

19:32-1 et al

LEGISLATIVE HISTORY CHECKLIST

(Deputy Sup. of Elections, positions established).

NJSA 19:32-1 et al

LAWS 1982

CHAPTER 46

Bill No. S915

Sponsor(s) Feldman and Hagedorn

Date Introduced Feb. 1, 1982

Committee: Assembly County Government

Senate

Amended during passage Yes

~~Yes~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 28, 1982

Senate March 1, 1982

Date of approval June 29, 1982

Following statements are attached if available:

Sponsor statement Yes

~~Yes~~ Also attached: Senate amendment, adopted 2-25-82 (with statement)

Committee Statement: Assembly Yes

Senate Yes

Fiscal Note Yes

Veto Message Yes

Message on signing Yes

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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SENATE, No. 915

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1982

By Senators FELDMAN and HAGEDORN

(Without Reference)

AN ACT creating the office of deputy superintendent of elections in certain counties; amending R. S. 19:32-1, R. S. 19:32-2, and P. L. 1947, c. 167; and supplementing chapter 32 of Title 19 of the Revised Statutes.

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

1 1. (New section) The office of deputy superintendent of elections
2 in counties ***[with more than 400,000 legally qualified voters]*** *of*
3 *the first class** is established. The office in each county shall be filled
4 by a suitable person who shall be nominated by the Governor with
5 the advice and consent of the Senate, who shall not be from the same
6 political party as the superintendent of elections, and who shall
7 hold office for a term of 5 years running concurrently with the term
8 of the superintendent and until his successor is appointed and has
9 qualified. The initial appointment to the office of deputy super-
10 intendent of elections may be for a partial term if necessary.
11 Vacancies shall be filled in the same manner as original appoint-
12 ments but shall be for the unexpired term only. ***[Each deputy**
13 **superintendent shall receive a salary to be paid by the county**
14 **treasurer that is equal to 90% of the superintendent's.]*** He shall
15 have his office in the county for which he is appointed.

1 2. (New section) The deputy superintendent of elections shall
2 assist the superintendent of elections in the performance of his
3 duties, shall serve as superintendent in his absence, and shall have
4 such powers and duties as the superintendent may delegate to him
5 from time to time. In addition, the deputy superintendent is con-

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:

***—Senate committee amendments adopted February 25, 1982.**

6 stituted the chief deputy of the superintendent and shall have all
 7 of the powers and duties of the chief deputy. No county with a
 8 deputy superintendent **so appointed** shall also have a chief deputy
 9 appointed pursuant to R. S. 19:32-2.

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

2 19:32-1. The office of superintendent of elections in counties of
 3 the first class in which such office has previously been established
 4 is continued and in those counties of the first class in which such
 5 office has not been previously established, is **[hereby]** established.
 6 The offices shall be filled by some suitable persons who shall be
 7 nominated by the Governor with the advice and consent of the
 8 Senate and who shall hold office for the term of 5 years from the
 9 date of appointment and until their successors are appointed and
 10 have qualified. Each superintendent shall receive a salary of not
 11 less than \$7,500.00 or more than \$10,000.00 per annum as the board
 12 of freeholders of such county shall determine, to be paid by the
 13 county treasurer. The persons so appointed shall have their offices
 14 in the counties for which they are appointed. Vacancies shall be
 15 filled in the same manner as original appointments, but shall be for
 16 the unexpired term only. *Any person filling a vacancy shall be from*
 17 *the same party as the original appointee. *The annual salary of*
 18 *each deputy superintendent shall be 90% of what the super-*
 19 *tendent receives for performing the duties of superintendent of*
 20 *elections and commissioner of registration.**

1 4. R. S. 19:32-2 is amended to read as follows:

2 19:32-2. **[Each]** *Except as provided in section 2 of P. L. ,*
 3 *c. (C.) (now pending before the Legislature*
 4 *as Senate Bill No. 915 of 1982), each superintendent may appoint*
 5 *a chief deputy, a chief clerk, a secretary, such personnel as is*
 6 *authorized under **[section]** R. S. 19:48-6 **[of this Title]**, and any*
 7 *other assistants he considers necessary to carry out the provisions*
 8 *of this Title, and, except as hereinafter provided, may remove the*
 9 *same whenever he deems it necessary and all persons so appointed,*
 10 *by superintendents of elections in counties of the first class **[have]***
 11 *having more than 850,000 inhabitants, according to the latest federal*
 12 **[decennial]** *census taken in a year ending in zero to serve for terms*
 13 *of more than 6 months in any 1 year, shall be in the classified*
 14 *service of the civil service and shall be appointed in accordance*
 15 *with and shall be subject to the provisions of Title 11, Civil Service,*
 16 *but all other persons so appointed shall not be subject to any of the*
 17 *provisions of Title 11, Civil Service, but shall be in the unclassified*
 18 *service. All persons appointed by the commissioner of registration*
 19 *in counties of the first class having more than 600,000 but less than*

20 850,000 inhabitants according to the latest federal **[decennial]**
 21 census *taken in a year ending in zero* to serve for terms of more
 22 than 6 months in any 1 year, other than the chief deputy and chief
 23 clerk and confidential secretary and chief custodian, shall be in the
 24 classified service of the civil service and shall be appointed, and
 25 hold their positions, in accordance with the provisions of Title 11,
 26 Civil Service, but all other persons so appointed shall not be subject
 27 to any of the provisions of Title 11, Civil Service, but shall be in the
 28 unclassified service. Each superintendent shall fix the salaries of
 29 the persons so appointed and such salaries certified to and approved
 30 under his hand shall be paid semimonthly by the county treasurer
 31 of the county in which such persons are so engaged. All other
 32 necessary expenses incurred in carrying out the provisions of this
 33 Title when certified to and approved by the superintendent shall
 34 be paid by the county treasurer of the county in which the superin-
 35 tendent shall maintain his office provided, however, that all neces-
 36 sary expenses incurred by the commissioner of registration, the
 37 superintendent of elections, and the custodian of voting machines
 38 in the counties of the first class for the proper performance of all
 39 of his duties of all his offices as set forth in Title 19, shall not exceed,
 40 in the aggregate, the sum of \$1,250,000.00 per annum.

1 5. Section 24 of P. L. 1947, c. 167 (C. 19:32-49) is amended to
 2 read as follows:

3 24. In addition to the foregoing, **[said]** *the* superintendent of
 4 elections **[hereby]** is constituted the commissioner of registration
 5 for **[said]** *the* county and he shall, within the county, have and
 6 exercise all the powers of, and be charged with all the duties had
 7 and exercised and required to be performed by, the superintendent
 8 of elections and the commissioner of registration in any county,
 9 including the custody and control of voting machines heretofore or
 10 hereafter installed in the county in any manner provided by law,
 11 except those heretofore or hereafter installed in any municipality
 12 by the governing body thereof, which shall be placed and remain in
 13 the custody of the municipal clerk unless taken over the county
 14 according to law. *The deputy superintendent of elections in counties*
 15 **[with more than 400,000 legally qualified voters]* *of the first*
 16 *class* is constituted the deputy commissioner of registration.*

1 6. This act shall take effect immediately.

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 29 the persons so appointed and such salaries certified to and approved
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 10 hereafter installed in the county in any manner provided by law,
 11 except those heretofore or hereafter installed in any municipality
 12 by the governing body thereof, which shall be placed and remain in
 13 the custody of the municipal clerk unless taken over the county
 14 according to law. *The deputy superintendent of elections in counties*
 15 *with more than 400,000 legally qualified voters is constituted the*
 16 *deputy commissioner of registration.*

1 6. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to establish the office of deputy super-
 intendent of elections in counties with more than 400,000 registered
 voters. The deputy superintendent shall also be the deputy com-
 missioner of registration. In counties with such a large number of
 registered voters, the administrative burden of the superintendent
 of elections has become so great that he now requires a deputy.
 This new official shall not be of the same political party as the
 superintendent.

5915 (1982)

ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 915

STATE OF NEW JERSEY

DATED: MARCH 15, 1982

Senate Bill No. 915 establishes the office of deputy superintendent of elections in counties of the first class. The bill further provides that the Governor appoint the deputy superintendent with the advice and consent of the Senate. The deputy superintendent shall serve for a term of 5 years and shall not be of the same political party as the superintendent of elections. The deputy superintendent shall receive a salary that is 90% that of the superintendent of elections. The deputy superintendent shall also be the commissioner of registration.

As this bill was originally drafted, it was applicable only to Bergen county. At the request of other counties of the first class, the bill was amended in the Senate to include all first class counties. By providing for a deputy superintendent, the bill intends to relieve some of the administrative burden of the superintendent of elections. The provision that the deputy be of another political party than the superintendent provides for bipartisan representation in management of the electoral process.

ADOPTED
Feb. 25, 1982

Senate Amendments

OK

to

Senate Bill No. 915

(Proposed by Senator Feldman, 2/25/82)

Amend:

Page	Sec.	Line	
1	1	2	Omit "with more than 400,000 legally qualified voter. insert "of the first class"
1	1	12-14	Omit "Each deputy superintendent shall receive"; line 13 and "the superintendent's."
1	2	8	After "superintendent" insert "so appointed"
2	3	17	After "appointee." insert "The annual salary of each deputy superintendent shall be 90% of what the superintendent receives for performing the duties of superintendent of elections. and commissioner of registration."
3	5	15	Omit "with more than 400,000 legally qualified voter insert "of the first class"

STATEMENT

This amendment provides that where the deputy superintendent of elections is also constituted the deputy commissioner of registration, the deputy commissioner shall receive a salary equal to 90% of the commissioner's.

It also provides that the office of deputy superintendent is established in counties of the first class rather than counties with more than 400,000 registered voters.

S-915, sponsored by Senator Matthew Feldman (D-Bergen), establishes an Office of Deputy Superintendent of Elections in counties with more than 600,000 registered voters --- currently Bergen, Essex and Hudson counties --- in order to relieve the administrative burden now placed on the superintendent in large counties.

The bill provides that the Deputy Superintendent will be nominated by the Governor with the advice and consent of the Senate, and must not be from the same political party as the superintendent.

A-1599, sponsored by Assemblyman Jimmy Zangari (D-Essex), permits the city council under the Faulkner Act's Mayor Council Plan D to create a "housing counselor" position. The bill is limited to cities with a population in excess of 60,000 --- in this case, only Irvington and Paterson.

The bill is intended to help Irvington combat its problems with blockbusting, and the rapid turnover of residential property there.

A-1659, sponsored by Assemblywoman Catherine A. Costa (D-Burlington), validates the bond referendum proceedings of the Edgewater Park school district. The bond referendum was approved by the Township's voters on April 6, 1982, but was not ratified because of a technical violation of the absentee voting law.

The referendum results have not been contested and this bill validates the election. The school district is currently entering into a contract which will remove asbestos from school facilities, and that project is contingent upon release of the bond monies.