

# ASSEMBLY, No. 1642

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED FEBRUARY 10, 1998

**Sponsored by:**

Assemblyman PAUL DIGAETANO  
District 36 (Bergen, Essex and Passaic)  
Assemblyman DAVID C. RUSSO  
District 40 (Bergen and Passaic)

**Co-Sponsored by:**

Assemblywomen Weinberg and Quigley

**SYNOPSIS**

Permits annual budget increase for and salary increase of certain superintendents of elections and commissioners of registration.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 4/17/1998)

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1 AN ACT concerning the budget of and compensation for certain  
2 election officials and amending R.S.19:32-1, R.S.19:32-2 and  
3 R.S.19:45-7.

4

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

7

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

9 19:32-1. The office of superintendent of elections in counties of  
10 the first class in which such office has previously been established is  
11 continued, and in those counties of the first class in which such office  
12 has not been previously established, is established. The offices shall  
13 be filled by some suitable persons who shall be nominated by the  
14 Governor with the advice and consent of the Senate and who shall  
15 hold office for the term of five years from the date of appointment and  
16 until their successors are appointed and have qualified. Each  
17 superintendent shall receive **[a] such salary [of] per annum as the**  
18 **governing body of such county may by resolution authorize, but** not  
19 less than \$7,500 **[or more than \$25,000 per annum, as the governing**  
20 **body of such county shall determine]**, to be paid by the county  
21 treasurer. The persons so appointed shall have their offices in the  
22 counties for which they are appointed. Vacancies shall be filled in the  
23 same manner as original appointments, but shall be for the unexpired  
24 terms only. Any person filling a vacancy shall be from the same party  
25 as the original appointee. The annual salary of each deputy  
26 superintendent shall be 90% of what the superintendent receives for  
27 performing the duties of superintendent of elections and commissioner  
28 of registration.

29 (cf: P.L.1989, c.160, s.1)

30

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

32 19:32-2. Except as provided in section 2 of P.L.1982, c.46  
33 (C.19:32-1.2), each superintendent may appoint a chief deputy, a chief  
34 clerk, a secretary, such personnel as is authorized under R.S.19:48-6,  
35 and any other assistants he considers necessary to carry out the  
36 provisions of this Title, and, except as hereinafter provided, may  
37 remove the same whenever he deems it necessary and all persons so  
38 appointed, by superintendents of elections in counties of the first class  
39 having more than 850,000 inhabitants, according to the latest federal  
40 census taken in a year ending in zero, to serve for terms of more than  
41 six months in any one year, shall be in the classified service of the civil  
42 service and shall be appointed in accordance with and shall be subject  
43 to the provisions of Title 11A, Civil Service, but all other persons so

**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 appointed shall not be subject to any of the provisions of Title 11A,  
2 Civil Service, but shall be in the unclassified service. All persons  
3 appointed by the commissioner of registration in counties of the first  
4 class having more than 600,000, but less than 850,000 inhabitants,  
5 according to the latest federal census taken in a year ending in zero,  
6 to serve for terms of more than six months in any one year, other than  
7 the chief deputy and chief clerk and confidential secretary and chief  
8 custodian, shall be in the classified service of the civil service and shall  
9 be appointed, and hold their position, in accordance with the  
10 provisions of Title 11A, Civil Service, but all other persons so  
11 appointed shall not be subject to any of the provisions of Title 11A,  
12 Civil Service, but shall be in the unclassified service. Each  
13 superintendent shall fix the salaries of the persons so appointed and  
14 such salaries certified to and approved under his hand shall be paid  
15 semimonthly by the county treasurer of the county in which such  
16 persons are so engaged. All other necessary expenses incurred in  
17 carrying out the provisions of this Title, when certified to and  
18 approved by the superintendent, shall be paid by the county treasurer  
19 of the county in which the superintendent shall maintain his office;  
20 provided, however, that all necessary expenses incurred by the  
21 commissioner of registration, the superintendent of elections, and the  
22 custodian of voting machines in the counties of the first class for the  
23 proper performance of all of his duties of all his offices as set forth in  
24 Title 19, shall not exceed, in the aggregate, the sum of ~~[\$1,500,000.00~~  
25 ~~per annum]~~ \$2,000,000.00 for the year 1998 or that sum, as adjusted,  
26 for each year thereafter. The governing body of the county may  
27 increase the sum but the increase shall not exceed 5% or the index  
28 rate, whichever is less, over the previous year's sum. As used in this  
29 section, "index rate" means the rate of annual percentage increase,  
30 rounded to the nearest half-percent, in the Implicit Price Deflator for  
31 State and Local Government Purchases of Goods and Services,  
32 computed and published quarterly by the United States Department of  
33 Commerce, Bureau of Economic Analysis, which annual increase shall  
34 be calculated on the basis of the second quarter which occurred in the  
35 next preceding local budget year. The Director of the Division of  
36 Local Government Services in the Department of Community Affairs  
37 shall promulgate annually, on or before October 1, the index rate to  
38 apply in the next following local budget year.

39 (cf: P.L.1989, c.160, s.2)

40

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

42 19:45-7. The compensation of the members of the several county  
43 boards shall be no less than the minimum salary and no more than the  
44 maximum salary as follows:

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	Minimum	Maximum
1		
2 County Population	Salary	Salary
3 Over 550,000	\$8,700	[\$15,600] <u>\$17,600</u>
4 300,000 to 550,000	\$6,000	[\$13,000] <u>\$15,000</u>
5 150,000 to 300,000	\$4,500	[\$11,000] <u>\$12,000</u>
6 120,000 to 150,000	\$3,700	[\$10,000] <u>\$11,000</u>
7 Under 120,000	\$3,200	[\$ 9,500] <u>\$10,500</u>

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

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

14 The members of the county board in counties other than counties  
15 of the first class and in counties of the first class not having a  
16 superintendent of elections who shall be elected as chairman and  
17 secretary thereof and who shall perform the duties of chairman and  
18 secretary thereof shall each receive an additional compensation of  
19 one-half of the compensation of the individual members of the board.

20 The commissioner of registration in a county of the first class  
21 having a superintendent of elections shall receive such salary per  
22 annum as the governing body of such county may by resolution  
23 authorize, but not less than \$10,000 [nor more than \$25,000, as shall  
24 be determined by the governing body], for services performed as such  
25 commissioner of registration, and the commissioner of registration in  
26 a county of the second class having a superintendent of elections shall  
27 receive such salary per annum as the governing body of such county  
28 may by resolution authorize, but not less than [\$2,500 nor more than]  
29 \$5,000 [per annum], for services performed as such commissioner of  
30 registration, and for such services performed by a commissioner of  
31 registration in a county not having a superintendent of elections  
32 additional compensation shall be paid to such commissioner in an  
33 amount equal to 50% of his salary as member and secretary of the  
34 county board. In counties of the second class and in counties of the  
35 first class not having a superintendent of elections where a member of  
36 the county board serves as commissioner of registration, he shall  
37 receive no additional compensation for the performance of his duties  
38 as such commissioner unless he shall devote his full time to the  
39 performance of his duties as member of the county board, secretary  
40 thereof, and commissioner of registration. "Full time" as here used  
41 means such time as is duly required of employees in the office of the  
42 county board. Notwithstanding the above, the commissioner of  
43 registration in a county having a superintendent of elections, upon the  
44 approval of the governing body of the county, shall receive a salary  
45 not less than the maximum which the secretary of a county board of

1 elections in a county of the same class, not having a superintendent of  
2 elections, would receive for performing the duties of secretary and  
3 commissioner of registration. This minimum does not reduce the  
4 current base salary for any superintendent who also serves as  
5 commissioner of registration.

6 (cf: P.L.1989, c.160, s.4)

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8 4. This act shall take effect immediately.

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#### STATEMENT

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13 This bill removes the salary "cap" from the positions of  
14 commissioner of registration and superintendent of elections, and  
15 permits a governing body of a county, by resolution, to set the salary  
16 of such persons, provided that the minimum statutory salary  
17 requirement is observed. The bill also provides for an annual increase  
18 in the budget of the superintendent of elections in counties of the first  
19 class.