

19:32-1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 19:32-1 et al

(Election  
officials--counties--increase  
salaries)

LAWS OF: 1989

CHAPTER: 160

Bill No: A2473

Sponsor(s): Franks

Date Introduced: February 18, 1988

Committee: Assembly: Appropriations; State Government

Senate: -----

Amended during passage: Yes

Date of Passage: Assembly: May 15, 1989

Senate: June 29, 1989

Date of Approval: August 11, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes 2-16-89 & 12-1-88

Senate: No

Fiscal Note: Yes

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

[FIRST REPRINT]  
ASSEMBLY, No. 2473  
STATE OF NEW JERSEY

INTRODUCED FEBRUARY 18, 1988

By Assemblyman FRANKS

2 AN ACT <sup>1</sup>[increasing] permitting an increase in<sup>1</sup> the salaries of  
superintendents of elections, commissioners of registration and  
4 members of county boards of elections, and amending  
R.S.19:32-1, R.S.19:32-2, R.S.19:45-7 and P.L.1947, c.167.

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

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

19:32-1. The office of superintendent of elections in counties  
10 of the first class in which such office has previously been  
established is continued, and in those counties of the first class in  
12 which such office has not been previously established, is  
established. The offices shall be filled by some suitable persons  
14 who shall be nominated by the Governor with the advice and  
consent of the Senate and who shall hold office for the term of  
16 five years from the date of appointment and until their  
successors are appointed and have qualified. Each superintendent  
18 shall receive a salary of not less than [\$7,500.00] <sup>1</sup>[\$15,000.00]  
\$7,500<sup>1</sup> or more than [\$10,000.00] <sup>1</sup>[\$20,000.00] \$25,000<sup>1</sup> per  
20 annum, as the <sup>1</sup>[board of freeholders] governing body<sup>1</sup> of such  
county shall determine, to be paid by the county treasurer. The  
22 persons so appointed shall have their offices in the counties for  
which they are appointed. Vacancies shall be filled in the same  
24 manner as original appointments, but shall be for the unexpired  
term only. Any person filling a vacancy shall be from the same  
26 party as the original appointee. The annual salary of each deputy  
superintendent shall be 90% of what the superintendent receives  
28 for performing the duties of superintendent of elections and  
commissioner of registration.

30 (cf: P.L.1982, c.46, s.3)

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

19:32-2. Except as provided in section 2 of P.L.1982, c.46

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:

<sup>1</sup> Assembly AAP committee amendments adopted February 16, 1989.

(C.19:32-1.2), each superintendent may appoint a chief deputy, a chief clerk, a secretary, such personnel as is authorized under R.S.19:48-6, and any other assistants he considers necessary to carry out the provisions of this Title, and, except as hereinafter provided, may remove the same whenever he deems it necessary and all persons so appointed, by superintendents of elections in counties of the first class having more than 850,000 inhabitants, according to the latest federal census taken in a year ending in zero, to serve for terms of more than six months in any one year, shall be in the classified service of the civil service and shall be appointed in accordance with and shall be subject to the provisions of Title [11] 11A, Civil Service, but all other persons so appointed shall not be subject to any of the provisions of Title [11] 11A, Civil Service, but shall be in the unclassified service. All persons appointed by the commissioner of registration in counties of the first class having more than 600,000, but less than 850,000 inhabitants, according to the latest federal census taken in a year ending in zero, to serve for terms of more than six months in any one year, other than the chief deputy and chief clerk and confidential secretary and chief custodian, shall be in the classified service of the civil service and shall be appointed, and hold their position, in accordance with the provisions of Title [11] 11A, Civil Service, but all other persons so appointed shall not be subject to any of the provisions of Title [11] 11A, Civil Service, but shall be in the unclassified service. Each superintendent shall fix the salaries of the persons so appointed and such salaries certified to and approved under his hand shall be paid semimonthly by the county treasurer of the county in which such persons are so engaged. All other necessary expenses incurred in carrying out the provisions of this Title, when certified to and approved by the superintendent, shall be paid by the county treasurer of the county in which the superintendent shall maintain his office; provided, however, that all necessary expenses incurred by the commissioner of registration, the superintendent of elections, and the custodian of voting machines in the counties of the first class for the proper performance of all of his duties of all his offices as set forth in Title 19, shall not, exceed, in the aggregate, the sum of [~~\$1,250,000.00~~ \$1,500,000.00 per annum.

40 (cf: P.L.1982, c.46, s.4)

2 3. Section 1 of P.L.1947, c.167 (C.19:32-26) is amended to  
read as follows:

4 1. In any county of the second class and in any county of the  
fifth class, the governing body may establish, by ordinance or  
6 resolution, as appropriate, the office of superintendent of  
elections for the county, and said office when once established  
shall not be altered or abolished.

8 The governing body shall file a certified copy of such ordinance  
or resolution, attested by the chief elected executive officer or  
10 director of the board of freeholders, if appropriate and clerk of  
the board, in the office of the Secretary of State within 10 days  
12 after adoption, and the ordinance or resolution shall take effect  
at the expiration of 30 days after the next primary election for  
14 the general election, or the next general election, after adoption  
whichever shall occur first.

16 The office so established shall be filled by some suitable person  
who shall be nominated by the Governor with the advice and  
18 consent of the Senate for a term of five years from the date of  
his appointment and until his successor is appointed and shall  
20 have qualified. In the event that no such appointment to such  
office is made within 30 days following the taking effect of the  
22 ordinance or resolution, heretofore or hereafter adopted, of the  
governing body of the county, as herein provided, then the  
24 governing body of the county shall appoint some suitable person  
to fill such office for a term of five years from the date of  
26 appointment and until the successor of such person is in the same  
manner appointed and shall have qualified. The governing body  
28 shall file notice of such appointment in the office of the  
Secretary of State.

30 Each superintendent so appointed in a county of the fifth class  
shall receive a salary of [~~\$4,000.00~~] <sup>1</sup>[\$8,000.00] not less than  
32 \$4,000 nor more than \$8,000<sup>1</sup> per annum and each superintendent  
so appointed in a county of the second class shall receive a salary  
34 in such amount, not less than [~~\$4,000.00~~] <sup>1</sup>[\$8,000.00] \$4,000<sup>1</sup> per  
annum, as shall be <sup>1</sup>[fixed] determined<sup>1</sup> by the <sup>1</sup>[county]<sup>1</sup>  
36 governing body <sup>1</sup>of the county<sup>1</sup>; such salaries shall be paid by the  
county treasurer and the superintendent shall have his office in  
38 the county for which he is appointed.

Any vacancy occurring in such office of superintendent of

elections shall be filled in the same manner as the original  
 2 appointment to such office was made, but for the unexpired term.  
 (cf: P.L.1981, c.462, s.26)

4 4. R.S.19:45-7 is amended to read as follows:

19:45-7. The compensation of the members of the several  
 6 county boards shall be no less than the minimum salary and no  
 more than the maximum salary<sup>1</sup> as follows:

8	Minimum	Maximum
County Population	Salary	Salary
10 Over 550,000	[\$8,700.00] <sup>1</sup> [\$11,700.00]	\$8,700 <sup>1</sup> [\$10,600.00] <u>\$15,600</u>
300,000 to 550,000	[\$6,000.00] <sup>1</sup> [\$9,000.00]	\$6,000 <sup>1</sup> [\$8,000.00] <u>\$13,000</u>
12 150,000 to 300,000	[\$4,500.00] <sup>1</sup> [\$7,500.00]	\$4,500 <sup>1</sup> [\$6,000.00] <u>\$11,000</u>
120,000 to 150,000	[\$3,700.00] <sup>1</sup> [\$6,700.00]	\$3,700 <sup>1</sup> [\$5,000.00] <u>\$10,000</u>
14 Under 120,000	[\$3,200.00] <sup>1</sup> [\$6,200.00]	\$3,200 <sup>1</sup> [\$4,500.00] <u>\$9,500</u>

provided, however, that any increases herein granted shall be  
 16 effected only upon the approval of the governing body in the  
 county affected.

18 The compensation fixed and determined under any of the  
 foregoing classifications shall include all services rendered by  
 20 any county board in conducting all elections, and in connection  
 with any recount or recheck after any such election.

22 The members of the county board in counties other than  
 counties of the first class and in counties of the first class not  
 24 having a superintendent of elections who shall be elected as  
 chairman and secretary thereof and who shall perform the duties  
 26 of chairman and secretary thereof shall each receive an addition  
 compensation of one-half of the compensation of the individual  
 28 members of the board.

The commissioner of registration in a county of the first class  
 30 having a superintendent of elections shall receive not less than  
 \$10,000 nor more than [\$12,500.00] <sup>1</sup>[\$20,000.00] \$25,000<sup>1</sup>, as  
 32 shall be determined by the governing body, for services  
 performed as such commissioner of registration, and the  
 34 commissioner of registration in a county of the second class  
 having a superintendent of elections shall receive [\$2,500.00]  
 36 <sup>1</sup>[\$5,000.00] not less than \$2,500 nor more than \$5,000<sup>1</sup> per  
 annum for services performed as such commissioner of  
 38 registration, and for such services performed by a commissioner  
 of registration in a county not having a superintendent of

elections additional compensation shall be paid to such  
2 commissioner in an amount equal to 50% of his salary as  
member and secretary of the county board. In counties of the  
4 second class and in counties of the first class not having a  
superintendent of elections where a member of the county board  
6 serves as commissioner of registration, he shall receive no  
additional compensation for the performance of his duties as  
8 such commissioner unless he shall devote his full time to the  
performance of his duties as member of the county board,  
10 secretary thereof, and commissioner of registration. "Full  
time" as here used means such time as is duly required of  
12 employees in the office of the county board. Notwithstanding  
the above, the commissioner of registration in a county having a  
14 superintendent of elections, upon the approval of the governing  
body of the county, shall receive a salary not less than the  
16 maximum which the secretary of a county board of elections in  
a county of the same class, not having a superintendent of  
18 elections, would receive for performing the duties of secretary  
and commissioner of registration. This minimum does not  
20 reduce the current base salary for any superintendent who also  
serves as commissioner of registration.

22 (cf: P.L.1981, c.462, s.27)

5. This act shall take effect immediately.

24

26

## ELECTIONS

### Local Officers and Employees

28

Permits an increase in the salaries of certain county election  
30 officials.

1 **\$5,000.00 per annum for services performed as such**  
2 **commissioner of registration, and for such services performed**  
3 **by a commissioner of registration in a county not having a**  
4 **superintendent of elections additional compensation shall be**  
5 **paid to such commissioner in an amount equal to 50% of his**  
6 **salary as member and secretary of the county board. In counties**  
7 **of the second class and in counties of the first class not having a**  
8 **superintendent of elections where a member of the county board**  
9 **serves as commissioner of registration, he shall receive no**  
10 **additional compensation for the performance of his duties as**  
11 **such commissioner unless he shall devote his full time to the**  
12 **performance of his duties as member of the county board,**  
13 **secretary thereof, and commissioner of registration. "Full**  
14 **time" as here used means such time as is duly required of**  
15 **employees in the office of the county board. Notwithstanding**  
16 **the above, the commissioner of registration in a county having a**  
17 **superintendent of elections, upon the approval of the governing**  
18 **body of the county, shall receive a salary not less than the**  
19 **maximum which the secretary of a county board of elections in**  
20 **a county of the same class, not having a superintendent of**  
21 **elections, would receive for performing the duties of secretary**  
22 **and commissioner of registration. This minimum does not**  
23 **reduce the current base salary for any superintendent who also**  
24 **serves as commissioner of registration.**

25 (cf: P.L.1981, c.462, s.27)

26 5. This act shall take effect immediately.

27

29

#### STATEMENT

31 The purpose of this bill is to increase the salaries of certain  
32 county election officials.

33 Specifically, the bill: (1) increases the salary range of the  
34 superintendent of elections in first-class counties from between  
35 \$7,500.00 and \$10,000.00 to between \$15,000.00 and \$20,000.00;  
36 (2) increases the salary of the superintendent in fifth-class  
37 counties from \$4,000.00 to \$8,000.00; (3) increases the base  
38 salary of the superintendent in second-class counties from  
39 \$4,000.00 to \$8,000.00; (4) increases the cap on the salary of

1 commissioners of registration in first-class counties from  
2 \$12,500.00 to \$20,000.00 and increases the salary of  
3 commissioners in second-class counties from \$3,500.00 to  
4 \$5,500.00; (5) increases the minimum salary of members of the  
5 county board of elections from between \$3,200.00 and \$8,700.00,  
6 depending on county population, to between \$5,200.00 and  
7 \$11,700.00, depending on county population; (6) increases the  
8 maximum salary for board members from between \$4,500.00 and  
9 \$10,500.00, depending on county population, to between  
10 \$9,500.00 and \$15,600.00, depending on county population; and  
11 (7) increases the cap on expenditures for election administration  
12 and salaries in first-class counties from \$1.25 million to \$1.5  
13 million.

16

### ELECTIONS

17

#### Local Officers and Employees

19

Increases the salaries of certain county election officials.



ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2473

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 16, 1989

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2473 with committee amendments.

Assembly Bill No. 2473, as amended, permits the governing body of certain counties to increase the salaries of certain county election officials. Specifically, the bill permits the increase of the salary of the superintendents of elections in first-class, second-class and fifth-class counties, the salary of commissioners of registration in first-class and second-class counties, the minimum and maximum salary of members of the county board of elections. In addition, the bill increases the allowable cap on expenditures for election administration and salaries in first-class counties from \$1.25 million to \$1.5 million.

FISCAL IMPACT

There is no fiscal impact to the State. A fiscal note prepared by the Office of Legislative Services prior to this committee's amendments, with information from the Division of Elections in the Department of State, estimated the total cost of the salary increases to the counties to be \$699,750 annually. The estimate of the total will vary as a result of the committee amendments permitting counties to determine the increase. In addition, each first class county would be permitted to increase election expenditures by \$250,000 for a total of \$750,000 in permitted additional expenditures for the three first-class counties.

COMMITTEE AMENDMENTS

The committee amendments provide that first-class, second-class and fifth-class counties may determine to increase the salary of certain county officials. In addition, the amendments allow an increase to \$25,000 as the maximum salary a superintendent of elections and a commissioner of registration in a county of the first class may receive.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2473

STATE OF NEW JERSEY

DATED: DECEMBER 1, 1988

The Assembly State Government Committee reports favorably Assembly, No. 2473.

This bill provides for increases in the salaries of certain county election officials and in the maximum amount which may be spent on elections administration in counties of the first class.

The increases provided under the bill are as follows:

(1) The salary range of the superintendent of elections in first-class counties is increased from a minimum of \$7,500 and a maximum of \$10,000 to a minimum of \$15,000 and a maximum of \$20,000;

(2) The salary of the superintendent in fifth-class counties and the minimum salary of the superintendent in second-class counties are increased from \$4,000 to \$8,000;

(3) The maximum salary of commissioners of registration in first-class counties is increased from \$12,500 to \$20,000 and the salary of commissioners in second-class counties is increased from \$2,500 to \$5,000;

(4) The salary ranges of members of the county boards of elections, which are dependent on county population, are increased, so that the salary range in the least populous counties would rise from a minimum of \$3,200 and a maximum of \$4,500 to a minimum of \$6,200 and a maximum of \$9,500, while the salary range in the most populous counties would rise from a minimum of \$8,700 and a maximum of \$10,600 to a minimum of \$11,700 and a maximum of \$15,600; and

(5) The statutory limit on expenditures for elections administration and salaries in first-class counties is increased from \$1.25 million to \$1.5 million.

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FISCAL NOTE TO  
ASSEMBLY, No. 2473

STATE OF NEW JERSEY

DATED: August 3, 1988

Assembly Bill No. 2473 of 1988 increases the salaries of the county superintendents of elections and their deputies, the commissioners of registration and members of the county boards of elections. It also increases the cap on expenditures for election administration and salaries in first-class counties from \$1.25 million to \$1.5 million.

The Department of State, Division of Elections estimates that the local cost of increasing the county superintendents' and deputies' salaries would total \$97,250; the cost of increasing the commissioners' of registration salaries would be \$92,500; and the cost of increasing the compensation of the election board members would be \$510,000; for a total county salary expenditure of \$699,750. An additional expenditure of \$750,000 would be permitted for the first-class counties under the increased spending cap. The total cost to the counties of this legislation would therefore equal \$1,449,750. Future-year costs would remain the same.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.