

# ASSEMBLY, No. 2771

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## STATE OF NEW JERSEY

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INTRODUCED MARCH 3, 1997

**By Assemblymen DiGAETANO, KELLY, Rooney,  
Assemblywoman Vandervalk, Assemblymen Russo,  
Felice, Talarico and Assemblywoman Heck**

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.

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

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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)

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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

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

Matter underlined thus is new matter.

1 (C.19:32-1.2), each superintendent may appoint a chief deputy, a chief  
2 clerk, a secretary, such personnel as is authorized under R.S.19:48-6,  
3 and any other assistants he considers necessary to carry out the  
4 provisions of this Title, and, except as hereinafter provided, may  
5 remove the same whenever he deems it necessary and all persons so  
6 appointed, by superintendents of elections in counties of the first class  
7 having more than 850,000 inhabitants, according to the latest federal  
8 census taken in a year ending in zero, to serve for terms of more than  
9 six months in any one year, shall be in the classified service of the civil  
10 service and shall be appointed in accordance with and shall be subject  
11 to the provisions of Title 11A, Civil Service, but all other persons so  
12 appointed shall not be subject to any of the provisions of Title 11A,  
13 Civil Service, but shall be in the unclassified service. All persons  
14 appointed by the commissioner of registration in counties of the first  
15 class having more than 600,000, but less than 850,000 inhabitants,  
16 according to the latest federal census taken in a year ending in zero,  
17 to serve for terms of more than six months in any one year, other than  
18 the chief deputy and chief clerk and confidential secretary and chief  
19 custodian, shall be in the classified service of the civil service and shall  
20 be appointed, and hold their position, in accordance with the  
21 provisions of Title 11A, Civil Service, but all other persons so  
22 appointed shall not be subject to any of the provisions of Title 11A,  
23 Civil Service, but shall be in the unclassified service. Each  
24 superintendent shall fix the salaries of the persons so appointed and  
25 such salaries certified to and approved under his hand shall be paid  
26 semimonthly by the county treasurer of the county in which such  
27 persons are so engaged. All other necessary expenses incurred in  
28 carrying out the provisions of this Title, when certified to and  
29 approved by the superintendent, shall be paid by the county treasurer  
30 of the county in which the superintendent shall maintain his office;  
31 provided, however, that all necessary expenses incurred by the  
32 commissioner of registration, the superintendent of elections, and the  
33 custodian of voting machines in the counties of the first class for the  
34 proper performance of all of his duties of all his offices as set forth in  
35 Title 19, shall not exceed, in the aggregate, the sum of [\$1,500,000.00  
36 per annum] \$2,000,000.00 for the year 1997 or that sum, as adjusted,  
37 for each year thereafter. The governing body of the county may  
38 increase the sum but the increase shall not exceed 5% or the index  
39 rate, whichever is less, over the previous year's sum. As used in this  
40 section, "index rate" means the rate of annual percentage increase,  
41 rounded to the nearest half-percent, in the Implicit Price Deflator for  
42 State and Local Government Purchases of Goods and Services,  
43 computed and published quarterly by the United States Department of  
44 Commerce, Bureau of Economic Analysis, which annual increase shall  
45 be calculated on the basis of the second quarter which occurred in the  
46 next preceding local budget year. The Director of the Division of

1   Local Government Services in the Department of Community Affairs  
2   shall promulgate annually, on or before October 1, the index rate to  
3   apply in the next following local budget year.  
4   (cf: P.L.1989, c.160, s.2)

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

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

	Minimum	Maximum
11   County Population	Salary	Salary
12   Over 550,000	\$8,700	[\$15,600] <u>\$17,600</u>
13   300,000 to 550,000	\$6,000	[\$13,000] <u>\$15,000</u>
14   150,000 to 300,000	\$4,500	[\$11,000] <u>\$12,000</u>
15   120,000 to 150,000	\$3,700	[\$10,000] <u>\$11,000</u>
16   Under 120,000	\$3,200	[\$ 9,500] <u>\$10,500</u>

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

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

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

29       The commissioner of registration in a county of the first class  
30   having a superintendent of elections shall receive such salary per  
31   annum as the governing body of such county may by resolution  
32   authorize, but not less than \$10,000 [nor more than \$25,000, as shall  
33   be determined by the governing body], for services performed as such  
34   commissioner of registration, and the commissioner of registration in  
35   a county of the second class having a superintendent of elections shall  
36   receive such salary per annum as the governing body of such county  
37   may by resolution authorize, but not less than [\$2,500 nor more than]  
38   \$5,000 [per annum], for services performed as such commissioner of  
39   registration, and for such services performed by a commissioner of  
40   registration in a county not having a superintendent of elections  
41   additional compensation shall be paid to such commissioner in an  
42   amount equal to 50% of his salary as member and secretary of the  
43   county board. In counties of the second class and in counties of the  
44   first class not having a superintendent of elections where a member of  
45   the county board serves as commissioner of registration, he shall  
46   receive no additional compensation for the performance of his duties

1 as such commissioner unless he shall devote his full time to the  
2 performance of his duties as member of the county board, secretary  
3 thereof, and commissioner of registration. "Full time" as here used  
4 means such time as is duly required of employees in the office of the  
5 county board. Notwithstanding the above, the commissioner of  
6 registration in a county having a superintendent of elections, upon the  
7 approval of the governing body of the county, shall receive a salary  
8 not less than the maximum which the secretary of a county board of  
9 elections in a county of the same class, not having a superintendent of  
10 elections, would receive for performing the duties of secretary and  
11 commissioner of registration. This minimum does not reduce the  
12 current base salary for any superintendent who also serves as  
13 commissioner of registration.

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

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16 4. This act shall take effect immediately.

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19 STATEMENT

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21 This bill removes the salary "cap" from the positions of  
22 commissioner of registration and superintendent of elections, and  
23 permits a governing body of a county, by resolution, to set the salary  
24 of such persons, provided that the minimum statutory salary  
25 requirement is observed. The bill also provides for an annual increase  
26 in the budget of the superintendent of elections in counties of the first  
27 class.

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