place, at least two members present.

41 (cf: P.L.1996, c.3, s.4)

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

Matter underlined thus is new matter.

1 4. R.S.19:23-40 is amended to read as follows:

2 19:23-40. The primary election for the general election shall be
3 held for all political parties upon the Tuesday next after the first
4 Monday in June between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00
5 P.M., Standard Time. It shall be held for all political parties in the
6 same places as hereinbefore provided for the ensuing general election.
7 (cf: P.L.1968, c.292, s.5)

8

9 5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read
10 as follows:

11 23. Any absentee voter shall be entitled to mark any absentee
12 ballot, so forwarded to him, for voting at any election by indicating his
13 choice of candidates for the offices named, and as to public questions,
14 if any, stated thereon, in accordance with the election laws of this
15 State, except that in such ballots to be voted in any primary election
16 for the general election his choice shall be limited to the candidates of
17 his political party or to any person or persons whose names are written
18 thereon by him. When so marked, such ballot shall be placed in said
19 inner envelope, which shall then be sealed, and the voter shall then fill
20 in the form of certificate attached to said inner envelope, at the end
21 of which he shall sign and print his name in his own handwriting. The
22 inner envelope with the certificate shall then be placed in said outer
23 envelope, which shall then be sealed.

24 No absentee voter shall permit any person in any way, except as
25 provided hereafter, to unseal, mark or inspect his ballot, interfere with
26 the secrecy of his absentee ballot vote, complete or sign the certificate,
27 or seal the inner or outer envelope, nor shall any person do so.

28 An absentee voter shall be entitled to assistance from a family
29 member in performing any of the actions above. An incapacitated
30 absentee voter shall also be entitled to assistance from a person other
31 than a family member in performing any of such actions. The family
32 member or other person providing such assistance shall certify that he
33 did assist the voter and will maintain the secrecy of the vote by both
34 printing and signing his name in the space provided on the certificate.
35 In no event may a candidate for election provide such assistance, nor
36 may any person, at the time of providing such assistance, campaign or
37 electioneer on behalf of any candidate.

38 Said sealed outer envelope with the inner envelope and the ballot
39 enclosed therein shall then either be mailed with sufficient postage to
40 the county board of elections to which it is addressed or delivered
41 personally by the voter or a bearer designated by him to such board
42 or its designee. Such ballot must be received by such board or its
43 designee before ~~[8 p.m.]~~ the time designated by R.S.19:15-2 or
44 R.S.19:23-40 for the closing of the polls, as may be appropriate on the
45 day of an election.

46 At the time any person delivers a ballot to the county board, he

1 shall sign a record which the county shall maintain of all absentee
2 ballots personally delivered to it.
3 (cf: P.L.1981, c.390, s.8)

4

5 6. This act shall take effect on January 1 following enactment.

6

7

8

STATEMENT

9

10 The purpose of this bill is to extend the hours that polling places are
11 open on the day of primary, general, nonpartisan municipal, special
12 and recall elections, from 7:00 A.M. - 8:00 P.M., as provided for in
13 current law, to 6 A.M. - 8:00 P.M.

14 Opening the polling places one hour earlier would enable voters
15 who work long hours far from home to exercise their right to vote in
16 the early morning before work.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1743

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 21, 2001

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 1743.

This bill provides that polling places will open one hour earlier. It extends the hours that polling places are open on the day of primary, general, nonpartisan municipal, special and recall elections from 7:00 A.M. - 8:00 P.M., as provided for in current law, to 6:00 A.M. - 8:00 P.M. A county will be reimbursed by the State for any additional costs incurred by the county as a result of this change in hours of operation. The Attorney General is directed to prepare a report to the Governor and the Legislature recommending steps that can be taken to assist county boards of elections in attracting and retaining district board members.

The committee amended the bill to provide that a county will be reimbursed by the State for any additional costs incurred by the county as a result of this change in hours of operation and to direct the Attorney General to prepare a report concerning attracting and retaining district board members.

[First Reprint]

SENATE, No. 1743

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 7, 2001

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Senator BERNARD F. KENNY, JR.

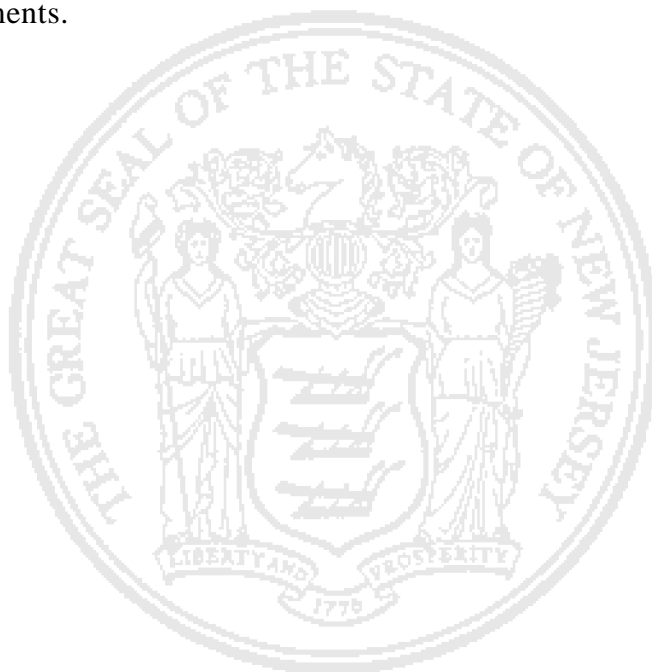
District 33 (Hudson)

SYNOPSIS

Extends polling place hours for certain election; makes an appropriations.

CURRENT VERSION OF TEXT

As reported by the Senate State Government Committee on June 21, 2001,
with amendments.



1 AN ACT extending polling place hours for certain elections ¹[and] ¹
2 amending various parts of statutory law ¹, supplementing Title 19
3 of the Revised Statutes, and making an appropriation¹.
4

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

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

9 19:2-1. Primary elections for delegates and alternates to national
10 conventions of political parties and for the general election shall be
11 held in each year on the Tuesday next after the first Monday in June,
12 between the hours of [~~7:00~~] 6:00 A.M. and 8:00 P.M., Standard
13 Time. Primary elections for special elections shall be held not earlier
14 than 30 nor later than 20 days prior to the special elections.

15 (cf: P.L.1968, c.292, s.1)
16

17 2. R.S. 19:6-25 is amended to read as follows:

18 19:6-25. The county boards in each of the counties shall sit on the
19 day of the general election at the office of the county boards between
20 the hours of [~~six~~] 5:00 A.M. and midnight.

21 (cf: R.S.19:6-25)
22

23 3. R.S.19:15-2 is amended to read as follows:

24 19:15-2. The district boards shall open the polls for such election
25 at [~~seven o'clock in the morning~~] 6:00 A.M. and close them at [~~eight~~
26 o'clock in the evening] 8:00 P.M., and shall keep them open during
27 the whole day of election between these hours; except that for a school
28 election the polls shall be open between the hours of [~~five~~] 5:00 P.M.
29 and [~~nine~~] 9:00 P.M. and during any additional time which the school
30 board may designate between the hours of [~~seven~~] 7:00 A.M. and
31 [~~nine~~] 9:00 P.M.

32 The board may allow one member thereof at a time to be absent
33 from the polling place and room for a period not exceeding one hour
34 between the hours of [~~one o'clock~~] 1:00 P.M. and [~~five o'clock in the~~
35 afternoon] 5:00 P.M. or for such shorter time as it shall see fit.

36 At no time from the opening of the polls to the completion of the
37 canvass shall there be less than a majority of the board present in the
38 polling room or place, except that during a school election there shall
39 always be at least one member of each district election board present

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSG committee amendments adopted June 21, 2001.

1 or if more than two district board members are designated to serve at
2 the polling place, at least two members present.

3 (cf: P.L.1996, c.3, s.4)

4

5 4. R.S.19:23-40 is amended to read as follows:

6 19:23-40. The primary election for the general election shall be
7 held for all political parties upon the Tuesday next after the first
8 Monday in June between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00
9 P.M., Standard Time. It shall be held for all political parties in the
10 same places as hereinbefore provided for the ensuing general election.

11 (cf: P.L.1968, c.292, s.5)

12

13 5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read
14 as follows:

15 23. Any absentee voter shall be entitled to mark any absentee
16 ballot, so forwarded to him, for voting at any election by indicating his
17 choice of candidates for the offices named, and as to public questions,
18 if any, stated thereon, in accordance with the election laws of this
19 State, except that in such ballots to be voted in any primary election
20 for the general election his choice shall be limited to the candidates of
21 his political party or to any person or persons whose names are written
22 thereon by him. When so marked, such ballot shall be placed in said
23 inner envelope, which shall then be sealed, and the voter shall then fill
24 in the form of certificate attached to said inner envelope, at the end
25 of which he shall sign and print his name in his own handwriting. The
26 inner envelope with the certificate shall then be placed in said outer
27 envelope, which shall then be sealed.

28 No absentee voter shall permit any person in any way, except as
29 provided hereafter, to unseal, mark or inspect his ballot, interfere with
30 the secrecy of his absentee ballot vote, complete or sign the certificate,
31 or seal the inner or outer envelope, nor shall any person do so.

32 An absentee voter shall be entitled to assistance from a family
33 member in performing any of the actions above. An incapacitated
34 absentee voter shall also be entitled to assistance from a person other
35 than a family member in performing any of such actions. The family
36 member or other person providing such assistance shall certify that he
37 did assist the voter and will maintain the secrecy of the vote by both
38 printing and signing his name in the space provided on the certificate.
39 In no event may a candidate for election provide such assistance, nor
40 may any person, at the time of providing such assistance, campaign or
41 electioneer on behalf of any candidate.

42 Said sealed outer envelope with the inner envelope and the ballot
43 enclosed therein shall then either be mailed with sufficient postage to
44 the county board of elections to which it is addressed or delivered
45 personally by the voter or a bearer designated by him to such board
46 or its designee. Such ballot must be received by such board or its

1 designee before [8 p.m.] the time designated by R.S.19:15-2 or
2 R.S.19:23-40 for the closing of the polls, as may be appropriate on the
3 day of an election.

4 At the time any person delivers a ballot to the county board, he
5 shall sign a record which the county shall maintain of all absentee
6 ballots personally delivered to it.

7 (cf: P.L.1981, c.390, s.8)

8

9 ^{16.} (New section) Upon application for reimbursement by a county
10 governing body to the Attorney General and approval of the
11 application by the Director of the Division of Budget and Accounting,
12 a county shall be reimbursed by the State for any additional costs
13 incurred by the county as a result of the provisions of this act,
14 P.L. , c. (now pending before the Legislature as this bill).¹

15

16 ^{17.} The Attorney General shall prepare a report to the Governor
17 and the Legislature recommending steps that can be taken to assist
18 county boards of elections in attracting and retaining district board
19 members. In preparing the report, the Attorney General shall solicit
20 the views of county boards of elections, county superintendents of
21 elections, and district board members in this State, and shall study
22 what is being done in other states to attract and retain district board
23 members. The Attorney General shall submit the report to the
24 Governor and the Legislature within six months after the effective date
25 of this act, P.L. , c. (now pending before the Legislatur as this
26 bill).¹

27

28 ^{18.} There is appropriated from the General Fund to the Department
29 of Law and Public Safety such sums as may be necessary to effectuate
30 the purposes of this act, P.L. , c. (now pending before the
31 Legislature as this bill).¹

32

33 ^{1[6.] 9.} ¹ This act shall take effect on January 1 following
34 enactment.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1743

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 25, 2001

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1743 (1R).

This bill would extend the hours that polling places are open on the day of primary, general, nonpartisan municipal, special and recall elections, from 7:00 A.M. - 8:00 P.M., as provided for in current law, to 6 A.M. - 8:00 P.M.

COMMITTEE AMENDMENTS

Committee amendments to this bill increase the basic compensation for fully qualified members of the district boards serving at the affected elections to \$200 per day, require the State to reimburse the counties for compensation paid to such board member in excess of \$75 per day, and incorporate an appropriation of \$3 million.

FISCAL IMPACT

As amended, the legislation makes an appropriation of \$3 million, plus any additional amount certified as necessary by the Director of Budget and Accounting, to cover reimbursement payments to the counties.

[Second Reprint]
SENATE, No. 1743

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 7, 2001

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Senator BERNARD F. KENNY, JR.

District 33 (Hudson)

Co-Sponsored by:

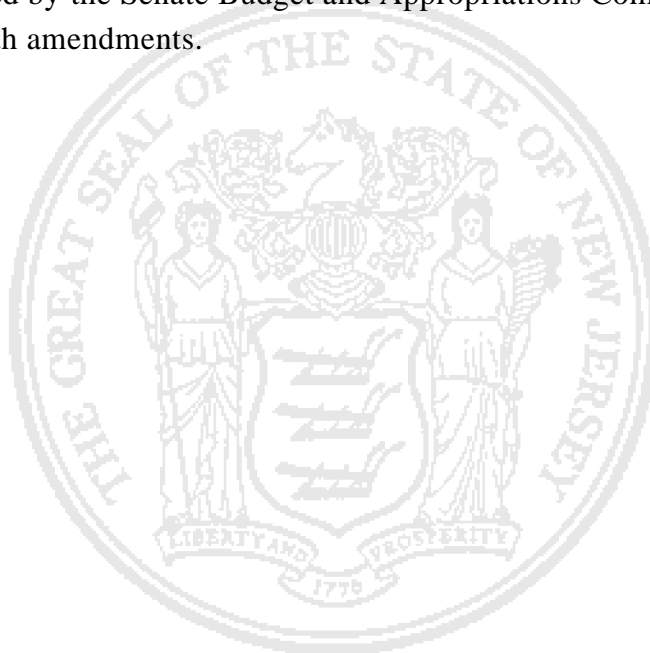
Senator Inverso

SYNOPSIS

Extends polling place hours for certain election; makes an appropriations.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 25, 2001, with amendments.



(Sponsorship Updated As Of: 6/29/2001)

1 AN ACT ²[extending polling place hours for certain] concerning²
2 elections ¹[and],¹ amending various parts of statutory law¹,
3 supplementing Title 19 of the Revised Statutes, and making an
4 appropriation¹.
5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*
8

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

10 19:2-1. Primary elections for delegates and alternates to national
11 conventions of political parties and for the general election shall be
12 held in each year on the Tuesday next after the first Monday in June,
13 between the hours of [7:00] 6:00 A.M. and 8:00 P.M., Standard
14 Time. Primary elections for special elections shall be held not earlier
15 than 30 nor later than 20 days prior to the special elections.

16 (cf: P.L.1968, c.292, s.1)
17

18 2. R.S. 19:6-25 is amended to read as follows:

19 19:6-25. The county boards in each of the counties shall sit on the
20 day of the general election at the office of the county boards between
21 the hours of [six] 5:00 A.M. and midnight.

22 (cf: R.S.19:6-25)
23

24 3. R.S.19:15-2 is amended to read as follows:

25 19:15-2. The district boards shall open the polls for such election
26 at [seven o'clock in the morning] 6:00 A.M. and close them at [eight
27 o'clock in the evening] 8:00 P.M., and shall keep them open during
28 the whole day of election between these hours; except that for a school
29 election the polls shall be open between the hours of [five] 5:00 P.M.
30 and [nine] 9:00 P.M. and during any additional time which the school
31 board may designate between the hours of [seven] 7:00 A.M. and
32 [nine] 9:00 P.M.

33 The board may allow one member thereof at a time to be absent
34 from the polling place and room for a period not exceeding one hour
35 between the hours of [one o'clock] 1:00 P.M. and [five o'clock in the
36 afternoon] 5:00 P.M. or for such shorter time as it shall see fit.

37 At no time from the opening of the polls to the completion of the
38 canvass shall there be less than a majority of the board present in the
39 polling room or place, except that during a school election there shall
40 always be at least one member of each district election board present

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSG committee amendments adopted June 21, 2001.

² Senate SBA committee amendments adopted June 25, 2001.

1 or if more than two district board members are designated to serve at
2 the polling place, at least two members present.

3 (cf: P.L.1996, c.3, s.4)

4

5 4. R.S.19:23-40 is amended to read as follows:

6 19:23-40. The primary election for the general election shall be
7 held for all political parties upon the Tuesday next after the first
8 Monday in June between the hours of ~~[7:00]~~ 6:00 A.M. and 8:00
9 P.M., Standard Time. It shall be held for all political parties in the
10 same places as hereinbefore provided for the ensuing general election.

11 (cf: P.L.1968, c.292, s.5)

12

13 5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read
14 as follows:

15 23. Any absentee voter shall be entitled to mark any absentee
16 ballot, so forwarded to him, for voting at any election by indicating his
17 choice of candidates for the offices named, and as to public questions,
18 if any, stated thereon, in accordance with the election laws of this
19 State, except that in such ballots to be voted in any primary election
20 for the general election his choice shall be limited to the candidates of
21 his political party or to any person or persons whose names are written
22 thereon by him. When so marked, such ballot shall be placed in said
23 inner envelope, which shall then be sealed, and the voter shall then fill
24 in the form of certificate attached to said inner envelope, at the end
25 of which he shall sign and print his name in his own handwriting. The
26 inner envelope with the certificate shall then be placed in said outer
27 envelope, which shall then be sealed.

28 No absentee voter shall permit any person in any way, except as
29 provided hereafter, to unseal, mark or inspect his ballot, interfere with
30 the secrecy of his absentee ballot vote, complete or sign the certificate,
31 or seal the inner or outer envelope, nor shall any person do so.

32 An absentee voter shall be entitled to assistance from a family
33 member in performing any of the actions above. An incapacitated
34 absentee voter shall also be entitled to assistance from a person other
35 than a family member in performing any of such actions. The family
36 member or other person providing such assistance shall certify that he
37 did assist the voter and will maintain the secrecy of the vote by both
38 printing and signing his name in the space provided on the certificate.
39 In no event may a candidate for election provide such assistance, nor
40 may any person, at the time of providing such assistance, campaign or
41 electioneer on behalf of any candidate.

42 Said sealed outer envelope with the inner envelope and the ballot
43 enclosed therein shall then either be mailed with sufficient postage to
44 the county board of elections to which it is addressed or delivered
45 personally by the voter or a bearer designated by him to such board
46 or its designee. Such ballot must be received by such board or its

1 designee before [8 p.m.] the time designated by R.S.19:15-2 or
2 R.S.19:23-40 for the closing of the polls, as may be appropriate on the
3 day of an election.

4 At the time any person delivers a ballot to the county board, he
5 shall sign a record which the county shall maintain of all absentee
6 ballots personally delivered to it.

7 (cf: P.L.1981, c.390, s.8)

8

9 ¹6. (New section) ²[Upon] In accordance with the provisions of
10 Art.VIII, Sec.II, par.5 of the Constitution, upon² application for
11 reimbursement by a county governing body to the Attorney General
12 and approval of the application by the Director of the Division of
13 Budget and Accounting, a county shall be reimbursed by the State for
14 ²:

15 a. compensation to each member of the district board of elections
16 who shall have served at the general election, the primary election, and
17 any nonpartisan municipal, special, or recall election, and who shall
18 have qualified for and been paid \$200 for such service in accordance
19 with R.S.19:45-6, the sum of \$125; and

20 b.² any additional costs incurred by the county as a result of the
21 provisions of this act, P.L. , c. (now pending before the
22 Legislature as this bill).¹

23

24 ¹7. The Attorney General shall prepare a report to the Governor
25 and the Legislature recommending steps that can be taken to assist
26 county boards of elections in attracting and retaining district board
27 members. In preparing the report, the Attorney General shall solicit
28 the views of county boards of elections, county superintendents of
29 elections, and district board members in this State, and shall study
30 what is being done in other states to attract and retain district board
31 members. The Attorney General shall submit the report to the
32 Governor and the Legislature within six months after the effective date
33 of this act, P.L. , c. (now pending before the Legislatur as this
34 bill).¹

35

36 ¹8. There is appropriated from the General Fund to the Department
37 of Law and Public Safety ²the sum of \$3,000,000, together with² such
38 ²additional² sums as ²the Director of the Division of Budget and
39 Accounting² may ²certify to² be necessary to effectuate the purposes
40 of this act, P.L. , c. (now pending before the Legislature as this
41 bill).¹

42

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

44 19:45-6. The compensation of each member of the district boards
45 for all services performed by them under the provisions of this Title
46 shall be as follows:

1 In all counties, for all services rendered including the counting of
2 the votes, and in counties wherein voting machines are used, the
3 tabulation of the votes registered on the voting machines, and the
4 delivery of the returns, registry binders, ballot boxes and keys for the
5 voting machines to the proper election officials, [~~\$75.00~~] \$200 each
6 time the primary election, the general election or any special election
7 is held under this Title[, except that the governing body of a county
8 may increase the compensation, by ordinance or resolution as
9 appropriate, to an amount not to exceed \$150 for the members of each
10 district board within the county performing those services at such an
11 election]; provided, however, that:

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

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

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

30 d. Compensation for district board members serving at a school
31 election shall be paid by the board of education of the school district
32 conducting the election at an hourly rate of \$5.77, except that the
33 board of education may compensate such district board members at a
34 pro-rated hourly rate consistent with the daily rate up to a maximum
35 of [~~\$11.54 if the school district is within a county that provides~~
36 compensation greater than \$75 for its district board members at a
37 primary, general or special election] \$14.29. The provisions of
38 subsections a., b., and c. of this section shall also apply to district
39 board members serving at a school election, except that in the case of
40 subsection b., the compensation shall be at an hourly rate of \$3.85.

41 Compensation due each member shall be paid within 30 days but
42 not within 20 days after each election; provided, however, that no
43 compensation shall be paid to any member of any such district board
44 who may have been removed from office or application for the
45 removal of whom is pending under the provisions of R.S.19:6-4.²

46 (cf:P.L.2001, c.15, s.1)

S1743 [2R] BUCCO, KENNY

6

1 ¹[6.] ²[9.1] 10.² This act shall take effect ²[on January 1
2 following enactment] immediately².

P.L. 2001, CHAPTER 245, *approved September 6, 2001*
Assembly, No. 3714 (*Second Reprint*)

1 AN ACT ²[extending polling place hours for certain] concerning²
2 elections ²[and],² amending various parts of statutory law²,
3 supplementing Title 19 of the Revised Statutes, and making an
4 appropriation².

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

8
9 1. R.S.19:2-1 is amended to read as follows:

10 19:2-1. Primary elections for delegates and alternates to national
11 conventions of political parties and for the general election shall be
12 held in each year on the Tuesday next after the first Monday in June,
13 between the hours of [7:00] 6:00 A.M. and 8:00 P.M., Standard
14 Time. Primary elections for special elections shall be held not earlier
15 than 30 nor later than 20 days prior to the special elections.

16 (cf: P.L.1968, c.292, s.1)

17

18 2. R.S.19:6-25 is amended to read as follows:

19 19:6-25. The county boards in each of the counties shall sit on the
20 day of the general election at the office of the county boards between
21 the hours of [six] 5:00 A.M. and midnight.

22 (cf: R.S.19:6-25)

23

24 3. R.S.19:15-2 is amended to read as follows:

25 19:15-2. The district boards shall open the polls for such election
26 at [seven o'clock in the morning] 6:00 A.M. and close them at [eight
27 o'clock in the evening] 8:00 P.M., and shall keep them open during
28 the whole day of election between these hours; except that for a school
29 election the polls shall be open between the hours of [five] 5:00 P.M.
30 and [nine] 9:00 P.M. and during any additional time which the school
31 board may designate between the hours of [seven] 7:00 A.M. and
32 [nine] 9:00 P.M.

33 The board may allow one member thereof at a time to be absent
34 from the polling place and room for a period not exceeding one hour
35 between the hours of [one o'clock] 1:00 P.M. and [five o'clock in the
36 afternoon] 5:00 P.M. or for such shorter time as it shall see fit.

37 At no time from the opening of the polls to the completion of the

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted June 25, 2001.

² Senate floor amendments adopted June 28, 2001.

1 canvass shall there be less than a majority of the board present in the
2 polling room or place, except that during a school election there shall
3 always be at least one member of each district election board present
4 or if more than two district board members are designated to serve at
5 the polling place, at least two members present.

6 (cf: P.L.1996, c.3 s.4)

7

8 4. R.S.19:23-40 is amended to read as follows:

9 19:23-40. The primary election for the general election shall be
10 held for all political parties upon the Tuesday next after the first
11 Monday in June between the hours of ~~7:00~~ 6:00 A.M. and 8:00
12 P.M., Standard Time. It shall be held for all political parties in the
13 same places as hereinbefore provided for the ensuing general election.

14 (cf: P.L.1968, c.292, s.5)

15

16 5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read
17 as follows:

18 23. Any absentee voter shall be entitled to mark any absentee
19 ballot, so forwarded to him, for voting at any election by indicating his
20 choice of candidates for the offices named, and as to public questions,
21 if any, stated thereon, in accordance with the election laws of this
22 State, except that in such ballots to be voted in any primary election
23 for the general election his choice shall be limited to the candidates of
24 his political party or to any person or persons whose names are written
25 thereon by him. When so marked, such ballot shall be placed in said
26 inner envelope, which shall then be sealed, and the voter shall then fill
27 in the form of certificate attached to said inner envelope, at the end
28 of which he shall sign and print his name in his own handwriting. The
29 inner envelope with the certificate shall then be placed in said outer
30 envelope, which shall then be sealed.

31 No absentee voter shall permit any person in any way, except as
32 provided hereafter, to unseal, mark or inspect his ballot, interfere with
33 the secrecy of his absentee ballot vote, complete or sign the certificate,
34 or seal the inner or outer envelope, nor shall any person do so.

35 An absentee voter shall be entitled to assistance from a family
36 member in performing any of the actions above. An incapacitated
37 absentee voter shall also be entitled to assistance from a person other
38 than a family member in performing any of such actions. The family
39 member or other person providing such assistance shall certify that he
40 did assist the voter and will maintain the secrecy of the vote by both
41 printing and signing his name in the space provided on the certificate.
42 In no event may a candidate for election provide such assistance, nor
43 may any person, at the time of providing such assistance, campaign or
44 electioneer on behalf of any candidate.

45 Said sealed outer envelope with the inner envelope and the ballot
46 enclosed therein shall then either be mailed with sufficient postage to

1 the county board of elections to which it is addressed or delivered
2 personally by the voter or a bearer designated by him to such board
3 or its designee. Such ballot must be received by such board or its
4 designee before [8 p.m.] the time designated by R.S.19:15-2 or
5 R.S.19:23-40 for the closing of the polls, as may be appropriate on the
6 day of an election.

7 At the time any person delivers a ballot to the county board, he
8 shall sign a record which the county shall maintain of all absentee
9 ballots personally delivered to it.
10 (cf: P.L.1981, c.390, s.8)

11

12 ²6. (New section) In accordance with the provisions of Art.VIII,
13 Sec.II, par.5 of the Constitution, upon application for reimbursement
14 by a county governing body to the Attorney General and approval of
15 the application by the Director of the Division of Budget and
16 Accounting, a county shall be reimbursed by the State for:

17 a. compensation to each member of the district board of elections
18 who shall have served at the general election, the primary election, and
19 any nonpartisan municipal, special, or recall election, and who shall
20 have qualified for and been paid \$200 for such service in accordance
21 with R.S.19:45-6, the sum of \$125; and

22 b. any additional costs incurred by the county as a result of the
23 provisions of this act, P.L. , c. (now pending before the
24 Legislature as this bill).²

25

26 ²7. The Attorney General shall prepare a report to the Governor
27 and the Legislature recommending steps that can be taken to assist
28 county boards of elections in attracting and retaining district board
29 members. In preparing the report, the Attorney General shall solicit
30 the views of county boards of elections, county superintendents of
31 elections, and district board members in this State, and shall study
32 what is being done in other states to attract and retain district board
33 members. The Attorney General shall submit the report to the
34 Governor and the Legislature within six months after the effective date
35 of this act, P.L. , c. (now pending before the Legislature as this
36 bill).²

37

38 ²8. There is appropriated from the General Fund to the Department
39 of Law and Public Safety the sum of \$3,000,000, together with such
40 additional sums as the Director of the Division of Budget and
41 Accounting may certify to be necessary to effectuate the purposes of
42 this act, P.L. , c. (now pending before the Legislature as this bill).²

43

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

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

1 In all counties, for all services rendered including the counting of
2 the votes, and in counties wherein voting machines are used, the
3 tabulation of the votes registered on the voting machines, and the
4 delivery of the returns, registry binders, ballot boxes and keys for the
5 voting machines to the proper election officials, [~~\$75.00~~] \$200 each
6 time the primary election, the general election or any special election
7 is held under this Title[, except that the governing body of a county
8 may increase the compensation, by ordinance or resolution as
9 appropriate, to an amount not to exceed \$150 for the members of each
10 district board within the county performing those services at such an
11 election]; provided, however, that:

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

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

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

30 d. Compensation for district board members serving at a school
31 election shall be paid by the board of education of the school district
32 conducting the election at an hourly rate of \$5.77, except that the
33 board of education may compensate such district board members at a
34 pro-rated hourly rate consistent with the daily rate up to a maximum
35 of [~~\$11.54 if the school district is within a county that provides~~
36 compensation greater than \$75 for its district board members at a
37 primary, general or special election] \$14.29. The provisions of
38 subsections a., b., and c. of this section shall also apply to district
39 board members serving at a school election, except that in the case of
40 subsection b., the compensation shall be at an hourly rate of \$3.85.

41 Compensation due each member shall be paid within 30 days but
42 not within 20 days after each election; provided, however, that no
43 compensation shall be paid to any member of any such district board
44 who may have been removed from office or application for the
45 removal of whom is pending under the provisions of R.S.19:6-4.²
46 (cf: P.L.2001, c.15, s.1)

1 ²[6.] 10.² This act shall take effect ¹[on January 1 following
2 enactment] immediately¹.

3

4

5

6

7 Extends polling place hours for certain elections; makes an
8 appropriation.

CHAPTER 245

AN ACT concerning elections, amending various parts of statutory law, supplementing Title 19 of the Revised Statutes, and making an appropriation.

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

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

Primary for delegates and alternates to national conventions and for general and special elections.

19:2-1. Primary elections for delegates and alternates to national conventions of political parties and for the general election shall be held in each year on the Tuesday next after the first Monday in June, between the hours of 6:00 A.M. and 8:00 P.M., Standard Time. Primary elections for special elections shall be held not earlier than 30 nor later than 20 days prior to the special elections.

2. R.S.19:6-25 is amended to read as follows:

Sitting on general election days required.

19:6-25. The county boards in each of the counties shall sit on the day of the general election at the office of the county boards between the hours of 5:00 A.M. and midnight.

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

Operation hours of polls; members present.

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

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

At no time from the opening of the polls to the completion of the canvass shall there be less than a majority of the board present in the polling room or place, except that during a school election there shall always be at least one member of each district election board present or if more than two district board members are designated to serve at the polling place, at least two members present.

4. R.S.19:23-40 is amended to read as follows:

Time and place of holding.

19:23-40. The primary election for the general election shall be held for all political parties upon the Tuesday next after the first Monday in June between the hours of 6:00 A.M. and 8:00 P.M., Standard Time. It shall be held for all political parties in the same places as hereinbefore provided for the ensuing general election.

5. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read as follows:

C.19:57-23 Marking and handling of absentee ballots by voters; return by mail or personal delivery; record.

23. Any absentee voter shall be entitled to mark any absentee ballot, so forwarded to him, for voting at any election by indicating his choice of candidates for the offices named, and as to public questions, if any, stated thereon, in accordance with the election laws of this State, except that in such ballots to be voted in any primary election for the general election his choice shall be limited to the candidates of his political party or to any person or persons whose names are written thereon by him. When so marked, such ballot shall be placed in said inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to said

inner envelope, at the end of which he shall sign and print his name in his own handwriting. The inner envelope with the certificate shall then be placed in said outer envelope, which shall then be sealed.

No absentee voter shall permit any person in any way, except as provided hereafter, to unseal, mark or inspect his ballot, interfere with the secrecy of his absentee ballot vote, complete or sign the certificate, or seal the inner or outer envelope, nor shall any person do so.

An absentee voter shall be entitled to assistance from a family member in performing any of the actions above. An incapacitated absentee voter shall also be entitled to assistance from a person other than a family member in performing any of such actions. The family member or other person providing such assistance shall certify that he did assist the voter and will maintain the secrecy of the vote by both printing and signing his name in the space provided on the certificate. In no event may a candidate for election provide such assistance, nor may any person, at the time of providing such assistance, campaign or electioneer on behalf of any candidate.

Said sealed outer envelope with the inner envelope and the ballot enclosed therein shall then either be mailed with sufficient postage to the county board of elections to which it is addressed or delivered personally by the voter or a bearer designated by him to such board or its designee. Such ballot must be received by such board or its designee before the time designated by R.S.19:15-2 or R.S.19:23-40 for the closing of the polls, as may be appropriate on the day of an election.

At the time any person delivers a ballot to the county board, he shall sign a record which the county shall maintain of all absentee ballots personally delivered to it.

C.19:45-6.2 Reimbursement to county from State for certain costs.

6. In accordance with the provisions of Art.VIII, Sec.II, par.5 of the Constitution, upon application for reimbursement by a county governing body to the Attorney General and approval of the application by the Director of the Division of Budget and Accounting, a county shall be reimbursed by the State for:

a. compensation to each member of the district board of elections who shall have served at the general election, the primary election, and any nonpartisan municipal, special, or recall election, and who shall have qualified for and been paid \$200 for such service in accordance with R.S.19:45-6, the sum of \$125; and

b. any additional costs incurred by the county as a result of the provisions of this act, P.L.2001, c.245.

7. The Attorney General shall prepare a report to the Governor and the Legislature recommending steps that can be taken to assist county boards of elections in attracting and retaining district board members. In preparing the report, the Attorney General shall solicit the views of county boards of elections, county superintendents of elections, and district board members in this State, and shall study what is being done in other states to attract and retain district board members. The Attorney General shall submit the report to the Governor and the Legislature within six months after the effective date of this act, P.L.2001, c.245.

8. There is appropriated from the General Fund to the Department of Law and Public Safety the sum of \$3,000,000, together with such additional sums as the Director of the Division of Budget and Accounting may certify to be necessary to effectuate the purposes of this act, P.L.2001, c.245.

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

Members of district boards; compensation.

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

In all counties, for all services rendered including the counting of the votes, and in counties wherein voting machines are used, the tabulation of the votes registered on the voting machines,

and the delivery of the returns, registry binders, ballot boxes and keys for the voting machines to the proper election officials, \$200 each time the primary election, the general election or any special election is held under this Title; provided, however, that:

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

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

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

d. Compensation for district board members serving at a school election shall be paid by the board of education of the school district conducting the election at an hourly rate of \$5.77, except that the board of education may compensate such district board members at a pro-rated hourly rate consistent with the daily rate up to a maximum of \$14.29. The provisions of subsections a., b., and c. of this section shall also apply to district board members serving at a school election, except that in the case of subsection b., the compensation shall be at an hourly rate of \$3.85.

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

10. This act shall take effect immediately

Approved September 6, 2001.