

# ASSEMBLY STATE GOVERNMENT COMMITTEE

## STATEMENT TO

### **SENATE, No. 686**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 20, 1996

The Assembly State Government Committee reports favorably and with committee amendments Senate, No.686.

This bill revises the statute providing for designation of the chairman and the secretary of the county board of elections in the event that the board is unable to fill either or both of those positions by election.

Under present law, in the event of a failure to elect a chairman, the board's senior member in age is to be chairman, and in the event of a failure to elect a secretary, the next senior member in age is to become secretary, subject to the condition that the chairman and secretary may not be members of the same political party.

Under the bill, in the event of failure by the board to elect a chairman, the member having greatest seniority on the board is to be chairman of the board. (A member's seniority on the board is to be determined by the total amount of time that the person has served as a member of the board, beginning from the date on which the person took the oath of office as a member.) That senior member, however, is to have the right to choose instead to become secretary of the board. If the senior member chooses to become secretary, then the board is to elect another member, not of the secretary's political party, as chairman. If the board is again unable to elect a chairman, the member not of the secretary's party who has the greatest seniority is to become chairman. If, when either an initial or (if held) second balloting for the position of chairman has been inconclusive, two or more members of the board eligible to fill the position have equal and greatest seniority of service, the board is to notify the Governor of the inability to fill the position either by election or on the basis of seniority, and the Governor would thereupon designate one of those equally senior members to fill the position in question.

In the event of failure to elect a secretary, the member having the greatest seniority who is not of the chairman's political party is to be secretary, except that if that member has been elected or designated to the position of chairman, the member with the next greatest seniority not of the chairman's political party is to be secretary.

COMMITTEE AMENDMENTS

The committee adopted amendments to this bill to provide that (1) the senior member of the board could, in the event of a failure to elect a chairman of the board in the initial balloting, choose to assume instead the position of secretary, and (2) if, in the event of failure to elect a chairman either in the initial or second balloting, two persons eligible for the position have equal and greatest seniority of service, then the selection of a chairman shall be made by the Governor. The amendments also clarify the bill's provision for determination of seniority of service on the board.