

26:8-17

**LEGISLATIVE HISTORY CHECKLIST**  
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(Deputy registrars--authority)

**NJSA:** 26:8-17

**LAWS OF:** 1995 **CHAPTER:** 87

**BILL NO:** S637

**SPONSOR(S):** Palaia

**DATE INTRODUCED:** February 24, 1994

**COMMITTEE:** **ASSEMBLY:** Local Government  
**SENATE:** Community Affairs

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
First reprint enacted denoted by superscript numbers

**DATE OF PASSAGE:** **ASSEMBLY:** February 27, 1995  
**SENATE:** June 13, 1994

**DATE OF APPROVAL:** April 13, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes  
**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

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[FIRST REPRINT]

SENATE, No. 637

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 24, 1994

By Senator PALAIA

1 AN ACT permitting the appointment of alternate deputy  
2 registrars and amending various parts of the statutory law.

3

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

6 1. R.S.26:8-17 is amended to read as follows:

7 26:8-17. The local registrar, immediately upon [his]  
8 acceptance [as such] of the appointment, shall appoint a deputy  
9 to assist in the normal, day-to-day operation of the office and  
10 whose duty shall be to act in [his] the registrar's stead in case of  
11 [his] absence, disability or death of the registrar. In case of  
12 death of the local registrar the deputy shall act as local registrar  
13 until a new local registrar has been appointed and qualified. [The  
14 deputy shall, in writing, accept such appointment.]

15 In addition to a deputy registrar, the local registrar may  
16 appoint one or two alternate deputy registrars if the local  
17 registrar deems such an appointment to be necessary for the  
18 office to function efficiently and to provide quality service to the  
19 public. The deputy registrar and alternate deputy registrar shall  
20 have the authority to receive birth certificates and death  
21 certificates; to issue burial permits, and copies of birth, death,  
22 and marriage certificates; to take the oath on marriage license  
23 applications; and to issue marriage licenses. The deputy registrar  
24 and alternate deputy registrar shall receive instructions from and  
25 perform their duties under the direct supervision of the registrar,  
26 who shall be the final authority with the responsibility of  
27 fulfilling the duties of the local registrar outlined in R.S.26:8-25.  
28 The deputy registrar and any alternate deputy registrar shall  
29 serve at the pleasure of the local registrar.

30 (cf: P.L.1948, c.205, s.2)

31 2. R.S.26:8-19 is amended to read as follows:

32 26:8-19. Any local registrar, deputy registrar, alternate  
33 deputy registrar, or subregistrar, who in the judgment of the  
34 State department fails or neglects to discharge efficiently the  
35 duties of his office as set forth in this chapter or chapter 6 of  
36 this Title ( 26:6-1 et seq.), as well as chapter 1 of Title 37 of the  
37 Revised Statutes, may be removed by the State department, and  
38 he shall also be subject to such penalties as are provided by this  
39 chapter. Upon such removal the office shall be deemed vacant.

40 (cf: P.L.1965, c.78, s.43)

41 3. R.S.26:8-20 is amended to read as follows:

42 26:8-20. The provisions of this chapter fixing the terms 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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:  
1 Senate SCO committee amendments adopted May 16, 1994.

1 office and providing methods of <sup>1</sup>appointment and<sup>1</sup> removal shall  
2 not apply to the positions of local registrar, deputy registrar,  
3 alternate deputy registrar, or subregistrar in municipalities  
4 operating under the provisions of <sup>1</sup>[subtitle 3 of the title Civil  
5 Service (§11:19-1 et seq.)] the "Civil Service Act," Title 11A of  
6 the New Jersey Statutes<sup>1</sup> .

7 (cf: R.S.26:8-20)

8 4. R.S.26:8-21 is amended to read as follows:

9 26:8-21. Every provision of this chapter, of chapter 6 of this  
10 Title (§ 26:6-1 et seq.), as well as chapter 1 of Title 37 of the  
11 Revised Statutes, and of the rules and regulations of the State  
12 department applicable to local registrars in the registration of  
13 vital record, and the issuance of burial or removal, and transit  
14 permits, shall apply to deputy registrars, alternate deputy  
15 registrars, and subregistrars with the exception that the  
16 prohibitions in section 26:6-16 against appointment of physicians  
17 or funeral directors need not apply to subregistrars if their  
18 appointment would be advantageous for efficient registration of  
19 vital records.

20 (cf: P.L.1965, c.78, s.44)

21 5. R.S.26:8-22 is amended to read as follows:

22 26:8-22. Before entering upon their respective duties the state  
23 registrar, local registrar, deputy local registrar, alternate deputy  
24 registrar, and subregistrar shall take an oath to perform  
25 faithfully and impartially the duties of his office. The oath of  
26 the state registrar shall be filed with the state department and  
27 the oaths of the local registrar, deputy local registrar, alternate  
28 deputy registrar, and subregistrar shall be filed with the local  
29 board. If any such oath is not filed within ten days after the  
30 appointment, the office shall be deemed vacant.

31 (cf: R.S.26:8-22)

32 6. This act shall take effect immediately.

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37 Permits appointment of alternate deputy registrar if deemed  
38 necessary by local registrar.

1 office and providing methods of removal shall not apply to the  
2 positions of local registrar, deputy registrar, alternate deputy  
3 registrar, or subregistrar in municipalities operating under the  
4 provisions of subtitle 3 of the title Civil Service (£11:19-1 et  
5 seq.).

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9 Title (§ 26:6-1 et seq.), as well as chapter 1 of Title 37 of the  
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28 board. If any such oath is not filed within ten days after the  
29 appointment, the office shall be deemed vacant.

30 (cf: R.S.26:8-22)

31 6. This act shall take effect immediately.

32

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#### 34 STATEMENT

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36 This bill permits a local registrar to appoint a deputy registrar  
37 to assist in the normal, day-to-day operation of the office and  
38 whose duty it would be to act in the registrar's stead in case of  
39 absence, disability or death of the registrar. The amended bill  
40 also permits the local registrar to appoint one or two alternate  
41 deputy registrars in addition to a deputy registrar, if the local  
42 registrar deems that appointment to be necessary for the office  
43 to function efficiently and to provide quality service to the  
44 public. Under the terms of the bill, the deputy registrar and the  
45 alternate deputy registrars would have the authority to receive  
46 birth certificates and death certificates; to issue burial permits,  
47 and copies of birth, death, and marriage certificates; to take the  
48 oath on marriage license applications; and to issue marriage  
49 licenses. The deputy registrar and alternate deputy registrar  
50 would receive instructions from and perform their duties under  
51 the direct supervision of the registrar, who would be the final  
52 authority with the responsibility of fulfilling the duties of the  
53 local registrar outlined in R.S.26:8-25. The deputy registrar and  
54 any alternate deputy registrar would serve at the pleasure of the  
55 local registrar.

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3 Permits appointment of alternate deputy registrar if deemed

4 necessary by local registrar.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 637

STATE OF NEW JERSEY

DATED: SEPTEMBER 29, 1994

The Assembly Local Government Committee reports favorably Senate Bill No. 637(1R).

Senate Bill No. 637(1R) permits a deputy registrar to assist in the normal, day-to-day operation of the office of the local registrar. The bill also permits a local registrar to appoint one or two alternate deputy registrars in addition to a deputy registrar, if the local registrar determines that the appointment is necessary for the office to function efficiently and to provide quality service to the public. Under the terms of the bill, the deputy registrar and the alternate deputy registrars would have the authority to receive birth certificates and death certificates; to issue burial permits, and copies of birth, death, and marriage certificates; to take the oath on marriage license applications; and to issue marriage licenses. The deputy registrar and alternate deputy registrar would receive instructions from and perform their duties under the direct supervision of the registrar, who would be the final authority with the responsibility of fulfilling the duties of the local registrar outlined in R.S.26:8-25. The deputy registrar and any alternate deputy registrar would serve at the pleasure of the local registrar.

The bill also exempts local registrars, deputy registrars, alternate registrars or subregistrars who work in civil service municipalities from the appointment and removal provisions of R.S.26:8-1 et seq.

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

**SENATE, No. 637**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 16, 1994

The Senate Community Affairs Committee reports favorably Senate Bill No. 637.

Senate Bill No. 637, as amended, permits a deputy registrar to assist in the normal, day-to-day operation of the office of the local registrar. The bill also permits a local registrar to appoint one or two alternate deputy registrars in addition to a deputy registrar, if the local registrar determines that the appointment is necessary for the office to function efficiently and to provide quality service to the public. Under the terms of the bill, the deputy registrar and the alternate deputy registrars would have the authority to receive birth certificates and death certificates; to issue burial permits, and copies of birth, death, and marriage certificates; to take the oath on marriage license applications; and to issue marriage licenses. The deputy registrar and alternate deputy registrar would receive instructions from and perform their duties under the direct supervision of the registrar, who would be the final authority with the responsibility of fulfilling the duties of the local registrar outlined in R.S.26:8-25. The deputy registrar and any alternate deputy registrar would serve at the pleasure of the local registrar.

The bill, as amended by the committee, exempts local registrars, deputy registrars, alternate registrars or subregistrars who work in civil service municipalities from the appointment and removal provisions of R.S. 26:8-1 et seq.