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PUBLIC HEARING

before

ASSEMBLY STATE GOVERNMENT COMMITTEE

ASSEMBLY BILLS NO. 205, 243, 385, 1294, 2221, 2408  
2707, 2923, 3533, 3575, 4165 and SENATE BILL NO. 596

(To receive testimony on the implementation of the New Jersey  
statutes governing the conduct of elections and on proposals  
for improving the administration of elections)

June 12, 1989  
Camden City Council Chambers  
City Hall  
Camden, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Robert J. Martin, Chairman  
Assemblyman William E. Schluter

ALSO PRESENT:

Donald S. Margeson  
Office of Legislative Services  
Aide, Assembly State Government Committee

\* \* \* \* \*

Hearing Recorded and Transcribed by  
Office of Legislative Services  
Public Information Office  
Hearing Unit  
State House Annex  
CN 068  
Trenton, New Jersey 08625





ROBERT J. MARTIN  
CHAIRMAN  
MARION CRECCO  
VICE-CHAIRMAN  
WILLIAM E. SCHLUTER  
JOSEPH CHARLES, JR.  
ANTHONY J. CIMINO

**New Jersey State Legislature**  
**ASSEMBLY STATE GOVERNMENT COMMITTEE**  
STATE HOUSE ANNEX, CN-068  
TRENTON NEW JERSEY 08625  
(609) 292-9106

**COMMITTEE NOTICE**

**TO: MEMBERS OF THE ASSEMBLY STATE GOVERNMENT  
COMMITTEE**

**FROM: ASSEMBLYMAN ROBERT J. MARTIN, CHAIRMAN**

**SUBJECT: PUBLIC HEARINGS - JUNE 8, 1989 and JUNE 12, 1989**

Address comments and questions to Donald S. Margeson,  
Committee Aide, at (609) 292-9106.

The Assembly State Government Committee will hold two public hearings to receive testimony on the implementation of the New Jersey statutes governing the conduct of elections and on proposals for improving the administration of elections.

The first hearing will be held on Thursday, June 8, 1989, at 10:00 A.M. in the Bergen County Freeholders Chambers, Court Plaza South, 21 Main Street, in Hackensack. The second hearing will be held on Monday, June 12, 1989, at 10:00 A.M. in the Camden City Council Chambers, City Hall, 6th and Market Streets, in Camden.

The following bills, now before the Committee, exemplify the topics dealt with by the Committee in the area of election law administration:

<b>A-205</b> Naples	Permits disabled persons to receive absentee ballots on a continuing basis.
<b>A-243</b> Felice	Eliminates evening voter registration.
<b>A-385</b> Kalik	Provides that a municipal clerk shall have until noon of the second day after a primary election to issue certificates of election to county committees.

(OVER)



ASSEMBLY STATE GOVERNMENT COMMITTEE

Public Hearing Notice

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June 8, 1989 and June 12, 1989

- |                                   |  |
|-----------------------------------|--|
| <b>A-1294</b><br>Riley/Marsella   | Eliminates requirements that a person must re-register to vote if name is changed.   |
| <b>A-2221</b><br>Littell/Haytaian | Permits voting by mail in certain municipalities.  |
| <b>A-2408</b><br>Bush             | Permits a person eligible to vote to register on election day.   |
| <b>A-2707</b><br>Schluter         | Expands methods by which a voter may change from one political party to another or become a disaffiliated voter.   |
| <b>A-2923</b><br>Crecco           | Changes the date of the annual school election to the first Tuesday in June, and adjusts the school budget process to conform to that date.                                      |
| <b>A-3533</b><br>Cooper/Roma      | Permits military service and civilian absentee voters to register and vote in all federal, State, county and municipal elections by using one federal postcard application form. |
| <b>A-3575</b><br>Schluter/Kalik   | Establishes new Title 19A, Elections, of the New Jersey Statutes to replace Title 19 of the Revised Statutes.  |
| <b>A-4165</b><br>Roberts          | Coordinates holding of school elections, fire district elections and nonpartisan municipal elections.  |
| <b>S-596</b><br>Rice              | Establishes procedures for election officials to follow to prepare voting machines.  |

In addition, it is expected that a bill will shortly be introduced to change the deadline by which a voter must declare a change of affiliation with a political party to be eligible to vote in the primary election of the new party from the 50th day preceding the primary election to the 29th day, the same day as the deadline by which a person must register in order to vote in the primary election.

issued 05/26/89



ASSEMBLY, No. 205  
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel  
PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblyman NAPLES

1    **AN ACT** concerning civilian absentee ballots and amending P.L.  
          1953, c. 211.

3

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

          1. Section 4 of P.L. 1953, c. 211 (C. 19:57-4) is amended to  
7    read as follows:

          4. At any time not less than seven days prior to an election in  
9    which he desires to vote by mail, a civilian absentee voter may  
      apply to the person designated in section 6 of this act, for a  
11   civilian absentee ballot. Such application or request shall be  
     made in writing, shall be signed by the applicant and shall state  
13   his or her place of voting residence and the address to which  
     said ballot shall be sent, and the reason for which the ballot is  
15   requested.

          Any military service voter desiring to vote in any election or  
17   any relative or friend of a military service voter who believes  
     that such voter will desire to vote in any election, may apply to  
19   the person designated in section 6 of this act for a military  
     service ballot to be sent to such voter.

21   Any civilian absentee voter who fails to apply within the  
     seven day time prescribed above may apply in person to the  
23   county clerk for an absentee ballot on any day up to 3 p.m. of  
     the day before the election.

25   In the event of sickness or confinement, the qualified voter  
     may apply in writing for and obtain an absentee ballot by  
27   authorized messenger, who shall be so designated over the  
     signature of the voter and whose printed name and address shall  
29   appear on the application in the space provided.

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 The authorized messenger shall be a family member or a  
 3 registered voter of the county in which the application is made  
 and shall place his signature on the application in the space so  
 provided in the presence of the county clerk or his designee.  
 5 The county clerk or his designee shall authenticate the signature  
 of the authorized messenger, in the event such a messenger is  
 7 other than a family member, by comparing it with the signature  
 of the said person appearing on a State of New Jersey driver's  
 9 license, or other identification issued or recognized as official  
 by the federal government, the State, or any of its political  
 11 subdivisions, which identification carries the full address and  
 signature of said person. After the signature of the application  
 13 and, when appropriate, authentication, the county clerk or his  
 designee is authorized to deliver to the authorized messenger a  
 15 ballot to be delivered to the qualified voter. The Secretary of  
 State shall cause to be prepared a standard authorized  
 17 messenger application form, which may be included with the  
 standard civilian absentee ballot application forms.

19 [A voter who is permanently and totally disabled, and who  
 states the reason for such disability in a request for an absentee  
 21 ballot, shall be furnished an application for an absentee ballot by  
 the county clerk for all future elections in which the voter shall  
 23 be eligible to vote, without further request on the part of the  
 voter.]

25 Any person whose request for a civilian absentee ballot has  
been approved by the county clerk by reason of the person's  
 27 permanent and total physical disability shall be given by the  
county clerk a permanent waiver for the application and a  
 29 ballot for any election in which he is qualified to vote, without  
further request.

31 Every fourth year following the placement of a person's name  
on the list of voters who have a permanent and total physical  
 33 disability, but not less than seven days before any election in  
that year, the county board shall ascertain the person's  
 35 continuing eligibility to receive a civilian absentee ballot. The  
county board shall inform persons who no longer qualify for  
 37 receipt of the ballot.

39 2. Section 7 of P.L. 1953, c. 211 (C. 19:57-7) is amended to  
 read as follows:

1        7. The county clerk of the county, in the case of any  
 3        Statewide or countywide election; the clerk of the municipality,  
 5        in the case of any municipal election; the secretary of the  
 7        board of education, in the case of any school election; and the  
 9        commissioners or other governing or administrative body of the  
 11       district, in the case of any election to be held in any fire  
       district, road district, sewerage district, street lighting district,  
       water supply district or other special district, other than a  
       municipality, created for specified public purposes within one or  
       more municipalities, shall publish or cause to be published the  
       following notices in substantially the following forms:

13                    NOTICE TO MILITARY SERVICE VOTERS  
 15                    AND TO THEIR RELATIVES AND FRIENDS

17        If you are in the military service or the spouse or dependent  
 19        of a person in military service or are a patient in a veterans'  
 21        hospital or a civilian attached to or serving with the Armed  
 23        Forces of the United States without the State of New Jersey, or  
       the spouse or dependent of and accompanying or residing with a  
       civilian attached to or serving with the Armed Forces of the  
       United States, and desire to vote, or if you are a relative or  
       friend of any such person who, you believe, will desire to vote in  
       the....(municipal, primary, general)....election to be held  
       on....(date of election)

25        kindly write to the undersigned at once making application for a  
 27        military service ballot to be voted in said election to be  
 29        forwarded to you, stating your name, age, serial number if you  
       are in military service, home address and the address at which  
       you are stationed or can be found, or if you desire the military  
       service ballot for a relative or friend then make an application  
       under oath for a military service ballot to be forwarded to him,  
       stating in your application that he is over the age of 18 years  
       and stating his name, serial number if he is in military service,  
       home address and the address at which he is stationed or can be  
       found.

35                    (NOTE: MILITARY SERVICE VOTER CLAIMING MILITARY  
 37        STATION AS HOME ADDRESS FOR VOTING PURPOSES MAY  
       NOT USE MILITARY ABSENTEE BALLOT UNLESS  
 39        REGISTERED TO VOTE IN THE MUNICIPALITY WHERE SUCH  
       STATION IS LOCATED.)

1 Forms of application can be obtained from the undersigned.  
 2 Dated. . . . . (signature and title of county  
 3 clerk) .....(address of county clerk)

5  
 6  
 7 NOTICE TO PERSONS DESIRING  
 8 CIVILIAN ABSENTEE BALLOTS

9 If you are a qualified and registered voter of the State who ex  
 10 pects to be absent outside the State on . . (date of election) or  
 11 a qualified and registered voter who will be within the State on  
 12 . . . . (date of election) ...but because of permanent and total  
 13 disability, or because of illness or temporary physical disability,  
 14 or because of the observance of a religious holiday pursuant to  
 15 the tenets of your religion, or because of resident attendance at  
 16 a school, college, or university, or because of the nature and  
 17 hours of employment, will be unable to cast your ballot at the  
 18 polling place in your district on said date, and you desire to  
 19 vote in the.....(municipal, primary, general, or  
 20 other).....election to be held on.....(date of  
 21 election)...kindly complete the application form below and send  
 22 to the under signed, or write or apply in person to the  
 23 undersigned at once requesting that a civilian absentee ballot be  
 24 forwarded to you. Such request must state your home address,  
 25 and the address to which said ballot should be sent, and must be  
 26 signed with your signature, and state the reason why you will not  
 27 be able to vote at your usual polling place. No civilian absentee  
 28 ballot will be furnished or forwarded to any applicant unless  
 29 request therefor is received not less than seven days prior to the  
 30 election, and contains the foregoing information.

31 Voters who are permanently and totally disabled shall, after  
 32 their initial request and without further action on their part, be  
 33 forwarded an absentee ballot [application] by the county clerk  
 34 for all future elections in which they are elig ible to vote.  
 35 Application forms may be obtained by applying to the  
 36 undersigned either in writing or by telephone, or the application  
 37 form provided below may be completed and forwarded to the  
 undersigned.

1

3

Dated. ....

5

.. (signature and title of county clerk).....(address of  
county clerk) .....(Telephone No. of county clerk)

7

9

## APPLICATION FORM FOR CIVILIAN ABSENTEE BALLOT

11

(Form to be prepared by the Secretary of State  
pursuant to section 17 of this amendatory and  
supplementary act)

13

Such notices shall be separately published prior to the fortieth  
day immediately preceding the holding of any election.

15

Notices relating to any Statewide or countywide election shall  
be published by the county clerk in at least two newspapers  
published in the county. All other officials charged with the  
duty of publishing such notices shall publish the same in at least  
one newspaper published in each municipality or district in  
which the election is to be held or if no newspaper be published  
in said municipality, then in a newspaper published in the county  
and circulating in such municipality, municipalities or district.  
All such notices shall be display advertisements.

23

3. Section 12 of P.L. 19 53, c. 211 (C. 19:57-12) is amended  
to read as follows:

25

12. Each county clerk, after processing the requests for  
civilian absentee ballots and the applications for military  
absentee ballots requiring approval under section 10 of this act  
and furnishing the applicant with a civilian or military absentee  
ballot in the manner prescribed by this act, shall forward such  
requests, including those disapproved, to the county board of  
elections. Each county clerk shall also keep a list of such  
requests received by him showing the disposition of each request  
and indicate on the list those persons whose requests have been  
approved by reason of the persons' permanent and total physical  
disability, which list shall be made available to the public and all  
election officials charged with the duty of administering this act.

37

1       4. This act shall take effect immediately.

3

#### STATEMENT

5

7       This bill allows a disabled person to continue to receive an  
absentee ballot, without having to reapply for each election.  
Current law provides that a permanently and totally disabled  
9       voter who requests a ballot be sent an application for the ballot  
on a continuing basis for all elections in which he is qualified to  
11      vote, without further request.

13      According to this bill, the county clerk must indicate on the  
list of requests for absentee ballots those requests which are  
approved by reason of the voter's permanent disability. Then,  
15      every fourth year after the voter's name is placed on this list,  
but not less than seven days before any election in that year, the  
17      county board must ascertain whether the person continues to be  
eligible to receive the ballot on a continuing basis and must  
19      inform those persons who no longer qualify for this service.

21

#### ELECTIONS

23

##### Handicapped

25      Permits disabled persons to receive absentee ballots on a  
continuing basis.

27

## STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

1     **AN ACT** concerning evening voter registration hours and  
amending R.S. 19:31-2

3

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

The commissioner of registration in all counties having a  
13 superintendent of elections, and the county board in all other  
counties, shall have complete charge of the permanent  
15 registration of all eligible voters within their respective  
counties.

17 The commissioner of registration in counties of the first class  
having a superintendent of elections and having less than  
19 800,000 inhabitants, and the county board in all other counties,  
shall have power to appoint temporarily, and the commissioner  
21 of registration in counties of the first class having more than  
800,000 inhabitants shall have power to appoint on a permanent,  
23 or temporary basis, such number of persons, as in his or its  
judgment may be necessary in order to carry out the provisions  
25 of this Title. All persons appointed by the commissioner of  
registration in counties of the first class having more than  
27 850,000 inhabitants according to the latest federal decennial  
census to serve for terms of more than six months in any one  
29 year shall be in the classified service of the civil service and  
shall be appointed, and hold their positions, in accordance with  
31 the provisions of Title 11[,Civil Service] of the Revised  
Statutes. All persons appointed by the commissioner 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.

1 registration in counties of the first class having more than  
3 600,000 but less than 850,000 inhabitants according to the latest  
5 federal decennial census to serve for terms of more than six  
7 months in any one year, other than the chief deputy and chief  
9 clerk and confidential secretary and chief custodian, shall be in  
11 the classified service of the civil service and shall be appointed  
13 and hold their positions in accordance with the provisions of  
Title 11[, Civil Service] of the Revised Statutes. Persons  
appointed by the commissioner of registration in such counties  
to serve for terms of six months or less in any one year and  
persons appointed by the commissioner of registration, or by the  
county board of elections, in other counties, shall not be subject  
to any of the provisions of Title 11[, Civil Service] of the  
Revised Statutes, but shall be in the unclassified service.

15 In each county the commissioner of registration shall submit  
17 to the Secretary of State [on or before February 15 of each year  
a plan providing for evening registration for the primary  
19 election and] on or before July 1 plans providing for [evening  
and] out-of-office registration for the general election, which  
plans shall be subject to approval by the Secretary of State.  
21 [Evening registration shall be made available in the office of  
each commissioner of registration between the hours of 4 p.m.  
23 and 9 p.m. for at least six working days immediately preceding  
the close of registration, in each municipality having a  
25 population in excess of 12,000 persons according to the most  
recent United States census between the hours of 4 p.m. and 9  
27 p.m. for at least three working days immediately preceding the  
close of registration, and in each municipality having a  
29 population of less than 12,000 persons between the hours of 4  
p.m. and 9 p.m. on the day of the close of registration for the  
31 primary and general elections and for municipal elections.] Such  
[plan] plans for out-of-office registration may include  
33 door-to-door registration, and shall include the schedule and  
route to be followed by any out-of-office registration units, as  
35 well as a description of the number and nature of units to be  
used, and such further pertinent information as the Secretary of  
37 State may by rule or regulation require. Out-of-office  
registration shall be made available pursuant to such plan in

1 each municipality having a population in excess of 12,000  
persons according to the most recent United States census.  
3 Nothing in this section shall preclude the commissioner from  
providing pursuant to plan [evening registration or]  
5 out-of-office registration in excess of the requirements of this  
section, or shall preclude or in any way limit out-of-office  
7 registration conducted by persons or groups other than the  
commissioner.

9 During the month of March of each year the commissioner of  
registration in all counties shall arrange for and conduct  
11 registration in each public and nonpublic high school in the  
county, of all students who are eligible to register to vote in the  
13 ensuing election. School officials shall cooperate with efforts to  
register students in such schools. The commissioner of  
15 registration shall complete, on a form prescribed by the  
Secretary of State, a report concerning the number of students  
17 registered during the designated month. Copies of such report  
shall be forwarded to the Secretary of State.

19 The commissioner of registration in counties having a  
superintendent of elections, and the county board in all other  
21 counties, shall provide such printed forms, blanks, supplies and  
office telephone and transportation equipment and shall  
23 prescribe such reasonable rules and regulations not inconsistent  
with those of the Secretary of State as are necessary in the  
25 opinion of the commissioner or county board to carry out the  
provisions of this Title and any amendments or supplements  
27 thereto.

Subject to the limitations set forth in chapter 32 of this Title  
29 as hereby amended all necessary expenses incurred, as and when  
certified and approved by the commissioner of registration in  
31 counties having a superintendent of elections, and by the county  
board in all other counties, shall be paid by the county treasurer  
33 of the county.

Nothing in the provisions of subtitle 2 of [the] Title[,  
35 Municipalities and Counties] 40 of the Revised Statutes (R.S.  
40:16-1 et seq.), shall in anywise be construed to affect, restrict  
37 or abridge the powers herein conferred on the commissioners in  
counties having a superintendent of elections, and upon the  
39 county boards in all other counties.

1 All powers granted to the commissioner in all counties not  
having superintendents of elections by the provisions of this  
3 Title are hereby conferred on the county board in such counties  
and any and all duties conferred upon the commissioner in all  
5 counties not having a superintendent of elections by the  
provisions of this Title shall only be exercised and performed by  
7 such commissioner under the instructions and directions of and  
subject to the approval of the county board of such counties.

9 2. This act shall take effect immediately.

11  
13 **STATEMENT**

13 This bill eliminates evening voter registration hours. Since  
15 registration forms are available from various sources, including  
the publication of the form in the local papers, it is questionable  
17 whether the cost of evening registration hours is justified.

19  
21 **ELECTIONS**

21 **Vote Procedures and Ballots**

23 **Eliminates evening voter registration.**

ASSEMBLY, No. 385

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel  
PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblywoman KALIK

1    **AN ACT** concerning certification of persons elected as members  
      of the county committees of the several political parties and  
3    amending R.S. 19:23-54 and U.S. 19:23-55.

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

7    1. R.S.19:23-54 is amended to read as follows:

      19:23-54. The municipal clerk shall forthwith canvass the  
9    statements of the district board as far as they relate to the  
      election of members of the county committee of any political  
11   party, and shall, not later than 12 o'clock noon of the second  
      day after the primary election, issue a certificate of election to  
13   each person shown by the returns filed in the office of such  
      municipal clerk to have been so elected.

15   No person whose name was printed on a primary ballot as a  
      candidate for the county committee shall receive a certificate  
17   of election as a member of any other county committee.

      When a person whose name was not printed on a primary  
19   ballot as a candidate for member of the county committee has  
      been elected as a member of the county committee of more  
21   than one political party, he shall receive, in lieu of a certificate  
      of election, a notice of that election to more than one such  
23   county committee. Not later than 12 o'clock noon of the third  
      day after the primary election, the person shall file with the  
25   municipal clerk [within three days] a statement certifying to  
      which political party he belongs, and a certificate of election  
27   shall be issued to such person as a member of the county  
      committee of the political party so certified. Any person  
29   elected as a member of the county committee of any political  
      party whose name was not printed upon the primary ballot and

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 to whom a certificate of election has been issued, shall before  
the organization of the county committee file with the  
3 secretary thereof a written statement certifying that he is a  
member of such political party.

5 The municipal clerk shall [within eight days], not later than 12  
o'clock noon of the third day, after the primary election,  
7 certify to the county clerk and also to the county board two  
copies of the names and post-office addresses of the persons  
9 elected as members of the county committee of the several  
political parties, together with the ward, district or unit which  
11 they respectively represent.

2. R.S. 19:23-55 is amended to read as follows:

13 19:23-55. The county clerks shall, within 10 days or, in the  
case of the election of members to the county committee of a  
15 political party, not later than 12 o'clock noon of the second day  
after the primary election canvass such statements relating to  
17 all officers and positions to be voted for by the voters of the  
entire State, county, county election district, congressional  
19 district, municipality or ward, and determine what persons have  
by the highest number of votes been so elected or nominated by  
21 the political parties.

In the case of United States Senator, Governor and member of  
23 the House of Representatives the county clerk shall  
immediately, transmit to the Secretary of State a statement  
25 showing the total number of votes cast for such officers in the  
county. The Secretary of State shall furnish the necessary form.

27 In the case of members of the county committee the county  
clerk [within 9 days] shall, not later than 12 o'clock noon of the  
29 sixth day after the primary [shall mail], deliver or transmit to  
the chairman of the State committee and to the chairman of the  
31 county committee of the respective parties a list of the names  
of those elected to the county committee, giving the  
33 municipalities, ward and district each represents, together with  
their post-office addresses.

35 3. This act shall take effect immediately.

## STATEMENT

This bill addresses the timing of the certification by elections officials of the results of the election of members of the county party committees. Under the bill, a municipal clerk would have until noon of the second day after the primary election to issue to each newly elected county committee member a certificate of election, and until noon of the third day to certify the names and addresses of those new county committee members to the county clerk and county board of elections. In addition, a county clerk would have until noon of the second day after the primary election to canvass the district boards' statements of the county committee election results. He would have until noon of the sixth day after the primary election to deliver the list of the newly elected county committee members to the State and county party committee chairmen.

The basic purpose of the bill is to ensure that the official results of the election of county committee members are certified before the organizational meetings of the municipal and county party committees. These organizational meetings would continue to occur, respectively, on the Monday and Tuesday evenings after the primary election.

The bill also clarifies the procedure to be followed in the event a person who, although his name was not printed on the primary ballot as a county committee candidate, is elected as a member of more than one county party committee.

## ELECTIONS

## Vote Procedures and Ballots

Provides that a municipal clerk shall have until noon of the second day after a primary election to issue certificates of election to county committees.



ASSEMBLY, No. 1294

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel  
PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblymen RILEY and MARSELLA

1    **AN ACT** concerning voter registration and amending R.S.  
          19:31-13.

3

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

          1. R.S. 19:31-13 is amended to read as follows:

7        19:31-13. Whenever the registrant after his or her original  
          registration shall change his or her name due to marriage,  
9        divorce, or by judgment of court, the registrant shall [be  
          required to reregister and the commissioner upon receipt of  
11       information or notice of such change, shall transfer the  
          permanent registration forms of such persons to the inactive  
13       file, subject to the provisions of this section.

          When notice or information of such change in name has not  
15       been received by or filed with the commissioner prior to the  
          twenty-ninth day preceding any election, such person may be  
17       permitted to vote under his or her original registration at the  
          next election following such change in name, after signing the  
19       signature copy register with both the registered name and his or  
          her new name. Such person shall be required to reregister  
21       before being permitted to vote at any subsequent election. The  
          commissioner shall then transfer the former permanent  
23       registration form to the inactive file and notify the registrant  
          by regular mail of such transfer and the requirement to  
25       reregister before being permitted to vote at any election.

          If a registrant shall, upon receipt of notice of transfer of her  
27       registration to the inactive file, or otherwise, notify the  
          commissioner of her inability to appear and reregister due to  
29       continued absence from the State with her husband while he is  
          serving in the Armed Forces of the United States and shall  
31       support such statement under oath, the commissioner shall

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 restore her registration form to the active file, with appropriate  
 3 notations and dates thereon, and notify the registrant that she  
 5 may continue to vote during such absence from the State, by  
 7 civilian absentee ballot, by signing both her registered name and  
 9 her new name on applications for and certificates pertinent to,  
 11 civilian absentee ballots. The right to continue to so vote  
 13 without reregistration shall continue until the registrant's  
 15 return to the State or six years from date of marriage,  
 17 whichever shall occur first at which time the commissioner shall  
 19 transfer the permanent registration form to the inactive file.];  
 21 a. complete a new voter registration form either in person,  
 23 pursuant to R.S. 19:31-6, R.S. 19:31-7, or section 1 of P.L. 1966,  
c. 177 (C. 19:31-6.1), or by mail, pursuant to section 15 of P.L.  
1974, c. 30 (C. 19:31-6.3); or

15 b. on the day of any election, present to the district board of  
 17 elections a copy of official documents bearing his or her former  
 19 and present name and sign the signature copy record with his or  
 21 her former and present name.

23 If a change in name is made pursuant to subsection a. of this  
 25 section, the registrant's new voter registration form shall be  
 27 attached to his or her previous voter registration form and that  
 29 person shall be permitted to vote at the next subsequent  
 31 election, as provided by law.

33 If a change in name is made pursuant to subsection b. of this  
 35 section, the person shall be permitted to vote at that election  
and at each subsequent election under the person's name as  
changed. The commissioner shall be responsible for making the  
appropriate changes in the information contained on the  
registration forms; attaching a copy of the official documents  
with the former and present name to the registration forms; and  
filing the registration forms of the person in the proper order by  
the person's name as changed. When a new voter registration  
form is needed to record the change in a person's name, the  
newly completed form shall be attached to the person's previous  
voter registration form.

37 2. This act shall take effect immediately, but if a regularly  
 39 scheduled election shall occur within 30 days after this effective  
 date, the act shall be inoperative until the day following that  
 election.

1

## STATEMENT

3       This bill eliminates the requirement in current law that a  
5       person must reregister to vote if the person's name is changed  
7       due to marriage, divorce or other judgment of the court. It  
9       permits the person to reregister by mail or to inform the district  
11      board of elections of the name change and to vote on the day of  
13      an election and thereafter by presenting, on the day of an  
15      election, the members of the district board with a copy of an  
17      official document bearing his or her former and present name  
19      and signing the signature copy record with his or her former and  
21      present name. The bill also provides that the person's previous  
23      voter registration form shall be attached to his or her new voter  
25      registration form, thereby preserving the person's previous  
27      voting record.

17

## ELECTIONS

19

## Vote Procedures and Ballots

21      Eliminates requirement that a person must reregister to vote if  
23      name is changed.



ASSEMBLY, No. 2221

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblymen LITTELL, HAYTAIAN, Kamin,  
Assemblywoman Kalik and Assemblyman Rocco

1 AN ACT permitting the establishment of mail-in ballot election  
districts in certain municipalities and supplementing Title 19  
3 of the Revised Statutes.

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

7 1. As used in this act:

"Family member" means an adult who is the spouse, parent,  
9 child, grandparent, grandchild or sibling of a voter, whether by  
adoption or natural relationship. It shall also include any adult  
11 occupant regularly living with a voter in any residential building  
or part of a building intended for the use of no more than one  
13 family.

"Incapacitated mail-in-voter" means a mail-in voter who, due  
15 to incapacity, is unable to complete a ballot.

"Mail-in ballot" means the ballot used by mail-in voters  
17 pursuant to the provisions of this act.

"Mail-in ballot election district" means a municipality having  
19 fewer than 100 registered voters.

"Mail-in-voter" means a registered voter residing in a mail-in  
21 ballot election district.

2. The county board of elections of each county may  
23 designate all municipalities in the county which have fewer than  
100 registered voters as mail-in ballot election districts by  
25 providing written notice of the board's decision with the county  
clerk, the commissioner of registration and each affected  
27 voter. The county clerk of a county in which the use of mail-in  
ballots is adopted shall forward a mail-in ballot for use under  
29 this act by first class mail or hand delivery to each registered  
voter residing in these municipalities as soon as practicable  
31 after the 20th day, but not later than the 10th day, preceding  
the day upon which any election is to be held. Mail-in ballots  
33 shall be used in all elections in mail-in ballot election districts  
except school elections.

1       3. Each mail-in ballot to be used in any election shall  
conform generally to the ballot to be used at the election in  
3 other election districts but the ballots shall be plainly marked  
"Mail-in Ballot."

5       At the top of every mail-in ballot there shall be printed or  
stamped in a prominent size the following:

7       To protect your vote:

9       IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU THE  
VOTER TO MARK OR INSPECT THIS BALLOT.

11       However, a family member may assist you in doing so. If you  
are an incapacitated mail-in voter, a person other than a family  
member may assist you in doing so.

13       4. Each mail-in ballot to be used at any election shall be  
printed entirely in black ink and, except as otherwise provided,  
15 shall conform generally to the ballot to be used at the election  
in other election districts and shall be prepared so that the  
17 mail-in voter may indicate thereon the voter's choice of the  
candidates for the offices to be filled, and as to the public  
19 questions to be voted upon, at the election by the voters of the  
entire State, county or municipality in which the mail-in voter  
21 is a resident, as shall be ascertained and known on the 48th day  
preceding the election, and sufficient space shall be provided for  
23 the mail-in voter to write in the name of and vote for any  
candidate for, or his personal choice for, any public office to be  
25 voted for at the election in the election district. A list of  
candidates for the offices to be filled whose names are known or  
27 ascertained on the day on which the ballot is forwarded but do  
not appear upon the ballot, with a statement of the office for  
29 which each is a candidate, shall be forwarded with the ballot.

31       In the preparation of mail-in ballots the name of any  
candidate who has been nominated for any office shall be placed  
upon the mail-in ballot to be used in the general election to be  
33 held in that year in each election district in which he is a  
candidate whether or not the candidate has accepted the  
35 nomination prior to the 48th day preceding the election,  
provided that he has not prior to that date declined the  
37 nomination.

39       5. Each mail-in ballot to be used at any primary election for  
the general election shall, except as otherwise provided,

1 conform to the ballot to be used at the election in other election  
districts and to the form herein prescribed for mail-in ballots to  
3 be used in the general election except that it shall be so  
prepared that the mail-in voter may indicate thereon his choice  
5 of candidates of one political party for each of the offices to be  
voted upon at the election by the voters of the election mail-in  
7 district and shall be separated into party ballots, which shall be  
printed upon one sheet where the voting system allows.

9 Each mail-in ballot shall be plainly marked to indicate that  
only one party ballot is to be voted by each mail-in voter and  
11 that the party ballot voted by him must conform to the name of  
the political party indicated by the county clerk as provided  
13 herein.

If the county clerk has ascertained through investigating a  
15 mail-in voter's registration record that, under the laws of this  
State, the voter is qualified to vote only in a certain party  
17 primary, he shall so indicate upon the primary ballot the party  
primary in which the voter is entitled to vote.

19 Whenever the county clerk determines that a mail-in voter is  
voting in a primary election for the first time the county clerk  
21 shall indicate upon the primary ballot that the voter can vote in  
any one of the party primaries.

23 6. Notwithstanding any provision of law to the contrary, any  
county may adopt a system of electronic scanning, punch cards  
25 or other mechanical device, which system has been previously  
approved by the Secretary of State, to be used in counting or  
27 canvassing mail-in ballots. The county clerk in any county  
adopting such a system may prepare and use mail-in ballots that  
29 do not conform generally to the ballot to be used at the election  
to the extent that nonconformance is necessary for operation of  
31 the electronic or mechanical canvassing system.

In preparing the mail-in ballot, the county clerk shall insert  
33 the names of the candidates on the appropriate ballot, punch  
card or other device in the same order in which they appear on  
35 the official ballot with full instructions to the voter as to how to  
mark or puncture the ballot.

37 7. Each county clerk shall send, with each mail-in ballot,  
printed directions for the preparation and transmitting of

1 mail-in ballots as required by this act which shall be printed in  
 3 such manner and form as the Secretary of State shall require,  
 together with two envelopes of such sizes that one will contain  
 the other.

5 The outer envelope shall be addressed to the county board of  
 elections of the county in which is located the home address of  
 7 the person to whom the mail-in ballot is sent, as certified by the  
 county clerk. On the outside and front of each outer envelope,  
 9 there shall be printed or stamped the following:

To protect your vote:

11 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU THE  
 VOTER TO MAIL OR TRANSPORT THIS BALLOT UNLESS THE  
 13 ENVELOPE IS SEALED AND THE FOLLOWING IS COMPLETED:

Ballot mailed or transported by

15 .....  
 (signature of bearer)

17 .....  
 (print name of bearer)

19 .....  
 (address of bearer)

21 .....  
 The inner envelope shall be so designed that it can be sealed  
 23 after the mail-in ballot has been placed therein and the flap  
 thereof shall be of such length and size as to leave sufficient  
 25 margin, after sealing, for the printing thereon of the certificate  
 hereinafter described. The flap shall be so arranged that, after  
 27 the inner envelope has been sealed, the certificate can be  
 contained, with the inner envelope, in the outer envelope and  
 29 that the margin containing the certificate can be detached  
 without unsealing the inner envelope.

31 On the outside of each envelope in which a mail-in ballot is  
 sent to a mail-in voter by the county clerk, there shall be  
 33 printed or stamped the words "Official Mail-in Ballot." In  
 addition, there shall be printed or stamped the following:

35 To protect your vote:

37 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU THE  
 VOTER TO OPEN, MARK, INSPECT OR SEAL THIS BALLOT.

39 However, a family member may assist you in doing so. If you  
 are an incapacitated mail-in voter, a person other than a family

1 member may also assist you in doing so.

3 The reverse side of each inner envelope shall contain the following statement:

5 ANY PERSON MAY BE FINED AND IMPRISONED AND MAY ALSO LOSE THE RIGHT TO VOTE UNTIL RESTORED BY LAW if he attempts to vote fraudulently by mail-in ballot, prevents the voting of a legal voter, certifies falsely any information, interferes with a person's secrecy of voting, tampers with ballots or election documents or helps another person to do so.

11 8. Upon the margin of the flap on the inner envelope to be sent to mail-in voters there shall be printed a certificate in the following form:

13 CERTIFICATE OF MAIL-IN VOTER

15 I, ..... whose home address is  
(print your name clearly)

17 .....  
(Street address or R.D. number) (Municipality)

19 DO HEREBY CERTIFY, subject to the penalties for fraudulent voting, that I am the person who is eligible for the enclosed ballot. I MARKED AND SEALED THIS BALLOT AND  
21 CERTIFICATE IN SECRET. However, a family member may assist me in doing so. If I am an incapacitated mail-in voter, a  
23 person other than a family member may also assist me in doing so.

25 \_\_\_\_\_  
(Signature of voter)

Any person providing assistance shall complete the following:

27 I do hereby certify that I am the person who provided assistance to this voter and declare that I will maintain the  
29 secrecy of this ballot.

31 \_\_\_\_\_  
(Signature of person providing assistance)

33 \_\_\_\_\_  
(Printed name of person providing assistance)

37 \_\_\_\_\_  
(Address of person providing assistance)

39

I, ....., whose home address is  
7 (print your name clearly)

DO HEREBY CERTIFY, subject to the penalties for fraudulent  
11 voting, that I marked this ballot for the primary election of the  
..... political party.

I am the person who is eligible for the enclosed ballot. I  
15 MARKED AND SEALED THIS BALLOT AND CERTIFICATE IN  
SECRET. However, a family member may assist me in doing so.  
17 If I am an incapacitated mail-in voter, a person other than a  
family member may also assist me in doing so.

21 Any person providing assistance shall complete the following:

25 \_\_\_\_\_  
27 (Signature of person  
providing assistance)

31 \_\_\_\_\_

32 \_\_\_\_\_

33 (Address of person  
providing assistance)

10. The commissioner of registration shall, upon receipt of notification from the county clerk of the commissioners' decision to establish mail-in ballot election districts, record in the permanent registration records of each voter residing in a mail-in ballot election district the fact the voter has been designated a mail-in voter:

1        11. Any mail-in voter shall be entitled to mark any mail-in  
3        ballot, forwarded for him to vote, for voting at any election by  
5        indicating his choice of candidates for the offices named, and as  
7        to public questions, if any, stated thereon, in accordance with  
9        the election laws of this State, except that on ballots to be  
11        voted in any primary election for the general election the  
13        mail-in voters choice shall be limited to the candidates of the  
15        voter's political party or to any person or persons whose names  
17        the voter shall write-in. When marked, the ballot shall be  
19        placed in the inner envelope, which shall then be sealed, and the  
21        voter shall then fill in the form of the certificate attached to  
23        the inner envelope, at the end of which he shall sign and print  
25        his name in his own handwriting. The inner envelope with the  
27        certificate shall then be placed in the outer envelope, which  
29        shall then be sealed.

31        A mail-in voter shall not permit any person in any way,  
33        except as provided herein, to unseal, mark or inspect his ballot,  
35        interfere with the secrecy of his mail-in ballot vote, complete  
37        or sign the certificate or seal the inner or outer envelope, nor  
39        shall any person do so.

1        A mail-in voter shall be entitled to assistance from a family  
3        member in performing any of the actions above. An  
5        incapacitated mail-in voter shall also be entitled to assistance  
7        from a person other than a family member in performing any  
9        such action. The family member or other person providing  
11        assistance shall certify that he did assist the voter and will  
13        maintain the secrecy of the vote by both printing and signing his  
15        name in the space provided on the certificate. A candidate for  
17        election shall not assist any person in completing a mail-in  
19        ballot. No person who assists a mail-in voter shall campaign or  
21        electioneer on behalf of any candidate at the time of providing  
23        assistance.

25        The sealed outer envelope with the inner envelope and the  
27        ballot enclosed therein shall then either be mailed with  
29        sufficient postage to the county board of elections to which it is  
31        addressed or delivered personally by the voter or bearer  
33        designated by the voter to the board or the board's designee.  
35        The ballot must be received by the board or the board's  
37        designee before 8 P.M. on the day of election.

1       At the time any person delivers a mail-in ballot to the county  
board, he shall sign a record which the board shall maintain of  
3       all mail-in ballots personally delivered to it.

5       12. The county board of elections shall, promptly after  
receiving each mail-in ballot, remove the inner envelope,  
7       containing the ballot, from the outer envelope and shall compare  
the signature and the information contained on the flap of the  
9       inner envelope with the signature and information contained in  
the voter's permanent registration record. The county board  
11       shall reject any ballot unless the board is satisfied as a result of  
the comparison that the voter is legally entitled to vote and that  
the ballot conforms with the requirements of this act.

13       In the case of a mail-in ballot to be voted at a primary  
election, the county board of elections shall reject the ballot of  
15       any voter if it shall appear from the record that the voter is not  
entitled to vote the ballot in the primary election of the  
17       political party which has been indicated.

19       Any mail-in ballot which is received by a county board of  
elections shall be rejected if both the inner and outer envelopes  
21       are unsealed or if either envelope has a seal that has been  
tampered with.

23       Disputes as to the qualifications of mail-in voters to vote or  
as to whether or not or how any such mail-in ballot shall be  
25       counted in the election shall be referred to the Superior Court  
for determination.

27       After such investigation the county board of elections shall  
detach or separate the certificate from the inner envelope  
29       containing the mail-in ballot, unless it has been rejected by it or  
by the Superior Court, marking the envelopes as to identity, the  
election district in which the ballot contained therein is to be  
31       voted as indicated by the mail-in voter's home address  
appearing on the certificate attached to or accompanying the  
33       inner envelope and, in the case of ballots to be voted at a  
primary election for a general election, the political party in the  
35       primary election of which it is to be voted.

37       13. All valid mail-in ballots received by the county boards  
prior to the time designated for the closing of the polls for each  
election shall be counted.

1       14. A mail-in ballot shall not be rejected or declared invalid  
3 because it does not contain all of the names of the candidates or  
5 all of the public questions to be voted for or upon in the mail-in  
7 election district in the election in which it is to be counted, and  
9 any mail-in ballot shall be counted in determining the result of  
11 the election as to any office or public question, if the  
13 designation of the office and the name of the candidate for  
15 election to the office or the answer to the public question are  
17 written thereon as to indicate the voter's choice, and  
19 notwithstanding that the designation, name or question may be  
21 or should have been printed or choice indicated upon the mail-in  
23 ballot in the regular manner.

13       15. Whenever it shall be determined by the county board that  
15 a mail-in voter who has marked and forwarded a mail-in ballot  
17 has died prior to the opening of the polls on the day of the  
19 election, the ballot shall be rejected by the county board and  
21 retained in the same manner as other rejected ballots.

19       16. On the day of each election each county board of  
21 elections shall open in the presence of the commissioner of  
23 registration or his assistant or assistants the inner envelopes in  
25 which the mail-in ballots returned to it, to be voted in the  
27 election, are contained, except those containing ballots which  
29 the board or the Superior Court has rejected. The board shall  
31 remove the ballots from the inner envelopes and count and  
33 canvass the votes cast on the mail-in ballots. A mail-in ballot  
35 shall not be counted in any primary election for the general  
37 election if the ballot of the political party marked for voting  
thereon differs from the designation of the political party in the  
primary election of which the ballot is intended to be voted as  
marked on the envelope by the county board of elections.  
Immediately after the canvass is completed, the respective  
county boards of election shall certify the result of the canvass  
to the county clerk or the municipal or district clerk or other  
appropriate officer as the case may be showing the result of the  
canvass by municipality and ward, and the votes so counted and  
canvassed shall be counted in determining the results of the  
election.

39       The county board of elections shall, immediately after the  
canvass is completed for a primary election, certify the

1 results of the votes cast for members of the county committee  
to the respective municipal clerks, which votes shall be counted  
3 in determining the result of the election.

17. As soon as practicable after the election, the  
5 commissioner of registration shall, for each mail-in ballot that  
has been voted, received and counted, cause to be written or  
7 stamped the word "voted" in the space provided in the duplicate  
voting record for recording the ballot number of the voter's  
9 ballot in the election, and in the case of a primary election for  
the general election the commissioner shall also cause to be  
11 written or stamped in the proper space of the record of voting  
form the first three letters of the name of the political party  
13 primary in which such ballot was voted. The record of forms in  
the original permanent registration binders shall be conformed  
15 to the foregoing entries in the duplicate forms.

18. The county board of elections shall keep, for a period of  
17 one year, all voted mail-in ballots, all of the certificates which  
have been detached or separated by them from the inner  
19 envelopes and all inner envelopes together with their  
certificates, and with their contents, which have not been  
21 opened because the county board or the Superior Court rejected  
them. Specific authority is hereby granted to the  
23 superintendent of elections in counties having a superintendent  
of elections and the prosecutor in all other counties to impound  
25 all mail-in ballots whenever he shall deem such action to be  
necessary.

19. The county board of elections, the county clerk, the  
27 superintendent of elections and the commissioner of registration  
shall exercise the same powers over mail-in voting as over other  
29 voting in elections except as otherwise provided in this act.

20. No election shall be held to be invalid by reason of any  
31 irregularity or failure in the preparation or forwarding of any  
mail-in ballots pursuant to the provisions of this act.  
33

21. Any person who knowingly violates any provision of this  
35 act, or who, not being entitled to vote under the provisions of  
this act, fraudulently votes or attempts to vote thereunder or  
37 enables or attempts to enable another person, not entitled to  
vote thereunder, to vote fraudulently or who prevents or  
39 attempts to prevent by fraud the voting of any person legally

1 entitled to vote under this act, or who shall knowingly certify  
falsely in any paper required under this act, or who, at any time,  
3 tampers with any ballot or document used in an election or  
interferes with the secrecy of the voting of any person shall be  
5 guilty of a crime of the fourth degree, and upon conviction  
thereof shall be subject, in addition to such other penalties as  
7 are authorized by law, to disenfranchisement unless and until  
pardoned or restored by law to the right of suffrage.

9 Any person who aids and abets another in violating any of the  
provisions of this section shall be guilty of a crime of the fourth  
11 degree and upon conviction thereof shall be subject, in addition  
to such other penalties as are authorized by law, to  
13 disenfranchisement unless and until pardoned or restored by law  
to the right of suffrage.

15 22. This act shall take effect immediately but shall not apply  
to any election to be held less than 90 days from the date of  
17 enactment.

## 19 STATEMENT

21 This bill would permit the county board of elections of each  
23 county to designate municipalities having fewer than 100  
registered voters as mail-in ballot election districts. Voters  
25 residing in these districts would receive and return their ballots  
by mail in a manner similar to the procedure currently  
27 applicable to absentee ballots. At present, the board of  
elections of each county must deliver voting machines and  
29 provide election workers for each election district regardless of  
size. This is costly and time consuming. Permitting the use of  
31 mail-in ballots in small municipalities would permit resources to  
be focused in areas of greater need while protecting the voting  
33 rights of the residents of small towns.

## 35 ELECTIONS

### Vote Procedures and Ballots

37 Permits voting by mail in municipalities with fewer than 100  
39 registered voters.



ASSEMBLY, No. 2408

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 2, 1988

By Assemblywoman BUSH

1 AN ACT concerning voter registration on the days of municipal,  
primary or general elections and supplementing Title 19 of the  
3 Revised Statutes.

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

7 1. As used in this act:

a. "Suitable identifying document" means a State of New  
9 Jersey driver's license, or other identification issued or  
recognized as official by the federal government, the State, or  
11 any of its political subdivisions, which identification carries the  
full address of the person identified and either his signature or  
13 picture.

b. "Applicant" means any person otherwise eligible to vote,  
15 who is not registered to vote and who is applying for a ballot and  
for such registration pursuant to this act; or who has been  
17 registered, but because he has moved or changed his name or for  
any other reason would be barred from voting at his polling place  
19 pursuant to any other provision of this Title and who is applying  
to vote, notwithstanding any such defect, and to correct any such  
21 defect in his registration.

2. Any other law to the contrary notwithstanding, any  
23 applicant may, on the day of any municipal, primary or general  
election, register to vote, or correct any defect in his  
25 registration, at the office of the municipal clerk in the  
municipality in which he resides by: a. submitting a suitable  
27 identifying document; b. completing an appropriate voter  
registration form or such form as may be necessary to correct  
29 any defect in the applicant's registration; and c. submitting an  
affidavit which declares that he is not, to his knowledge, already  
31 properly registered to vote and that he has not previously voted,  
and upon voting will not thereafter vote in that election.

33 The commissioner of registration shall furnish to the clerk in  
each municipality voter registration forms and affidavit forms  
35 for the purposes of this section.

1       3. The municipal clerk, or his designee, shall receive and  
review the forms and affidavits provided for in section 2 of this  
3       act and shall read, prior to accepting the forms and affidavits,  
the penalty provision of this act to all applicants. The clerk shall  
5       issue a temporary registration certificate to a qualified  
applicant. The certificate shall be in triplicate with one copy to  
7       be retained by the clerk, one copy to be retained by the district  
board and one copy to be retained by the applicant.

9       Nothing herein shall restrict the right of members of the  
district board and any duly authorized challenger to challenge a  
11      newly registered voter pursuant to R.S. 19:15-18 through R.S.  
19:15-24.

13      4. Each municipal clerk shall deliver, no later than two days  
after the election, all forms and affidavits signed and received  
15      pursuant to section 2 of this act to the commissioner of  
registration.

17      Upon receipt of the voter registration forms completed  
pursuant to this act, the commissioner shall:

19      a. Send to the registrant written notification that the  
registrant is duly registered to vote. On the face of the  
21      notification in the upper left-hand corner shall be printed the  
words: "Do Not Forward. Return Postage Guaranteed. If not  
23      delivered in two days, return to the 'Superintendent of  
Elections'" in counties having a superintendent of elections and  
25      to the "Commissioner of Registration" in all other counties.

27      b. Paste or tape the completed registration form onto an  
original permanent registration form, and shall paste or tape a  
copy of such completed registration form onto a duplicate  
29      permanent registration form, both of which shall be filed as  
provided in R.S. 19:31-10. Nothing in this subsection shall  
31      preclude any commissioner of registration from transferring by  
photocopy an image of the mail registration form to the original  
33      and duplicate permanent registration forms and keeping the  
original mail registration form on file.

35      c. In the case of a registrant currently registered in another  
county of this State, notify the commissioner of registration of  
37      the other county to delete the registrant's name from the list of  
persons registered in the other county.

6. An applicant who willfully or fraudulently registers more than once, or who registers under any but his true name, or attempts to vote more than once, or who willfully registers in any election district where he is not a resident at the time of registering, commits a crime of the third degree.

Any person who aids and abets an applicant in violating the provisions of this act commits a crime of the third degree.

7. The Secretary of State shall promulgate such rules and regulations and cause to be prepared such forms as may be necessary to effectuate the purposes of this act.

8. This act shall take effect on the 30th day after enactment.

This bill provides for same day voter registration on the day of a municipal, primary or general election.

### The bill:

1. Requires an applicant to have a suitable identifying document;
2. Makes same day registration applicable to municipal and primary elections as well as to general elections;
3. Provides that registration shall take place at the office of the municipal clerk;
4. Establishes a procedure whereby the municipal clerk shall issue a temporary registration certificate to a qualified applicant; and
5. Provides for investigation and verification of voters registered pursuant to this act whose notification is returned by the post office as undeliverable.

1

**ELECTIONS****Vote Procedures and Ballots**

3

**Permits a person eligible to vote to register on election day.**

STATE OF NEW JERSEY

INTRODUCED MARCH 7, 1988

By Assemblymen SCHLUTER and Baer

1 AN ACT concerning political party affiliation and voter  
registration, and amending R.S. 19:23-45 and P.L. 1976, c. 16.

3

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

1. R.S. 19:23-45 is amended to read as follows:

7 19:23-45. No voter shall be allowed to vote at the primary  
election unless his name appears in the signature copy register.

9 A voter who votes in a primary election of a political party or  
who signs and files with the municipal clerk or the county  
11 commissioner of registration a declaration that he desires to vote  
in the primary election of a political party shall be deemed to be  
13 a member of that party until one annual primary elapses in which  
the voter does not vote or until he signs and files a declaration  
15 that he desires to vote in the primary election of another  
political party or that he desires to be disaffiliated from all  
17 political parties, at which time he shall be deemed to be a  
member of such other political party or disaffiliated from all  
19 political parties. The Secretary of State shall cause to be  
prepared political party affiliation and disaffiliation declaration  
21 forms and shall provide such forms to the commissioners of  
registration of the several counties and to the clerks of the  
23 municipalities within such counties.

No voter [, except a newly registered voter at the first primary  
25 at which he is eligible to vote or a voter who has not previously  
voted in a primary election,] may vote in a primary election of a  
27 political party unless: a. he was deemed to be a member of that  
party or to be disaffiliated from all political parties on the  
29 [fiftieth day next preceding such primary election] 60th day after  
the preceding general election; b. he is a newly registered voter  
31 at the first primary at which he is eligible to vote; or c. he is a  
voter who has not previously voted in a primary election.

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 A member of the county committee of a political party and a  
 3 public official or public employee holding any office or public  
 5 employment to which he has been elected or appointed as a  
 member of a political party shall be deemed a member of such  
 political party.

7 Any person voting in the primary ballot box of any political  
 party in any primary election in contravention of the election law  
 shall be guilty of a [misdemeanor] crime of the fourth degree, and  
 9 any person who aids or assists any such person in such violation by  
 means of public proclamation or order, or by means of any public  
 11 or private direction or suggestions, or by means of any help or  
 assistance or cooperation, shall likewise be guilty of a  
 13 [misdemeanor] crime of the fourth degree.

(cf: P.L. 1977, c. 97, s. 1)

15 2. Section 2 of P.L. 1976, c. 16 (C. 19:23-45.1) is amended to  
 read as follows:

17 2. a. The county commissioner of registration in each of the  
 several counties, shall cause a notice to be published in each  
 19 municipality of their respective counties in a newspaper or  
 newspapers circulating therein. The notice to be so published  
 21 shall be published once during each of the [2] two calendar weeks  
 next preceding the week in which the [fiftieth day next preceding  
 23 the primary election of a political party] 60th day following a  
 general election occurs.

25 b. The notice required to be published by the preceding  
 paragraph shall inform the reader thereof that no voter [, except  
 27 a newly registered voter at the first primary at which he is  
 eligible to vote or a voter who has not previously voted in a  
 29 primary election] may vote in a primary election of a political  
 party unless: a. he was deemed to be a member of that party or  
 31 to be disaffiliated from all political parties on the [fiftieth day  
 next preceding such primary election] 60th day after the  
 33 preceding general election; b. he is a newly registered voter at  
 the first primary at which he is eligible to vote; or c. he is a  
 35 voter who has not voted previously in a primary election. It shall  
 further inform the reader thereof that a voter who votes in the  
 37 primary election of a political party or who signs and files with  
 the municipal clerk or the county commissioner of registration a  
 39 declaration that he desires to vote in the primary election of a

1 political party shall be deemed to be a member of that party until  
 3 one annual primary elapses in which the voter does not vote or  
until he signs and files a declaration that he desires to vote in the  
 5 primary election of another political party or that he desires to  
be disaffiliated from all political parties, at which time he shall  
 7 be deemed to be a member of such other political party or  
disaffiliated from all political parties. The notice shall also state  
 9 the time and location where a person may obtain political party  
 affiliation or disaffiliation declaration forms.

(cf: P.L. 1977, c. 97, s. 2)

11 3. This act shall take effect immediately.

### 13 STATEMENT

15 This bill expands the methods by which a voter may change  
 17 from one political party to another or become a disaffiliated  
 voter. It also changes the date by which voters must change  
 19 political parties if they wish to vote in the primary election of a  
 party other than the party in which they voted previously.

21 Under current law, a voter who votes in the primary election of  
 a political party is considered a member of that party until he  
 23 signs and files a declaration that he desires to vote in the primary  
 election of another political party, at which time he shall be  
 25 deemed to be a member of such other political party. Such a  
 declaration must be made no later than the 50th day preceding a  
 27 primary election. No voter except a newly registered voter or a  
 voter who has not previously voted in a primary election or a  
 29 voter deemed to be a member of a political party may vote in the  
 primary election of a political party.

31 This bill provides that a voter who votes in a primary election  
 of a political party shall be deemed to be a member of that  
 33 political party until one annual primary elapses in which the voter  
 does not vote or until he signs and files a declaration that he  
 35 desires to vote in the primary election of another political party  
 or that he desires to be disaffiliated from all political parties.  
 37 The bill also provides that a declaration of change in party  
 affiliation or of disaffiliation from all parties by a member of a  
 39 political party must occur by the 60th day after a general  
 election.

1       This change in current law reflects recommendations made by  
the Election Law Revision Commission in its final report of  
3       March 25, 1975.

5

## **ELECTIONS**

7

### **Vote Procedures and Ballots**

9       Expands methods by which a voter may change from one political  
party to another or become a disaffiliated voter.

ASSEMBLY, No. 2923

STATE OF NEW JERSEY

INTRODUCED APRIL 18, 1988

By Assemblywoman CRECCO, Assemblymen Miller,  
Zecker and Kelly

1 AN ACT providing for the annual school election on the first  
Tuesday in June and revising parts of the statutory law.

3

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

1. N.J.S. 18A:13-10 is amended to read as follows:

7 18A:13-10. The board of education of each regional district  
shall provide for the holding of an annual school election for the  
9 regional district on the first Tuesday in [April] June.

At such election there shall be elected for terms of three  
11 years, beginning on any day of the first or second week following  
such election, the members of the regional boards of education to  
13 succeed those members of the board whose terms shall expire in  
that year, except as is in this chapter provided for the election of  
15 the first elected members of the board.

(cf: P.L. 1987, c. 289, s. 5)

17 2. N.J.S. 18A:13-17 is amended to read as follows:

18A:13-17. The regional board of education shall, at each  
19 annual school election, submit to the voters of the regional  
district the amount of money fixed and determined in its budget  
21 [to be voted upon] for the use of the regional schools of the  
district for the ensuing school year and may submit thereat any  
23 other question authorized by this law to be submitted at such an  
election.

25 (cf: N.J.S. 18A:13-17)

3. N.J.S. 18A:13-19 is amended to read as follows:

27 18A:13-19. If the voters reject any of the items submitted at  
the annual election, within 2 days thereafter the board of  
29 education of the regional district shall certify to the governing  
body of each municipality, included within the regional district,  
31 the item or items so rejected, and such governing bodies, after  
consultation with the board, and no later than [April 28] 10 days  
33 following that certification, shall determine the amount or

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 amounts which they deem necessary to provide a thorough and  
2 efficient system of schools in the regional district for the ensuing  
3 school year and cause the same to be certified by the respective  
4 municipal clerks to the board of education of the regional district.  
5 (cf: P.L. 1983, c. 119, s. 1)

6 4. N.J.S. 18A:13-20 is amended to read as follows:

7 18A:13-20. a. Should said governing bodies fail to so certify or  
8 fail to agree and certify different amounts for said purposes, then  
9 the commissioner shall determine and certify the amount or  
10 amounts which in his judgment shall be necessary to provide a  
11 thorough and efficient system of schools in such regional district,  
12 to the board of education of the regional district.

13 b. If, after the annual school election, the amount finally  
14 certified as necessary to provide a thorough and efficient  
15 education differs from the amount fixed and determined by the  
16 regional board of education pursuant to N.J.S. 18A:13-17,  
17 adjustments in local tax assessments, apportionment of  
18 assessments, and State aid entitlements shall be made in the  
19 school year following the year for which the budget is certified.

20 (cf: N.J.S. 18A:13-20)

21 5. N.J.S. 18A:14-2 is amended to read as follows:

22 18A:14-2. An annual school election shall be held in each type  
23 II local district, on the first Tuesday in [April] June. Whenever  
24 such date falls on a legal holiday the election shall be held on the  
25 following day.

26 (cf: P.L. 1978, c. 136, s. 5)

27 6. N.J.S. 18A:22-32 is amended to read as follows:

28 18A:22-32. At or after the public hearing on the budget but  
29 not later than [12 days prior to the election] March 18, the board  
30 of education of each type II district having no board of school  
31 estimate shall fix and determine by a recorded roll call majority  
32 vote of its full membership the amount of money to be voted  
33 upon by the legal voters of the district at the annual election,  
34 which sum or sums shall be designated in the notice calling such  
35 election as required by law.

36 The secretary of the board of education shall certify the  
37 amounts so determined upon, if any, and the sums so stated for  
38 interest and debt redemption charges, to the county board of  
39 taxation of the county on or before March 25 of each year and

1     the amount or amounts so certified shall be included in the taxes  
2     assessed, levied and collected in the municipality or  
3     municipalities comprising the district for such purposes.

(cf: P.L. 1978, c. 136, s. 11)

5         7. N.J.S. 18A:22-33 is amended to read as follows:

6             18A:22-33. The board of education of each type II district not  
7     having a board of school estimate shall, at each annual school  
8     election, submit to the voters of the district, the amounts of  
9     money fixed and determined in its budget, excluding therefrom  
10    the sum or sums stated therein to be used for interest and debt  
11    redemption charges, in the manner provided by law, to be voted  
12    upon for the use of the public schools of the district for the  
13    ensuing school year, which amounts shall be stated in the notice  
14    of the election, and the legal voters of the district shall  
15    determine at such election, by a majority vote of those voting  
16    upon the proposition, the sum or sums, not exceeding those stated  
17    in the notice of the election, to be raised by special district tax  
18    for said purposes, in the district during the ensuing school year  
19    [and the secretary of the board of education shall certify the  
20    amounts so determined upon, if any, and the sums so stated for  
21    interest and debt redemption charges, to the county board of  
22    taxation of the county within 2 days following the date of the  
23    election and the amount or amounts so certified shall be included  
24    in the taxes assessed, levied and collected in the municipality or  
25    municipalities comprising the district for such purposes].

(cf: P.L. 1978, c. 136, s. 12)

27         8. N.J.S. 18A:22-37 is amended to read as follows:

28             18A:22-37. If the voters reject any of the items submitted at  
29     the annual school election, the board of education shall deliver  
30     the proposed school budget to the governing body of the  
31     municipality, or of each of the municipalities included in the  
32     district within 2 days thereafter. The governing body of the  
33     municipality, or of each of the municipalities, included in the  
34     district shall, after consultation with the board, and [by April 28]  
35     within 10 days, determine the amount which, in the judgment of  
36     said body or bodies, is necessary to be appropriated, for each  
37     item appearing in such budget, to provide a thorough and  
38     efficient system of schools in the district, and certify to the  
39     county board of taxation the totals of the amount so determined

1 to be necessary for each of the following:

- 2 a. Current expenses of schools;
- 3 b. Vocational evening schools or classes;
- 4 c. Evening schools or classes for foreign-born residents;
- 5 d. Appropriations to capital reserve fund; or
- 6 e. Any capital project, the cost whereof is to be paid directly
- 7 from taxes, which amounts shall be included in the taxes to be
- 8 assessed, levied and collected in such municipality or
- 9 municipalities for such purposes.

10 Within 15 days after the governing body of the municipality or  
11 of each of the municipalities included in the district shall make  
12 such certification to the county board of taxation, the board of  
13 education shall notify such governing body or bodies if it intends  
14 to appeal to the commissioner the amounts which said body or  
15 bodies determined to be necessary to be appropriated for each  
16 item appearing in the proposed school budget.

17 (cf: P.L. 1983, c. 119, s. 2)

18 9. N.J.S. 18A:22-38 is amended to read as follows:

19 18A:22-38. a. If said governing body or bodies shall fail so to  
20 certify any amount, determined by them to be necessary for any  
21 item rejected at the annual school election, or in event that the  
22 governing bodies of the municipalities comprising a school  
23 district, shall certify different amounts, then the commissioner  
24 shall determine the amount or amounts which in his judgment, are  
25 necessary to be appropriated, for each of the items appearing in  
26 the budget, submitted to such governing body or bodies, to  
27 provide a thorough and efficient system of public schools in the  
28 district, and certify to the county board of taxation the totals of  
29 the amount so determined to be necessary for each of the  
30 following:

- 31 a. Current expenses of schools;
- 32 b. Vocational evening schools or classes;
- 33 c. Evening schools or classes for foreign-born residents;
- 34 d. Appropriations to capital reserve fund; or
- 35 e. Any capital project, the cost whereof is to be paid directly
- 36 from such taxes[; and the amounts so certified shall be included
- 37 in the taxes to be assessed, levied and collected in such
- 38 municipality or municipalities for such purposes].

39 b. If, after the annual school election, the amount finally

1 certified as necessary to provide a thorough and efficient  
2 education differs from the amount fixed and determined by the  
3 board of education pursuant to N.J.S. 18A:22-32, adjustments in  
4 local tax assessments, apportionment of assessments, and State  
5 aid entitlements shall be made in the school year following the  
6 year for which the budget is certified.

7 (cf: P.L. 1969, c. 250, s. 3)

8 10. This act shall take effect on the July 1 next following  
9 enactment.

#### 11 STATEMENT

12  
13 This bill changes the date of the annual school election from  
14 the first Tuesday in April to the first Tuesday in June so that it  
15 will coincide with the date of the primary election.

16 The bill also provides that the annual school budget will be  
17 fixed and certified by the local or regional board of education.  
18 If, after the annual school election, the amount finally certified  
19 as necessary to provide a thorough and efficient education differs  
20 from the amount fixed and determined by the local or regional  
21 board of education, adjustments in local tax assessments,  
22 apportionment of assessments, and State aid entitlements shall be  
23 made in the school year following the year for which the budget  
24 is certified.  
25

#### 27 EDUCATION

##### 29 Elections

30 Changes the date of the annual school election to the first  
31 Tuesday in June, and adjusts the school budget process to  
32 conform to that date.  
33



ASSEMBLY, No. 3533

STATE OF NEW JERSEY

INTRODUCED AUGUST 12, 1988

By Assemblywoman COOPER and Assemblyman ROMA

1    AN ACT concerning absentee voting, amending P.L.1976, c.23,  
          and amending and supplementing P.L.1953, c.211.

3

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

          1. Section 2 of P.L.1953, c.211 (C.19:57-2) is amended to  
7    read as follows:

          2. Whenever used in this act, the following terms shall, unless  
9    the context indicates otherwise, be construed to have the  
          following meanings:

11    "Absentee ballot" means any military service ballot or  
          civilian absentee ballot as herein defined.

13    "Absentee voter" means any person qualified to vote a  
          military service ballot or a civilian absentee ballot under the  
15    provisions of this act.

          "Armed Forces of the United States" means any branch or  
17    department of the United States Army, Navy, Air Force, Coast  
          Guard or Marine Corps.

19    "Civilian absentee ballot" means a ballot for use by a civilian  
          absentee voter as prescribed by this act.

21    "Civilian absentee voter" means any qualified and registered  
          voter of the State who expects to be absent from the State on  
23    the day of any election and any qualified and registered voter  
          who will be within the State on the day of any election but  
25    because of illness or physical disability, including blindness or  
          pregnancy, or because of the observance of a religious holiday  
27    pursuant to the tenets of his religion, or because of resident  
          attendance at a school, college or university, or because of the  
29    nature and hours of his employment, will be unable to cast his  
          ballot at the polling place in his election district on the day of  
31    the election.

          "Election," "general election," "primary election for the  
33    general election," "municipal election," and "special election"

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 shall mean, respectively, such elections as defined in the Title  
to which this is a supplement (R.S.19:1-1 et seq.).

3 "Family member" means an adult who is a spouse, parent,  
child, grandparent, grandchild or sibling of a voter, whether by  
5 adoption or natural relationship. It shall also include any adult  
occupant regularly living with a voter in any residential building  
7 or part of a building intended for the use of no more than one  
family.

9 "Incapacitated absentee voter" means a voter who, due to  
incapacity, is unable to complete his ballot.

11 "Military service" means active service by any person, as a  
member of any branch or department of the United States  
13 Army, Navy, Air Force, Coast Guard or Marine Corps, or as a  
member of the maritime or merchant marine service, or as a  
15 reservist absent from his place of residence and undergoing  
training under Army, Navy, Air Force, Coast Guard or Marine  
17 Corps' direction, at a place other than that of such person's  
residence.

19 "Military service voter" means a qualified elector under the  
Constitution and the laws of this State who comes within one of  
21 the following categories:

(a) Persons in the military service and their spouses and  
23 dependents.

(b) Patients in a veterans' hospital located in any place other  
25 than the place of their residences who have been in the military  
service in any war in which the United States has been engaged  
27 and have been discharged or released from such service.

(c) Civilians attached to or serving with the Armed Forces of  
29 the United States without this State and their spouses and  
dependents when residing with or accompanying them.

31 "Military service ballot" means a ballot for use by a military  
service voter as prescribed by this act.

33 (cf: P.L.1981, c.390, s.1)

2. Section 4 of P.L.1953, c.211 (C.19:57-4) is amended to  
35 read as follows:

4. At any time not less than seven days prior to an election in  
37 which he desires to vote by mail, a civilian absentee voter may  
apply to the person designated in section 6 of this act, for a  
39 civilian absentee ballot. Such application or request shall be

1 made in writing, shall be signed by the applicant and shall state  
his or her place of voting residence and the address to which  
3 said ballot shall be sent, and the reason for which the ballot is  
requested.

5 Any military service voter desiring to vote in any election or  
any relative or friend of a military service voter who believes  
7 that such voter will desire to vote in any election, may apply to  
the person designated in section 6 of this act for a military  
9 service ballot to be sent to such voter. A military service voter  
may use a federal postcard application form to apply for a  
11 military service ballot. On any application made by a military  
service voter the voter may request a military service ballot for  
13 all subsequent elections held during the calendar year in which  
the request is made; if such a request is made, a military service  
15 ballot shall be sent in a timely manner to the voter for all such  
elections.

17 Any civilian absentee voter who fails to apply within the  
7-day time prescribed above may apply in person to the county  
19 clerk for an absentee ballot on any day up to 3 p.m. of the day  
before the election.

21 In the event of sickness or confinement, the qualified voter  
may apply in writing for and obtain an absentee ballot by  
23 authorized messenger, who shall be so designated over the  
signature of the voter and whose printed name and address shall  
25 appear on the application in the space provided. The authorized  
messenger shall be a family member or a registered voter of the  
27 county in which the application is made and shall place his  
signature on the application in the space so provided in the  
29 presence of the county clerk or his designee. The county clerk  
or his designee shall authenticate the signature of the  
31 authorized messenger, in the event such a messenger is other  
than a family member, by comparing it with the signature of the  
33 said person appearing on a State of New Jersey driver's license,  
or other identification issued or recognized as official by the  
35 federal government, the State, or any of its political  
subdivisions, which identification carries the full address and  
37 signature of said person. After the signature of the application  
and, when appropriate, authentication, the county clerk or his  
39 designee is authorized to deliver to the authorized messenger a

1 ballot to be delivered to the qualified voter. The Secretary of  
 State shall cause to be prepared a standard authorized  
 3 messenger application form, which may be included with the  
 standard civilian absentee ballot application forms.

5 A voter who is permanently and totally disabled, and who  
 states the reason for such disability in a request for an absentee  
 7 ballot, shall be furnished an application for an absentee ballot by  
 the county clerk for all future elections in which the voter shall  
 9 be eligible to vote, without further request on the part of the  
 voter.

11 (cf: P.L.1981, c.390, s.2)

3. Section 7 of P.L.1953, c.211 (C.19:57-7) is amended to  
 13 read as follows:

7. The county clerk of the county, in the case of any  
 15 Statewide or countywide election; the clerk of the municipality,  
 in the case of any municipal election; the secretary of the board  
 17 of education, in the case of any school election; and the  
 commissioners or other governing or administrative body of the  
 19 district, in the case of any election to be held in any fire  
 district, road district, sewerage district, street lighting district,  
 21 water supply district or other special district, other than a  
 municipality, created for specified public purposes within one or  
 23 more municipalities, shall publish or cause to be published the  
 following notices in substantially the following forms:

25 NOTICE TO MILITARY SERVICE VOTERS AND TO THEIR  
 RELATIVES AND FRIENDS

27 If you are in the military service, including the maritime or  
merchant marine service of the United States, or the spouse or  
 29 dependent of a person in [military] such service or are a patient  
 in a veterans' hospital or a civilian attached to or serving with  
 31 the Armed Forces of the United States without the State of New  
 Jersey, or the spouse or dependent of and accompanying or  
 33 residing with a civilian attached to or serving with the Armed  
 Forces of the United States, and desire to vote, or if you are a  
 35 relative or friend of any such person who, you believe, will  
 desire to vote in the . . . . .

37 (municipal, primary, general or other)

election to be held on . . . . . kindly write to

39 (date of election)

1 the undersigned at once making application for a military  
 3 service ballot to be voted in said election to be forwarded to  
 you, stating your name, age, serial number if you are in military  
 5 service, home address and the address at which you are  
 stationed or can be found, or if you desire the military service  
 7 ballot for a relative or friend then make application under oath  
 for a military service ballot to be forwarded to him, stating in  
 your application that he is over the age of 18 years and stating  
 9 his name, serial number if he is in military service, home  
 address and the address at which he is stationed or can be found.

11 Military service voters may also apply for a military service  
ballot by sending a federal postcard application form to the  
 13 undersigned.

On the application for a military service ballot, military  
 15 service voters may request that a military service ballot be sent  
for all subsequent elections held during this calendar year.

17 (NOTE: MILITARY SERVICE VOTER CLAIMING MILITARY  
 STATION AS HOME ADDRESS FOR VOTING PURPOSES MAY  
 19 NOT USE MILITARY ABSENTEE BALLOT UNLESS  
 REGISTERED TO VOTE IN THE MUNICIPALITY WHERE SUCH  
 21 STATION IS LOCATED.)

Forms of application other than federal postcard application  
 23 forms can be obtained from the undersigned.

Dated .....  
 25 .....  
 (signature and title of county clerk)

27 .....  
 (address of county clerk)

## 29 NOTICE TO PERSONS DESIRING CIVILIAN ABSENTEE 31 BALLOTS

If you are a qualified and registered voter of the State who  
 33 expects to be absent outside the State on .....  
 (date of election)

35 or a qualified and registered voter who will be within the State  
 on ..... but because of permanent and total dis-  
 37 (date of election)

ability, or because of illness or temporary physical disability, or  
 39 because of the observance of a religious holiday pursuant to the

1 tenets of your religion, or because of resident attendance at a  
 3 school, college, or university, or because of the nature and hours  
 of employment, will be unable to cast your ballot at the polling  
 place in your district on said date, and you desire to vote in the .

5 .....

(municipal, primary, general, or other)

7 election to be held on ..... kindly complete the  
 (date of election)

9 application form below and send to the undersigned, or write or  
 apply in person to the undersigned at once requesting that a  
 11 civilian absentee ballot be forwarded to you. Such request must  
 state your home address, and the address to which said ballot  
 13 should be sent, and must be signed with your signature, and state  
 the reason why you will not be able to vote at your usual polling  
 15 place. No civilian absentee ballot will be furnished or forwarded  
 to any applicant unless request therefor is received not less than  
 17 seven days prior to the election, and contains the foregoing  
 information.

19 Voters who are permanently and totally disabled shall, after  
 their initial request and without further action on their part, be  
 21 forwarded an absentee ballot application by the county clerk for  
 all future elections in which they are eligible to vote.  
 23 Application forms may be obtained by applying to the  
 undersigned either in writing or by telephone, or the application  
 25 form provided below may be completed and forwarded to the  
 undersigned.

27 Dated .....

.....

29 (signature and title of county clerk)

.....

31 (address of county clerk)

.....

33 (Telephone No. of county clerk)

35 APPLICATION FORM FOR CIVILIAN  
 ABSENTEE BALLOT

37 (Form to be prepared by the Secretary of State pursuant  
 to section 17 of [this amendatory and supplementary

39- act:] P.L. 1977, c. 47 (C. 19:57-4.1).)

1 Such notices shall be separately published prior to the 50th  
day immediately preceding the holding of any election.

3 Notices relating to any Statewide or countywide election shall  
be published by the county clerk in at least two newspapers  
5 published in the county. All other officials charged with the  
duty of publishing such notices shall publish the same in at least  
7 one newspaper published in each municipality or district in  
which the election is to be held or if no newspaper be published  
9 in said municipality, then in a newspaper published in the county  
and circulating in such municipality, municipalities or district.  
11 All such notices shall be display advertisements.

(cf: P.L.1985, c.92, s.31)

13 4. (New section) a. Notwithstanding any provision of the  
statutory law to the contrary, any military service voter as  
15 defined in section 2 of P.L.1953, c.211 (C.19:57-2) and overseas  
federal election voter as defined in section 2 of P.L.1976, c.23  
17 (C.19:59-2) may apply for a special write-in absentee ballot no  
earlier than 90 days and no later than 40 days before the date of  
19 an election for electors of President and Vice President of the  
United States, members of the United States Senate or members  
21 of the United States House of Representatives.

b. The application for a special write-in absentee ballot may  
23 be made on the federal postcard application form or on a form  
prescribed by the Secretary of State.

25 c. To qualify for a special write-in absentee ballot, the  
applicant shall state that he is unable to vote by military service  
27 ballot or by civilian absentee ballot or by an overseas federal  
election voter ballot due to the requirements of military service  
29 or due to living in an isolated or extremely remote area of the  
world. This statement shall be made on the federal postcard  
31 application form or on the form prepared by the Secretary of  
State for that purpose, pursuant to subsection b. of this section.

33 d. Upon receipt of the application, the clerk of the county in  
which the applicant was formerly domiciled shall issue the  
35 special write-in absentee ballot prescribed by the Secretary of  
State. This ballot shall permit the elector to vote by writing a  
37 party preference for each office, the names of specific  
candidates for each office, or the name of the person whom the  
39 voter prefers for each office.

1 e. Any military service voter whose request for a special  
write-in ballot is received by the clerk of the county in which  
3 the applicant was formerly domiciled after the 40th day  
immediately preceding the holding of an election for electors of  
5 President and Vice President of the United States, members of  
the United States Senate or members of the United States House  
7 of Representatives, shall be sent a military service ballot,  
pursuant to R.S.19:57-4.

9 5. Section 4 of P.L.1976, c.23 (C.19:59-4) is amended to read  
as follows:

11 4. Requests for an application to vote in a federal election as  
an overseas federal election voter may be made by or on behalf  
13 of an applicant to the county clerk of the county in which the  
applicant was formerly domiciled or to the Secretary of State of  
15 New Jersey if the applicant does not know the county of his  
former domicile. All such applications shall be forwarded by air  
17 mail to such voters.

To qualify an applicant to be sent a ballot and to vote in an  
19 election [his], the applicant's completed application shall be  
received by the appropriate county clerk on or before the  
21 [thirtieth] 30th day preceding the election.

(cf: P.L.1978, c.130, s.1)

23 6. Section 12 of P.L.1976, c.23 (C.19:59-12) is amended to  
read as follows:

25 12. [A separate application shall be made for each federal  
election in which an overseas citizen desires to vote.] An  
27 overseas federal election voter may request, on an application  
form, an overseas federal election voter ballot for all federal  
29 elections held during the calendar year in which the request is  
made. Any instructions sent to an applicant pursuant to section  
31 5 of P.L.1976, c.23 (C.19:59-5) shall inform the applicant that  
such a request may be made. If such a request is made, an  
33 overseas federal election voter ballot shall be sent in a timely  
manner to the voter for all such elections.

35 (cf: P.L.1976, c.23, s.12)

37 7. This act shall take effect on January 1st following  
enactment.

## 1 STATEMENT

3 This bill makes certain changes in current law to make it  
easier for military service voters and overseas federal voters to  
5 apply for and vote in elections in New Jersey.

Specifically, the bill permits military service voters to apply  
7 for a military service absentee ballot for all elections held  
during the calendar year in which the request is made by using a  
9 federal postcard application form or a regular application form.  
It also provides that overseas federal voters may use one federal  
11 postcard application form or regular application form to apply  
for an absentee ballot for all federal elections held during the  
13 calendar year in which the request is made. Further, the bill  
allows military service voters and overseas federal election  
15 voters to apply for a special write-in absentee ballot no earlier  
than 90 days and no later than 40 days before the date of an  
17 election for President or members of the United States Senate  
or House of Representatives. To qualify for a special write-in  
19 ballot, the applicant shall state that he is unable to vote by  
military service ballot, civilian absentee ballot or an overseas  
21 federal election ballot due to the requirements of military  
service or due to living in an isolated or remote area of the  
23 world. Lastly, the bill includes active service as a member of  
the maritime or merchant marine service of the United States  
25 as military service, thus allowing those members to qualify as  
military service voters.

27

## 29 ELECTIONS

## Vote Procedures and Ballots

31

Permits military service and civilian absentee voters to register  
33 and vote in all federal, State, county and municipal elections by  
using one federal postcard application form.



House Copy

OLS Copy

Public Copy

For Official House Use

\*\*\*\*\*  
\*  
\* BILL NO. A-3575 \*  
\*  
\* Date of Intro. \_\_\_\_\_ \*  
\*  
\* Ref. \_\_\_\_\_ \*  
\*  
\*\*\*\*\*

\*\*\*\*\*  
\* NOTE TO \* Notify OLS if you require changes in this document. \*  
\* \* A revised copy for introduction will be prepared on \*  
\* the legislative computer system. \*  
\* SPONSOR \* Hand-written changes will not appear in the printed \*  
\* bill. \*  
\*\*\*\*\*

AN ACT revising the statutory law relating to and respecting elections and establishing  
a new Title to be known as Title 19A, Elections, of the New Jersey Statutes.

ELECTIONS  
Vote Procedures and Ballots

Establishes new Title 19A, Elections, of the New Jersey Statutes to replace Title 19 of  
the Revised Statutes.

PRIME Sponsor  
CO-Sponsors

Bilchut, S. S.

Same as \_\_\_\_\_



AN ACT revising the statutory law relating to and respecting elections and establishing a new Title to be known as Title 19A, Elections, of the New Jersey Statutes.

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

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2. Time for Holding, 19A:2-1, 19A:2-2.
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Article

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2. Residence, 19A:4-3 to 19A:4-9.
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#### CHAPTER 1

#### Definitions and Application

#### Section

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## CHAPTER 1

### Definitions and Application

19A:1-1. Words and Terms Defined. a. For the purposes of this entire Title, the following definitions apply:

a. "Election" means the procedure whereby the electors of this State or any political subdivision thereof elect persons to fill public or party office or select candidates to be voted on for public office, or pass on public questions.

b. "Election official" means any person holding one of the offices created pursuant to chapter 6 of this Title, and any other State, county or municipal officer or employee other than members of the Legislature or the Judiciary charged by law with duties relating to the conduct of elections when said officer or employee is, or ought to be, engaged in the performance of such duties.

c. "General election" means the annual election to be held on the first Tuesday after the first Monday in November.

d. "Primary election" means the procedure whereby the members of a political party in this State or any political subdivision thereof nominate candidates to be voted for at general elections, or elect persons to fill party offices, or delegates and alternates to national conventions.

e. "Municipal election" means an election to be held in and for a single municipality only, at regular intervals.

f. "Special election" means an election which is not provided for by law to be held at stated intervals.

g. "Any election" includes all primary, general, municipal and special elections as defined herein.

h. "Municipality" includes any city, town, borough, village, or township.

i. "Public office" includes any office in the government of this State or any of its political subdivisions filled at elections by the electors of the State or political subdivision.

j. "Public question" includes any question, proposition or referendum required by the Legislature or governing body of this State or any of its political subdivisions to be submitted to the voters of the State or political subdivision for decision at elections.

k. "Political party" means a party which, at the election held for all of the members of the General Assembly next preceding the holding of any primary election held pursuant to this Title, polled for members of the General Assembly at least 5% of the total vote cast in this State.

l. "Party office" means the office of delegate or alternate to the national convention of a political party or member of the State, county or municipal committees of a political party.

m. "Masculine" includes the feminine, and the masculine pronoun wherever used in this Title shall be construed to include the feminine, and neuter, if the reference is to a corporation, partnership or association. The singular also includes the plural.

n. "Presidential year" means the year in which electors of president and vice-president of the United States are voted for at the general election.

o. "Election district" means the territory within which or for which there is a polling place or room for all voters in the territory to cast their ballots at any election.

p. "District board" means the district board of registry and election in an election district.

q. "County board" means the county board of elections in a county.

r. "File" or "filed" means deposited in the regularly maintained office of the public official wherever said regularly maintained office is designated by statute, ordinance or resolution.

s. The term "allied candidates" means candidates in any election who are (1) seeking nomination or election (a) to an office or offices in the same county or municipal government or school district or (b) to the Legislature representing in whole or part the same constituency, (c) as members of the State committee of the same political party from the same county or (d) as delegates or alternates to the national convention of the same political party; and who are (2) either (a) nominees of

the same political party or (b) publicly declared in any manner, including the seeking or obtaining of any ballot position or common ballot slogan, to be aligned or mutually supportive.

t. The term "allied campaign organization" means any political committee, any State, county or municipal committee of a political party or any campaign organization of a candidate which is in support or furtherance of the same candidate or any one or more of the same group of allied candidates or the same public question as any other such committee or organization.

u. The term "candidate" means an individual seeking or having sought election to a public or party office at a primary, general, municipal, school or special election.

v. The terms "contributions" and "expenditures" include all loans and transfers of money or other thing of value to or by any candidate, or, committee of a political party or political information organization, and all pledges or other commitments or assumptions of liability to make any such transfer; and for purposes of report required under the provisions of this law shall be deemed to have been made upon the date when such commitment is made or liability assumed.

w. The term "paid personal services" means personal, clerical, administrative or professional services of every kind and nature including, without limitation, public relations, research, legal, canvassing, telephone, speech writing or other such services, performed other than on a voluntary basis, the salary, cost or consideration for which is paid, borne or provided by someone other than the committee, candidate or organization for whom such services are rendered. In determining the value, for the purpose of reports required under this law, of contributions made in the form of paid personal services, the person contributing such services shall furnish to the campaign treasurer through whom such contribution is made a statement setting forth the actual amount of compensation paid by said contributor to the individuals actually performing said services for the performance thereof. But if any individual or individuals actually performing such services also performed for the contributor other services during the same period, and the manner of payment was such that payment for the services

contributed cannot readily be segregated from contemporary payment for the other services, the contributor shall in his statement to the campaign treasurer so state and shall either (1) set forth his best estimate of the dollar amount of payment to each such individual which is attributable to the contribution of his paid personal services, and shall certify the substantial accuracy of the same, or (2) if unable to determine such amount with sufficient accuracy, set forth the total compensation paid by him to each such individual for the period of time during which the services contributed by him were performed. If any candidate is a holder of public office to whom there is attached or assigned, by virtue of said office, any aide or aides whose services are of a personal or confidential nature in assisting him to carry out the duties of said office, and whose salary or other compensation is paid in whole or part out of public funds, the services of such aid or aides which are paid for out of public funds shall be for public purposes only; but they may contribute their personal services, on a voluntary basis, to such candidate for election campaign purposes.

x. The term "public solicitation" means any activity by or on behalf of any candidate, State, county or municipal party committee, whereby either (1) members of the general public are personally solicited for cash contributions not exceeding \$10.00 from each person so solicited and contributed on the spot by the person so solicited to a person so soliciting or through a receptacle provided for the purpose of depositing contributions, or (2) members of the general public are personally solicited for the purchase of items having some tangible value as merchandise, at a price not exceeding \$10.00 per item, which price is paid on the spot in cash by the person so solicited to the person so soliciting, when the net proceeds of such solicitation are to be used by or on behalf of such candidate, or party committee.

y. The term "testimonial affair" means an affair of any kind or nature including, without limitation, cocktail parties, breakfasts, luncheons, dinners, dances, picnics or similar affairs directly or indirectly intended to raid campaign funds in behalf of a person who holds, or who is or was a candidate for nomination or election

to

a

public office in this State, or directly or indirectly intended to raise funds in behalf of any State, county or municipal committee of a political party.

z. The term "other thing of value" means any item or real or personal property, tangible or intangible, but shall not be deemed to include personal services other than paid personal services.

aa. "Automatic tabulating equipment" includes apparatus which automatically examines and counts votes recorded on ballot cards, and tabulates the results.

bb. "Ballot" means the printed card, label or other similar device or contrivance which is furnished for use with a voting system bearing the names of candidates and statements of public questions, and used in conjunction with such system in order to enable the voter to register upon such system his vote with respect to any such candidate or question. The term shall also include any absentee or presidential ballot drawn up in accordance with applicable provisions of this Title, whether or not the tabulation and counting of such ballot is to be accomplished in conjunction with a voting system or by hand.

cc. "Ballot card" means a tabulating card on which votes may be recorded.

dd. "Ballot labels" means the pages, cards, or other material containing the names of offices and candidates and the statements of measures to be voted on, which are placed on the voting device.

ee. "Official ballot" means printed strips of cardboard or paper containing the names of the candidates nominated and a statement of the question or questions submitted.

ff. "Write-in vote" means a vote cast for a person whose name does not appear on the ballots.

gg. "Counting center" means one or more locations selected by each of the county boards of elections for the automatic counting of ballots.

hh. "Voting system" means a system designed and approved in accordance with the provisions of Chapters 32 and 35A of this Title.

ii. "Electronic voting system" means a system in which votes are recorded on ballot cards, and such votes are subsequently counted and tabulated by automatic tabulating equipment at one or more counting centers.

jj. "Voting device" means an apparatus which the voter uses to record his votes on a tabulating card.

kk. "Voting system custodian" means the person who shall have charge of preparing and arranging a voting system for an election.

ll. "Absentee ballot" means any military service ballot or civilian absentee ballot as provided for in chapter 36 of this Title.

mm. "Absentee voter" means any person qualified to vote a military service ballot or a civilian absentee ballot.

nn. "Armed Forces of the United States" means any branch or department of the United States Army, Navy, Air Force, Coast Guard or Marine Corps.

oo. "Civilian absentee ballot" means a ballot for use by a civilian absentee voter as prescribed by chapter 36 of this Title.

pp. "Civilian absentee voter" means any qualified and registered voter of the State who expects to be absent from the State on the day of any election and any qualified and registered voter who will be within the State on the day of election, but because of illness or physical disability, including blindness or pregnancy, or because of the observance of a religious holiday pursuant to the tenets of his religion, or because of resident attendance of a school, college or university, or, because of the nature and hours of his employment, will be unable to cast his ballot at the polling place in his election district on the day of election.

qq. "Military service" means active service by any person, as a member of any branch or department of the United States Army, Navy, Air Force, Coast Guard or Marine Corps, or as a reservist absent from his place of residence and undergoing training under Army, Navy, Air Force, Coast Guard or Marine Corps direction, at a place other than that of such person's residence.

rr. "Military service voter" means a qualified elector under the Constitution and laws of this State which comes within one of the following categories:

(1) Persons in the military service and their spouses and dependents.

(2) Patients in a veterans hospital located in any place other than the place of their residence who have been in the military service in any war in which the United States has been engaged and have been discharged or released from such service.

(3) Civilians attached to or serving with the Armed Forces of the United States without this State and their spouses and dependents when residing with or accompanying them.

ss. "Removed resident" means a person, who was formerly a resident of one of the counties of this State but who has, or shall have, removed to another state, the District of Columbia, Puerto Rico, Guam, the Virgin Islands or to another county within this State, who has registered as a voter in the county of his former residence in this State at the time of his removal therefrom, and who by reason of an insufficient period of residence in the state or the county, to which he has or shall have removed, will not be able to qualify to vote at a Presidential Election to be held in such state or county or elsewhere, except as he may be qualified to vote in this State, or in such other county of this State, for the election of electors for President and Vice-President of the United States.

tt. "Removed to a foreign country for a temporary period" means a removed resident presently residing in a foreign country who has no intention of establishing a domicile or permanent residence in such foreign country but who has no actual place of residence in this State.

uu. "Presidential election" means an election to be held for the election of electors for President and Vice President of the United States.

vv. "Presidential ballot" means the ballot to be cast at a presidential election pursuant to chapter 37 of this Title.

ww. "Federal election" means any general, special or primary held for the purpose of nominating or electing any candidate for the office of President or Vice President of the United States, Presidential elector, United States Senator or member of the United States House of Representatives.

xx. "Overseas Federal election voter" means any citizen of the United States residing abroad who (1) immediately prior to his departure from the United States was domiciled in New Jersey and had all the qualifications to register and vote in New Jersey other than having attained 18 years of age if he has since attained that age, (2) does not maintain a residence and is not registered or qualified to vote in New Jersey or elsewhere in the United States, and (3) holds a valid passport or card of identity and registration issued under authority of the Secretary of State of the United States.

yy. "Residing abroad" means residing outside the United States.

zz. "United States" means each of the several states, the District of Columbia, Commonwealth of Puerto Rico, Guam and the Virgin Islands; the term does not mean or include American Samoa, the Canal Zone or any other territory or possession of the United States.

Source: R.S. 19:1-1 amended 9147, c.168, s.1: 1948, c.438, s.1: 1965, c.213; C.19:44A-3 (1973, c.83, s.3 amended 1974, c.26, s.1); R.S.19:47-1; C.19:53A-1 (1973, C.82, s.1); C.19:57-2 (1953, c.211, s.2 amended 1957, c.202, s.1; 1958, c.76; 1959, c.153, s.1: 1960, c.140; 1963, c.22, s.1; 1968, c.238, s.1; 1970, c.307, s.1: 1977, c.47, s.1) C.19:58-2 (1964, c.134, s.2 amended 1972, c.30, s.1; 1976, c.24, s.1); C.19:59-2 (1976, c.23, s.2).

19A:1-2. Title Applicable to Commission Governed Municipalities. This Title shall only apply to elections held in municipalities under the provision of subtitle 4 of the title Municipalities and Counties (R.S. 40:70-1 et seq.) only in so far as the provisions of this Title are not inconsistent therewith.

Source: R.S. 19:1-2.

19A:1-3. Title Applicable to Charter Elections. This Title shall apply to elections authorized by charter to be held in certain municipalities only in so far as the provisions hereof are not inconsistent with the provisions of the laws authorizing such elections and the laws amendatory thereof and supplemental thereto.

Source: R.S. 19:1-3.

19A:1-4. Title Applicable to Referendum Procedure. Except as in this Title otherwise provided, the provisions for the election of public and party offices shall also apply to the determination of public questions so far as may be.

Source: R.S. 19:1-4.

## CHAPTER 2

### Time for Holding

#### Section

19A:2-1. Primary for Delegates and Alternates to National Convention.

19A:2-2. General and Special Elections.

19A:2-1. Primary for Delegates and Alternates to National Convention. Primary elections for delegates and alternates to national conventions of political parties and for the general election shall be held in each year on the Tuesday next after the first Monday in June, between the hours of 7:00 A.M. and 8:00 P.M. Primary elections for special elections shall be held not earlier than 30 nor later than 20 days prior to the special elections.

Source: R.S. 19:2-1 amended 1948, c.2, s.1; 1965, c.4, s.1; 1966, c.19, s.1; 1967, c.7, s.1; 1967, c.26, s.1; 1968, c.292, s.1.

19A:2-2. General and Special Elections. The general election shall be held on the Tuesday next after the first Monday in November in each year between the hours of 7:00 A.M. and 8:00 P.M. Special elections shall be held on the days hereinafter provided for the purpose in this Title or in any other statute relative thereto.

Source: R.S. 19:2-3.

## CHAPTER 3

### Offices and Public Questions

#### ARTICLE 1. General Provisions

##### Section

##### 19A:3-1. Public Offices Filled and Public Questions

Decided at General and Special Elections;  
Vacancies.

##### 19A:3-2. Delegates and Alternates to National

Conventions and Committee Members chosen at  
Primary Election.

##### 19A:3-3. Basis of Election to Office.

##### 19A:3-4. Holding Incompatible Offices.

##### 19A:3-5. Form of Public Questions.

#### ARTICLE 1. General Provisions

19A:3-1. Public Offices Filled and Public Questions Decided at General and Special Elections: Vacancies. All elective public offices in this State or any of its political subdivisions, except such as are provided by

law to be filled at special or municipal elections, shall be filled at the general elections as hereinafter provided. All vacancies in public offices to be filled by election, except such as are provided by law to be filled at special or municipal elections, shall be filled at the general elections. All public questions to be voted upon by the people of the entire State and all other public questions, except such as are provided by law to be decided at any other elections, shall be voted upon and decided at the general elections.

Source: R.S. 19:3-2 amended 1948, c.438, s.2.

**19A:3-2. Delegates and Alternates to National Conventions and Committee Members Chosen at Primary Election.** Delegates and alternates to the national conventions of the political parties shall be elected at the primary election to be held on the Tuesday next after the first Monday in June in that year. The members of State, county and municipal committees of the political parties shall be chosen at the primary for the general election as hereinafter provided.

Source: R.S. 19:3-3 amended 1948, c.2, s.2; 1965, c.4, s.2; 1974, c.9, s.1; 1976, c.26, s.1.

**19A:3-3. Basis of Election to Office.** At any election the person or persons who shall by law be qualified for the office or offices to be filled at such election, and for whom the greatest number of votes shall have been given therein for such office or offices, shall be deemed and taken to be elected, or, in the case of primary elections, nominated, except as provided for in the Optional Municipal Charter Law (P.L. 1950, c.210; c.4069A-1 et seq.) and in N.J.S. 19A:13-14 of this Title.

Source: R.S. 19:3-4.

**19A:3-4. Holding Incompatible Offices.** No person shall hold at the same time more than one of the following offices: elector of President and Vice President of the United States, member of the United States Senate, member of the House of Representatives of the United States, Governor, member of the Senate or of the General Assembly of this State, any elected county office, including but not limited to, county executive, county supervisor, chosen freeholder, county clerk, register, surrogate, sheriff, any elected municipal office, or school board member.

Source: R.S. 19:3-5 amended 1971, c.2, s.9.

19A:3-5. Form of Public Questions. Any public question voted upon at an election shall be presented in simple language that can be easily understood by the voter. The printed phrasing of said question on the ballots shall clearly set forth the true purpose of the matter being voted upon. Where the question concerns any amendment to the State Constitution, or any law or statute or other legal titles of any nature, the printed phrasing on the ballots shall include a brief statement interpreting same. In the event that in any statute the public question to be voted upon is so stated as not clearly to set forth the true purpose of the matter being voted upon and no provision is made in said statute for presenting the same in simple language or printing upon the ballots a brief statement interpreting the same, there may be added on the ballots to be used in voting upon the question, a brief statement interpreting the same and setting forth the true purpose of the matter being voted upon in addition to the statement of the public question required by the statute itself.

Such public question, when duly voted upon at an election, shall be deemed to approved when that percentage of the legal voters of the State or any subdivision thereof as required by the statute authorizing the proposal of such public question shall vote in favor of its adoption.

For the purpose of this Title it is hereby declared that the intent and meaning in any such statute of the words "legal voters" are persons entitled to vote, and who do vote, at the time and in the manner prescribed in and by such statute upon the public question submitted; and for the purpose of ascertaining what is the percentage of the legal voters of any district defined in such statute, upon the public question therein directed to be submitted, the persons who do not vote at such election, the persons who do not vote upon the public question and the persons whose votes may be declared invalid, shall not be estimated, counted or considered.

Source: R.S.19:3-6 amended 1938, c.308; 1941, c.170.

## CHAPTER 4

## The Electorate

## ARTICLE 1. Right of Franchise

## Section

19A:4-1. Persons Not Having Right of Suffrage; Right to Register.

19A:4-2. Arrest Under Civil Process on Election Day.

## ARTICLE 2. Residence

19A:4-3. Voting Residence Defined.

19A:4-4. Voters Having More Than One Place of Residence; Authority to File Statement.

19A:4-5. Form and Contents of Statement.

19A:4-6. Statement Filed.

19A:4-7. Filing Subsequent Statement of Domicile.

19A:4-8. Prima Facie Evidence of Domicile; Registering; Additional Data Furnished.

19A:4-9. Construction.

## ARTICLE 3. Election Districts

19A:4-10. Election Districts; How Constituted.

19A:4-11. Number of Voters in District Using One Voting System.

19A:4-12. Number of Voters in District Using Two or More Voting Systems.

19A:4-13. Readjustment of Boundaries of Election Districts.

19A:4-14. Readjustment of Boundaries of Election Districts Without Regard to Number of Voters.

19A:4-15. Election Districts; When Divided or Changes Made.

19A:4-16. Readjusted Districts Recorded

19A:4-17. Commission on Elections, Serve as Liaison With Other Agencies.

## ARTICLE 1. Right of Franchise

19A:4-1. Persons Not Having Right of Suffrage; Right to Register.

a. Every person possessing the qualifications required by Article II, paragraph 3, of the Constitution of the State of New Jersey and having none of the disqualifications hereinafter stated and being duly registered as required by this Title shall have the right of suffrage and shall be entitled to vote in the polling place assigned to the election district in which he actually resides, and not elsewhere.

b. No person shall have the right of suffrage:

(1) Who has been adjudged mentally incompetent; or

(2) Who has been or shall be convicted of a violation of any of the provisions of this Title, for which criminal penalties were imposed, if such person was deprived of such right as part of the punishment therefor according to law unless pardoned or restored by law to the right of suffrage; or

(3) Who is serving a sentence or is on parole or probation as the result of a conviction of any indictable offense under the laws of this or another State or of the United States.

c. A person who will have on the day of the next general election the qualifications to entitle him to vote shall have the right to be registered for and vote at such general election and register for and vote at any election intervening between such date of registration and such general election, if he shall be a citizen of the United States and shall meet the age and residence requirements prescribed by the Constitution of this State and the laws of the United States when such intervening election is held, as though such qualifications were met before registration.

Source: R.S.19:4-1 amended 1948, c.438, s.3; 1955, c.156; 1957, c.205; 1959, c.127, s.1; 1964, c.7, s.1; 1971, c.280.

19A:4-2. Arrest Under Civil Process on Election Day. No person who shall have a right to vote at any election shall be arrested by virtue of any civil process on the day on which such election shall be held.

Source: R.S. 19:4-4.

## ARTICLE 2. Residence

19A:4-3. Voting Residence Defined. The residence of a person for the purpose of registering to vote and voting

is that place in which his habitation is fixed and to which, whenever he is absent, he has the intention to return.

A change of voting residence is made only by the act of removal joined with the present intent to permanently remain in another place. There can be only one voting residence at any one time.

A person does not lose his voting residence if he leaves his home and goes to another county, state or place in this State for temporary purposes only and with the intent of returning.

A person does not gain a voting residence in a place to which he comes for temporary purposes.

A person loses his voting residence in this State if he votes in another state's election, either in person or by absentee ballot, and will not be eligible to vote in this State until he again qualifies pursuant to N.J.S. 19A:4-1.

No person may be considered to have gained a voting residence solely by reason of his presence, nor may he lose it solely by his absence, while in the civil or military service of this State or of the United States, or by marriage to a person engaged in such civil or military service, while a student at an institution of learning, while in a public or privately-operated hospital, institution or nursing home, while confined in prison, or while engaged in the navigation of waters of the State or of the United States or of the high seas.

Among those factors which shall, where applicable, be sworn to by any person for consideration in determining his voting residence are the following: type of owned or rented living accommodations (including terms, duration and renewability of any lease or occupancy arrangement); marital status; draft registration; motor vehicle registration; driver's license; jury duty records showing home address within said district; membership or activity in civil clubs and social organizations; attachment to labor market of said district; place of last registration, if any; the address, or residence, if any, given by said applicant in connection with his application for admission to an institution of learning, public or privately-operated hospital, institution or nursing home; and such other pertinent facts or circumstance which the election official taking such registration shall consider necessary to discharge his duty pursuant to law.

The election official to whom the application for registration is made shall, wherever possible, inform the applicant at once and in no event later than seven days whether the applicant shall be registered. The effective date of registration of applicants shall be the date upon which the application for registration is made. The application and the decision of the election official to whom the application is made may be reviewed by the county board of elections for the county in which application is made. An appeal by the applicant from the decision of said county board of elections shall be in a summary manner to the assignment judge of the Superior Court of the county in which the application is made, or his designee.

Source: New.

19A:4-4. Voters Having More Than One Place of Residence; Authority to File Statement. Any person entitled to vote in this State and who has more than one place of residence may file a statement as hereinafter provided.

Source: C.19:4-4.1 (1960, c.195, s.1)

19A:4-5. Form and Contents of Statement. The statement shall be in writing, in such form as the Commission on Elections may prescribe from time to time, and shall be sworn to under oath, or affirmed, by the person named therein. Every such statement shall set forth facts showing the affiant's qualifications as a voter, a description of the places where he previously resided and the dates thereof, a description of the places where he resides, the names and all residences of the members of his immediate family or household who are of voting age with indication of the residence at which each is domiciled for voting, and a statement of the place of residence where he intends his domicile to be.

Source: C.19:4-4.2 (1960, c.195, s.2).

19A:4-6. Statement Filed. The statement shall be furnished by and filed with the election official whose jurisdiction embraces the indicated domicile of the affiant and with whom voters are required to register or re-register.

Source: C.19:4-4.3 (1960, c.195, s.3).

19A:4-7. Filing Subsequent Statement of Domicile. Any person who files a statement under 19A:4-6 shall be required, as a condition to any subsequent change of

domicile within this State, to file a like statement with the election official who received the previous statement and with the election official whose jurisdiction embraces the newly designated domicile.

Source: C.19:4-4.4 (1960, c.196, s.4).

19A:4-8. Prima Facie Evidence of domicile; Registering; Additional Data Furnished. A statement satisfying the requirements of this Title shall be prima facie evidence that the place of residence in this State identified therein is the domicile of the affiant. In the absence of evidence contrary thereto appearing either in said statement or otherwise, the affiant shall be entitled to register or re-register within the voting district where such domicile is located, provided he possesses all other qualifications entitling him to do so. Any election official with whom such statement is filed is hereby empowered to conduct such investigation and to require the affiant to furnish additional data or information relating to his identified domicile, as he may consider necessary to discharge his duty pursuant to law.

Source: C.19:4-4.5 (1960, c.195, s.5).

19A:4-9. Construction. This article shall be deemed remedial and shall be construed in such manner as to assist the affiant to establish his lawful right to vote in his voting district in advance of casting his vote and to enforce such right, pursuant to law.

Source: C.19:4-4.6 (1960, c.195, s.6).

### ARTICLE 3. Election Districts

19A:4-10. Election Districts: How Constituted. As nearly as practicable, each election district shall be composed of contiguous and compact areas having clearly definable boundaries and shall be contained wholly within only one ward, only one municipality, only one county freeholder district, only one State legislative district, only one United States Congressional district, and only one other district from which any public official is elected. The election districts within each municipality shall be numbered consecutively.

Source: C.19:4-10 (1976, c.83, s.1).

19A:4-11. Number of Voters in District Using One Voting System. Subject to the provisions of law as to redistricting, each election district in which only one

voting machine or four electronic system voting devices are used shall contain no more than 750 voters, except an election district in which there is located a public or private institution where persons entitled to vote may reside, and in such district the number of voters shall be as near to 750 as is practicable.

Source: C.19:4-11 (1976, c.83, s.2).

19A:4-12. Number of Voters in District Using Two or More Voting Systems. Each district in which two voting machines or five electronic system voting devices are to be used shall contain, as nearly as is practicable, 1,000 voters, and each district in which three voting machines or eight electronic system voting devices are to be used shall contain, as nearly as is practicable, 1,500 voters.

Nothing herein shall prevent any election district from containing a less number of voters than above, if necessary for the convenience of the voters.

In a district where more than two voting machines or five electronic system voting devices are to be used, two additional members of the district board, who shall be of opposite political parties, shall be appointed for each additional voting machine or system.

Source: C.19:4-12 (1976, c.83, s.3).

19A:4-13. Readjustment of Boundaries of Election Districts. When in any two consecutive general elections in an election district than 750 or less than 250 votes shall have been cast, the county board shall readjust the boundary lines of such election district and other election districts necessary to effect changes so that none of the election districts affected shall have more than 750 registered voters, and for this purpose shall have power to consolidate any number of districts and subdivide the same.

Source: C.19:4-13 (1976, c.83, s.4).

19A:4-14. Readjustment of Boundaries of Election Districts Without Regard to Number of Voters. Where it appears that serious inconveniences has been caused the voters by the size or shape of an election district, or that certain districts contain an unreasonably large or small number of voters in comparison with other districts, or that a change is necessary because of a change in ward lines, the county board may revise or readjust the election districts in the municipality, without regard to whether a readjustment is authorized by N.J.S. 19A:4-11 or 19A:4-12.

Source: C.19:4-14 (1976, c.83, s.5).

19A:4-15. Election Districts; When Divided or Changes Made.

a. No county board shall make division of an election district in any year in the period commencing 75 days before the primary election and the day of the general election.

b. To facilitate the use of Federal decennial census populations for apportionment and redistricting purposes and notwithstanding the provisions of this or any other law, no election districts shall, except with the prior approval of the Commission on Elections, be created, abolished, divided or consolidate between January 1 of any year whose last digit is seven and December 1 of any year whose last digit is 0.

Source: C.19:4-15 (1976, c.83, s.6).

19A:4-16. Readjusted Districts Recorded. The county board shall cause to have prepared and shall maintain an up-to-date suitable map of the county and of each constituent municipality clearly delineating the geographical boundaries of each election district contained therein and of the ward, legislative, freeholder, Congressional or other district or part thereof, in which each election district is contained. A word description of such geographical boundaries shall be attached to each such map.

The county board shall file copies of such maps and descriptions in the following manner: three copies to the Commission on Elections, one copy to the county board of elections, and one copy to the clerk of each affected municipality. Within 30 days of any the county board shall file revised maps and accompanying revised descriptions in the same manner.

Said maps and descriptions shall be public records and shall be available for inspection by the public in the offices of the Commission on Elections, county board of elections and municipal clerks during normal office hours. Copies shall be made available to the public for a fee necessary to cover the cost of reproduction.

In order to effectuate the purposes of this law, the Commission on Elections shall establish such rules and regulations governing the preparation, maintenance, distribution and filing of said maps and descriptions as he deems necessary or desirable.

Source: C.19:4-16 (1976, c.83, s.7).

19A:4-17. Commission on Elections, Serve as Liaison With Other Agencies. The Commission on Elections shall serve as the State liaison with the Bureau of the Census, United States Department of Commerce, on matters relating to the preparation of maps and the tabulation of the population for election purposes. Source: C.19:4-17 (1976, c.83, s.8).

## CHAPTER 5

### Party Organizations

#### ARTICLE 1. General Provisions

##### Section

19A:5-1. Powers of and Restrictions Upon Political Parties; Party Columns on Official Ballot.

#### ARTICLE 2. Municipal, County and State Committees and National Committees

19A:5-2. Membership and Organization of Municipal Committees.

19A:5-3. Vacancies in Municipal Committees; Vacancies in the Position of Chairman and Vice-Chairman.

19A:5-4. Membership of and General Regulations Pertaining to County Committees.

19A:5.5. Organization of County Committees.

19A:5-6. Vacancies in County Committees; Vacancies in the Position of Chairman and Vice-Chairman.

19A:5-7. Endorsements in Primary Elections by County Committees.

19A:5-8. Membership and Organization of State Committees.

19A:5-9. Vacancies in State Committees.

19A:5-10. National Committees; Selection; Term of Office; Vacancies.

19A:5-11. Maintenance of Party Organization.

#### ARTICLE 3. State Conventions

19A:5-12. Annual Convention and Membership.

19A:5-13. Time and Place of Annual Convention; Platforms; Resolutions Committee; Adjournments.

## ARTICLE 1. General Provisions

19A:5-1. Powers of and Restrictions Upon Political Parties; Party Columns on Official Ballot. A political party as defined in this Title may nominate candidates for public office at primary elections provided for in this Title, elect committees for the party within the State, county or municipality, as the case may be, and in every other respect may exercise the rights and shall be subject to the restrictions herein provided for political parties; except that no political group or organization which fails to poll at the primary election for the general election at least 5% of the votes cast in the State for members of the General Assembly at the preceding general election, held for the election of all members of the General Assembly, shall be entitled to have a party column on the official ballot at the general election for which the primary election has been held.

In the case of any political party as defined in this statute, the names of the candidates so nominated at the primary election shall be printed in the column or columns designated "Nomination by Petition" on the official under the respective title of office for which the nominations have been made, followed by the designation of the political party of which the candidates are members.

Source: R.S. 19:5-1 amended 1948, c.438, s.4.

## ARTICLE 2. Municipal, County and State Committees and National Committees

19A:5-2. Membership and Organization of Municipal Committees. The members of the municipal committees of a political party shall consist of the elected members of the county committee resident in the respective municipalities. The members of the municipal committee shall take office on the first Saturday following their election as members of the county committee, on which day the terms of all members of such committees theretofore elected shall terminate. The organization meeting of each municipal committee shall be on the first Monday following the primary election for the general election in odd-numbered years, at an hour and place to be

designated in a notice to be given by the chairman of the outgoing municipal committee to each member-elect at which organization meeting the members of each committee shall elect some person as chairman to hold office for two years or until his successor is elected. The members shall also elect a vice-chairman of the opposite sex of the chairman to hold office for two years or until his or her successor is elected and the vice-chairman shall perform all duties required of him or her by law and in the constitution and bylaws of such committee. No person appointed to the municipal committee between the primary election preceding the organization meeting and the organization meeting shall be permitted to vote for the chairman or vice-chairman. The term of office for the municipal chairman shall be from the first Monday following the primary election until the First Monday following the next primary election for members of the General Assembly. If the office of municipal chairman remains vacant for 30 days, the county chairman shall appoint a municipal chairman, effective immediately. The municipal committee shall adopt, within one month of its organization meeting, a constitution and bylaws, and shall forthwith file a certified copy of said constitution and bylaws with the Commission on Elections. The committee shall likewise adopt and file rules of procedure for the conduct of its meetings, which rules may be adopted by reference to any standard manual of parliamentary procedure, in whole or part. Cushing's Manual and Cushing's Law and Practice of Legislative Assemblies shall in all cases, when not in conflict with rules adopted pursuant to this section, or with any provisions of law governing the conduct of committee meetings, be considered and held as standard authority. The chairman shall preside at all meetings of the committee and shall perform all duties required of him by law and by the constitution and bylaws of such committee. No "unit rule" or "proxy" voting shall be permitted at municipal committee meetings; all voting for the selection of committee officers shall be by secret ballot.

Source: R.S. 19:5-2.

19A:5-3. Vacancies in Municipal Committees: Vacancies in the Position of Chairman and Vice-Chairman. A member of a municipal committee of a political party may resign

his office to the committee of which he is a member, and upon acceptance thereof by the committee a vacancy shall exist. A vacancy in the office of a member of a municipal committee of any political party, howsoever caused, shall be filled for the unexpired term by majority vote of the remaining members of the committee at a duly called meeting in the municipality in which the vacancy occurs. Should a vacancy occur in the municipal chairman's or vice-chairman's office, only those committee members holding office as of the day before the date such vacancy occurs shall be permitted to vote for the successor municipal chairman or vice-chairman.

Source: R.S. 19:5-2.

19A:5-4. Membership of and General Regulations Pertaining to County Committees. The members of the county committee of a political party shall be elected every 2 years in odd-numbered years at the primary for the general election in said years in the manner provided in this Title for the selection of party candidates to be voted for at the general election by voters of a municipality. The county committee shall consist of one male and one female member from each election district in the county. The male receiving the highest number of votes among the female candidates shall be declared elected; provided, however, that no person shall be elected to a county committee who does not fulfill the requirements for voting in that political party's primary election, as said requirements are set forth in N.J.S. 19A:15-18. Members of the county committee shall actually reside in the districts which they respectively represent. The county committee shall adopt, within one month of its organization meeting, a constitution and bylaws, and shall forthwith file a certified copy of said constitution and bylaws with the Commission on Elections. The committee shall likewise adopt and file rules of procedure for the conduct of its meetings, which rules may be adopted by reference to any standard manual of parliamentary procedure, in whole or part. Cushing's Manual and Cushing's Law and Practice of Legislative Assemblies shall in all cases, when not in conflict with rules adopted pursuant to this section or with any provisions of law governing the conduct of committee meetings, be considered as standard authority.

No "unit rule" or "proxy" voting shall be permitted at county committee meetings; all voting for the selection of committee officers shall be by secret ballot.

Source: R.S. 19:5-3 amended 1948, c.2, s.4; 1955, c.236; 1964, c.23; 1965, c.4, s.3; 1966, c.19, s.2; 1967, c.7, s.2; 1967, c.26, s.2; 1968, c.292, s.2.

19A:5-5. Organization of County Committees. The members of the county committee of a political party shall take office on the first Saturday following their election, on which day the terms of all members of such committee theretofore elected shall terminate. The organization meeting of each county committee shall be held on the first Tuesday following the primary election in odd-numbered years, except that when such meeting day falls on a legal holiday then the said meeting shall be held on the day following, at an hour and place to be designated in a notice in writing to be mailed by the chairman of the outgoing county committee to each member-elect. At each organization meeting of each county committee, the members of each committee shall elect some person as chairman to hold office for 2 years commencing on that day of his election, and ending on the day his successor is elected. The members shall also elect a vice-chairman of the opposite sex of the chairman to hold office for 2 years or until his or her successor is elected. The vice-chairman shall perform all duties required of him or her by law and the constitution and bylaws of such committee. No person appointed to the county committee between the primary election preceding the organization meeting and the organization meeting shall be permitted to vote for the chairman or vice-chairman. The chairman shall preside at all meetings of the committee and shall perform all duties required of him by law and the constitution and bylaws of such committee.

No meetings of the county committee, except meetings the date whereof is specified by law or which are held at regular intervals pursuant to rule or bylaw adopted and filed pursuant to N.J.S. 19A:5-4; and no election to fill a vacancy in the membership of the committee shall take place at any meeting unless notice of such election shall have been given either in the course of a preceding meeting or by written notice to all members at least 7 days prior to such election.

Source: R.S. 19:5-3 amended 1948, c.2, s.4; 1955, c.236; 1964, c.23; 1965, c.4, s.3; 1966, c.19, s.2; 1967, c.7, s.2; 1967, c.26, s.2; 1968, c.292, s.2.

19A:5-6. Vacancies in County Committees; Vacancies in the Position of Chairman and Vice-Chairman. A member of the county committee of a political party may resign his office to the committee of which he is a member, and upon acceptance thereof by the committee, a vacancy shall exist. A vacancy in the office of a member of the county committee of a political party caused by death, resignation, failure to elect or otherwise, shall be filled for the unexpired term by the majority vote of the municipal committee of the municipality wherein the vacancy occurs, if there is such committee.

No county committee vacancy shall be filled by any person who does not fulfill the requirements for voting in that political party's primary election, as said requirements are set forth in N.J.S. 19A:15-18 or who does not actually reside in the district in which the vacancy occurs. Should a vacancy occur in the county chairman's or vice-chairman's office, only those committee people holding office as of the day before the date such vacancy occurs shall be permitted to vote for the successor county chairman, or vice-chairman.

Source: R.S. 19:5-3 amended 1948, c.2, s.4; 1955, c.236; 1964, c.23; 1965, c.4, s.3; 1966, c.19, s. 2; 1967, c.7, s.2; 1967, c.26, s.2; 1968, c.292, s.2.

19A:5-7. Endorsements in Primary Elections by County Committees. Between 30 and 60 days before the primary election each year, the county committee shall meet, at a time and place to be announced on 7 days written notice from the county chairman, to consider whether the county committee shall endorse candidates in the ensuing primary election for the general election. No endorsement shall be made unless a quorum of the county committee or of those members entitled to vote upon the endorsement of any candidates for office to be elected by the voters of a district comprising less than the entire county. The constitution or bylaws of the county committee shall specify whether the voting upon such endorsements shall be by open or secret ballot is present, said quorum to be defined in the constitution and bylaws of said committee, but in no event less than 25% of the members of the county committee. Candidates for the following

positions, who have received the highest number of votes in excess of 50% the county committee members present and voting, shall be deemed to have been endorsed by the party: Governor, U.S. Senate, House of Representatives, delegates to the Presidential conventions, State Senate, General Assembly, any elected county officials, including, but not limited to, county executive, county supervisor, freeholder, county clerk, register, surrogate, sheriff, any elected municipal office, State committee, provided, however, that if any of said offices should be voted for by voters of a district comprising less than the entire county, then the quorum shall consist of only those members of the county committee from said district, and only those members of the county committee representing said district may vote to endorse said candidates, and provided further, however, that any candidate who received 15% of the vote of the members present and voting of the county committee, or portion of the county committee representing that district, shall be entitled to have his name on the same line or in the same column as the endorsed candidate. At such meeting, it shall be in order for any member of the county committee who is eligible to vote upon the endorsement of a candidate for any of the offices above enumerated to move the endorsement of any individual candidate for such office. It shall also be in order for any such member to move that no endorsement for such office be made. Every such eligible member shall be entitled to vote for the endorsement of so many individuals whose endorsement has been duly moved as there are candidates to be elected to the office, or for no endorsement, if a motion therefore has been duly made. If upon the tabulation of any such vote, it shall appear that no candidate, or fewer candidates than are to be elected to the office in question, has received sufficient votes for endorsement, and a motion for no endorsement, if made, has also failed, it shall be in order, upon motion therefor duly made and passed by a majority of the members eligible to vote upon such endorsement present and voting, to proceed to a new vote thereupon; and only such motions for endorsement or for no endorsement which are formally renewed shall be before the eligible membership for such new vote.

The chairman of the county committee shall, within 7

days of the meeting of the county committee, certify in writing to the county board the results of its meeting to consider endorsements, on forms to be as prescribed by the Commission on Elections.

The chairman of any municipal committee may, upon not less than 7 days notice to the members thereof, call a meeting of the committee to consider endorsements concerning which only the members of the such municipal committee are eligible to vote; and such meeting may be held at a separate time and place, but within the time specified in this section for the holding of endorsement meetings, from the endorsement meeting of the county committee. Notice of such municipal committee meeting shall be promptly transmitted to the chairman of the county committee; and the result thereof, within 7 days thereof, be certified in writing to the county board, on forms to be as prescribed by the Commission on Elections, with a copy promptly forwarded by the municipal chairman to the county chairman.

In the event that no properly held meeting in reference to the endorsement procedure takes place, no candidate or candidates shall use any slogans explicitly or implicitly suggesting such endorsement, nor shall any candidate or candidates be permitted to claim the organizational line or column on the ballot.

Source: New.

19A:5-8. Membership and Organization of State Committees. At the primary for the general election of the year in which members of the General Assembly are to be elected, one male and one female member of the state committee of each political party shall be elected in each county. The male receiving the highest number of votes among the male candidates and the female receiving the highest number of votes among the female candidates shall be declared elected; provided, however, that no person shall be elected to a state committee who does not fulfill the requirements for voting in that political party's primary election as said requirements are set forth in N.J.S. 19A:15-18. Members of the state committee shall serve for two years.

The members of the state committee of each political party shall take office on the first Tuesday following their election, on which day the terms of all members of such committee theretofore elected shall terminate. The

organization meeting of the State committee shall be held on the first Tuesday after such primary election at the hour and place to be designated in a notice in writing to be mailed by the chairman of the outgoing state committee to each member-elect, at which organization meeting the members of the committee shall elect some suitable person as chairman to hold office for two years, or until his successor is elected. The members shall also elect a vice-chairman of the opposite sex of the chairman to hold office for two years or until his or her duties required of him or her by law and by the constitution and bylaws of such committee. The committee shall adopt, within one month of its organization meeting, a constitution and bylaws and shall forthwith file a certified copy of such constitution and bylaws with the Commission on Elections. The chairman shall preside at all meetings of the committee and shall perform all duties required of him by law and by the constitution and bylaws of such committee.

Source: R.S. 19:5-4 amended 1948, c.216, s.1.

19A:5-9. Vacancies in State Committees. A member of the State committee of any political party may resign his office to the committee of which he is a member, and upon acceptance thereof by the committee a vacancy shall exist. A vacancy in the office of a member of the State committee of any political party, howsoever caused, shall be filled for the unexpired term by majority vote at a duly called meeting of members of the county committee of such political party in the county in which the vacancy occurs.

Source: R.S. 19:5-4 amended 1948, c.216, s.1.

19A:5-10. National Committees; Selection: Term of Office; vacancies. In years in which the President of the United States is to be elected, the State committee of each political party shall choose the members of that party's national committee. The members of the national committee of a political party shall serve for four years. If a vacancy should occur in the membership of the national committee, it shall be filled by the State committee in the same manner for the unexpired term only.

Source: R.S. 19:5-4 amended 1948, c.216, s.1.

19A:5-11. Maintenance of Party Organization. Any State committee, county committee or municipal committee of any political party may receive and disburse moneys

for the general purpose of maintaining such organization during the whole or any part of the year. The expenses for maintenance of organization shall be confined to the hiring or acquisition of suitable quarters for meetings of such committee, for stationery, for hiring of necessary clerks, for the expenses of notices of the meetings of such committee, for giving publicity to the policies and candidates of their respective party organizations in the general election, and other expenses incidental to the maintenance of such organization. Notwithstanding the endorsement by county committees as permitted under N.J.S. 19A:5-7, said State committees, county committees or municipal committees shall not spend, agree to spend or disburse any moneys to or on behalf of any candidate, whether endorsed or not, prior to the primary election, or to or on behalf of any person's election to any party position at any time.

Source: R.S. 19:5-5 amended 1973, c.83, s.27; R.S. 19:34-33.

### ARTICLE 3. State Conventions

19A:5-12. Annual Conventions and Membership. A State convention of each political party shall be held in each odd-numbered year. Additional State conventions may be held in even-numbered years. Such State convention of each political party shall consist of the following members:

a. The party candidates for the following offices, whether elected to office or not: United States Senator, member of the House of Representatives, State Senator, members of the General Assembly, the candidate of the party for Governor nominated at the primaries in the year in which the Governor is elected, and in each year in which no Governor is elected, the Governor of the State shall be a member of the convention of the political party to which he belongs.

b. The Chairman of the State Committee.

c. Members of the State Senate and General Assembly belonging to the party who are holding office at the time of the State convention and whose successors are not to be chosen at the ensuing general election.

d. Members of the National Committee and State Committee.

e. The county chairperson and vice chairperson of the county committees.

f. Members of the Senate and House of Representatives of the United States from this State, belonging to such party, who are holding office at the time of the holding of the State convention and whose successors are not to be chosen at the ensuing general election.

Source: R.S. 19:5-6 amended 1948, c.216, s.2; 1950, c.35, 1958, c.125; 1959, c.99; 1977, c.145.

19A:5-13. Time and Place of Annual Convention; Platforms; Resolutions Committee; Adjournments. The convention of each political party shall be held on the second Thursday after the primary election for the general election in each odd-numbered year. When the day prescribed by law for holding State conventions of political parties, or any adjournment thereof, falls on a legal holiday, the convention or adjournment thereof, as the case may be, shall be held on the day preceding such legal holiday. The place and the hour at which the convention shall meet shall be fixed by call of the existing State committee to be issued at least five days prior to the date of meeting. If no call is issued by the State committee, any person qualified to sit in the convention may issue a call.

The convention of each party shall have power to adopt and promulgate a party platform for its party, and to transact such other business as may properly come before it.

The convention of each political party, upon convening, shall appointment a committee on resolutions consisting of five members. The convention shall then be open for the reception of all proposed planks for the party platform, which planks shall be referred to the committee on resolutions, whose duty it shall be to prepare a tentative party platform and furnish to each member of the convention within three weeks thereafter a copy of the same and of all other planks submitted to it which have not been incorporated in the tentative party platform, together with the names and addresses of the delegates proposing the same. After the introduction of all proposed planks and the reference thereof to the committee on resolutions, the convention shall adjourn to meet again four weeks later at the same place. At the adjourned meeting the respective conventions shall

consider and may adopt the draft of the platform so prepared by the committee on resolutions with such amendments as shall be suggested and adopted in the conventions as a whole. The voting on the adoption of the party platform shall be on the entire platform as reported by the committee on resolutions, unless there be an abjection any separate plank or planks or to any amendment thereto, in which case the voting on such plank or planks or amendment shall be by the "ayes" and "nays" of the members of the convention present and voting.

Source: R.S. 19:5-6 amended 1948, c.216, s.2; 1950, c.35; 1958, c.125; 1959, c.99; 1977, c.145.

## CHAPTER 6

### Election Officials

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#### ARTICLE 1. District Boards of Election

19A:6-1. Membership; Appointments; Vacancies. The district boards in each election district shall consist of four members except that where electronic voting systems are in use any election district in which there are more than 900 registered voters, the district in which there are more than 900 registered voters, the district board shall consist of six members. The members shall be appointed by the county board on or before the thirtieth day prior to the primary election in each year. The district board shall be equally apportioned between the two political parties which at the preceding general election cast the largest and next largest and next largest number of votes respectively in this State for members of the General Assembly. Vacancies arising other than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

If the county board shall neglect or refuse to appoint and certify the members of district boards as herein provided, the assignment judge of the Superior Court for the county shall, on or before the twentieth day prior to the primary election, make such appointments and certifications.

In election districts in which the primary language of 10% or more of the registered voters is Spanish, the county board shall appoint two additional members who shall be fluent in Spanish.

Source: R.S. 19:6-1 amended 1974, c.30, s.1; 1975, c.316, s.3; R.S. 19:6-3 amended 1948, c.2, s.5; 1953, c.19, s.8; 1965, c.4, s.4; 1966, c.19, s.3.

19A:6-2. Duties; Training. The district board shall hold and conduct all elections in its district, and shall keep the polls open on election days during the times prescribed in this Title.

Prior to commencing their duties, all members of the district boards shall subscribe to an oath substantially in the form prescribed by the Commission on Elections. All new members of district boards shall be required to attend a training session to be given by or under the supervision of the county boards of elections, and all district board members shall attend such training sessions at least once every three years.

Source: R.S. 19:6-11.

19A:6-3. Removal. The county board shall have power to dismiss any member of the district board for cause, including failure to attend training sessions, which shall be determined in a summary way by such county board. If it appears to the county board that incompetency or carelessness existed on the part of a member of a district board, the individual shall be removed and disqualified from further service as a member of any district board.

Source: R.S. 19:6-4 amended L. 1953, c.19, s.9; R.S. 19:6-5.

19A:6-4. Board May Function Without Full Membership. If there shall be a vacancy in the membership of any district board, the remaining members shall function until the vacancy be filled; provided, however, that no district board may function unless one member from each political party is present.

Source: R.S. 19:6-6.

19A:6-5. Assignment of Members to Election Districts. Any person selected as a member of a district board may be assigned by the county board to any election district, or transferred from one district to another after having been so assigned, in the municipality for which such person was selected, and the county board shall on or before the twenty-fifth day prior to the primary election in each year, certify to the commission on Elections and to the municipal clerk the names of the persons appointed to the district boards in the county, specifying the municipalities and the districts therein for which such members shall have been appointed.

Source: R.S. 19:6-7 amended 1948, c.2, s.6; 1965, c.4, s.5.

19A:6-6. Term of Office; Notification of Appointment. The terms of office of the members of the district boards shall be for one year, or until their successor are

appointed, and shall begin on the twenty-fifth day prior to the primary election in each year. The county board shall notify the members of each district board of their appointment by forwarding a certificate to each member on or before the twentieth day prior to the primary election in each year, specifying the district to which each member has been assigned.

Source: R.S. 19:6-8 amended 1948, c.2, s.7; 1965, c.4, s.6.

**19A:6-7. Organization Meeting; Chairman and Secretary.** Prior to commencing their duties on election day, members of the district board shall meet and organize by electing one member as chairman, and one as secretary. The secretary shall not be from the same political party as the chairman. In case of failure to elect a chairman, the senior member in point of service on the board shall be the chairman. In case of failure to elect a secretary, the next senior member in point of service on the board shall be the chairman. In case of failure to elect a secretary, the next senior member in point of service of the opposite party shall be the secretary.

Source: R.S. 19:6-10 amended 1939, c.81; 1946, c.11, s.4.

**19A:6-8. Member Becoming Candidate for Office Vacates Office.** The office of a member of a district board in any election district shall be deemed vacant upon such member becoming a candidate for an office to be voted upon at any election for which he was appointed to serve, such candidacy to be determined by the filing of a petition of nomination, duly accepted by such member in the manner provided by law. Such vacancies shall be filled by the county board in the manner herein prescribed.

Source: R.S. 19:6-12.

**19A:6-9. Police Assigned to Polls; Persons Permitted in Polling Places.** The governing body having charge of the police department in any municipality may assign one or more policemen to any district board in such municipality whenever it deems it necessary to do so. Any policeman so assigned shall, under the direction of the board, enforce the election laws, maintain order, peace and quiet during election day, and assist the members of the board in transporting the results and election equipment to the office of the municipal clerk after the votes are counted.

No person shall be allowed or permitted to be present the polling place or polling room during the progress of the election except the officers connected with the election, the several candidates, the duly authorized challengers, such voters as are present for the purpose of voting, and such officers as may be duly detailed to be present, pursuant to this Title for preserving the peace or enforcing the provisions hereof.

After the hour fixed for closing the polls, voters already within such place or room, intending to vote, shall be permitted to vote.

Source: R.S. 19:6-16 amended 1953, c.19, s.10: 1967, c.126; R.S. 19:15-8; 19:15-9.

## ARTICLE 2. County Board of Elections

19A:6-10. Membership; Political Affiliations; Eligibility; Vacancies; Executive Director; Other Employees; Civil Service; Compensation. The county board shall consist of four persons, who shall be legal voters of the county for which they are appointed. Two members of such county board shall be members of the political party which at the last preceding general election, held for the election of all of the members of the General Assembly, cast the largest number of votes in this State for members of the General Assembly, and the remaining two members of such board shall be members of the political party which at such election cast the next largest number of votes in the State for members of the General Assembly. No person who holds elective public office shall be eligible to serve as a member of the county board during the term of such elective office.

The office of member of the county board shall be deemed vacant upon such member becoming a candidate for an office to be voted upon at any primary, general election, special election, or regular municipal election except for nomination for or election to membership in any county committee or State committee or for nomination for or election as a delegate at large or alternate delegate at large, or district delegate or alternate district delegate to any national political convention, such candidacy to be determined by the filing of a petition of nomination duly accepted by such member in the manner provided by law.

In all counties, the Commission on Elections shall appoint, upon recommendation of the county board, some suitable person, who shall be a resident of such county, as a full-time executive director of such board. The term of office of such full-time executive director shall be for a period of two years, and he may be reappointed; he shall receive such salary as shall be fixed by law, which salary shall be an expense of the State within the meaning of N.J.S. 19A:29-2. In the event that the county board does not make a recommendation to the Commission on Elections of some suitable person within 60 days of said board's organization meeting in even-numbered years, the Commission on Elections shall make the appointment on its own initiative.

Notwithstanding any other provisions in this section, the Commission on Elections may, on its own initiative, appoint as executive director of said board some suitable person other than as recommended by the county board, provided the reasons for superseding such recommendation are stated by the commission in writing to the county board prior to such appointment.

The executive director may appoint such clerks as shall be necessary to carry out such duties as prescribed by law. The compensation of the clerks shall be as recommended by the county board, subject to the approval of the board of chosen freeholders of the county affected. All persons now employed by the board in the competitive class of Civil Service and such other employees now performing assigned duties shall hold such employment in the competitive class of civil service.

Source: R.S. 19:6-17 amended 1948, c.438, s.5; 1957, c.83, s.1; 1960, c.43; 1960, c.164; 1961, c.59, s.1; 1965, c.166.

19A:6-11. Nomination, Appointment, Term. During the 30-day period immediately preceding February 15 in each year, the chairman and vice-chairman of each county committee and the State committeeman and State committee woman of each of such two political parties, respectively, shall meet and jointly, in writing, nominate one person residing in the county of such county committee chairman, duly qualified, for member of the county board in and for such county. If nomination be so made, the said county committee chairman shall certify the nomination so made to the State chairman and to the

Governor, and the Governor shall commission such appointees, who shall be members of opposite parties, on or before March 1. If nomination be not so made on account of a tie vote in the said meeting of the county committee chairman, county committee vice-chairman, State committeeman and State committeewoman, in respect to such nomination, the said county committee chairman shall certify the fact of such a tie vote to the State chairman, who shall have the deciding vote and who shall certify, in writing, to the Governor, the nomination made by his deciding vote. Appointees to county board of elections pursuant to this section shall continue in office for two years from March 1 next after their appointment.

The first appointment having been made pursuant to law for terms of one and two years, respectively, the members subsequently appointed each year shall fill the offices of the appointees whose terms expire in that year.

Source: R.S. 19:6-18 amended 1955, c.243, s.1; 1968, c.84.

19A:6-12. Notice of Vacancy in County Board; Nomination of Successor; Term. If a vacancy arises in any county board from any cause other than expiration of the term, the secretary of the county board, within five days thereafter, shall in writing notify the Governor, the appropriate county committee chairman, county committee vice-chairman, State chairman, State committeeman and State committeewoman of such vacancy, and within the same time notify the Governor in writing the date on which such notice was received by the county committee chairman. If the secretary fails to so notify, any member of the county board may make such notifications. Within 10 days after receipt of notice by such county committee chairman, the county committee chairman, county committee vice-chairman, State chairman, State committeeman and State committee woman shall jointly nominate a successor, and any such nomination shall be made and certified in the same manner as provided in N.J.S. 19A:6-11 and the person so nominated shall thereupon be commissioned by the Governor. All appointments to fill vacancies shall be for the unexpired term only.

Source: R.S. 19:6-19 amended 1955, c.243, s.2; 1956, c.167.

19A:6-13. Appointment When No Nomination by State Chairman. If any nomination is not made and certified in writing to the Governor within the time specified, the Governor shall make such appointments of his own selection from the citizens of the county in which such failure occurs.

Source: R.S. 19:6-20 amended 1955, c.243, s.3.

19A:6-14. Board Office; Equipment; Supplies. The county boards, in conjunction with their respective executive directors, shall have, subject to law and to the rules and regulations of the Commission on Elections, full power to conduct and supervise all elections being held in their respective counties.

County boards shall be provided by the board of chose freeholders of the respective counties with a suitable office or offices, furniture and such other equipment as the county boards deem necessary. All county boards shall have power to purchase office equipment, furniture, furnishings, books stationery, materials and other supplies and articles or equipment necessary in the judgment of the board to carry out the provisions of this Title, and the board of chosen freeholders of the respective counties shall pay for the same, including the expenses of the board and the clerks thereof, upon certification of the county board. Nothing in subtitle 2 of the Title Municipalities and Counties (R.S. 40:16-1 et seq.) shall in anywise be construed to affect, restrict or abridge the powers herein conferred on the county boards.

Source: R.S. 19:6-21 amended 1951, c. 10.

19A:6-15. Organization Meeting; Chairman; Secretary; Other Meetings. Each county board shall meet and organize prior to March 15, electing one member as chairman and one as secretary. The secretary shall not be from the same political party as the chairman. In case of failure to elect a chairman, the senior member in point of service on the board shall be the chairman, and, in case of failure to elect a secretary, the next senior member in point of service of the opposite party shall be secretary; provided, however, that the posts of chairman and secretary shall be rotated each year between the two political parties.

The county boards shall have power in their discretion to hold their meetings for any purpose in any part of their respective counties.

Source: R.S. 19:6-22 amended 1948, c.2, s.8; 1973, c.179.

19A:6-16. Oath of Office of Members. Each member of the board shall, before taking office, take and subscribe to an oath substantially in form as required by the Commission on Elections, and such oath shall be forthwith filed with such commission.

Source: R.S. 19:6-23.

19A:6-17. Powers and Duties of Board Delegated to Executive Director. The executive director of the county board shall have, within the directives of the Commission on Elections, full power and authority in the conduct of the business and clerical affairs of the office of the county board, shall conduct the same in an impartial manner, and shall exercise full authority and direction over the employees in the office, and shall perform such duties as shall be prescribed by or pursuant to law or rules and orders of the Commission on Elections and in the manner so prescribed. No county board or member or members thereof shall perform or attempt or purport to perform any duties or functions or exercise any powers which by any such law, rule or order are assigned to the executive director.

Source: R.S. 19:6-24 amended 1961, c.59, s.2.

19A:6-18. Sitting on All Election Days. The county board shall sit on the day of all elections at the office of the county board between the hours of 6:00 a.m. and midnight, or until all of the duties of the county board shall have been concluded; provided, however, that the county board, for good cause shown, may obtain permission from the Commission on Elections to adjourn its work to the following day.

Source: R.S. 19:6-25.

### ARTICLE 3. Commission on Elections

19A:6-19. Membership; Appointment; Term of Office; Vacancies; Offices. The New Jersey Election Law Enforcement Commission established pursuant to P.L. 1973, c.83 is hereby continued, and shall hereafter be known and designated as the Commission on Elections, and shall exercise and perform such powers, functions and duties as are or shall hereafter be prescribed by or pursuant to this Title or other applicable law. The terms of the members of the said Election Law Enforcement Commission in office at the effective date of this section, or who

shall thereafter be appointed to unexpired terms pursuant to section 5 of P.L. 1973, c.83 shall continue as members of the Commission on Elections until the expiration of said terms pursuant to said section; and upon such expiration their successors and all succeeding appointees shall be appointed to terms of four years beginning on July 1 and ending on June 30.

Appointments of members of the Commission on Elections shall be made by the Governor by and with the advice and consent of the Senate. The Governor shall designate one of his appointees to serve as chairman of the commission. No more than two members shall belong to the same political party, and no person holding a public office or an office in any political party shall be eligible for appointment to the commission. Members shall be eligible to succeed themselves upon expiration of their terms. Each member shall serve until his successor shall have been appointed and qualified. Vacancies in the membership of the commission shall be filled for the unexpired term only. The members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties under this law. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the Commission on Elections is hereby allocated within the Department of Law and Public Safety; but, notwithstanding said allocation, the commission shall be independent of any supervision or control by the department or by any board or officer thereof, it being the intention of this Title that the assignment, direction, discipline and supervision of all the employees of the commission shall be so far as possible, and except as otherwise provided in this Title, fully determined by the commission or by such officers and employees thereof to whom the commission may delegate the powers of such assignment, direction, discipline and supervision.

Source: C.19:44A-5 (1973, c.83, s.5).

19A:6-20. Duties; Executive Director; Employees; Commission; Powers; Distribution of Information; Void Elections; Law Applicable; Quarters; Advisory Opinions. a. The commission shall have general supervisory powers over the conduct of all elections and all election officials in the State and it shall have rule-making authority in accordance with the Administrative Procedures Act.

The commission shall appoint a full-time executive director, legal counsel and hearing officers, all of whom shall serve at the pleasure of the commission and shall not have tenure by reason of the provisions of chapter 16 of Title 38 of the Revised Statutes. Appointment of hearing officers may be delegated to the executive director by the commission. The commission shall also appoint such other employees as are necessary to carry out the purposes of this Title, which employees 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, Civil Service. All officers and employees of the Election Law Enforcement Commission holding such office, position or employment as of the effective date of this section shall continue in equivalent office, position or employment with the Commission on Elections until lawfully dismissed, replaced or transferred. All rules and regulations heretofore adopted by the Election Law Enforcement Commission, not in conflict with any provisions of this Title, shall remain in full force and effect until rescinded or modified by the Commission, not in conflict with any provisions of this Title, shall remain in full force and effect until rescinded or modified by the Commission on Elections.

b. It shall be the duty of the commission and its executive director to administer the conduct of all elections in a uniform, fair and equitable manner; to promote full exercise of the franchise, and to insure efficiency in administration and prevention of election frauds. Without limiting the generality of the foregoing, the commission and the executive director are authorized and empowered to:

(1) Adopt and promulgate, in accordance with the provisions of the "Administrative Procedure Act" (P.L. 1968, c.410; c.52:14B-1 et seq.), such rules and regulations as are necessary to implement the provisions of this Title;

(2) Develop all forms as are necessary under the provisions of this Title.

(3) Develop and maintain centralized records, which shall be public, of all papers filed with the commission and of all public questions appearing on any ballot in the State for a period of 10 years;

(4) Permit copying or photocopying of any report required to be submitted pursuant to this Title as requested by any person, and to charge therefor no more than the actual cost of making and providing such copies to the person requesting the same;

(5) Prepare and publish, prior to May 1 of each year, an annual report to the Legislature, a sufficient number of copies whereof shall also be provided and made available for distribution to the general public;

(6) Develop and supervise training sessions and programs for all election officials and specified categories thereof in order to enable such officials better to discharge their election responsibilities, and require the attendance and participation of election officials in such sessions or programs;

(7) Prescribe qualifications and recommend salary ranges for all employees of county boards of elections;

(8) Establish standards and develop methods to encourage and promote the registration of all eligible voters under the provisions of this Title;

(9) Establish standards and develop methods for the prompt, efficient and thorough purging of ineligible voters from the lists of registered voters.

c. The executive director shall provide expeditious procedures for hearing, investigating and deciding upon protests, which shall be timely made in accordance with such procedures, (1) by any candidate or voter respecting the contents or validity of any petition for nomination, or (2) by any candidate appearing on the ballot in any election with respect to allegations of unlawfull or inequitable ballot position drawing, ballot composition or slogan designation. Such procedures shall provide for expeditious appeal from the decision of the executive director to the commission, and in any such case the decision of the commission shall be rendered within five days from the lodging of such appeal.

d. It shall be the duty of the commission and the executive director, in conjunction with their responsibilities under Subtitle 10 (Campaign Expenditures) of this Title, to:

(1) Prepare and publish a manual for all candidates and committees, prescribing the requirements of the said Subtitle, including uniform methods of bookkeeping and reporting and requirements as to the length of time that

any person required to keep any records pursuant to the provisions of said subtitle shall retain such records, or any class or category thereof, or any other documents, including canceled checks, deposit slips, invoices and similar documents necessary for the compilation of such records;

(2) Take such steps as may be necessary or appropriate to furnish timely and adequate information, in appropriate printed summaries and in such other form as it may see fit, to every candidate or prospective candidate for public or party office who becomes or is likely to become subject to the provisions of the said Subtitle and to every treasurer and depository duly designated under the provisions of the said Subtitle, informing them of their actual or prospective obligations thereunder. Such steps shall include, but not be limited to, furnishing to every person on whose behalf petitions of nomination are filed for any such office a copy of such printed summary as aforesaid, which shall be furnished to the several county boards of elections for convenient distribution to such persons. The commission shall also make available copies such printed summary to any other person requesting the same. The commission shall also take such steps as it may deem necessary or effectual to disseminate among the general public such information as may serve to guide all persons who may become subject to the provisions of the said Subtitle by reason of their participation in election campaigns, for the purpose of facilitating voluntary compliance with the provisions and purposes of the said Subtitle. In the dissemination of such information the commission shall to the greatest extent practicable enlist the cooperation of commercial purveyors within and without the State, of materials and services commonly used for political campaign purposes.

(3) Develop a coding and cross-indexing system for these reports and records:

(4) Prepare and make available for public inspection summaries of all said reports grouped according to candidates, parties and issues, continuing the total receipts and expenditures, and the date, name, address and amount contributed by each contributor;

(5) Ascertain whether candidates, committees or others have failed to file reports or have filed defective

reports; extend, for good cause shown the dates upon which reports are required to be filed; give notice to delinquents to correct or explain defects and make available for public inspection a list of such delinquents;

(6) Ascertain the total expenditures for candidates and determine whether they have exceeded the limits set forth in the said Subtitle; notify candidates, committees and others if they have exceeded or are about to exceed the limits so imposed.

d. It shall be the duty of the commission and executive director to enforce the provisions of this Title; to investigate all signed complaints filed with the commission or the executive director in accordance with procedures established by or pursuant to law; to conduct hearings with procedures established by or pursuant to law; to conduct hearings with regard to possible violations, and to issue, with the approval of a majority of the commission, subpoenas for the production of documents and the attendance of witnesses, and to impose penalties for such violations; and for the effectual carrying out of its enforcement responsibilities the commission shall have the authority to initiate a civil action in any court of competent jurisdiction for purpose of enforcing compliance with the provisions of this Title or enjoining violations thereof or recovering any penalty prescribed by this Title.

e. The commission and executive director shall promptly forward to the Attorney General or to the appropriate county prosecutor any information coming to their attention concerning any violations of this Title which may become the subject of criminal prosecution or which may warrant the institution of other legal proceedings by the Attorney General or such county prosecutor.

f. If the nomination for or election to any public office or party position becomes void under the terms of subsection c. of N.J.S. 19A:28-17 of this Title, the withholding or revocation of his certificate of election, the omission of his name from the ballot or the vacation of the office into which he has been inducted as a result of such void election, the omission of his name from the ballot or the vacation of the office into which he has been inducted as a result of such void election, as the case may be, shall be subject to the provisions of N.J.S. 19A:19-14.

g. The commission shall be assigned suitable quarters for the performance of its duties hereunder, which quarters shall not be located in the State House, the State House Annex, or in any building owned by the State or any political subdivision thereof.

h. The commission through its legal counsel is authorized to render advisory opinions as to whether a given set of facts and circumstances would constitute a violation of any of the provisions of this Title, or whether a given set of facts and circumstances would render any person subject to any of the reporting requirements of this Title.

The commission shall render its advisory opinion within 10 days of receipt of the request therefor. Failure of the commission to reply to a request for an advisory opinion within the time so fixed or agreed to shall preclude it from instituting proceedings for imposition of a penalty upon any person for a violation of this Title arising out of the particular facts and circumstances may give rise to a violation when taken in conjunction with other facts and circumstances not set forth in such request; provided, however, that the protection offered when the commission does not respond to an opinion request within 10 days shall continue only until such time as the opinion is rendered and protects the person requesting the advisory opinion only with respect to those activities taking place during that period.

Source: C.19:44A-6 (1973, c.83, s.6).

#### ARTICLE 3A. Advisory Board

19A:6-20.1. Advisory Board; Establishment; Method of Appointment; Terms; Compensation. a. There is hereby established an advisory board to the Commission on Elections, which shall consist of 15 members appointed by the Governor. Of such appointments:

(1) Eight shall be recommended to the Governor in the following manner:

The President of the Senate; the duly constituted leader in the Senate of the political party, other than that to which the President belongs, having the greatest number of members in the Senate; the Speaker of the General Assembly of the political party, other than that to which the Speaker belongs, having the greatest number

of members in the General Assembly shall each recommend two persons for appointment to the advisory board, one of whom shall be a member of the House of the person making the recommendation, and the other of whom shall be a citizen of the State not holding any elective public office, and both of whom shall be members of the political party of the person making the appointment;

(2) Four shall be persons recommended to the Governor by the Chief Justice of the New Jersey Supreme Court, no more than two of whom shall be members of the same political party, and none of whom shall be holders of any elective public office;

(3) Three shall be chosen by the Governor upon the basis of their knowledge and experience in the field of elections and election law, no more than two of whom shall be members of the same political party, and none of whom shall be holders of any elective public office.

b. Legislators appointed to the advisory board shall serve during the Legislative Term in which they were appointed and so long as they remain members of the House from which they were appointed. All other members shall be appointed for four-year terms commencing February 1 and ending January 31; except that (1) for the first 11 members so appointed three shall be appointed for a three-year term, three for a two-year term and two for a one-year term, so that no more than three terms shall expire in any one year, and (2) if any member so appointed shall qualify into any elective public office or shall file nominating petitions or accept a nomination to run for any such office, his position as a member of the advisory board shall thereupon become vacant. Vacancies in the membership of the advisory board, however caused, shall be filled in the same manner as the original appointments were made, for the unexpired term only.

c. Members of the advisory board shall serve without compensation, but shall be entitled to reimbursement for actual expenses necessarily incurred in the performance of their duties as members of the board.

Source: New.

19A:6-20.2. Advisory Board; Organization. The advisory board shall meet and organize, at a time and place set by the Governor, as soon as may be after the initial appointment of its members, and thereafter shall

meet for organization, at the call of the outgoing chairman, in February next following the opening of each Legislative Term. At each organization meeting the board shall choose a chairman, who shall not be a member of the Legislature, from among its members.

Source: New.

19A:6-20.3. Advisory Board; Public Hearings; Observation of Election Process; Reports. a. At least once each year the advisory board shall hold a public hearing or series of public hearings on the operation of the election process in the State, and shall solicit testimony thereat from the general public.

b. The advisory board shall maintain a close observation of the election process in this State, and shall consult, as it deems necessary, with election officials and other knowledgeable persons, in this State and elsewhere, concerning the merits and defects of election procedures used or proposed for use in this State.

c. On the basis of its hearings, observations, consultations and deliberations, the advisory board shall from time to time, and at least once each year, submit to the commission, the Legislature and the public a report detailing any changes in the statutes, regulations or other rules and procedures which it deems are, or may be, conducive to improvement in the conduct of elections and the fulfillment of the public policy goals set forth in N.J.S.

19A:38-1.

Source: New.

19A:6-20.4. Advisory Board; Provision of Facilities and Assistance for. The Commission on Elections shall provide for the advisory board such facilities and secretarial, stenographic and clerical assistance as may be necessary to enable the board to carry out its duties and responsibilities as set forth in N.J.S.

19A:6-20.3.

Source: New.

#### ARTICLE 4. Board of County Canvassers

19A:6-21. County Boards of Elections as. The county board in each county shall be and act as the board of county canvassers for such county.

Source: R.S. 19:6-26.

19A:6-22. Time and Place of Meeting; Tabulation of

Results. The board of county canvassers of each county shall meet on the second succeeding day after any election, at 12:00 noon, at the office of the county board of elections, for the purpose of checking the canvass, which shall have been made by the county board from the statements of the district boards filed in its office. For such purpose the county board shall prepare a compilation in tabulated form as prescribed by the Commission on Elections of such statements and the combined results shown thereby for its use as the board of canvassers.

Source: R.S. 19:19-1 amended 1959, c.117.

19A:6-23. Canvass and Statement of Results of Election. Members of the board shall proceed to examine the statements and copies of statements prepared by them, and shall canvass and determine the votes cast at any election; and shall forthwith make four statements of the result of such election.

Source: R.S.19:19-8 amended 1938, c.399, s.1.

19A:6-24. Statements; Certification. Each of the statements shall be certified to be true and correct by a certificate which shall be appended to the same, signed by the members of the board making the canvass.

Source: R.S. 19:19-9.

19A:6-25. Form of Statement. The statement shall be in substantially the form prescribed by the Commission on Elections.

Source: R.S. 19:19-10.

19A:6-26. Form of Certificate. The certificate shall be in substantially the form prescribed by the Commission on Elections.

Source: R.S. 19:19-11.

19A:6-27. Statements to Chairmen of Republican and Democratic State Committees. The board shall deliver one of the statements to each of the respective chairmen of the Republican and Democratic State Committees.

Source: R.S. 19:19-12 amended 1938, c.399, s.2.

19A:6-28. Delivery of Statement to Commission on Elections. The board shall forthwith deliver the statement of canvass and certificate to the Commission on Elections which shall file the same and forward a copy thereof to the place where the successful candidate shall take office. The Commission on Elections shall issue a certificate to the successful candidates as certified by

the board of county canvassers, which said certificates shall be prima facie evidence of the rights of said persons to take the offices mentioned in the certificates.

Source: R.S. 19:19-13.

19A:6-29. Statements to be Retained for Five Years. All statements made by the district boards and copies of such statements shall be filed and preserved by the county board for a period of five years.

Source: R.S. 19:19-14.

19A:6-30. Commission on Elections to Obtain Missing Statements. If the Commission on Elections shall not receive the statements of the canvass within seven days after the time appointed for the meeting of the board of canvassers, it shall request a copy of the same from said board.

Source: R.S. 19:19-15.

#### ARTICLE 5. Board of State Canvassers

19A:6-31. Membership. The board of State canvassers shall consist of the members of the Commission on Elections.

Source: R.S. 19:6-27.

19A:6-32. Time and Place of Meeting. The board of State canvassers shall meet at Trenton on the first Tuesday next after the day of election for the purpose of canvassing and certifying the votes cast for each person for whom any vote or votes shall have been cast for members of the United States Senate, House of Representatives, electors of President and Vice President, Governor, State Senate and General Assembly, and upon each public question voted upon by the voters of the entire State or political division thereof greater than a county, and of determining and certifying the person or persons who shall, by the greatest number of votes, have been duly elected to such office or offices, and the result of the vote cast upon any public question setting forth that it has been approved or rejected. The board shall meet in the Senate chamber, or some other convenient place in Trenton, at 2 p.m.

Source: R.S. 19:21-1.

19A:6-33. Statement and Certification of Canvass. The board shall forthwith canvass the statements and proceed

to make a statement certifying the result of the election in the State; the statement shall contain the whole number of names of the voters in all the signature copy registers and registers of voters, the names of all the persons for whom any vote or votes shall have been cast for any office or offices to be filled in such election, and the whole number of the votes which shall have been cast for each person for any office or offices, mentioning the office or offices for which each person shall have been designated, together with the results of the votes cast upon any public questions voted upon by the voters of the entire State or of any political subdivision thereof greater than a county, and contain the name of each county, the number of votes given for each person in each county for any such office or offices. In the statement the name of each person for whom any vote or votes shall have been cast, the whole number of votes cast for each person, and the name of each person, and the name of each county shall be in words written at full length.

The statement shall be certified to be true and correct by all members of the board, shall be in the form similar to that prescribed for the board of county canvassers, and shall be filed in the same manner as the certificate prescribed for the board of county canvassers, as far as the nature of such election will permit. A copy of the statement shall be mailed to each successful candidate.

Certificates of election of United States Senators and members of the House of Representatives shall be forwarded to the clerk of the United States Senate and the clerk of the House of Representatives, respectively.

Certificates of election of presidential and vice-presidential electors shall be forwarded to the President of the College of Electors of this State.

The certificates shall be signed by the Governor of the State under the Seal of the State and shall be countersigned by the Secretary of State.

Source: R.S. 19:21-6.

#### ARTICLE 6. All Election Officials

19A:6-34. Proceedings Open and Public. All the proceedings of the district boards, county boards, boards of county canvassers and board of State Canvassers shall be open and public.

Source: R.S. 19:6-28.

19A:6-35. Majority Necessary for Decisions: Dissents. A decision of the major part of the members thereof, who shall be present at a meeting, shall be deemed to be the decision of the board. If any member shall dissent from a decision of the board and shall desire to protect himself against any consequences which may result from such decision, he shall state his dissent, in writing and file the same with the Commission on Elections.

Source: R.S. 19:6-29.

19A:6-36. Maintenance of Regularity and Order; Powers. The district board in each election district, the county board and its executive director, the board of county canvassers and the board of State canvassers and the Superior Court shall, respectively, possess full power and authority to direct the police on duty to maintain regularity and order and to enforce obedience to their lawful commands during their sessions respectively.

Source: R.S. 19:6-30 amended 1953, c.19, s.11.

## CHAPTER 7

### Challengers

#### Section

19A:7-1. Appointment by Chairmen of Committees.

19A:7-2. Appointment of Challengers; Challengers for Absentee Ballots.

19A:7-3. Filing of Appointment or Applications.

19A:7-4. Permits to Challengers; Revocation.

19A:7-5. Powers

19A:7-6. Badge

19A:7-7. Number of Challengers.

19A:7-8. Comparison of Signatures or Statements made openly.

19A:7-9. District Board; Challenges; Right to Make; Questions Asked.

19A:7-10. Challenge on Ground of Disenfranchisement Under N.J.S. 19A:4-1.

19A:7-11. Challenge on Grounds Other Than Disenfranchisement Under N.J.S. 19A:4-1.

19A:7-12. Determination of Challenge; Oath or Affirmation Administered; Reaching of Determination.

19A:7-13. Challenge on Ground of Alienage; Oath or Affirmation to be Administered.

19A:7-1. Appointment by Chairmen of Committees. The chairman of the county committee of any political party that has duly nominated any candidate for public office to be voted for at an election by all the voters within the county or any political division thereof greater than a single municipality, or where the election is within and for a single municipality only, or any subdivision thereof, then the chairman of the municipal committee of the political party making such nomination within and for such single municipality, or subdivision thereof, may appoint two challengers for each election district in his county or municipality, as the case may be.

The chairman of the county committee of each political party may also appoint two challengers to serve and exercise the powers of challengers, in each election district in the county at any primary election.

Source: R.S. 19:7-1.

19A:7-2. Appointment of Challengers; Challengers for Absentee Ballots. A candidate who has filed a petition for an office to be voted for at the primary election, and a candidate for an office whose name may also act as a challenger as herein provided, and may likewise appoint two challengers for each district in which he is to be voted for: but only two challengers shall be allowed for each election district to represent all the candidates nominated by the same original petition. The appointment of the challenger shall be in writing signed by the person making the same, and shall specify the names and residences of the challengers in the election districts for which they are severally appointed. Whenever a public question shall appear on the ballot to be voted upon by the voters of an election district and application has been made by the proponents or opponents of said public question for the appointment of challengers, the county board may in its discretion appoint two challengers each to represent such proponents or opponents. Such challengers shall be in addition to those provided for in N.J.S. 19A:7-1.

Whenever any county board of elections employ tally boards or deputies to open and count absentee ballots in any election or performs any function under N.J.S. 19A:36-2, 19A:36-29, 19A:37-19 or 19A:37-23, the places where said county board or tally boards or deputies perform these functions shall be considered an election

district for the purposes of appointment of challengers.

Source: R.S. 19:7-2 amended 1956, c.66, s.1.

19A:7-3. Filing of Appointment or Applications. The appointment of or application for challengers shall be filed with the county board not later than the second Tuesday preceding any election. No person shall be appointed a challenger under this Title who is not a registered voter in the county in which the district is located in which such person is appointed to serve, and no appointed challenger shall serve in any district other than that to which appointed.

Source: R.S. 19:7-3 amended 1956, c.66, s.2.

19A:7-4. Permits to Challengers: Revocation. The county board shall thereupon issue, under the hands of its members, to the persons named in such appointment papers, or application, permits for them to act as challengers for their respective parties or candidates or for or against a public question at the election district specified. Such permits shall be filed by the persons named therein with the district board named therein, as evidence of their authority to be present in the polling place, and they may be issued and revoked and others issued in their stead at any time up to and including the day of election. When a permit shall be revoked, the permit in the place thereof shall be issued upon the nomination of the same person or officer upon whose nomination the original permit was issued.

Source: R.S.19:7-4 amended 1956, c.66, s.3.

19A:7-5. Powers. Such challengers shall be the authorized challengers for their respective political parties and candidates or for the proponents of a public question. They shall have the power to challenge the right to vote therein of all persons claiming such right if they know or reasonably believe that said person is not entitled to vote, and they shall have the power to ask all necessary questions to determine this right. Challengers may be present while the votes cast in any election are being counted, and shall have the right and power to challenge the counting or rejecting of any vote.

Source: R.S. 19:7-5 amended 1956, c.66. s.4; 19:15-18.

19A:7-6. Badge. Every such challenger shall at any election wear a badge, to be furnished by the county board, which shall show to any person the political party or candidate or group of candidates or the side for whom or for which the challenger is acting.

Source: R.S. 19:7-6 amended 1956, c.66, s.5.

19A:7-7. Number of Challengers. Unless express permission be given by the district board, not more than one challenger appointed for a party, candidate, or on a public question, shall be present at any one time in any polling place while serving and exercising the powers of a challenger and during the hours when the polls are open for voting. If the district board shall in any case give permission for more than one challenger so appointed to be present at any one time in any polling place, it shall on the same grounds and on request permit a like number to be present on behalf of any opposing party, or on behalf of any other candidate for the same office, or on the other side of any public question.

Source: C.19:7-6.1 (1960, c.82).

19A:7-8. Comparison of Signatures or Statements Made Openly. The comparison of signatures of a voter made upon registration and upon election day, and if the voter alleges his inability to write, the comparison of the answers made by such voter upon registration and upon election day, shall be had in full view of the challengers.

Source: R.S. 19:15-17.

19A:7-9. District Board; Challenges; Right to Make; Questions Asked. The members of the district boards shall at any election challenge every person who shall claim to have a right to vote therein whom they or he shall know, or reasonably believe, not to be qualified or entitled to so vote, and said members of the district board shall have the power and right to ask all necessary questions to determine such person's right.

Source: R.S. 19:15-18.

19A:7-10. Challenge on Ground of Disenfranchisement Under N.J.S. 19A:4-1. If a person is challenged as ineligible to vote because of disenfranchisement under N.J.S. 19A:4-1, said challenge shall be immediately referred by the district board to the assignment judge of the county, or his designee, who, in a summary proceeding, shall determine forthwith whether said person shall be permitted to vote.

Source: R.S. 19:15-19.

19A:7-11. Challenge on Grounds Other Than Disenfranchisement under N.J.S. 19A:4-1. If a voter is challenged for any reason other than disenfranchisement under N.J.S. 19A:4-1, the district board shall ask him

questions which were asked him upon registration, the answers do not correspond, a note of such fact shall be made in writing by the district board. If the signatures of the voter or the answers to the questions made by the voter do not correspond, then it shall be the privilege of the challengers to challenge, and the duty of each member of the district board to challenge, unless some other authorized person shall challenge.

Source: R.S. 19:15-23.

19A:7-12. Determination of Challenge; Oath or Affirmation Administered; Reaching of Determination. The district board shall not allow any person to vote unless it be satisfied that such person is in all respects qualified and entitled to vote; and for the purpose of satisfying itself as to the right of any person who shall claim the right to vote, it shall have power to examine such person, and any other person or persons, under oath or affirmation, in writing on a form as prescribed by the Commission on Elections, except if the challenge is for disenfranchisement. The board shall determine the right of the voter to vote, after making use of, and giving due weight to, the evidence afforded by his signature, if any, and such answers; and if any member of the board shall allow any challenged person to vote, without requiring him to take the oath or affirmation prescribed to be made upon such challenge, and the person shall not be qualified and entitled to vote, the member so giving or assenting to allow the voter to vote, shall be deemed to have allowed such person to vote knowing it to be illegal.

The question as not allowing the person to vote shall be put in the following form: "Shall this person be allowed to vote by this board?"

If a majority of the board shall decide to allow a person to vote, or if there be a tie vote on the board, the voter shall be allowed to vote.

If a majority of the board shall decide against allowing the person to vote, said person shall not be allowed to vote. The chairman of the board shall forthwith sign a complaint charging such person with a violation of this Title.

Every such challenge and the determination of the board shall in every instance be recorded in the signature comparison record, in the column "Sig. comp. by", used at the election at which the challenge has been made.

Source: R.S. 19:15-24 amended 1953, c.19, s.16.

19A:7-13. Challenge on Ground of Alienage; Oath or Affirmation to be Administered. If a person shall be challenged as not qualified or entitled to vote, and the person challenged as not qualified or entitled to vote, and the person challenging him shall specify a ground for such challenge to be that the person so challenged is an alien, the district board may forthwith tender to him an oath or affirmation substantially in the form as prescribed by the Commission on Elections.

Source: R.S. 19:15-20.

## CHAPTER 8

### Polling Places; Equipment

#### ARTICLE 1. Polling Places

##### Section

19A:8-1. Location, Electioneering and Insignia Forbidden.

19A:8-2. Tentative List of Available Places; Selections.

19A:8-3. Schoolhouses and Public Buildings; Other Locations' Certification of Expenses.

19A:8-4. Selected Places Certified.

19A:8-5. Display of American Flag.

#### ARTICLE 2. Polling Place Equipment

19A:8-6. Equipment Required; County Boards to Provide.

#### ARTICLE 1. Polling Places

19A:8-1. Location, Electioneering and Insignia Forbidden. For the purpose of this Title, a polling place shall be within a building wherein a district board is directed to meet for the purpose of conducting elections.

During the conduct of any election, no person shall display, sell, give or provide any printed matter, political badge, or other insignia, or offer any suggestion, or solicit support for or against any candidate, party or public question within 100 feet of the building housing said polling place.

Source: R.S. 19:8-1; 19:34-15, amended 1940, c.199, s.8; c.438, s.17; 19:34-19.

19A:8-2. Tentative List of Available Places: Selections. The clerk of every municipality, on or before 60 days prior to the primary election in all other years, shall certify to the county board of every county wherein such municipality is located, a suggested list of places in the municipality suitable for polling places. County boards shall select the polling places for the election districts in the municipalities of the county for all elections in the municipalities thereof, including all municipal elections. The county board shall not be obliged to select polling places, so suggested by the municipal clerk, but may choose others where they may deem it expedient. Preference in location shall be given to schools and to those buildings owned by or leased to municipalities or governmental units, where space shall be made available by the authority in charge, upon request, if same can be done without detrimental interruption of school or the usual public services thereof, and for which the authority in charge shall be reimbursed, by agreement, for such expenses of light, janitorial and other attending services arising from such use.

Where the county boards shall fail to agree to the selection of polling place or places for any election district, within five days of the election, the Commission on Elections shall select and designate the polling place or places in any such election district.

The county board or the Commission on Elections may select a polling place other than a schoolhouse or public building outside of the district but such polling place shall not be located more than 1,000 feet distant from the boundary line of the district.

Source: R.S. 19:8-2 amended 1948, c.2, s.9; 1959, c.116; 1965, c.4, s.7.

19A:8-3. Schoolhouses and Public Buildings; Other Locations; Certification of Expenses. The county board may select building or public buildings as the polling places in any municipality in the county whether or not such schoolhouses or public buildings are located within the election district for which the polling place is established; and shall designate the rooms or places, entrances and exits to be used in the schoolhouses or public buildings.

The county board may select a polling place other than a schoolhouse or public building for an election district, when the location of the election district and of the schoolhouses and public buildings in the municipality in which the election district is located is such that inconvenience would be caused the voters of such election district by locating the polling place thereof in a schoolhouse or public building. In the selection of a polling place other than a schoolhouse or public building for an election district, consideration shall be given to the use of buildings accessible to elderly and physically disabled persons.

The county board shall determine and certify to the board of chosen freeholders the amount to be paid the several boards of education or municipalities, as the case may be, for expenses in connection with the use of schoolhouses or public buildings for polling places in private premises.

Source: R.S.8-3; 1977, c.326.

19A:8-4. Selected Places Certified. The county board, no later than 30 days prior to the primary election, shall certify a list of polling places so selected to each municipal clerk in the county, and to the Commission on Elections.

Source: R.S. 19:8-4 amended 1938, c.281; 1948, c.2, s.10; 1965, c.4, s.8.

19A:8-5. Display of American Flag. An American flag, approximately 3 feet by 5 feet in size, shall be displayed at the outside entrance of each polling place in this State by the district boards during the hours when the boards are in session; except that, when more than one polling place is located in the same building the prominent display of one such flag at the outside entrance used in common to reach more than one polling place shall constitute compliance with the provisions of this section. Such flag shall be furnished by the county board and delivered to the municipal clerks for distribution.

Source: R.S. 19:8-5 amended 1964, c.46.

## ARTICLE 2. POLLING PLACE EQUIPMENT

19A:8-6. Equipment Required; County Boards to Provide. The county boards shall purchase or lease and

furnish proper equipment for polling places to enable district boards to carry out the duties imposed upon them by this Title. The equipment shall consist of tables, chairs, lights, and all other things necessary for the performance of such duties and shall be ready for use by the district boards in ample time to enable them to perform their duties.

Source: R.S. 19:8-6.

## CHAPTER 9

### ELECTION SUPPLIES

#### Section

19A:9-1. Preparation and Distribution of Supplies.

19A:9-2. Distribution of Supplies by Municipal Clerks.

19A:9-1. Preparation and Distribution of Supplies. The commission on Elections shall prepare and distribute to the county boards on or before 60 days prior to a municipal election in the years during which municipal elections are held, and on or before 60 days prior to the primary election and prior to the general election, the following information and election supplies: pamphlets of the election laws and instructions; names of electors of President and Vice President, United States Senator, members of House of Representatives, State Senate, General Assembly and county officers; public questions submitted to the voters of the entire State; self-addressed envelopes, plain and stamped, to each district; returns for the county board of canvassers for the above officers; and where required, primary return sheets.

All other books, ballots, envelopes and other blank forms which the Commission on Elections is required to furnish under any other section of this Title, stationery and supplies for municipal elections, the primary election for the general election, the primary election for delegates and alternates to national conventions and the general election, shall be furnished, prepared and distributed by the Commission on Elections; except that all books, blank forms, stationery and supplies, articles and equipment which may be deemed necessary to be furnished, used or issued by any county board shall be furnished, used or issued, prepared and distributed by such county board.

The county board shall furnish and deliver to the Commission on Elections the municipal clerks and the district boards a map or description of the district lines of their respective election districts, together with the street and house numbers where possible in such election districts.

Source: R.S. 19:9-2 amended 1947, c. 168, s. 2; 1948,

c. 2, s. 11; 1953, c. 19, 2. 12; 1965, c. 4, s. 9;

1966, c. 19, s. 4; 1967, c. 7, s. 3; 1967, c. 26,

s. 3; 1968, c. 292, s. 3.

19A:9-2. Distribution of Supplies by Municipal Clerks. Where supplies are delivered by the Commission on Elections or the county board to the municipal clerk for distribution, the municipal clerk shall deliver the same at his office, or in any other proper way that he sees fit, to a member of the district board and take a proper receipt thereof and file the same in his office.

Source: R.S. 19:9-5

## CHAPTER 10

### PRESERVATION OF ELECTION DOCUMENTS

19A:10-1. Custodial Officer to Preserve Two Years.

19A:10-1. Custodial Officers to Preserve Two Years. All petitions of nomination, affidavits attached thereto, acceptances, objections thereto and determinations of officers or courts relative to such objections and all other documents relating to elections not otherwise provided for, shall be preserved by the officer or body with whom they have been filed for two years from any election at which the candidates named therein are to be voted for.

Source: R.S. 19:10-1.

## CHAPTER 11

### SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS

#### Section

19A:11-1. Day for Filing Documents or Performing Official Duties Falling on Saturday, Sunday or Legal Holiday.

19A:11-1. Day for Filing Documents or Performing Official Duties Falling on Saturday, Sunday or Legal Holiday. Should the day for the filing of any petition, declination, resignation, instrument in writing or other paper or document required to be filed in any office under the provisions of this Title, or for the performance of any duty required by this Title by any person, candidate or official, fall upon Saturday, Sunday or any legal holiday, such filing or performance of duty shall be effected upon the next following business day.

Source: R.S. 19:11-1.

## SUBTITLE 2

### GENERAL ELECTIONS

#### Chapter

- 12. Certificates and Notices, 19A:12-1 to 19A:12-6.
- 13. Nomination of Candidates, 19A:13-1 to 19A:13-23.
- 14. Ballots, 19A:14-1 to 19A:14-18.

## CHAPTER 12

### CERTIFICATES AND NOTICES

#### ARTICLE 1. OFFICIALS TO OFFICIALS

##### Section

- 19A:12-1. Commission on Elections to County Board; Party Vote; Officers to be Elected and Public Questions Submitted.
- 19A:12-2. County Board to Municipal Clerks; Copies of Certificates of Party Vote and Notice of Officers to be Elected.
- 19A:23-3. County Clerk to Refer Applications to County Board; Register of Voters for School Election.
- 19A:12-4. County Board to Municipal Clerk; Notices of Offices to be Filled.
- 19A:12-5. Municipal Clerk to County Board; Statement of Public Offices to be Filled.

#### ARTICLE 2. OFFICIALS TO PUBLIC

- 9A:12-6. Newspaper Notice of Registration and Election Days.

## ARTICLE 1. OFFICIALS TO OFFICIALS

19A:12-1. Commission on Elections to County Boards; Party Vote; Officers to be Elected and Public Questions Submitted. The Commission on Elections shall within thirty days after the completion of the canvass by the board of State canvassers, certify to each county board the fact that at the preceding general election held for the election of all of the members of the General Assembly 5% of the total vote cast in the State for members of the General Assembly had been cast for candidates having the same designation, thereby creating within the meaning of this Title, a political party as defined in 19A:1-1, to be known and reorganized as such under the same designation as used by the candidates for whom the required number of votes were cast.

The Commission on Elections shall also not later than the sixtieth day preceding the primary election for the general election in every year, in which electors of President and Vice President of the United States, a representative of the United States Senate, members of the House of Representatives, a Governor, State Senator or member or members of the General Assembly, or any of them, are to be elected or any public question is to be submitted to the voters of the entire State, direct and cause to be delivered to the county board wherein any such election is to be held, a notice stating that such officer or officers are to be elected and that such public question is to be submitted to the voters of the entire State at the ensuing general election.

Source: R.S. 19:12-1 amended 1948, c. 2, s. 12.

19A:12-2. County Board to Municipal Clerk; Copies of Certificates of Party Vote and Notice of Officers to be Elected. The county board shall immediately upon receipt of the certificated from the Commission on Elections setting forth that a political party has been created, forward a certified copy of such certificate to each municipal clerk in the county.

The county board shall also not later than the fiftieth day preceding the primary election of9r the general election in every year cause a copy of the notice received from the Commission on Elections of the officer

or officers to be elected at the ensuing general election, to be delivered to the clerk of each municipality in the county.

Source: R.S. 19:12-3 amended 1948, c. 2, s. 14.

19A:12-3. County Clerk to Refer Applications to County Board; Register of Voters for School Election. The county clerk shall when application shall be made to him by the secretary of the board of education in any municipality in the county, refer such application to the county board, which shall turn over at once to such secretary in accordance with such application the registered voters of the preceding general election to be used in connection with any annual or special school election; but such register shall be returned to the county board by the secretary within 2 days after the annual or special school election in connection with which it was used.

Source: R.S. 19:12-4.

19A:12-4. County Board to Municipal Clerk; Notices of Offices to be Filled. The county board shall, no later than the fiftieth day preceding the primary election for the general election, immediately preceding the expiration of the term of office of all other officers who are voted for by the voters of the entire county or of more than one municipality within the county, direct and cause to be delivered to the clerk of each municipality a notice that such officer or officers, as the case may be, will be chosen at the ensuing general election.

Source: R.S. 19:12-5 amended 1948, c. 2, s. 15.

19A:12-5. Municipal Clerk to county Board; Statement of Public Offices to be Filled. All municipal clerks, not later than the fiftieth day preceding the primary election for the general election, shall make and certify under their hands and seals of office and forward to the county board of the county in which the municipality is located a statement designating the public offices to be filled at such election, and the number of persons to be voted for each office.

Source: R.S. 19:12-6 amended 1948, c. 2, s. 16.

## ARTICLE 2. OFFICIALS TO PUBLIC

19A:12-6. Newspaper Notice of Registration and Election Days. The county board in all counties shall cause to be published in the newspapers circulating in the municipality and the county once prior to the closing of registration, and once prior to each election, registration and voting information pertaining to the primary and general election. Details of this notice shall be determined by the Commission on Elections so as to be uniform in all counties. The cost of publishing the notices shall be paid by the respective counties.

Source: R.S. 19:12-7 amended 1945, c. 184; 1962, c. 26; 1975, c. 289, s. 1.

## CHAPTER 13

### NOMINATION OF CANDIDATES

#### ARTICLE 1. METHODS ENUMERATED

##### Section

19A:13-1. Direct Petition and Primary Election.

19A:13-2. State Convention; Presidential and Vice Presidential Electors.

#### ARTICLE 2. DIRECT NOMINATIONS BY PETITION

19A:13-3. To Whom Petition Addressed.

19A:13-4. Contents of Petition.

19A:13-5. Signatures to Petition; Number; Percentages.

19A:13-6. Signing of Petition; Addresses.

19A:13-7. Oath of at Least One Voter Signing Petition.

19A:13-8. Acceptance of Nomination.

19A:13-9. Filing Petitions and Acceptance; Public Inspection; Certifications to Commission on Elections.

19A:13-10. Validity of and Objections to Petition.

19A:13-11. Determination of Validity of Objections.

19A:13-12. Recourse to Superior Court by Candidates for Protection of Rights.

19A:13-13. Amendment of Defective Petitions; Time for.

### ARTICLE 3. BY PRIMARY ELECTION

19A:13-14. Procedure; Highest Aggregate of Votes to Determine Party Candidates; Exceptions.

### ARTICLE 4. BY STATE COMMITTEE

19A:13-15. Presidential and Vice Presidential Electors; Certification of Nominees; Presidential Candidates; Committees on Vacancies; Acceptances; Objections to Certificates.

### ARTICLE 5. VACANCIES AMONG NOMINEES

#### A. Resignations

19A:13-16. Notice to Election Official; Time for.

19A:13-17. Declination Notice to Signers of Petition or Committee on Vacancies.

#### B. Filling Vacancies

#### Section

19A:13-18. In General.

19A:13-19. Vacancies Among Direct Petition Nominees Filled by Direct Nomination.

19A:13-20. Vacancies Among Primary Election Nominees; Procedure for Filling.

19A:13-21. Filling Vacancies; Certificate.

### ARTICLE 6. CERTIFICATION OF NOMINEES

19A:13-22. Commission on Elections; Statement to County Boards of Nomination; Vacancies.

19A:13-23. Commission on Elections; Statement to County Board of Elections of Vacancy Nominations; Contents.

### ARTICLE 1. METHODS ENUMERATED

19A:13-1. Direct Petition and Primary Election. Candidates for all public offices to be voted for at the

general election in this State or in any political division thereof, except electors of President and Vice-President of the United States nominated directly by petition as hereinafter provided, or at the primary for the general election hold pursuant to this Title.  
Source: R.S. 19:13-1.

19A:13-2. State Convention; Presidential and Vice-Presidential Electors. In presidential years the state conventions shall severally nominate for their respective parties such number of candidates for electors of President and Vice-President of the United States as this State shall be entitled to elect or appoint.  
Source: R.S. 19:13-2.

## ARTICLE 2. DIRECT NOMINATIONS BY PETITION

19A:13-3. To Whom Petition Addressed. Direct nomination by petition for the general election shall be as follows: Petitions naming candidates for office to be filled by voters of the entire State, of any congressional district, of any political subdivision greater than a single county or for members of the Legislature shall be addressed to the Commission on Elections. All other petitions naming candidates to be voted for at the general election shall be addressed to the county boards of the counties wherein the officers nominated are to be voted for.

The petitions shall be filed within the time prescribed by N.J.S. 19A:13-9.  
Source: R.S. 19:13-3 amended 1967, c. 22, s.1.

19A:13-4. Contents of Petition. Such petition shall set forth the name, place of residence and post-office address of the candidate for the office to be filled, the title of the office for which the candidate is named, that the petitioners are legally qualified to vote for such candidate and pledge themselves to support and type for the person named in such petition and that they have not signed any other petitions of nomination for the primary or for the general election for such office exceeding the number of persons to be elected to such office at such election.

In the case of a petition or petitions nominating electors of President and Vice-President of the United States, joint petitions nominating any number of candidates up to the total number to be elected, may be filed if the names of the candidates for President and Vice-President for whom such electors are to vote are included on the petition or petitions, but the petition or petitions shall not include the names of any candidates for President or Vice-President who have been nominated at a convention of a political party as defined by this Title.

The petition shall also state in not more than three words the designation of the party or principles which the candidate therein name represents but such designation shall not contain the designation, name, derivative, or any part thereof as a noun or an adjective of any political party entitled to participate in the primary election.

The petitions of any two or more candidates who have previously so agreed, and filed such agreement with the body, or bodies to which such petitions are to be addressed, may include a statement: (a) listing the names of all the candidates who are parties to such agreement, and the office sought by each of them, and (b) setting forth their agreement to request a common designation of party or principles to be printed upon the ballots at the ensuing general election next to the name of each of them. The number of candidates for any one office entering into such agreement shall not exceed the number of persons to be elected to such office.

No such petition shall undertake to nominate any candidate who has accepted the nomination for the primary for such position.

Source: R.S. 19:13-4.

19A:13-5. Signatures to Petition; Number; Percentages. The petition shall be signed by legally qualified voters of this State residing within the district or political division in and for which the officer or officers nominated are to be elected. The number of signatures required, which shall be as certified to by the Commission on Elections as of the preceding January 1, shall be as follows:

a. For the office of Governor and U.S. Senate, 2,500 signatures, no more than 15% of which shall be of persons from only one county.

b. For the office of the House of Representatives, 1/2 of 1% the number of registered voters of that district.

c. For the office of State Senate and General Assembly, 1/2 of 1% the number of registered voters of that district.

d. For any county-wide office, 1/2 of 1% the number of registered voters of that county.

e. For all other offices, 1/2 of 1% the number of registered voters of that district or political division; provided, however, that in no case shall less than 10 signatures be required.

Source: R.S. 19:13-5 amended 1948, c. 438, s. 6.

19A:13-6. **Signing of Petition; Addresses.** Every voter signing a petition shall add to his signature his place of residence, post office address and street number, if any. Such voter shall sign one petition for each officer and no more, but all the names need not be signed to one petition.

Source: R.S. 19:13-6.

19A:13-7. **Oath of at Least One Voter Signing Petition.** Before any petition shall be filed as a hereinafter provided, at least one of the voters signing the same shall execute an oath in writing before a duly qualified officer that the petition is made in good faith and that the affiant believes that the signers are duly qualified voters.

Source: R.S. 19:13-7 amended 1973, c. 135.

19A:13-8. **Acceptance of Nomination.** A candidate nominated for an office in a petition shall manifest his acceptance of such nomination by a written acceptance thereof, signed by his hand, upon or annexed to such petition, or if the same person be named for the same office in more than one petition, annexed to one of such petitions. Such acceptance shall certify that the candidate is a resident of and a legal voter in the district of the office for which the nomination is made. No candidate so named shall sign such acceptance if he has signed an acceptance for the primary nomination or any other petition of nomination under this chapter for such office.

Source: R.S. 19:13-8 amended 1949, c. 24, s. 2.

19A:13-9. Filing Petitions and Acceptance; Public Inspection; Certifications to Commission on Elections. All such petitions and acceptances thereof shall be filed with the officer or officers to whom they are addressed before 4:00 P.M. on the fortieth day preceding the day of holding of the primary election for the general election. All petitions when filed shall be opened under proper regulations for public inspection.

The county boards shall certify to the Commission on Elections, within 20 days after the primary election for the general election, the names, places of residence and post-office addresses of the candidates nominated, the offices for which nominated, and the designation of the party nominating the candidates, whether by petition or at the primary election and the dates of filing the certificates of nominations and petitions.

Source: R.S. 19:13-9 amended 1948, c. 2, s. 17; 1956,

c. 53, s. 1.

19A:13-10. Validity of and Objections to Petition. Every petition of nomination in apparent conformity with the provisions of this Title shall be deemed to be valid, unless objection thereto be duly made in writing and filed with the officer or body with whom the original petition was filed within two days after the last day for filing of petitions has expired. If such objection is made, notice thereof by such officer or body shall forthwith be mailed to the candidate who may be affected thereby, addressed to him at his place of residence as given the petition of nomination.

Source: R.S. 19:14-10.

19A:13-11. Determination of Validity of Objections. The county board or Commission on Elections with whom the original petition was filed shall in the first instance pass upon the validity of such objection in a summary way unless an order shall be made in the matter by a court of competent jurisdiction and for this purpose such officer shall have power to subpoena witnesses and take testimony or depositions. The county board or the Commission on Elections shall file the determination in writing in its office at least 34 days before the primary election for the general election, which determination shall be open for public inspection.

Source: R.S. 19:13-11 amended 1942, c. 50, s. 1; 1948,

c. 2, s. 18.

19A:13-12. Recourse to Superior Court by Candidates for Protection of Rights. Any judge of the Superior Court, in the case of petitions filed with the Commission on Elections, and in all other cases the Assignment Judge of the Superior Court assigned to the county in which any petition of nomination shall be filed, or the assignment judge's designee, on the verified complaint of any candidate, filed at least 36 days before the election, setting forth any claimed invasion or threatened invasion of his rights under the petition of nomination filed with the Commission on Elections or with any county board, shall hear such complaint in a summary way and make such order thereon as will protect and enforce the rights of such candidates, which order shall be entered within two days' after the filing of the verified complaint.

Source: R.S. 19:13-12 amended 1942, c. 50, s. 1a; 1953,  
c. 19, s. 14.

19A:13-13. Amendment of Defective Petitions; Time for. A candidate whose petition of nomination, or any affidavit or affidavits attached thereto, is defective, may cause such petition or the affidavit or affidavits attached thereto, to be amended in matters of substance or of form as may be necessary, but not to add signatures, or such amendment or amendments may be made by filing a new or substitute petition, or affidavit or affidavits attached thereto, and the same when so amended shall be of the same effect as if originally filed in such amended form; but every amendment shall be made at least 34 days before the primary election for the general election. This provision shall be liberally construed to protect the interest of candidates.

Source: R.S. 19:13-13 amended 1948, c. 2, s. 19.

### ARTICLE 3. BY PRIMARY ELECTION

19A:13-14. Procedure, Highest Aggregate of Votes to Determine Party Candidates; Exceptions. The nomination of candidates for the general election by means of the primary election shall be carried out in the manner hereinafter provided, and in such election the person having in the aggregate the highest number of votes shall be the candidate of his respective party for the office.

to be filled; except that (a) no candidate whose name does not appear on the ballot shall be certified as having been nominated on the basis of write-in votes unless the total number of votes cast for him equals or exceeds the number of signatures which would have been required to place his name on the ballot pursuant to N.J.S. 19A:15-4, and (b) for the purposes of this section no write-in votes shall be counted for any candidate whose name appears on the ballot of any other political party in the same primary election. In case more than one person is to be elected to the same or similar office, the persons having the highest number of votes to the extent of the number of offices to be filled shall be the candidates of their respective parties for such offices.

Source: R.S. 19:13-14.

#### ARTICLE 4. BY STATE COMMITTEE

19A:13-15. Presidential and Vice-Presidential Electors; Certification of Nominees, Presidential Candidates; Committees on Vacancies; Acceptances; Objections to Certificates. In presidential years the state committee of a political party shall meet at the call of its chairman, following the close of that party's national convention, but no later than 50 days before the Presidential election, for the purpose of nominating candidates for electors of President and Vice-President of the United States and shall certify such nomination in a written or printed or partly written and partly printed certificate of nomination.

The certificate of nomination shall contain the name of each person nominated, his residence and post-office address, the office for which he is named, and shall also contain in not more than three words, the designation of the party the nominating body represents. The names of the candidates for President and Vice-President for whom such electors are to vote may be included in the certificate. The state committee may also appoint a committee to whom shall be delegated the power to fill vacancies, howsoever caused, and the names and addresses of such committee shall be included in the certificate.

The certificate shall be signed by the State chairman who shall make oath before an officer authorized to

administer the same that he is the state chairman of the political party and that the certificate and statements therein contained are true to the best of his knowledge and belief. A certificate that such oath has been taken shall be made and signed by the officer administering the same and endorsed upon or attached to the certificate of nomination. Endorsed upon or attached to the certificate shall be statements in writing that the persons named therein accept such nominations.

The certificate of nomination and the acceptance thereof shall be filed forthwith with the Commission on Elections.

The procedure for all objections to the certificates of nomination, the determination of the validity of such objections, the correction of defective certificates, and the presentation of such certificates and any documents attached thereto, shall be the same as herein provided for direct petitions of nominations.

Source: R.S. 19:13-15 amended 1944, c. 157; 1949, c. 24, s. 3; 1968, c. 87, s. 1.

## ARTICLE 5. VACANCIES AMONG NOMINEES

### A. Resignations

19A:13-16. Notice to Election Official; Time for. When a person nominated as herein provided by direct petition or state convention for election to public office at the general election shall, at least 45 days before the day of the general election, in a writing signed by him and duly acknowledged, notify the officer with whom the original petition or certificate of nomination was filed that he declines the nomination, the nomination shall be void.

Source: R.S. 19:13-16 amended 1942, c. 50, s. 2.

19A:13-17. Declination Notice to Signers of Petition or Committee on Vacancies. The officer to whom the notification of declination is given shall forthwith, by mail or otherwise, inform at least five of the persons who signed the original petition that such nomination has been declined; except that in the case of the nomination of electors of president and Vice-President of the United States by the state committee of a political party he

shall inform the committee appointed by the state committee to fill vacancies, or if there be no such committee, the chairman of the state committee.

Source: R.S. 19:13-17 amended 1968, c. 87, s. 2; 1973, c. 135.

#### B. Filling Vacancies

19A:13-18. In General. When a person so declines his nomination, or if a petition or certificate of nomination, or if any nomination, be insufficient or inoperative, or if a nominee shall die, or for any reason vacate his nomination, the vacation so occasioned may be filled in the manner outlined in the succeeding sections.

Source: R.S. 19:13-18.

19A:13-19. Vacancies Among Direct Petition Nominees Filled by Direct Nomination. If the candidate vacating the nomination was nominated directly by petition, his successor shall be nominated in the same manner by direct petition; which new petition of nomination shall be filed with the Commission on Elections not later than 34 days before the day of election where as such candidate is to be voted for. Such petition shall not be valid unless signed by a sufficient number of persons who signed the petition of the candidate vacating the nomination, which number shall be at least equal to one-fourth of the minimum number of signatures required under N.J.S. 19A:13-5. The candidate for whom a valid petition is first filed pursuant to this section shall alone be eligible to succeed to the ballot place and designation of the candidate who vacated the nomination.

Source: R.S. 19:13-19 amended 1942, c. 50, s. 3.

19A:13-20. Vacancies Among Primary Election Nominees; Procedure for Filling. In the event of a vacancy, howsoever caused, among candidates nominated at primaries, which vacancy shall occur not later than 37 days before the general election, or in the event of inability to select a candidate because of a tie vote at such primary, a candidate shall be selected in the following manner:

a. (1) In the case of an office to be filled by the voters of the entire State, the candidate shall be selected by the state committee of the political party wherein such vacancy has occurred.

(2) In the case of an office to be filled by the voters of a single and entire county, the candidate shall be selected by the county committee in such county of the political party wherein such vacancy has occurred.

(3) In the case of an office to be filled by the voters of a portion of the State comprising all or part of two or more counties, the candidate shall be selected by those members of the county committees of the party wherein the vacancy has occurred who represent those portions of the respective counties which are comprised in the district from which the candidate is to be elected.

(4) In the case of an office to be filled by the voters of a portion of a single county, the candidate shall be selected by those members of the county committee of the party wherein the vacancy has occurred who represent those portions of the county which are comprised in the district from which the candidate is to be elected.

b. (1) Whenever in accordance with subsection a. of this section members of two or more county committees are empowered to select a candidate to fill a vacancy it shall be the responsibility of the chairman of said county committees, acting jointly, to call together the members of their respective committees who are so empowered.

(2) Whenever in accordance with the provisions of subsection a. of this section members of a county committees are empowered to select a candidate to fill a vacancy it shall be the responsibility of the chairman of said county committees, acting jointly, to call together the members of their respective committees who are so empowered.

(3) A county committee chairman or chairmen who call a meeting pursuant to paragraph (a) and (b) of this subsection shall not be entitled to vote upon the selection of a candidate at such meeting unless he or they are so entitled to vote as elected committeemen.

c. Whenever a selection is to be made pursuant to this section to fill a vacancy resulting from inability to select a candidate because of a tie vote at a primary election, the selection shall be made from among those who have thus received the same number of votes at the primary.

d. A selection made pursuant to this section shall be made not later than the thirty-fourth day preceding the

date of the general election, and a statement of such selection shall be filed with the Commission on Elections not later than said thirty-fourth day, and in the following manner:

(1) A selection made by the state committee of a political party shall be certified to the Commission on Elections by the state chairman of the political party.

(2) A selection made by a county committee of a political party, or a portion of the members thereof, shall be certified to the county board of the county by the county chairman of such political party; except that when such selection is of a candidate for the Senate or General Assembly or the United States House of Representatives the county chairman shall certify the selection to the state chairman of such political party, who shall certify the same to the Commission on Elections.

(3) A selection made by members of two or more county committees of a political party acting jointly shall be certified by the chairmen of said committees, acting jointly, to the state chairman of such political party, who shall certify the same to the Commission on Elections.

e. A statement filed pursuant to subsection d. of this section shall state the residence and post-office address of the person so selected, and shall certify that the person so selected is qualified under the laws of this State to be a candidate for such office, and is a member of the political party filling the vacancy. Accompanying the statement the person endorsed therein shall file a certificate stating that he is qualified under the laws of this State to be a candidate for the office mentioned in the statement, that he consents to stand as a candidate at the ensuing general election and that he is a member of the political party named in said statement and further that he is not a member of, or identified with any other political party or any political organization espousing the cause of candidates of any other political party, that he has not voted in a primary election of any other political party in the last primary election, or if he did so vote, he has disaffiliated himself from such political party as provided for in this Title. The person selected shall be the candidate of the party for such office at the ensuing general election.

Source: R.S. 19:13-20 amended 1942, c. 50, s. 4; 1945, c. 263; 1948, c. 261; 1949, c. 24, s. 4; 1972, c. 181, s. 1.

19A:13-21. Filling Vacancies; Certificate. If the nomination vacated is that of a candidate for elector of the President and Vice-President of the United States, the vacancy shall be filled by the committee to whom power shall have been delegated to fill vacancies if such there be, otherwise by the state committee of the political party which nominated the elector whose nomination is vacated. The chairman and secretary of the vacancy committee or state committee shall file with the Commission on Elections not later than 34 days prior to the general election a certificate of nomination for filling the vacancy. This certificate shall be made and filed in the same manner and form as heretofore provided for filling vacancies among candidates nominated at the primary.

Source: R.S. 19:13-21 amended 1942, c. 50, s. 5; 1949, c. 24, s. 5; 1968, c. 87, s. 3.

#### ARTICLE 6. CERTIFICATION OR NOMINEES

19A:13-22. Commission on Elections; Statement to County Boards of Nomination; Vacancies. The Commission on Elections, not later than 51 days before any election whereat any candidates nominated in any direct petition or primary certificate of nomination or state convention certificate filed with it are to be voted for, shall make and certify and forward to the respective county boards of election a statement of all such candidates for whom the voters within such county may be by law entitled to vote at such election. This statement, in addition to the names of the candidates for the President and Vice-President of the United States, if any such have been included in any such certificate or petition filed with it, shall contain the names and residences of all other candidates, the offices for which they are respectively nominated, and the names of the parties by which or the political designation under which they are respectively nominated. Candidates nominated directly by petition, without distinctive political designation, shall be certified as unaffiliated candidates. Similar statements shall be made, certified and forwarded when vacancies are filled subsequently, according to law.

Source: R.S. 19:13-22 amended 1942, c. 50, s. 6; 1948, c. 2, s. 20.

19A:13-23. Commission on Elections; Statement to County Board of Elections of Vacancy Nominations; Contents. In the event of vacancies among the candidates whose petitions or certificate of nomination are on file with it, the Commission on Elections in certifying the nomination of candidates to fill such vacancies to the various county boards shall insert the name of the person who has been nominated as herein provided to fill the vacancy. In the event that it has already forwarded its certificate of nomination as herein provided, it shall forthwith certify to the respective county boards the name and description of the person so nominated to fill the vacancy, the office he is nominated for, the party or political principle he represents, and the name of the person for whom such nomination is submitted.

Source: R.S. 19:13-23 amended 1942, c. 50, s. 6a.

## CHAPTER 14

### BALLOTS

#### ARTICLE 1. OFFICIAL BALLOT

##### Section

19A:14-1. Printers Copy; Time for Delivery; Office Copy for Public Inspection.

19A:14-2. Ballots for Presidential Electors.

19A:14-3. Duplicate Nominations for Same Office; Selection of Column and Designation.

19A:14-4. Reserved Columns; Nomination by Petition Columns; Arrangement of Columns and Titles of Office.

19A:14-5. Drawing for Position on Ballot; Time; Material and Equipment.

19A:14-6. Procedure for Drawing; Reserved Columns.

19A:14-7. Procedure for Drawing; Nomination by Petition Columns; Associated Candidates for More Than One Office.

19A:14-8. Procedure for Drawing; Nomination by Petition Columns; Individual Candidates; Associated Candidates for One Office.

19A:14-9. Arrangement of Public Questions.

19A:14-10. State-wide Propositions Placed First.

19A:14-11. Correction of Errors.

## ARTICLE 2 SAMPLE BALLOTS

### Section

19A:14-12. Preparation and Forwarding of Sample Ballots.

19A:14-13. Form and Contents of Sample Ballots.

## ARTICLE 3. PRINTING AND DISTRIBUTION WITH SAMPLE BALLOTS OF REFERENDUM INFORMATION

19A:14-14. Inclusion with Sample Ballots; County Board  
to Print and Distribute; Time.

19A:14-15. Descriptive Marks in Case of Amendments.

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Clear.

19A:14-17. Commission on Elections to Designate  
Information to be Sent.

19A:14-18. Summary Statement Sufficient.

## ARTICLE 1. OFFICIAL BALLOT

19A:14-1. Printer's Copy; Time for Delivery; Office Copy for Public Inspection. Every county board shall have ready for the printer on or before noon of the seventeenth day prior to the general election a copy of the contents of official ballots as required to be printed for use at such election. It shall also on or before that time place another copy of such contents on file in its office and keep the same open to public inspection until the sample ballots provided to be printed shall have been distributed.

Source: R.S. 19:14-1.

19A:14-2. Ballots for Presidential Electors. When presidential electors are to be elected, the names shall not be printed upon the ballot, but in lieu thereof, names of candidates of their respective parties or political bodies for President and Vice-President of the United States shall be printed together in pairs under the title, "Presidential Electors for". All votes for the candidates for President and Vice-President of a party or political body shall be counted as votes for

each candidate for presidential elector of said party or political body.

Source: C. 19:14-8.1 (1944, c. 16).

19A:14-3. Duplicate Nominations for Same Office; Selection of Column and Designation. A candidate who receives more than one nomination for the same office, either from more than one political party or from more than one group of petitioners, or from one or more political parties and one or more groups of petitioners, shall have his name printed on the official general election ballot in only one column to be selected by him from among the columns to which his nominations entitle him, and shall have such designations after his names as he shall select, consisting of the names of the political parties nominating him, with the words "Endorsed by", if he so desires, and the several designations to which he is entitled by the other nominations, if any, and printed in such order as he shall select.

The candidate shall file with the Commission on Elections or county board, as the case may be, his selection of his column and the designations to follow his name and their order. Unless such selection is so filed within seven days after the primary election, the Commission on Elections or county board, as the case may be shall determine in what column and with what designations his name shall be printed. The designation shall be printed in small type and if necessary in several lines or in a line below his name, and it may be abbreviated.

Source: R.S. 19:14-9.

19A:14-4. Reserved Columns; Nomination by Petition Columns; Arrangement of Columns and Titles of Office. The official ballot in each county shall reserve a column for each political party entitled thereto pursuant to N.J.S. 19A:5-1, and for each group of associated candidates who have been nominated by direct petition under a common designation pursuant to N.J.S. 19A:13-4 and who comprise not fewer than one-half the total number of public officer to be elected or voted for at such election by the voters of the county, a separate column. At the top or extreme left of such column, depending upon the format of the ballot, shall be the name of each such

party or the agreed-upon designation of each such associated group. Below and along the left-hand margin of the ballot, or to the right and across the top of the ballot, depending upon such format, the titles of office shall be arranged in the following order: Electors of President and Vice-President of the United States; member of the United States Senate; Governor; member of the United States House of Representatives; member of the State Senate; members of the General Assembly; sheriff; county clerk; surrogate; register of deeds and mortgages; county supervisor; county executive; members of the board of chosen freeholders; mayor and members of municipal governing bodies, and any other titles of office. To the right of each title of office shall be printed the words, "Vote for any...", inserting in words the number of candidates to be elected to such office.

Below or beside the titles of each of the offices shall be printed, in each such reserved column, the names of each of the candidates of the party or associated group entitled to such column. The order in which such columns shall appear on the ballot shall be determined by drawing as hereinafter provided. In the columns below or to the right of the reserved columns shall be printed the names of the candidates who have been nominated by direct petition, in the same order as to titles of office. The names of any such candidates who have agreed to a common designation pursuant to N.J.S. 19A:13-4 but have not qualified for a reserved column shall be printed in the same column and shall be separated from other groups of candidates, except that any candidate or group candidates may be placed in the same ballot column with any other candidate or group of candidates if such placement will not result in the presentation of two or more candidates for the same office in the same column who have not agreed to a common designation.

In calculating whether an associated group of candidates comprises not fewer than one-half of the total number of public officers to be voted for, in any year when presidential electors are to be chosen, the choosing of such electors shall be deemed as the election of a single public officer.

Source: R.S. 19:14-10 amended 1951, c. 315, s. 2.

19A:14-5. Drawing for Position on Ballot; Time; Material and Equipment. The chairmen of the county boards shall draw lots in each county to determine which reserved columns the political parties and associated groups of candidates entitled thereto which made nominations at the preceding primary election shall occupy on the ballot in the county. The party or associated group of candidates whose name or common designation is first drawn shall occupy the first column at the left or top of the ballot, depending on the format of such ballot, and the name or designation next drawn shall occupy the second column, and so forth.

The position which the names of candidates and bracketed groups of names of candidates nominated by petitions for all offices, shall have upon the general election ballot, shall be determined by the county board by the drawing of lots.

The arrangement of names of any bracketed group of candidates for any office for which more than one are to be elected shall be printed in the same order on the ballot as they were arranged according to the agreement filed pursuant to N.J.S. 19A:13-4.

The drawing for the positions which the names of candidates and bracketed groups of names of candidates, nominated by petition for office, and for the reserved columns which the political parties and qualified groups of associated candidates occupy upon the general election ballot, shall be held at 3:00 p.m. of the fiftieth day prior to the day of the general election.

All material and equipment used hereunder shall be supplied by the Commission on Elections.

Source: R.S. 19:14-12 amended 1942, c. 50, s. 7;  
1948, c. 2, s. 21; 1949, c. 207; 1968, c. 226,  
s. 1.

19A:14-6. Procedure for Drawing; Reserved Columns. The procedure for drawing the lots for assignment of reserved columns shall be as follows: paper slips with the name of each political party and designation of each associated group of candidates entitled to such a column written thereon shall be placed in capsules of the same size, shape, color and substance and then placed in a covered box with an aperture in the top large enough to admit a man's hand and allow the capsules to be drawn

therefrom. The box shall be well shaken and turned over to thoroughly inter-mingle the capsules. The chairman of the county board or his deputy shall draw from the box each capsule separately without knowledge on his part as to which capsule he is drawing. The person making the drawing shall open the capsule and shall make public announcement of the drawing of each name, or designation and the order in which the name or designation is drawn. Any legal voter shall have the privilege of witnessing all procedures on the drawing of lots, insertion of capsules and withdrawing of the capsules.

Source: R.S. 19:14-12 amended 1942, c. 50, s. 7; 1948, s. 21; 1949, c. 207; 1968, c. 226, s. 1.

19A:14-7. Procedure for Drawing; Nomination by Petition Columns; Associated Candidates for More than One Office When associated candidates who have agreed to a common designation pursuant to N.J.S. 19A:13-4 shall have been nominated by petition for more than one public office, but not a sufficient number to qualify for a reserved column, they shall be assigned to a common ballot column immediately to the right or below the reserved columns. When there is more than one such associated group of candidates, they shall be assigned to their respective columns by lot, in accordance with same procedure prescribed in N.J.S. 19A:14-6 for drawings for reserved columns. The group whose designation is first drawn shall be assigned the column next to the right or below the last reserved column, and the group whose designation is second drawn shall be assigned to the second such column, and so forth; except that where two such groups, which would otherwise occupy adjacent columns have not each nominated any candidates for the same office, they may be assigned to the same column, so that in such column there shall be no two candidates for any one office under different designations.

Source: R.S. 19:14-12 amended 1942, c. 50, s. 7; 1948, c. 2, s. 21; 1949, c. 207; 1968, c. 226, s. 1.

19A:14-8. Procedure for Drawing; Nomination by Petition Columns; Individual Candidates; Associated Candidates for One Office. Individual candidates nominated by direct petition and associated candidates nominated by direct petition for any one office to which

more than one candidate is to be elected shall be assigned to a ballot column immediately to the right or below the last column assigned to associated candidates for more than one office pursuant to N.J.S. 19A:14-6. When there is more than one such candidate or group of candidates for any one office, they shall be assigned to their respective columns by lot, in the same manner prescribed in N.J.S. 19A:14-7 for assigning columns to groups of associated candidates for more than one office; except that non-associated candidates who would otherwise appear in adjacent columns may be placed in the same column so long as the same column does not present two or more candidates for the same office who do not share a common designation.

Source: 19:14-12 amended 1942, c. 50, s. 7; 1948, c. 2, s. 21; 1949, c. 207; 1968, c. 226, s. 1.

19A:14-9. Arrangement of Public Questions. Public questions shall be printed at the far right margin and in descending vertical order, in accordance with precedence established pursuant to this section and N.J.S. 19A:14-10, on ballots in which the titles of office are arranged along the left margin; and they shall be printed at the bottom and in horizontal sequence from the left, in accordance with such precedence, on ballots in which the titles of office are arranged in horizontal order across the top. The county board shall draw lots to determine the order in which public questions, other than statewide propositions, shall be printed upon the ballot for the general election in substantially the same manner as the drawing is made for the arrangement of candidates' names upon the ballot.

All public questions to be voted upon by the voters of the entire State shall be placed first, shall be printed in compliance with N.J.S. 19A:14-10 and shall be in the order as certified by the Commission on Elections. All public questions to be voted for by the voters of a municipality shall be last and in the order as drawn by the county board, and such public questions shall be printed upon the ballot in that order.

Source: R.S. 19:14-13.

19A:14-10. State-Wide Propositions Placed First. All State-wide propositions shall be printed first among

public questions on the ballot; and if more than one proposition is to be submitted, the Commission on Elections shall direct the order in which they shall be printed on the ballot.

Source: R.S. 19:14-15.

19A:14-11. Correction of Errors. When it shall appear that an error or omission has occurred in the copy prepared by the county board for the printer or in the printing of the ballots by any county board, any voter resident in the county may present to the Assignment Judge of the county a verified complaint setting forth such error or omission; and such Judge being satisfied thereof, shall thereupon summarily, by his order, required the county board to correct such error or show cause before the Tour at the shortest possible day, why the same should not be corrected. The county board shall correct the same by causing new ballots to be immediately printed in place of those found to be inaccurate or incomplete; and those found to be inaccurate or incomplete shall be immediately destroyed.

Source: R.S. 19:14-20 amended 1953, c. 19, s. 15.

## ARTICLE 2. SAMPLE BALLOTS

19A:14-12. Preparation and Forwarding of Sample Ballots. The county board shall cause samples of the official general election ballot to be printed in English and shall, no later than 12 days prior to general election, mail one of such sample ballots to each registered voter in the county for such election.

In each election district within the county in which the primary language of 10% or more of the registered voters is Spanish, the county board shall cause samples of the official general election ballot to be printed bilingually in English and Spanish.

Source: R.S. 19:14-21 amended 1941, c. 275, s. 1; 946, c. 261, s. 1; 1947, c. 168, s. 3; 1974,

c. 30, s. 2.

19A:14-13. Form and Contents of Sample Ballots. The official general election sample ballots shall be as nearly as possible facsimiles of the official general election ballot to be used at such election, and shall

have printed thereon, after the words which indicate the number of the election district for which such sample ballots are printed, the street address or location of the polling place in the election district, the hours between which the polls shall be open, and shall have the following words printed in large type at the top: "This ballot cannot be voted. It is a sample of the official general election ballot in the voting system on election day."

Source: R.S. 19:14-22 amended 1959, c. 139.

### ARTICLE 3. PRINTING AND DISTRIBUTION WITH SAMPLE BALLOTS OF REFERENDUM INFORMATION

19A:14-14. Descriptive Marks in Case of Amendments. When any question or proposition shall be submitted to the people of the State at any general election or at any election held to vote on a constitutional amendment, the county board shall, no later than 12 days prior to the general election print and mail to each registered voter with the sample ballot a printed copy of the act of the Legislature or constitutional amendment which is so submitted. The form of the question or proposition shall be as prescribed by the Commission on Elections

Source: R.S. 19:14-27 amended 1947, c. 53.

19A:-15. Descriptive Marks in Case of Amendments. When an amendment to the constitution or to a statute is so mailed, such part thereof as is new and not contained in the existing constitution or statute shall be underscored, and if any portion of the existing law or constitution is to be omitted in the proposed amendment, such portion shall be enclosed in brackets in the printed copies of the existing law or constitution so mailed, and there shall be annexed a note explaining the significance of the brackets and underscoring.

Source: R.S. 19:14-28.

19A:14-16. Relation to Statute or Constitution Made Clear. When a copy of a law of the Legislature is required by section 19A:14-14 of this Title to be printed and mailed to each registered voter, and such law is an amendment or supplement to a statute of this State, there shall be printed and mailed to each registered voter as

hereinbefore provided, in addition to the copy of the law submitted, such portion of the statute to which the same is an amendment or supplement as shall be necessary clearly to disclose to the voter, the relation of the law submitted to the existing statute law.

When a copy of a constitutional amendment is required by said section 19A:14-14 to be printed and mailed, then in addition to the copy of the constitutional amendments submitted, there shall be printed and mailed to each registered voter as hereinbefore provided, such portion of the constitution as shall be necessary clearly to disclose to the voter the relation of the amendment submitted to the existing constitution.

Source: R.S. 19:14-29.

19A:14-17. Commission on Elections to Designate Information to be Sent. When under the provisions of this Title it shall be necessary to mail to the voters any portion of the statute law of the State or any portion of the State constitution the Commission on Elections shall designate by writing filed with the county boards what portion of the statute law or State constitution shall be so printed and mailed.

Source: R.S. 19:14-30.

19A:14-18. Summary Statement Sufficient. The Commission on Elections in place of or in addition to designating any portion of the statute law or State constitution to be so printed and mailed, may, if it deems it proper, make and direct the county boards to print and mail to each registered voter a summary statement of the existing law or constitutional provisions upon the subject so far as necessary to inform the voters of the effect which the adoption or rejection of the question or proposition submitted to them will have upon such statute law or State constitution. The mailing of such summary statement shall be a compliance with the provisions of this Title.

Source: R.S. 19:14-31.

### SUBTITLE 3

#### Primary Elections

### Chapter

15. Primary for General Election, 19A:15-1 to 19A:15-22.
16. Primary for Delegates and Alternates to National Conventions, 19A:16-1 to 19A:16-5.
17. Petition Indorsing Candidates for President, 19A:17-1, 19A:17-2.
18. Any Primary, 19A:18-1, 19A:18-2.

## CHAPTER 15

### PRIMARY FOR GENERAL ELECTION

#### ARTICLE 1. NOMINATION OF CANDIDATES

##### Section

- 19A:15-1. Party Candidates for Primary Nominated by Members of Same party by Petition.
- 19A:15-2. Petitions Addressed to Commission on Elections and County Boards.
- 19A:15-3. Contents of Petition; Certificate.
- 19A:15-4. Numbers of Signers to Petitions.
- 19A:15-5. Single or Several Petitions; Rules and Regulations on Signing.
- 19A:15-6. Verification of Petitions.
- 19A:15-7. Filing Petitions; Time.
- 19A:15-8. Acceptance by Persons Nominated by Write-in Votes; Certificate.
- 19A:15-9. Designation on Primary Ticket; Public Offices and Party Positions Distinguished.
- 19A:15-10. Bracketing of Candidates.
- 19A:15-11. Defective Petition; Notice to Candidates.
- 19A:15-12. Amendment of Defective Petition; Time for.
- 19A:15-13. Certification by Commission on Elections to County Boards.
- 19A:15-14. Blank.

#### ARTICLE 2. OFFICIAL BALLOTS

- 19A:15-15. Separate Ballot for Each Party; Arrangement of Columns.

#### ARTICLE 3. SAMPLE BALLOTS

- 19A:15-16. Procedure to be Similar to that in General Elections.

#### ARTICLE 4. CONDUCT OF PRIMARY AND VOTING PROCEDURE

- 19A:15-17. Time and Place of Holding Primary Election.
- 19A:15-18. Voting Regulations.
- 19A:15-18.1. Notice of Eligible Voters in Primary Election.
- 19A:15-18.2. Cost of Publication.
- 19A:15-18.3. Rules and Regulations Promulgated by the Commission on Elections.
- 19A:15-19. Determination of Right to Vote.
- 19A:15-20. Procedure on Challenges.
- 19A:15-21. Procedure on Counting, Canvassing and Certification of Results.

#### ARTICLE 5. OTHER PROVISIONS APPLICABLE TO Primary for General Election

- 19A:15-22. Provisions of Title Applicable.

#### ARTICLE 1. NOMINATION OF CANDIDATES

- 19A:15-1. Party Candidates for Primary Nominated by Members of Same Party by Petition. Candidates to be voted for at the primary election for the general election shall be nominated exclusively by the members of the same political party by petition in the manner herein provided.  
Source: R.S. 19:23-5.

- 19A:15-2. Petitions Addressed to Commission on Elections and County Boards. Petitions nominating candidates to be voted for by the voters of a political party throughout the entire State, of any congressional district, of any political subdivision greater than a single county or for members of the Legislature shall be addressed to the Commission on Elections. All other such petitions shall be addressed to the county boards of the counties wherein the officers nominated are to be voted for.  
Source: R.S. 19:23-6 amended 1967, c. 22, s. 2;

1975, c. 43, s. 1.

- 19A:15-3. Contents of Petition; Certificate. Each

such petition shall set forth that the signers thereof are qualified voters of the State, congressional district, county or county election district, municipality, ward or election district, as the case may be, in which they reside and for which they desire to nominate candidates; that they are members of a political party (naming the same); that they have affiliated with that political party; that they indorse the person therein named, and that they request that the name of the person therein mentioned be printed upon the official primary ballots of their political party as the candidate for such nomination. The petition shall further state the residence and post-office address of the person so indorsed, and shall certify that the person so indorsed is legally qualified under the laws of this State to be nominated, and is a member of the political party named in the petition.

Accompanying the petition the person indorsed therein shall file a certificate, stating that he is qualified for the office mentioned in the petition, that he is a member of the political party named therein; that he consents to stand as a candidate for nomination at the ensuing primary election of such political party, and that, if nominated, he consents to accept the nomination.

No candidate who has accepted the nomination by a direct petition of nomination for the general election shall sign an acceptance to a petition of nomination for such office for the primary election.

Source: R.S. 19:23-7 amended 1948, c. 438, s. 7; 1949, c. 24, s. 7; 1975, c. 43, s. 2; 19:23-15 amended 1949, c. 24, s. 10.

19A:15-4. Number of Signers to Petitions. The petitions for candidates to be voted for by the voters of a political party shall be signed by legally qualified voters of the State residing within the district or political division in and for which the officer or officers nominated are to be elected. The numbers of signatures required which shall be as certified to by the Commission on Elections as of the preceding January 1, shall be as follows:

a. For the office of Governor and U.S. Senate, 2,500 signatures, no more than 15% of which shall be of persons from any one county.

b. For the office of the House of Representatives, 1/4 of 1% of the number of registered voters of that district.

c. For the office of State Senate and General Assembly, 1/4 of 1% of the number of registered voters of that district.

d. For any county-wide office, 1/4 of 1% of the number of registered voters of that county.

e. For all other offices, 1/4 of 1% of the number of registered voters of that district or political division; provided, however, that in no case shall less than 10 signatures be required.

Source: R.S. 19:23-8 amended 1945, c. 285; 1948, c. 438, s. 8; 1967, c. 22, s. 3; 1975, c. 43, s. 3.

19A:15-5. Single or Several Petitions; Rules and Regulations on Signing. Not all of the names of petitioners need be signed to a single petition, but any number of petitions of the same purport may be filed; but in the aggregate the signatures thereto endorsing any one person shall be the number required by this Title.

No person who has voted in the previous years primary election of one political party, and who has not, since then, disaffiliated himself from that political party pursuant to N.J.S. 19A:15-18 shall be permitted to sign his name to any petition purporting to indorse any person as a candidate for office of another political party.

Source: R.S. 19:23-10.

19A:15-6. Verification of Petitions. Before any petition shall be filed as hereinafter provided, at least one of the voters signing the same shall execute an oath in writing before a duly qualified officer that the petition is made in good faith and that the affiant believes that the signers are duly qualified voters.

Source: R.S. 19:23-11.

19A:15-7. Filing Petitions; Time. Petitions addressed to the Commission on Elections and county boards shall be filed with such offices, respectively, before 4:00 p.m. of the fortieth day preceding the day of the primary election.

Source: R.S. 19:23-14 amended 1940, c. 135, s. 1; 1941, c. 166, s. 1; 1942, c. 50, s. 9a; 1948, c. 2, s. 23; 1956, c. 53, s. 2.

19A:15-8. Acceptance by Persons Nominated by Write-in Votes; Certificate. Any person nominated at the primary by means of a write-in vote as defined in this title shall file a certificate stating that he is qualified for the office for which he has been nominated, that he is a resident of and a legal voter in the jurisdiction of the office for which the nomination is made and that he consents to stand as a candidate in the ensuing general election. Said certificate shall be filed with the Commission on Elections and the county board no later than seven days after the primary election.

Source: R.S. 19:23-16 amended 1949, c. 24, s. 11.

19A:15-9. Designation on Primary Ticket; Public Offices and Party Positions Distinguished. Any person indorsed as a candidate for nomination for any public office whose name is to be voted for on the primary ticket of any political party may, by indorsement on the petition of nomination in which he is indorsed, request that there be printed opposite his name on the primary ticket a designation in not more than six words, as named by him in such petition, for the purpose of indicating either any official act or policy to which he is pledged or committed, or to distinguish him as belonging to a particular faction or wing of his political party; provided, however, that no such designation or slogan shall include or refer to the name of any person or any incorporated association of this State unless the written consent of such person or incorporated association of this State has been filed with the petition of nomination of such candidate or group of candidates; and provided further, that no such designation or slogan shall contain the words "endorsed", "regular" or "organization", or any of their derivatives, or shall in any other manner imply the existence of an endorsement pursuant to N.J.S. 19A:5-7.

Any person indorsed as a candidate for nomination for any party position whose name is to be voted for on the primary ticket of any political party shall be permitted to have printed opposite his name on the primary ticket only the one-word designation of that party.

Source: R.S. 19:23-17 amended 1944, c. 231.

19A:15-10. Bracketing of Candidates. The petitions of any two or more candidates who have previously agreed and filed such agreement with the body or bodies to which their petitions are to be addressed, may include a statement (a) listing the names of all the candidates who are parties to such agreement, and the office sought by each of them, and (b) setting forth their agreed-upon common designation to be printed opposite their names on the ballot. The number of candidates for any office entering into such an agreement shall not exceed the number of persons to be elected to such office. If two or more candidates or groups shall select the same designation, the Commission on Elections or the county board, as the case may be, shall permit the candidate or group which first filed an agreement or petition setting forth such designation to use the same, and shall notify each candidate or group whose petition was later filed that such candidate or group shall select a new designation.

Source: R.S. 19:23-18.

19A:15-11. Defective Petition; Notice to Candidates. In case a petition of nomination shall be defective except as to the number of signatures, the officer with whom such petition has been filed shall forthwith notify any candidate so endorsed whose petition for nomination is defective, setting forth the nature of such defect and the date when the ballots will be printed.

Source: R.S. 19:23-19.

19A:15-12. Amendment of Defective Petition; Time for. Such candidate shall be permitted to amend the petition either in form or in substance, but not to add signatures, so as to remedy the defect within 3 days.

Source: R.S. 19:23-20.

19A:15-13. Certification by Commission on Elections to County Boards. Within six days after the last day for filing the petitions for nominations at the primary election or the general election, the Commission on Elections shall certify to the county boards concerned the full and correct names and addresses of all candidates for nomination for public and party office whose petitions have been filed with the said commission.

identifying the political parties of which such persons are candidates, and giving their respective slogans and designations.

Source: R.S. 19:23-21 amended 1942, c. 50, s. 10.

19A:15-14. Blank.

## ARTICLE 2. OFFICIAL BALLOTS

19A:15-15. Separate Ballot for Each Party; Arrangement of Columns There shall be separate ballots for each political party. Such ballots shall be alike in form for all political parties.

The order of precedence and arrangement of candidates shall be the responsibility of the county board of elections and shall be accomplished in the same manner as set forth in N.J.S. 19A:14-5, 19A:14-6, 19A:14-7 and 19A:14-8. In each county the first or topmost column, depending upon the ballot format, and so many columns immediately to the right or below it as are necessary shall be reserved for (a) those candidates, if any, endorsed, or entitled to appear in the same column as those endorsed, pursuant to N.J.S. 19A:5-7, and (b) any group of candidates associated by agreement pursuant to N.J.S. 19A:15-10 which includes candidates for public offices to be elected by the voters of the county who number at least 75% of the total number of such public officers who are elected. The order in which such reserved columns shall appear on the ballot shall be determined by lot and shall bear thereon (a) in the case of a group of associated candidates their agreed-upon common designation, and (b) in the case of the candidates endorsed pursuant to N.J.S. 19A:5-7, such designation as each county committee shall have determined. Next in order after the reserved columns shall be so many columns as are necessary for associated groups of candidates for more than one office who do not qualify for a reserved column; and thereafter the columns for individual candidates and associated groups of candidates for a single office; and the precedence of such columns and the arrangement of names therein shall be determined in the same manner for similar candidates and groups on the general election ballot.

Source: R.S. 19:23-23.

### ARTICLE 3. SAMPLE BALLOTS

19A:15-16. Procedure to be Similar to that in General Elections. The procedure with respect to the preparation and mailing of all sample ballots for the primary election shall be, insofar as possible, and as applicable, the same as that in the general election, as set forth in N.J.S. 19A:14-12.

Source: R.S. 19:23-30 amended 1941, c. 275, s. 3; 1946, c. 281, s. 3; 1947, c. 168, s. 8.

### ARTICLE 4. CONDUCT OF PRIMARY AND VOTING PROCEDURE

19A:15-17. Time and Place of Holding Primary Election. The primary election for the general election shall be held for all political parties upon the Tuesday next after the first Monday in June between the hours of 7:00 a.m. and 8:00 p.m.

It shall be held for all political parties in the same places as hereinbefore provided for the ensuing general election.

The primary election for the general election shall be conducted by the district boards in substantially the same manner as the general election.

Source: R.S. 19:23-40 amended 1948, c. 2, s. 26; 1965,

c. 4, s. 11; 1966, c. 19, s. 6; 1967, c. 7,

s. 5; 1967, c. 26, s. 5;

1968, c. 292, s. 5; 19:23-41; 19:23-42.

19A:15-18. Voting Regulations. No voter shall be allowed to vote at the primary election unless his name appears in the signature copy register.

A voter who votes in a primary election of a political party or who signs and files with the municipal clerk or the county board of elections a declaration that he desires to vote in the primary election of a political party shall be deemed to be a member of that party until he signs and files a declaration that he desires to vote in the primary election of another political party at which time he shall be deemed to be a member of such other political party. The Commission on Elections shall cause to be prepared political party affiliation.

declaration forms and shall provide such forms to the county board of elections of the several counties and to the clerks of the municipalities within such counties.

No voter, except a newly registered voter at the first primary at which he is eligible to vote, or a voter who has not previously voted in a primary election, may vote in a primary election of a political party unless he was deemed to be a member of that party on the fiftieth day preceding such primary election.

A member of the county committee of a political party and a public official or public employee holding any office or public employment to which he has been elected or appointed as a member of a political party shall be deemed a member of such political party.

A member of the county committee of a political party and a public official holding any office to which he has been elected or appointed as a member of a political party under no circumstances be entitled to vote in the primary election of any other political party so long as he shall hold such office or employment.

Source: R.S. 19:23-45 amended 1939, c.354, s.2; 1952,

c. 158, 1975, c. 260, s. 1; 1976 c. 16, s. 1;

1977, c. 97, s. 1.

19A:15-18.1. Notice of Eligible Voters in Primary Election. a. The county board of elections in each of the several counties, shall cause a notice to be published in each municipality of their respective counties in a newspaper or newspapers circulating therein. The notice to be so published shall be published once during each of the two calendar weeks preceding the week in which the fiftieth day preceding the primary election of a political party occurs.

b. The notice required to be published by the preceding paragraph shall inform the reader thereof that no voter, except a newly registered voter at the first primary at which he is eligible to vote, or a voter who has not previously voted in a primary election, may vote in a primary election of a political party unless he was deemed to be a member of that party on the fiftieth day preceding such primary election. It shall further inform the reader thereof that a voter who votes in the primary election of a political party or who signs and files with the municipal clerk or the county board of election a

declaration that he desires to vote in the primary election of a political party shall be deemed to be a member of that party until he signs and files a declaration that he desires to vote in the primary election of another political party at which time he shall be deemed to be a member of such other political party. The notice shall also state the time and location where a person may obtain political party affiliation declaration forms.

Source: C. 19:23-45.1 (1976, c. 16, s. 2; 1977, c. 97, s. 2).

19A:15-18.2. Cost of Publication. The cost of the publishing of the notices required to be published by this law by the county board of elections shall be paid by the respective counties.

Source: C. 19:23-45.2 (1976, c. 16, s. 3).

19A:15-18.3. Rules and Regulations Promulgated by the Commission on Elections. The Commission on Elections shall promulgate such rules and regulations as it deem necessary to implement this law, including the procedures to be followed in the filing, reporting and authentication of declarations of political party affiliation pursuant to N.J.S. 19A:15-18.

Source: C. 19:23-45.3 (1976, c. 16, 2. 4).

19A:15-19. Determination of Right to Vote. Each vote offering to vote shall announce his name and the party primary in which he wishes to vote. The district board shall thereupon ascertain by reference to the signature copy register that such voter is entitled to vote. Said voter shall be allowed to so vote, unless the district board shall determine his disqualification to vote in such party primary.

Source: R.S. 19:23-46.

19A:15-20. Procedure on Challenges. The challenge procedure in primary elections shall be, insofar as applicable, the same as that in general elections.

Source: R.S. 19:23-48.

19A:15-21. Procedure on Counting, Canvassing and Certification of Results. The counting, canvass and

certification of votes in primary elections shall be insofar as applicable, the same as that in general elections.

Source: R.S. 19:23-49.

## ARTICLE 5. OTHER PROVISIONS APPLICABLE

### TO PRIMARY FOR GENERAL ELECTION

19A:15-22. Provisions of Title Applicable. Any provisions of this Title which pertain particularly to any election or to the general election shall apply to the primary election for the general election insofar as they are not inconsistent with the special provisions of this Title pertaining to the primary election for the general election.

Source: R.S.19:23-58.

## CHAPTER 16

### PRIMARY FOR DELEGATES AND ALTERNATES TO

#### NATIONAL CONVENTIONS

### ARTICLE 1. NOTICE OF ELECTION

#### Section

19A:16-1. State Committee to Commission on Elections.

19A:16-2 Commission on Elections to County Boards.

### ARTICLE 2. PROCEDURE

19A:16-3. Nomination by Petition

19A:16-4. Delegates and Alternates at Large and Chosen from Congressional District.

19A:16-5. Delegates Grouped; Choice for President Included in Petition.

### ARTICLE 1. NOTICE OF ELECTION

19A:16-1. State Committee to Commission on Elections. In every year in which primary elections are to be held

as herein provided for the election of delegates and alternates to the national conventions of political parties, the chairman of the State committee of each political party shall notify the Commission on Elections, on or before 90 days prior to the primary election, of the number of delegates-at-large and the number of alternates-at-large to be elected to the next national convention of such party by the voters of the party throughout the State, and also the number of delegates and alternates to be chosen to such convention in the respective congressional districts or other territorial subdivisions of the State as mentioned in such notification.

If the State chairman of any political party shall fail to file such notice, the Commission on Elections shall ascertain such facts from the call for its national convention.

Source: R.S. 19:24-1 amended 1948, c. 2, s. 27; 1965,

c. 4, s. 12.

19A:16-2. Commission on Elections to County Boards. The Commission on Elections shall, on or before 60 days before the primary election in that year, certify to the county board of each county the number of delegates and alternates-at-large to be chosen by each party and the number of delegates and alternates to be chosen in each congressional district or other territorial subdivision of the State, composed in whole or in part of the county of such county board.

Any provisions of this Title which pertain particularly to any election or to the general election or to the primary election for the general election shall apply to the primary election for delegates and alternates to national conventions insofar as they are not inconsistent with the special provisions of this Title pertaining to the primary election for delegates and alternates to national conventions.

Notwithstanding any provision of this Title, national and State party rules shall govern the selection of delegates and alternates to national party conventions, provided the State chairman of the political party notifies the Commission on Elections prior to March 1 of the year in which delegates and alternates are elected of the applicable party rules governing the delegate

selection process. The Commission on Elections shall notify the county board of elections prior to April 1 of the year in which delegates and alternates are elected of the applicable party rules, if any, which apply to matters within their jurisdiction." Pursuant to this section, the Commission on Elections shall issue to the county board of elections uniform regulations governing the delegate selection process.

Source: R.S. 19:24-2 amended 1948, c. 2, s. 28; 1965, c. 4, s. 13; 1976, c. 9, s. 1.

## ARTICLE 2. PROCEDURE

19A:16-3. Nomination by Petition. Candidates for election as delegates or alternates to the national conventions of political parties shall be nominated by petition in the manner herein provided for the nomination of candidates to be voted for at the primary election for the general election except as herein otherwise provided.

Source: R.S. 19:24-3.

19A:16-4. Delegates and Alternates-at-Large and Chosen from Congressional District. Not less than 1,000 members of each such political party may file with the Commission on Elections at least 40 days prior to the primary election for the general election in any year of a national convention a petition requesting that the name of the person therein endorsed shall be printed upon the official primary ballot of such political party as candidate for the position of delegate-at-large or alternate-at-large, to be chosen by the party voters throughout the State to the national convention of that party. For the position of delegate or alternate, so that convention to be chosen by the voters of any congressional district, not less than 100 members of each such political party may file such a petition within such time period.

The signers of the petition or any delegate-at-large or alternate-at-large shall be legal voters resident in the State; and the signers for any delegate or alternate from any congressional district shall be voters of such district and all such signers shall fulfill the requirements for voting in that political party's primary election, as said requirements are set forth in NJ J.S. 19A:15-18.

The Commission on Elections shall within six days thereafter certify to each county board such nominations for delegates and alternates-at-large and the nominations for delegate or alternate for any congressional district.

Source: R.S. 19:24-4 amended 1948, c.2, s. 29; 1974, c.9, s. 2.

19A:16-5. Delegates Grouped; Choice for President Included in Petition. Candidates for the position of delegates or alternates may be grouped together, by agreement in the manner provided in N.J.S. 19A:15-10, if they so request in their petitions, and in any year of a Presidential election may also have the name of the candidate for President whom they favor placed opposite their individual names or opposite such groups, if they so request and if the written consent of such candidate for President is endorsed upon their petitions, under the caption "Choice for President."

Source: R.S. 19:24-5 amended 1944, c.8, s. 1; 1974, c.9, s. 3.

## CHAPTER 17

### PETITION ENDORSING CANDIDATES FOR PRESIDENT

#### Section

19A:17-1. Number of Signers: Form, Preparation and Filing of Petition; Consent of Candidate Unnecessary.

19A:17-2. Certification of Names Endorsed; Candidate May Decline.

19A:17-1. Number of Signers: Form, Preparation and Filing of Petition; Consent of Candidate Unnecessary. Not less than 1,000 voters of any political party may file a petition with the Commission on Elections on or before the fortieth day before a primary election in any year in which a President of the United States is to be chosen, requesting that the name of the person endorsed therein as a candidate of such party for the office of President of the United States shall be printed upon the official primary ballot of that party for the then ensuing election for delegates and alternates to the national convention of such party.

The petition shall be prepared and filed in the form and manner herein required for the endorsement of

candidates to be voted for at the primary election for the general election except that the candidate shall not be permitted to have a designation or slogan following his name; and that it shall not be necessary to have the consent of such candidate for President endorsed on the petition.

Source: C. 19:25-3 (1952, c.2, s. 1).

19A:17-2. Certification of Names Endorsed; Candidate May Decline. The Commission on Elections shall certify the names so endorsed to the county board of each county on or before the thirty fourth day before such primary election; but if any person so endorsed shall on or before such date decline in writing, filed in the office of the Commission on Elections, to have his name printed upon the primary election ballot as a candidate for President, the Commission on Elections shall not so certify such name.

Source: C. 19:25-4 (1952, c. 2, s. 2).

## CHAPTER 18

### ANY PRIMARY

#### Section

19A:18-1. Return of Election Materials

19A:18-2. Primary Books; Public Inspection; Removal of Names From.

19A:18-1. Return of Election Materials. At the close of all primary elections and after concluding its duties as herein prescribed, each district board shall, not later than noon of the following day, return all election materials to the municipal clerk of the municipality, who shall, within 48 hours, return all such election materials to the county board.

Source: R.S. 19:26-1.

19A:18-2. Primary Books; Public Inspection; Removal of Names From. The party primary poll books shall be subject to public inspection and any voter whose name appears therein may apply to the Assignment Judge of the county at any time prior to the next primary election to have his name stricken from such book. The court shall have power to hear the application in a summary \_\_\_\_\_ may \_\_\_\_\_ at \_\_\_\_\_

such time and upon such notice to that person as it may prescribe, and if satisfied that the applying voter's name has been improperly placed in such primary book, the court may order the appropriate election officials to delete the name from the primary book, and the officials shall thereupon delete the same.

Source: R.S. 19:26-2 amended 1953, c. 19, s. 26.

#### **SUBTITLE 4**

### **SPECIAL ELECTIONS AND FILLING VACANCIES**

#### **Chapter**

**19. General Provisions, 19A:19-1 to 19A:19-31.**

#### **CHAPTER 19**

#### **GENERAL PROVISIONS**

#### **ARTICLE 1. PROCEDURE**

##### **Section**

**19A:19-1. Nominations, elections and Ascertainment and Certification of Results as Provided for Primary and General Elections.**

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19A:19-11. Filling Vacancies in Senate and General Assembly and in County or Municipal Offices.

19A:19-12. Vacancies in Senate or General Assembly Occurring Before the Last Day for Filing Petitions and Prior to 37 Days Preceding the General Election.

19A:19-13. Notice of Other Special Elections.

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19A:19-15. Circumstances Under Which Office not Void.

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19A:19-17. No Certificate of Election to Candidate Elected.

19A:19-18. Delivered Certificate of Election Void.

19A:19-19. Candidate Inducted Into Office; Vacancy Created.

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19A:19-20. No Certificate of Election Delivered.

19A:19-21. Delivered Certificate of Election Void.

#### C. ELECTION TO PARTY OFFICE

19A:19-22. No Certificate of Election Delivered.

19A:19-23. Delivered Certificate of Election Void.

19A:19-24. Surrender by Delegates to National Convention of Certificate Voided.

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19A:19-26. Candidate Removed from Office Ineligible to Fill Vacancies; Exception.

19A:19-27. Appointments Void.

## E. VACATION OF OFFICE

19A:19-28. Vacation of Office When Nomination or Election Void.

## ARTICLE 5. VACANCIES IN PUBLIC OFFICE

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19A:19-29. What Constitutes Vacancy.

19A:19-30. Vacancies in United States Senate; Election to Fill; Time Period for Temporary Appointment by Governor.

19A:29-31. Other Vacancies; Election to fill.

## ARTICLE 1. PROCEDURE

19A:19-1. Nominations, Elections and Ascertainment and Certification of Results as Provided for Primary and General Elections. Except as herein otherwise provided candidates for public office to be voted for at any special election shall be nominated and the special election shall be conducted and the results thereof ascertained and certified in the same manner and under the same conditions, restrictions and penalties as herein provided for primary and general elections.

Source: R.S. 19:27-1.

19A:19-2. Nomination of Candidates by Petition. Except as provided for in statutes governing the call of special elections to fill vacancies in non-political elections, candidates to be voted for at a special election shall be nominated exclusively by the members of the same political party by petition in the manner herein provided.

Source: R.S. 19:27-1.

## ARTICLE 2. FILLING VACANCIES

19A:19-3. House of Representatives or Legislature: Writ of Election. When any vacancy happens in the representation of this State in the House of

Representatives, the Governor shall issue a writ of election to fill the same unless the term of a service of the person whose office shall become vacant will expire within 6 months next after the happening of the vacancy and except as herein provided.

When any vacancy happens in the Senate or General Assembly the House in which such vacancy happens shall direct a writ of election to be issued for filling the same, unless the term of service of the person whose office shall have become vacant will expire with the expiration of the legislative year in which the vacancy happens and such House shall be of the opinion that the services of a person in the office then vacant will not be required during the unexpired period of the legislative year; but if such vacancy happens during the recess of the Legislature, or after the general election, and not less than 15 days before the commencement of the next legislative year (or a shorter time before such commencement if the board of chosen freeholders makes the requirements hereinafter mentioned), the Governor shall forthwith issue a writ of election to fill the vacancy, unless the term of service of the person whose office shall have become vacant will expire with the expiration of the legislative year in which the vacancy happens and he shall be of the opinion that the services of a person in the office then vacant will not be required during the legislative year, or the residue thereof; but the failure of the Governor to issue a writ for filling the vacancy shall not preclude the House in which it may have happened from directing a writ of election to be issued for filling the same, if it judge this advisable; provided, that if the board of chosen freeholders of each county comprised in whole or part in such legislative district shall signify in writing to the Governor, in case the vacancy occurs during, or after the general election, and before the commencement of the next legislative year, or to such House adjourn, either sine die or for a period requiring mutual consent of both Houses, and the date of reconvening pursuant to such adjournment or, in the case of adjournment sine die, the commencement of the next legislative year.

Source: R.S. 19:3-27; 19:27-4 amended 1948, c. 438, s. 9.

19A:19-4. Nature of Writs of Election; Signatures to. Every writ of election issued under the provisions of

this Title shall be of the nature of proclamation, and shall be signed by the Governor, or the President of the Senate, or the Speaker of the Assembly, as the case may be.

Source: R.S. 19:27-5.

19A:19-5. Designation of Election Day in Writ; Special Election and Primary therefor; Vacancies in House of Representatives. The writ may designate the next general election day for the election, but if a special day is designated, it shall specify the cause and purpose of such election, the name of the officer in whose office the vacancy has occurred, the day on which a special primary election shall be held, which shall be not less than 31 days, nor more than 40 days, following the date of such proclamation, and the day on which the special election shall be held, which shall be not less than 14 nor more than 20 days following the day of the special primary election.

If the vacancy happens in the representation of this State in the House of Representatives in any year, not later than the fiftieth day prior to the day for holding the next primary election for the general election, the Governor shall issue a writ of election to fill such vacancy, designating in said writ the next general election day as the day on which the election shall be held to fill such vacancy. The nomination of candidates to fill such vacancy shall be made in the same manner as the nomination of other candidates at the said primary election for the general election.

Source: R.S. 19:27-6 amended 1957, c.2, s. 1.

19A:19-6. Writs Delivered to Commission on Elections. Every such writ shall, by the officer issuing the same, be delivered forthwith to the Commission on Elections, which shall forthwith file the same in its office.

Source: R.S. 19:27-7.

19A:19-7. Copies of Writs Delivered to Commission on Elections and County Boards. In case such vacancy happens in the House of Representatives, State Senate or General Assembly, the Commission on Elections shall make copies of such writ, certify the same to be true, and forward copies of the same to each county board affected.

Source: R.S. 19:27-8.

19A:19-8. Newspaper Publication of Writs. The county board of any county which may be affected by such order shall cause the order to be published at least once a week until the time of such primary, general or special elections, in at least one newspaper printed and published in the county.

Source: R.S. 19:27-9.

19A:19-9. Vacancy in House of Representatives Between Dates Preceding Primary and General Elections. When a vacancy, howsoever caused, happens in the representation of this State in the House of Representatives in any year later than the fiftieth day prior to the day for holding the primary election for the general election but before the seventieth day preceding the day of the general election, and the unexpired term to be filled exceeds 1 year, the Governor, in issuing a writ of election to fill such vacancy shall designate in said writ the said general election day as the day on which the election shall be held to fill such vacancy, and shall designate the day on which a special primary election shall be held to nominate candidates for such vacancy, which day shall be not less than 31 nor more than 40 days following the date upon which such vacancy occurred. If any such vacancy occurs later than the seventieth day preceding a general election, an election to fill such vacancy shall not be held until after such general elections, and the Governor may issue a writ designating a date for a special election, and designating a date for the holding of a special primary election therefor, which shall be not less than 30 days after the date of such general election not less than 14 nor more than 20 days before the date of such special election.

The election to fill such vacancy shall in all other respects be conducted as though it were being conducted for the office upon the expiration of the term of the incumbent.

Source: C.19:27-10.1 (1945, c.206 amended 1972, c.181,

s.2)

19A:19-10. Vacancy in House of Representatives Occurring 50 or More Days Before Primary or 70 or Fewer Days Before General Election. Subject to the provisions of N.J.S. 19A:19-3, et seq., requiring special elections.

when a vacancy, howsoever caused, happens in the representation of this State in the House of Representatives in any year on the fiftieth day or earlier prior to the day for holding a primary election for the general election, or on the seventieth day or later preceding the day for the general election, said vacancy shall be filled in the same manner prescribed in N.J.S. 19A:15-1 et seq.

Source: New.

19A:19-11. Filling Vacancies in Senate and General Assembly and in County or Municipal Offices. In the event of any vacancy, however occurring, in the Senate or General Assembly, or in any county or municipal office, which vacancy shall occur after the last day for filing petitions for nominations for the primary election and prior to 37 days preceding the general election, members of the county committee of each political party representing the territory affected by such vacancy are hereby authorized to select a candidate for the office in question and within 34 days prior to the general election to file a statement of such selection duly certified to with the county board, and the person so selected shall be the candidate of the party at the ensuing general election.

Besides the selection of candidates by each political party as before provided, candidates may also be nominated by petition for the general election; but the petition shall be filed with the Commission on Elections and county board at least 34 days prior to such election.

When the vacancy occurs in the Senate or General Assembly, the county board of each county which constitutes the whole or part of the Senate or Assembly district shall forthwith give notice thereof to the chairman of the county committee of each political party. When the vacancy occurs in a county office, the county board shall forthwith give notice thereof to the chairman of the county committee of each political party. When the vacancy occurs in a municipal office, the municipal clerk shall forthwith give notice thereof to the county board and the chairman of the county committee of each political party.

The county board shall print on the ballots for the territory affected, in the personal choice column, the

title of office and leave a proper space under such title of office; and print the title of office and the names of such persons has have been duly nominated in their proper columns.

The provisions herein shall not apply to the selection of a candidate for the senate or general assembly unless an order of election for filing the vacancy shall have been issued as provided for by this Title prior to 34 days preceding the general election, and unless such order shall designate the next general election day for the election.

Source: R.S. 19:27-11 amended 1951, c.119, s. 1; 1972,  
c. 181, s. 3.

19A:19-12. Vacancies in Senate or General Assembly Occurring Before the Last Day for Filing Petitions and Prior to 37 Days Preceding the General Election. Subject to the provisions of N.J.S. 19A:19-3, et seq., requiring special elections, when a vacancy, howsoever caused, occurs at any other time that set forth in N.J.S. 19A:19-11, said vacancy shall be filled in the same manner prescribed in N.J.S. 19A:15-1, et seq.

Source: New.

19A:19-13. Notice of Other Special Elections. Notice of special elections other than those to fill vacancies in the United States House of Representatives, State Senate or General Assembly, shall be given in accordance with the provisions of any statute, ordinance, regulation or resolution relative thereto. If such statute, ordinance, regulation or resolution fails to provide for the giving of notice by officials to officials or by officials to the public, such notice shall be given in the manner herein provided for giving notice of the general election so far as may be.

Source R.S. 19:27-12

### ARTICLE 3. VOID NOMINATIONS OR ELECTIONS

19A:19-14. Office Forfeited by Non-filing of Statement or Filing of False Statement. If any candidate for nomination for or election to any public office or party position, or his campaign manager, shall fail to file any statement or oath required by this

Title	to	be	or	shall
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file any false statement, the nomination or election of such candidate, if nominated or elected at the primary or other election concerning which such statement shall have been filed, shall be null and void.

Source: R.S.19:3-7 amended 1949, c.24, s.1.

19A:19-15. Circumstances Under Which Office Not Void. When upon the trial of any action or proceedings instituted under this Title for the purpose of securing a determination that any nomination for or election to any public office or party position is null and void, it shall appear from the evidence that the offense complained of was not committed by the candidate, or with his knowledge or consent, and that all reasonable means were taken by or on behalf of the candidate to prevent the commission of any such offense, or that the offenses complained of were trivial or unimportant, and that in all respects his candidacy and election were free from all illegal acts, or that any act or omission of any candidate complained of arose from accidental miscalculation or from some other reasonable cause of like nature, and in any case did not arise from any want of good faith, and under the circumstances it seems to the court or judge to be unjust that the candidate shall forfeit his nomination, position or office, then the nomination or election of such candidate shall not by reason of such offense complained of be void.

Source: R.S. 19:3-9 amended 1953, c.19, s. 1.

#### ARTICLE 4. EFFECTS OF VOID NOMINATIONS OR ELECTIONS

##### A. NOMINATIONS

19A:19-16. Name not Printed on Ballot; Next Highest Name Printed. If it shall be determined in a manner provided for in this Title that the nomination for an office of a successful candidate at any primary election is null and void, and if such determination shall have been made 10 days before the election at which the candidates nominated at such primary election are to be voted for, an order shall be made by the court making such determination prohibiting the printing of the name of such candidate on the ballot to be used at such election, and the name of the candidate for nomination or

party position at such primary election receiving the next highest number of votes shall thereupon be printed upon the ballot as the nominee for the office.

Source: R.S. 19:3-10.

19A:19-17. No Certificate of Election to Candidate Elected. If such determination shall not have been made 10 days prior to the election at which the candidates at such primary election are to be voted for, and in case such candidate shall be elected at the election to the office for which he claimed nomination under such void primary, no certificate of election shall be delivered to such candidate and the election for the office for which such person was a candidate shall be null and void.

Source: R. S. 19:3-11.

19A:19-18. Delivered Certificate of Election Void. If such determination shall have been made after the delivery of the certificate of election to such candidate, the certificate shall be null and void, and the candidate shall not be inducted into the office for which the certificate was issued.

Source: R.S. 19-3-12.

19A:19-19. Candidate inducted Into Office, Vacancy Created. If such determination shall not have been made until after any candidate has been inducted into office, the determination shall declare the office to be vacant.

If the record relates to the election of any candidate for the office of United States Senator, member of Congress, State Senator or member of the General Assembly, a copy of the determination shall be sent within 5 days, to the officer who is by law required to receive certificates of election in the United States Senate, the House of Representatives, the State Senate or the General Assembly, respectively.

Source: R.S. 19:3-13 amended 1953, c. 19, s. 2.

## B. ELECTION TO PUBLIC OFFICE

19A:19-20. No Certificate of Election Delivered. If it shall be determined, in the manner provided for in this Title, that the election to office of a candidate at any election is null and void, no certificate of election

shall be delivered to the candidate whose election shall have been so determined to be null and void.

Source: R.S. 19:3-14.

19A:19-21. Delivered Certificate of Election Void. If such determination shall have been made after the delivery of the certificate of election to such candidate shall not be inducted into the office for which the certificate was issued.

Source: R.S. 19:3-15.

### C. ELECTION TO PARTY OFFICE

19A:19-22. No Certificate of Election Delivered. If it shall be determined in the manner hereinafter provided, that the election of a person to a party office is null and void, no certificate of election shall be delivered to the candidate whose election shall have been so determined to be null and void.

Source: R.S. 19:3-17.

19:19-23. Delivered Certificate of Election Void. If such determination shall have been made after the delivery of the certificate of election to such candidate, the certificate shall be null and void, and whether such determination shall have been made before or after the delivery of a certificate of election, a certificate of election shall be delivered to the candidate having the next highest number of votes.

Source: R.S. 19:3-18.

19A:19-24. Surrender by Delegates to National Convention of Certificate Voided. In the case of a delegate-at-large or district delegate to any national convention whose election shall have been declared void under this law, after a certificate of election has been issued to him, the Commission on Elections shall transmit to such convention a certified copy of the judgment and determination of the court declaring the election void, to the end that the certificate of election issued to the person having the next highest number of votes for such party position may be honored by the convention.

Any delegate-at-large or district delegate to any national convention to whom a certificate of election

shall have been delivered, which certificate shall have been declared void after such delivery, shall, upon the service upon him of a certified copy of the determination of the court declaring the certificate void, forthwith surrender such certificate to the Commission on Elections.

Source: R.S. 19:3-19 amended 1953, c. 19, s. 4.

#### D. VACANCIES AND APPOINTMENTS

19A:19-25. Candidates Whose Nomination or Election Annulled Ineligible to Fill Vacancies; Exception. A candidate nominated for or elected to an office, whose nomination or election has been annulled and set aside for any reason mentioned in this Title, shall not, during the period fixed by law as the term of such office, be appointed to fill any vacancy which may occur in such office; but this provision shall not apply to appointments to any office the qualifications for which are prescribed by the Constitution of this State or of the United States.

Source: R. S. 19:3-20.

19A:19-26. Candidate Removed from Office Ineligible to Fill Vacancies; Exception. A candidate or other person removed from or deprived of his office for any offense mentioned in this Title shall not, during the period remaining as the unexpired term of such office, or during the period fixed by law as the next ensuing term of such office, be appointed to fill any vacancy which may occur in such office; but this provision shall not apply to appointments to any office the qualifications for which are prescribed by the Constitution of this State or of the United States.

Source: R.S. 19:3-21.

19A:19-27. Appointments Void. An appointment to an office made in violation of or contrary to the provisions of N.J.S. 19A:19-25 or 19A:19-26 shall be void.

Source: R.S. 19:3-22.

#### E. VACATION OF OFFICE

19A:19-28. Vacation of Office When Nomination or Election Void. When the nomination or election of a

person to public office within this State or any of its political subdivisions shall have been declared void, such person shall remove or be removed from such office; and the Commission on Elections shall institute a proceeding to remove from office a person whose nomination or election shall be void if said person shall not relinquish said nomination or election.

Source: R.S. 19:3-23 amended 1953, c.19, s.5.

#### ARTICLE 5. VACANCIES IN PUBLIC OFFICE

19A:19-29. What Constitutes Vacancy. When a person whose nomination or election shall be void if said person shall not relinquish said nomination or election.

When an equal number of votes shall have been given to two or more persons to fill any office for which they shall by law be qualified, the office shall be deemed to be vacant.

When a person who shall have been elected or appointed to any office as mentioned shall, during the term for which he shall have been elected or appointed, be elected or appointed to another of such offices, and shall accept the same, such acceptance shall be deemed to make vacant the office to which he shall have been previously elected or appointed; and he shall not be permitted to qualify or take such new office until he shall have formally relinquished the office which he may have been holding.

When a person shall, at an election, be elected to two or more of such offices, he shall accept but one of the same, and the other or others shall be deemed vacant.

When a person who shall be elected to any public office of this State shall neglect or refuse for 10 days next after the commencement of the session of such body to take his seat therein, or to send to such body a satisfactory excuse, or shall remove from and cease to be a resident of the district entitling him to serve on such body, his office shall be deemed vacant.

Source: R.S. 19:3-25.

19A:19-30. Vacancies in United States Senate; Election to Fill; Time Period for Temporary Appointment by Governor. If a vacancy shall happen in the representation of this State in the United State Senate, it shall be filled at the general election next

succeeding the happening thereof; provided, however, that if such vacancy shall happen later than 50 days prior to the regular primary election in any year, the vacancy shall be filled by election at the second succeeding general election.

The Governor of this State shall make, within 60 days of the occurrence of the vacancy, a temporary appointment of the Senator of the United States of this State whenever a vacancy shall occur by reason of any cause other than the expiration of the term; and such appointee shall serve as such Senator until such general election shall have been held pursuant to law and the Commission on Elections delivers to the successor a certificate of election.

Source: R.S. 19:3-26.

19A:19-31. Other Vacancies; Election to Fill. A vacancy happening in a public office other than that of United States Senator, Member of Congress, State Senator, or member of the General Assembly, shall be filled at the general election next succeeding the happening thereof, unless such vacancy shall happen within 37 days preceding such election, in which case it shall be filled at the second succeeding general election.

Source: R.S. 19:3-29 amended 1951, c.119, s.2.

## SUBTITLE 5

### RECOUNTS, RECHECKS AND CONTESTS

#### Chapter

- 20. Recount and Recheck of Votes, 19A:20-1 to 19A:20-9.
- 21. Contest of Nominations or Elections--Any Election, 19A:21-1 to 19A:21-8.

## CHAPTER 20

### RECOUNT AND RECHECK OF VOTES

#### Section

- 19A:20-1. Application to Assignment Judge for Recount.
- 19A:20-2. Expenses of Recount; Deposit by Applicants.
- 19A:20-3. Recount; Order and Proceedings.
- 19A:20-4. Manner of Recounting Voting Systems; Revocation of Election Certificate; New Certificate.

19A:20-5. Revocation of Election Certificate: New Certificate.

19A:20-6. Order Filed With the Commission on Elections, etc.

19A:20-7. Copies of Certificates Delivered to Successful Candidates.

19A:20-8. Copy of Certificate Delivered to Commission on Elections in Certain Cases.

19A:20-9. Correction of Errors in Referendum Recount.

19A:20-1. Application to Assignment Judge for Recount. When any defeated candidate at any election or in the case of a public question when any 10 qualified voters shall have reason to believe that an error has been made by any district board or any county board in counting or declaring the vote in any election, he or they may within 15 days following such election or declaration or such vote apply to the Assignment Judge of the county, or his designee wherein such district or districts are located for a recount of the votes cast at the election in the district or districts he or they designate.

Source: R.S. 19:28-1 amended 1953, c.19, s. 27; 19:52-6 amended 1942, c.56; 1943, c.80; 1953, c.19, s.59; 1955, c.260, s.1.

19A:20-2. Expenses of Recount; Deposit by Applicants. Any applicant or group of applicants, as the case may be, for such recount upon applying therefor, shall deposit with the county board the sum of \$5.00 per district to be recounted. If it appears that an error or errors have occurred as a result of which the election is changed or the difference between the negative and affirmative of any public question is altered so as to change the results of the election, the county board shall repay to such candidate or petitioners the cost of such recount. In the event that it shall appear after such recount that the results of the election remained unchanged, the county board shall pay the funds into the county treasury.

Source: R.S. 19:28-3 amended 1953, c.19, s.29; 1942, c. 56; 1943, c.80; 1953, c.19, s.59; 1955, c. 260, s.1.

19A:20-3. Recount; Order and Proceedings. Such judge shall be authorized to order upon such terms as he deems

proper a recount of the votes as he may determine, to be publicly made under his direction by the county board. Such board shall have the power to subpoena witnesses to testify and produce documents and paraphernalia as it may determine after three days' notice of the time and place of the recount has been given by such application or group of applicants to such interested party or parties as the judge may direct. The members of the district board may be subpoenaed to be present at the recount to witness the recount of their election district and to give such testimony as the county board deemed necessary.

Source: R.S. 19:28-3 amended 1952, c.19, s.29.

19A:20-4. Manner of Recounting Voting Systems; Revocation of Election Certificate; New Certificate. The county board shall commence such recount within five days of the entry of such Order of Assignment Judge or his designee and it shall be conducted in the following manner:

a. The county board shall ascertain from the defeated candidate or from the defeated candidate or from the petitioners, as the case may be, which districts shall be recounted and the order in which it shall be done and upon receiving such information shall conduct the recount in conformity thereto. If more than one candidate or set of petitioners has requested a recount and are unable to agree upon the order in which the districts are to be recounted, such order shall be determined by the judge.

b. The county board shall remove the security devices of the system and shall then proceed to open the counter mechanism of each voting system as the same is recounted, but in no event shall the counter mechanism of more than one working system be opened at the same time unless it shall be agreed to do so by the county board of elections and a majority of the candidates whose nomination or election may be effected by the outcome of the recount and who are present or represented at the recount, or if the votes cast for or against a public question are to be recounted then by agreement between the county board of elections and a representative of the proponents and opponents of the public question.

c. The county board of elections shall then check the number of votes cast for each candidate, or, in the event a public question is involved, for or against such public

question and announce the number of votes cast for candidate named in the order or for or against the public question as found on the registering counters and records the same on tally sheets prepared for that purpose.

d. Said tally sheets shall then be compared with the official statements as returned by the various district boards.

e. Whenever any discrepancies shall appear as the same are set forth on such tally sheets, such discrepancies shall be noted and upon completion of the comparison a report and certification shall be filed with the court wherein the order for the recount originated, which report shall set forth in full what discrepancies have been found in the county boards or municipal clerks official canvass.

f. In the event it should appear during the course of the recount that there has been sufficient change in the tally of votes cast which would affect the result of the election, any candidate who appears then to be defeated or in the event of a public question, the parties in interest whose interests may be affected adversely may within seven days apply to the Assignment Judge or his designee and receive an order to continue the recount on his or their behalf upon the same terms and conditions under which the original recount was held.

g. In addition thereto, the county board shall cause the absentee and military ballots for those districts affected to be counted and the ballots for those districts affected to be counted and the results recorded on the tally sheets prepared for that purpose above.

Source: C.19:52-6.1 (1955, c.260, s.2).

19A:20-5. Revocation of Election Certificate; New Certificate. If it appears upon such recount that an error has been made sufficient to change the result of such election, such judge in the case of candidates shall issue an order to revoke the certificate of election already issued to any person and shall issue an order directing the county board to issue in its place another certificate in favor of the person who shall be found to have received a plurality of the votes cast at the election, which certificate shall supersede all others and entitle the holder thereof to the same rights and privileges as if such certificate had been originally issued by the county board.

In the case of a tie vote as the result of the recount, the judge conducting the recount shall issue an order revoking the certificate originally issued by the county board.

Source: R.S. 19:28-4 amended 1953, c.19, s.30.

19A:20-6. Order Filed With the Commission on Elections, etc. When any such certificate shall be issued or revoked by order of the court, such order shall be filed with the Commission on Elections or with the county board or with the municipality as the case may be in and for which such election was held.

Source: R.S. 19:28-5 amended 1953, c.19, s.31.

19A:20-7. Copies of Certificates Delivered to Successful Candidates. The Commission on Elections, the county board or municipal clerk shall make and certify under his hand and official seal a copy thereof and shall without delay deliver such copy to the person so declared elected.

Source: R.S. 19:28-6.

19A:20-8. Copy of Certificate Delivered to Commission on Elections in Certain Cases. In case of an election for Senator, members of the Assembly or any county officers, the county board shall within five days thereafter transmit to the Commission on Elections another copy of such certificate signed by them and attested by their official seal.

Source: R.S. 19:28-7.

19A:20-9. Correction of Errors in Referendum Recount. In case public questions, such judge shall make an order that the result of such election be corrected.

Source: R.S. 19:28-8 amended 1953, c.19, s.32.

## CHAPTER 21

### CONTEST OF NOMINATIONS OR ELECTIONS--ANY ELECTION

#### Section

19A:21-1. Grounds for Contest.

19A:21-2. Procedure for Filing Verified Complaint; Bond to Incumbent.

- 19A:21-3. Filing Verified Petition; Time for.
- 19A:21-4. Time for Hearing; Notice.
- 19A:21-5. Procedure at Trial
- 19A:21-6. Witnesses and Evidence.
- 19A:21-7. Witnesses Required to Testify.
- 19A:21-8. Cost; Liability for.

19A:21-1. Grounds for Contest. The nomination or election of any person to any public office or party position or the approval or disapproval of any public proposition, may be contested by the voters of this state or any of its political subdivisions affected thereby upon one or more of the following grounds: (a) malconduct, fraud or corruption on the part of the members of any District Board, County Board or their duly authorized clerks which acts substantially put into question the results of said nomination or election; (b) when the incumbent was not eligible to the office at the time of the elections; (c) when the incumbent has been duly convicted before such election of any crime which would render him incompetent to exercise the right of suffrage, and the incumbent has not been pardoned at the time of the election; (d) when the incumbent has given or offered to any elector or any member of the district board, county board or any duly authorized clerk, any bribe or reward in money, property or thing of value for the purpose of procuring his election; (e) when the illegal votes have been received or legal votes rejected at the polls sufficient to change the results; (f) for any error by any districts board or county board in counting votes or declaring the results of an election if such error would change the results; (g) for any other cause that shows that another person was elected; (h) the paying, promise to pay, or expenditure of any money, or other thing of value or incurring of any liability in violation of this Title; (i) when a petition for nomination is not filed in good faith or the affidavit annexed thereto is false or defective.

The term "incumbent" means the person who has been declared elected or the person who as a result of a recount has been declared elected; but in the case of a tie vote as the result of the canvass or recount, either party may contest the election, in which case the term incumbent means the person having an equal number of votes with the contestant.

Source: R.S. 19:29-1 amended 1956. c.128, s.1.

19A:21-2. Procedure for Filing Verified Complaint; Bond to Incumbent. In the case of an office or proposition voted for by the voters of the entire State or more than one county thereof, the contest shall be heard by any judge of the Superior Court assigned for that purpose by the Chief Justice of the Supreme Court, and shall be commenced by the filing of a verified complaint therefor with the State or by any defeated candidate for such nomination, party position or public office.

In all other cases the contest shall be heard and determined by the Assignment Judge of the county wherein such office or proposition is to be contested or his designee, and shall be commenced by the filing of a verified complaint therefor with the Clerk of the Superior Court signed by at least 15 voters of the county or by any defeated candidate for such nomination, party position or public office.

The complaint shall be verified by the oath of at least two of the petitioners or by the candidate filing the same, as the case may, which verification may be made on information and belief. The complaint shall be accompanied by a bond to the State in the case approval or disapproval of any proposition is to be contested and to the incumbent in all other cases, with two or more sureties, or a deposit of cash security, to be approved by such judge, in the penal sum of \$500.00, conditioned to pay all costs in case the election is confirmed, or the complaint be dismissed, or the prosecution fail. When the reception of illegal or the rejection of legal voters is alleged as the cause of contest, the names of the persons who so voted or whose votes were rejected, with the election district where they voted, or offered to vote, shall be set forth in the complaint, if known.

Source: R.S. 19:29-2 amended 1947, c.6; 1953, c. 19, s.33; 1956, c.128, s.2.

19A:21-3. Filing Verified Petition; Time for. The verified complaint contesting any nomination to public office, election to party office or position or the approval or disapproval of any proposition shall be filed not later than 10 days after the primary election.

The verified complaint contesting any election to public office  
or approval or disapproval of any

proposition shall be filed not less than 30 days after such election unless the ground of action is discovered from the statements or reports filed under this Title, subsequent to such primary or other election, in which event such verified complaint may be filed 10 or 30 days respectively after such statements or reports are filed.

Any verified complaint of contest may be filed within 10 days after the result of any recount has been determined or announced.

Source: R.S. 19:29-3 amended 1956, c.128, s.3.

19A:21-4. Time for Hearing; Notice. The judge shall appoint a suitable time for the hearing of such complaint, not more than 30 days nor less than 15 days after the filing of the complaint, and the contestant shall cause a notice of such hearing, with a copy of the contestant's complaint, to be served, in the case approval or disapproval of any proposition is to be contested, on the Commission on Elections, the county board or the municipal clerk as the case may be who caused the proposition to be printed on the ballot and in all other cases on the incumbent at least 10 days before the date set for trial.

Source: R.S. 19:29-4 amended 1953, c.19, s.34; 1956, c.128, s.4.

19A:21-5. Procedure at Trial. The court shall hear and determine the matter without a jury and proceedings shall be similar to those in a civil action so far as practicable. The court may order amendments to the complaint or proceedings, both as to form and substance, and allow reasonable adjournments for the benefit of either party.

Source: R.S. 19:29-5 amended 1953, c.19, s.35.

19A:21-6. Witnesses and Evidence. The court or the parties may compel the attendance of any officer of such election and of any other person capable of testifying concerning the same and also compel the production of all books, papers, tally list, ballots, and other documents which may be required at such hearing.

Source: R.S. 19:29-6 amended 1953, c.19, s.36.

19A:21-7. Witnesses Required to Testify. The judge

may require any person called as a witness who voted at such election to answer touching his qualification as a voter, and if the court, from its examination or otherwise, is satisfied that he was not a qualified voter in the election district where he voted, he may compel him to disclose for whom he voted.

Source: R.S. 19:29-7 amended 1953, c.19, s.37.

19A:21-8. Cost; Liability for. The assessment of costs shall be made at the discretion of the court after the entry of judgment.

Source: R.S. 19:29-14 amended 1956, c.128, s.6.

## SUBTITLE 6

### REGISTRATION OF VOTERS

#### Chapter

22. Permanent Registration, 19A:22-1 to 19A:22-29.

23. Signature Comparison Records; Form and Use, 19A:23-1 to 19A:23-3.

24. Removal of Names from Registers by Court, 19A:24-1.

## CHAPTER 22

### PERMANENT REGISTRATION

#### ARTICLE 1. GENERAL PROVISIONS

##### Section

19A:22-1. Permanent Registration Required.

19A:22-2. Register of Voters; Primary Election Register Book; Time and Place of Registration.

19A:22-3. County Board of Elections; Registration Facilities; Expenses; Powers and Duties.

19A:22-4. Permanent Registration Forms.

#### ARTICLE 2. REGISTRATION AND TRANSFERS

19A:22-5. Persons Entitled to Register; Registration Permanence; Inactive File; Registration.

19A:22-6. Place of Registration; Notice; Oath; Signature by Mark.

- 19A:22-7. Acceptance of Applications for Registration  
During 28-Day Period Prior to Election;  
Ineligibility to Vote.
- 19A:22-7.1. Application of Other Provisions to Persons  
Registered Under N.J.S. 19A:22-7.
- 19A:22-8. Registration by Registration Form.
- 19A:22-8.1. Voter Registration Form; Contents; Availability.
- 19A:22-8.2. Acceptance or Denial of Registration; Notice to  
Registrant; Disposition of Form; Additional  
Information.
- 19A:22-8.3. Registration by Door-to-Door Canvassing;  
Certification of Number; Allocation of Funds;  
Appropriation.
- 19A:22-8.4. Reimbursement of Counties for New Registrants.
- 19A:22-9. Registration by Municipal Clerks.
- 19A:22-10. Affidavits of Permanent Registration; Authority to  
Take.
- 19A:22-11. Filing of Registration Forms.
- 19A:22-12. Change of Residence Notice.
- 19A:22-13. Errors in Registration Corrected: notice.
- 19A:22-14. Change in Registration on Marriage, Divorce or  
Judgment in Court; Registration.
- 19A:22-15. Previous Registration in Another County; Notice;  
Transfer to Inactive File.
- 19A:22-16. New or Altered Districts; Notice to Registrants and  
to Commission on Elections; Registrations Not  
Invalidated.
- 19A:22-17. Reports of Registrations.
- 19A:22-18. Investigation by County Board; Transfers of  
Permanent Registration Forms; Notices; Publication;  
Application for Order to Vote.
- 19A:22-19. Reports of Death by Health or Vital Statistic  
Officers; Records Transferred to Death File.
- 19A:22-20. Reports by Prosecutors and Attorney General of Pleas  
and Convictions Disenfranchising Voters.
- 19A:22-21. Registry List; Certification and Transmission;  
Distribution of Copies of Registry List.
- 19A:22-22. Filing of Original Registry List.

### ARTICLE 3. SIGNATURE COPY REGISTERS

- 19A:22-24. Use of Signature Copy Registers on Election Days.
- 19A:22-25. Return of Signature Copy Registers to County Board; Review and Correction of Records; Ineligibility of District Board Members.
- 19A:22-26. County Board to Check Record of Voting.
- 19A:22-27. Destruction or Loss of Records: General Registration.
- 19A:22-28. Master Index File; Card Index; Entries on; Correction.
- 19A:22-29. Candidate Inspection of Registration Binders; Court Order.

### ARTICLE 1. GENERAL PROVISIONS

19A:22-1. Permanent Registration Required. Except as otherwise provided in this chapter, no person shall be permitted to vote in any election unless such person shall have been permanently registered in the manner hereinafter provided.

Source: R.S. 19:31-1 amended 1940, c. 18; 1940, c. 19.

19A:22-2. Register of Voters; Primary Election Register Book; Time and Place of Registration. The county board of elections shall prepare and maintain a register of voters for use at the general election and a primary election register book for use at the primary election in such manner and form as to prescribe by the Commission on Election.

The district board of election shall keep the register of voters and the primary election register book in its possession for use on general election day and primary day, respectively, after which it shall file the same with the county board of elections.

The county board of elections and the district boards shall make provision to permanently register eligible voters at the times and places and in the manner prescribed by the Commission on Elections and may employ such assistants as may be necessary for such purpose and fix their compensation and shall certify the amount of

money required for this purpose to the board of chosen freeholders of the county and the said board of chosen freeholders shall provide the necessary funds therefor.

Source: C. 19:31-1.1 (1941, c. 273, s.1 amended 1941, c. 378; 1943, c. 218).

19A:22-3. County Board of Elections; Registration Facilities; Expenses; Powers and Duties. The county boards of elections shall have complete charge of the permanent registration of all eligible voters within their respective counties.

Subject to the prescription to the Commission on elections, the county board shall provide for registration at the offices of the county board and at such other places as may be required to encourage registration and said county board of elections shall also provide evening registration facilities for registration of persons who are or may be entitled to vote at the general election in said counties and shall submit to the Commission on Elections on or before February 15 of each year a plan providing for evening registration for the primary election and on or before June 15 of each year a plan of evening and out-of-office registration for the general election. Such plan shall include making available in each municipality the place or places to be open between the hours of 4:00 p.m. and 9:00 p.m. for at least three working days immediately preceding the close of registration in each municipality having a population of more than 12,000 according to the most recent United States census, and in every other municipality on the day of the close of registration.

Such plan for out-of-office registration may include door-to-door registration, and shall include the schedule and route to be followed by any out-of-office registration units, as well as a description of the number and nature of unit to be used, and such further pertinent information as the Commission on Elections may require. Out-of-office registration shall be made available pursuant to such plan in each municipality having a population exceeding 12,000 persons according to the most recent United States census.

Nothing in this section shall preclude the county board from providing pursuant to plan evening or out-of-office registration in excess of the requirements of this section, or shall preclude or  
in any way limit

out-of-office registration activities by persons or groups other than the county board and officers or employees thereof.

On or before the last school day on which a person may register to vote in the ensuing primary election, the county board shall arrange for and conduct registration in each public and non-public high school in the county of all students who are eligible to vote in the ensuing election. School officials shall cooperate with efforts to register students in such schools.

The Commission on Elections shall provide such printed forms, blanks, and supplies, and shall prescribe such reasonable rules and regulations as are necessary in its opinion to carry out the provisions of this Title and any amendments or supplements thereto..

All other necessary expenses incurred as and when certified and approved by the county board of elections shall be paid by the county treasurer of the county.

Source: R.S. 19:31-2 amended 1940, c. 165, s. 1; 1941, c. 275, s. 8; 1947, c. 168, s. 17; 1952, c. 290, s. 1; 1953, c. 348, s. 1; 1961, c. 59, s. 3; 1963, c. 138, s. 1; 1966, c. 117, s. 1; 1967, c. 73, s. 1; 1974, c. 30, s. 4; 1975, c. 15, s. 1; 1975, c. 204, s. 1.

19A:22-4. Permanent Registration Forms. Permanent registration forms for the registration of voters shall be prepared and supplied to the county board of elections by the Commission on Elections in sufficient quantities to enable all eligible voters to register. The form and content of such forms shall be as prescribed by the Commission on Elections.

Source: R.S. 19:31-3 amended 1941, c. 174, s. 1; 1959, c. 127, s. 21964, c. 7, s. 3; 1972, c. 82, s. 1; 1974, c. 30, s. 5.

## ARTICLE 2. REGISTRATION AND TRANSFERS

19A:22-5. Persons Entitled to Register; Registration Permanence; Inactive File; Reregistration. Each person who, at the time he applies for registration resides in the district in which he expects to vote, who will be of the age of 18 years or more at the next ensuing general election, who is a citizen of the United States, and who,

if he continues to reside in the district until after the general election, will at the time have fulfilled all the requirements as to length of residence to qualify him as a legal voter, shall, unless otherwise disqualified, be entitled to be registered in such district; and when once registered shall not required to register again in such district as long as he resides therein, except when required to do so by the county board of elections, because of a loss of or some defect in his registration record.

The registrant, when registered as provided in this Title, shall be eligible to vote at any election to be held subsequent to such registration, if he shall be a citizen of the United States of the age of 18 years and shall have been a resident of this State and county for at least 30 days, when the same is held, subject to any change in his qualifications which may later disqualify him; but if such registrant does not vote at any election during four consecutive years, his original and duplicate permanent registration and record of voting forms shall be removed to the inactive file and he shall be required to reregister before being allowed to vote at any subsequent election.

Source: R.S. 19:31-5 amended 1949, c. 124; 1959, c. 127, s. 3; 1964, c. 7, s. 4; 1974, c. 30, s. 6.

19A:22-6. Place of Registration; Notice; Oath; Signature by Mark. Up to and including the thirtieth day preceding any election the county board of elections or its duly authorized clerk or clerks, as the case may be, shall receive the application for registration of all eligible voters who shall personally appear for registration during office hours at the office of the county board of elections or such other place or places as may from time to time be designated by it for registration.

When any person shall apply to the county board of elections in writing setting forth that due to a chronic or incurable illness or that he is totally incapacitated and he cannot attend a place of registration and such application is accompanied by an affidavit from a duly licensed physician to practice medicine in this State, certifying that such person is chronically or incurably ill or totally incapacitated and that such person is

mentally competent and that such person cannot attend a place of registration, then the county board of elections or its duly authorized clerk shall cause such person to be registered at his place of residence or confinement.

When the county board of elections has designated a place or places other than its office for receiving registrations, it shall cause to be published a notice in the newspaper circulated in the municipality wherein such place or places of registration shall be located. Such notice shall be published pursuant to N.J.S. 19A:12-6.

Any eligible voter who applies for a registration shall subscribe to an oath or affirmation in the form as prescribed by the Commission on Elections and shall answer such questions as are provided in the original and duplicate permanent registration forms and sign the permanent registration form. If an eligible voter is unable to write his name, he shall be required to make a cross which shall be followed by the writing of the words his or her mark, as the case may be, by the person receiving the application.

Source: R.S. 19:31-6 amended 1940, c. 135, s. 2; 1945, c. 36, s. 1; 1947, c. 168, s. 18; 1952, c. 60, s. 1; 1955, c. 133; 1974, c. 30, s. 7; 1975, c. 15, s.2.

19A:22-7. Acceptance of Applications for Registration During 28-Day Period Prior to Election; Ineligibility to Vote. Notwithstanding any other provisions of this Title any person authorized by law to accept applications for voter registration shall accept, during the 28-day period prior to any election, the application for registration of all eligible voters who shall personally appear for registration before such person, or the registration card mailed or delivered to such person, but no person so registered shall be entitled to vote in the election immediately following said 29-day period. Any person registered under the provisions of this Title shall be advised that he will not be eligible to vote in the election immediately forthcoming, but will be eligible to vote in election held thereafter.

Applications for registration pursuant to the provisions of this chapter shall be received at such place or places as may be designated by any duly authorized election official.

Source: C. 19:31-6.1 (1966, c. 177, s. 1 amended 1974, c. 30, c.8).

19A:22-7.1. Application of Other Provisions to Persons Registered Under N.J.S. 19A:22-7. Except to the extent inconsistent herewith, all other provisions of this Title concerning registration of voters shall be applicable to voters registered under the provisions of N.J.S. 19A:22-7.

Source: C. 19:31-6.2 (1966, c. 177, s. 2).

19A:22-8. Registration by Registration Form. Any person entitled to register to vote may register as a voter in the election district in which he resides at any time prior to the twenty-ninth day preceding any primary or general election by completing a registration form prescribed by the Commission on Elections pursuant to N.J.S. 19A:22-8.1, having his signature or mark witnessed by a person registered to vote in New Jersey and submitting the form to the county board of elections in the county wherein he resides, by mail or otherwise. A registration form postmarked on the twenty-ninth day preceding any primary or general election shall be deemed timely.

Source: C. 19:31-6.3 (1974, c. 30, s. 15 amended 1974, c. 51, s. 4).

19A:2-8.1. Voter Registration Form; Content; Availability.

a. The commission on Elections shall cause to be prepared and shall provide to each county board registration forms of size and weight suitable for mailing, which shall require substantially the same information required on the form prescribed pursuant to N.J.S. 19A:22-4.

b. The reverse side of such form shall bear the address of the county board to which it is supplied and a United States postal permit the charges upon which be paid by the State.

c. Forms prepared in both the English and Spanish languages shall be supplied to the county board of any county in which there is at least one election district in which bilingual sample ballots must be provided pursuant to N.J.S. 19A:14-12 or 19A:33-4.

d. The county board shall furnish such registration forms upon request in person to any person or organization in such reasonable quantities as such person or organization shall request. The county board shall furnish no fewer than two such forms to any person upon request by mail or by telephone.

e. Each registration form shall have annexed thereto instructions specifying the manner and method of

registration and stating the qualifications for an eligible voter.

Source: C. 19:31-6.4 (1974, c. 30, s. 16 amended 1974, c. 51, c. 5; 1975, c. 15, s. 3).

19A:22-8.2. Acceptance or Denial of Registration; Notice to Registrant; Disposition of Form; Additional Information. a. Upon receipt of any completed registration form, the county board shall review it, and if it is found to be in order shall:

(1) Send to the registrant written notification that he is duly registered to vote. On the face of such notification in the upper left-hand corner shall be printed the words: "Do Not Forward. Return Postage Guaranteed. If not delivered in 2 days return to the County Board of Election."

(2) Paste or Tape the completed registration form on to an original permanent registration form, and paste or tape a copy thereof on to a duplicate permanent registration form, both of which shall be filed as provided in N.J.S. 19A:22-11. Nothing in this paragraph shall preclude any county board of elections from transferring by photocopy an image of the mail registration form to the original and duplicate permanent registration forms and keeping the original mail registration form on file.

(3) If such registrant is currently registered in another county of this State, notify the county board of such county to delete his name from the list of voters registered in such county.

b. The county board shall promptly notify a registrant of the reasons for any refusal to approve his registration.

c. If the registration form has been signed by someone other than the registrant, any additional information required on the original and duplicate permanent registration form shall be obtained by the district board or the county board at the first election at which the registrant shall appear or apply to vote.

Source: C. 19:31-6.5 (1974, c. 30, s. 17 amended 1974, c. 51, s. 6; 1976, c. 49, s. 1).

19A:22-8.3. Registration by Door-to-Door Canvassing; Certification of Number; Allocation of Funds; Appropriation. a. On December 31 of each year in which a presidential election has been held each county may

certify to the Commission on Elections the number of newly-registered voters who have been registered by door-to-door canvassing throughout the State.

b. Plans for door-to-door canvassing and registration shall be included in the plan for out-of-office registration submitted pursuant to N.J.S. 19A:22-3.

c. The Legislature shall appropriate to the Commission on Elections in each year during which a presidential election is to be held the sum of \$100,000.00 for allocation pursuant to subsection a. of this section.

Source: C. 19:31-6.7 (1974, c. 30, s. 19).

19A:22-8.4. Reimbursement of Counties for New Registrants. The Commission on Elections shall each year reimburse the counties \$0.50 per new registrant, whether the registration was by mail or in person.

Source: C. 19:31-6.8 (1974, c. 30, s. 20 amended 1974, c. 51, s. 7).

19A:22-9. Registration by Municipal Clerks. For the convenience of the voters, the respective municipal clerks or their duly authorized clerk or clerks shall also be empowered to register applicants for permanent registration up to and including the twenty-ninth day preceding any election and after such election in the manner indicated above, subject to such rules and regulations as may be prescribed by the Commission on Elections. A duly authorized clerk, for purposes of this section, shall be clerk municipality and has been approved by the county board. For this purpose, the county board shall forward to each municipal clerk a sufficient supply of original and duplicate permanent registration forms and said county board shall keep a record of the serial numbers of these forms and shall periodically make such checks as are necessary to accurately determine if all such forms are satisfactorily accounted for. Each municipal clerk shall transmit daily to the county board in a stamped envelope to be prepared and supplied by the county board all of the completed registration forms that he may have in his office at the time.

Source: R.S. 19:31-7 amended 1940, c. 135, s. 3; 1945, c. 36, s. 2; 1952, c. 60, s. 2; 1956, c. 28; 1966, c. 83; 1967, c. 73, s. 2; 1974, c. 30, s. 9.

19A:22-10. Affidavits of Permanent Registration: Authority to Take. The members of the county board of

elections and their duly authorized clerk or clerks, the municipal clerks and their duly authorized clerk or clerks, are empowered to take the affidavits of permanent registration as provided for in this Title.

Source: R.S. 19:31-9.

19A:22-11. Filing of Registration Forms. The original and duplicate permanent registration forms, when filled out, shall be filed alphabetically by districts at the office of the county board in separate sets of locked binders, one for the permanent office record and the other for use in the polling places on election days. Each set of the locked binders of duplicate and permanent registration forms shall consist of two volumes for each election district to be known as Volume I and Volume II. Volume I shall contain an index alphabetically arranged beginning with the letter A and ending with the letter K, and Volume II shall contain a similar index beginning with the letter L and ending with the letter Z. In filing the forms, there shall be inserted after the original and duplicate permanent registration of each registrant a record of voting form with the corresponding serial number and the name and address of the registrant thereon. The binders containing the duplicate permanent registration forms and the corresponding record of voting forms shall constitute and be known as the "signature copy" registers.

The original permanent registration forms shall be open to the public during such period as the duplicate registration forms are in the process of delivery to or from the district boards or are in the possession of such district boards only. The original permanent registration form shall not be removed from the office of the county board except upon order of a court of competent jurisdiction. The signature copy registers shall at all times except when in transit to and from the district boards or in the possession of such district boards to be open to public inspection.

The permanent registration form shall be the official records of a person's eligibility to vote in any election.

Source: R.S. 19:31-10.

19A:22-12. Change of Residence Notice. Change of residence notices shall be made by written request signed by the registrant forwarded to the county board by mail and actually received by it or by calling in person at

the office of the county board or municipal clerk. The county board shall provide change of residence notices in card form for the use of any registered voter moving to another address within the same election district or to another election district within the same county in a form prescribed by the Commission on Elections. Copies of these notices shall also be available at the office of the municipal clerk in each municipality. Each municipal clerk shall transmit daily to the county board all the filled out change of residence notices that he may have in his office at the time. Upon receipt of such change of residence notice, the county board shall cause the signature to be compared with the permanent registration forms of the applicant and if such signature appears to be of and by one and the same legal voter, the county board shall cause the entry of the change of residence to be made on the permanent registration forms and the registrant shall thereupon be qualified to vote in the election district to which he shall have so moved. If the county board is not satisfied as to the signature on the request for a change of residence, a notice shall be sent by mail with postage prepaid to the registrant at his new address directing him to appear at a time to be fixed in the notice, not less than 10 days from the date thereof, at the office of the county board to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If such registrant fails to appear at the time and the place as directed, or if the notice is returned as not delivered or if it is not returned as undelivered, the registration forms of the applicant shall be placed in the inactive file board, the accuracy of the signature on each change of residence shall be filed with the county board or municipal clerk, as the case may be, on or before the twenty-ninth day preceding any election.

In any county, any voter who shall move within the same county after the time prescribed for filing an application for change of residence without having made application for change of residence, shall be permitted to vote in the district from which he has moved, upon signing an affidavit in a form prescribed by the Commission on Elections. Such affidavit shall constitute a transfer to the said new residence for any subsequent election. The county board shall furnish to the election

board of each district form affidavits for this purpose and said district board shall turn over all signed affidavits to the county board; provided, however, if the voter has moved from one residence to another within the same election district at any time, he or she shall be permitted to vote in such election district at any election within 2 years subsequent to the date of such change of residence within the district upon signing the affidavit herein set forth.

Source: R.S. 19:31-11 amended 1940, c. 135, s. 4; 1941, c. 165; 1944, c. 251; 1945, c. 75; 1946, c. 149; 1974, c.30, s.10; 1974, c.51, s. 3; 1977, c. 89.

19A:2-13. Errors in Registration Corrected; Notice. When by error an eligible voter has been registered in a district other than the one in which he resides, the county board shall cause the error to be corrected, of which correction, a registrant shall be notified by postal card.

Source: R.S. 19:31-12.

19A:22-14. Change in Registration of Marriage, Divorce or Judgment of Court; Reregistration. Whenever the registrant, after his or her name due to marriage, divorce, by judgment of court or otherwise, the registration shall be required to re-register and the county board, upon receipt of information or notice of such change, shall transfer the permanent registration forms of such person to the inactive file subject to the provisions of this section.

When notice or information of such change of name has not been received by, or filed with, the county board prior to the twenty-ninth day preceding any election, such person shall be permitted to vote under his or her original registration at the next election following such change, after signing the signature copy register with both the registered name and his or her new name. Such person shall be required to re-register before being permitted to vote at any subsequent election. The county board shall then transfer the former permanent registration form to the inactive file and notify the registrant by regular mail of such transfer and the requirement to re-register before being permitted to vote at any subsequent election.

If the registrant shall, upon receipt the notice of transfer of her registration to the inactive file or

otherwise notify the county board of her inability to appear and re-register due to continued absence from the State with her husband while he is serving in the Armed Forces of the United States and shall support such statement under oath, the county board shall restore her registration form to the active file with appropriate notations and dates thereon, and notify the registrant that she may continue to vote during such absence from the state by civilian absentee ballot by signing both her registered name and her new name on applications for and certificates pertinent to civilian absentee ballots. The right to continue to so vote without registration shall continue until the registrant's return to this State or six years from the date of the marriage, whichever shall occur first, at which time the county board shall transfer the permanent registration form to the inactive file.

Source: R.S. 19:31-13 amended 1945, c. 117; 1953, c. 19, s. 44; 1960, c. 139; 1974, c. 30, s. 11.

19A:22-15. Previous Registration in Another County; Notice; Transfer to Inactive File. When a person appears to register in any county of this State and in answer to the statement on the registration forms, such person gives information as to previous registration in another county of this State, or another state, commonwealth, territory or possession of the United States, the county board of the county in which such person duly registers, shall notify the proper election officials of the county, state, commonwealth, territory or possession in which such person was last registered by postal card signed by the registrant of the new registration. Upon receipt of such information, the said county board in this State, shall transfer the registration forms of such a person to the inactive file without publication thereof being required.

Source: C.19:1-13.1 amended 1947, c.414.

19A:22-16. New or Altered Districts; Notice to Registrants and to Commission on Elections; Registrations Not Invalidated. When a new district has been created, or the boundaries of any district have been changed, the county board shall transfer the permanent registration forms of registered voters whose voting districts have been changed to new districts. Forthwith, the county board shall notify the registrant of said change. Within

10 days after the creation of such new district, the county board shall notify the Commission on Elections of such fact.

The registration of a voter shall not be invalidated by such alterations, nor shall a right of any registered voter to vote be prejudiced by any error in making the transfers of the registration forms.

Source: R.S.19:31-14 amended 1947, c.277, s.1.

19A:22-17. Report of Registrations. At least 10 days prior to the general election, the county board shall transmit and certify to the Commission on Elections a report of the total number of registrations in its county.

Source: C.19:31-14.5 amended 1947, c.277, s.2

19A:22-18. Investigation by County Board; Transfers of Permanent Registration Forms; Notices; Publication; Application for Order to Vote. For the purpose of preventing fraudulent voting and of eliminating names improperly registered, the county board shall, at least once during every four years, cause the entire registry list to be investigated by house-to-house canvass to establish the fact of continued residence, removal, death, disqualification, or improper registration.

In addition to the method hereinbefore provided, the county board may conduct such investigations as it deems necessary to establish the fact of continued residence or of removal of any registrant. In furtherance of these duties, the county board shall have the power to issue subpoena.

In case of registrants who have been found to the satisfaction of the county board to have moved from one address to another within the same county, the county board shall cause the permanent registration forms of said registrants to be transferred to the proper registers, upon receipt of a change or residence notice duly executed by such registrants as provided by law. In case of registrants so found to have moved to any place outside the county or State, the county board shall cause the permanent registration forms of such persons to be transferred to the inactive file. Such persons upon return to any municipality within the county, shall be required to reregister before allowed to vote.

In case of registrants so found to have died, been disqualified, or improperly registered, the county board shall cause the permanent registration forms of such

persons to be transferred to the inactive or death file, as the case may be. The county board before removing for any reason whatsoever the permanent registration forms of any registrant from the signature copy registers, or before transferring such forms to the inactive or death file, shall cause to be published a notice setting forth the proposed action of the county board. The form, content, and time of the publication of said notice shall be in accordance with the rules and regulations of the Commission on Elections.

Any person affected by any action of the county board shall, during the period between said publication and election day, have the right to make application to the assignment judge of that county, for the purpose of obtaining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant. The assignment judge or his designee, if satisfied that the applicant is entitled under the law to vote at such election and after determining the election district in which such person actually resides, may issue an order directing the district board of that district to permit such person to vote. Such person must reregister before voting at any subsequent election by court order or otherwise. The district board shall certify and return the order at the close of the election to the county board.

In no event shall the permanent registration forms or voting records of any registrant be removed or transferred to the inactive or death file if the name of such registrant is not first published in the manner above described.

Source: R.S. 19:31-15 amended 1940, c.155; 1941, c.273, s.2; 1945, c.18; 1947, c.168, s.19; 1952, c.292; 1953, c.206.

19A:22-19. Reports of Death by Health or Vital Statistic Officers; Records Transferred to Death File. The health officer or other officer in charge of records of death in each municipality shall file with the county board once each month the age, date of death, and names and addresses of all persons 18 years or more of age who have died within such municipality during the previous month. Upon receipt of such list, the county board shall make such investigation as is necessary to establish to its satisfaction that the deceased person is actually the

same person who is permanently registered. If such fact is so established, the county board shall cause the permanent registration the record of voting forms of the deceased registrant to be transferred to the death file.

Source: R.S.19:31-16 amended 1947, c.168, s.20.

19A:22-20. Reports by Prosecutors and Attorney General of Pleas and Convictions Disenfranchising Voters. Once each month, the prosecutor of the county, and the Attorney General of the State of New Jersey, shall deliver to the county board a list of the names and addresses of all persons and their ages and offenses, who have been convicted during the previous month of a crime which would disenfranchise them under the laws of this State; provided, however, if the address of the person so convicted is located in a county other than the county in which the conviction was obtained, the said prosecutor or Attorney General shall mail a report of such conviction to the proper county board in the county of which the address of such person is located. Upon receipt of the list, the county board shall make such investigation that is necessary to establish to its satisfaction that the convicted person is actually the same person who is permanently registered. If it is to established, the county board shall cause the permanent registration and record of voting forms of such convicted registrants to be transferred to the inactive file. In the event the person so convicted is not registered at the time the list is received, the county board shall cause an index card to be made out and inserted in its proper place in the master index file bearing the information received from the county prosecutor or the Attorney General and the person so convicted shall be denied the right to register. Such persons upon the restoration of their voting rights shall be required to register or reregister before being allowed to vote.

Source: R.S.19:31-17 amended 1947, c.168, s.21; 1950, c.37.

19A:22-21. Registry List; Certification and Transmission; Distribution of Copies of Registry List. a. Within 20 days preceding the general election, the county board shall certify a complete list of all persons who are registered in each election district in each municipality in the county, together with a statement as to the number of persons registered in each district.

Such list shall be arranged in a form prescribed by the Commission on Elections. The county board shall cause copies of the registry list certified and transmitted under this section to be printed in handbill form and shall furnish to any voter applying for the same such copies charging therefor 25 cents per copy of the list of voters of each election district. It shall also furnish five printed copies thereof to each district board which shall within 2 days post two such registry lists, one in the polling place and one in another conspicuous place within the election district. It shall also forthwith deliver to the municipal clerk of each municipality in the county for which the lists have been printed five copies of the list of voters of each election district in such municipality. It shall also forthwith deliver to the chairmen of the State committees and the chairmen of the county committees of the several political parties, five copies of the list of voters of each election district in each of the municipalities in its county.

b. In any county where the voter registration lists are recorded on magnetic tape or electronic data processing cards, the county board shall furnish a copy of such tape or cards to any voter requesting such tape or cards, the county board shall furnish a copy of such tape or cards to any voter requesting such tape or cards, for which copy it shall make a charge which shall be uniform in any calendar year and which shall reflect only the cost of reproducing such tape or cards.

c. No person shall use voter registration lists or copies thereof prepared pursuant to this section as a basis for commercial solicitation of the voters listed thereon. Any person making such use of such lists or copies thereof shall be a disorderly person and shall be punished by a fine not exceeding \$500.00.

Source: R.S.19:31-18 amended 1947, c.347, s.1; 1974, c.30, s.12; 1976, c.22; C.19:31-18.1 (1947, c.347, s.2 amended 1951, c.273, s.1; 1966, c.117, s.2; 1974, c.30, s.13; 1975, c.115, s.1).

19A:22-22. Filing of Original Registry List. The county board shall file the original registry list in its office and shall keep the same on file for 1 year.

Source: C.19:31-18.3 amended 1947, c.347, s.4.

## ARTICLE 3. SIGNATURE COPY REGISTERS

19A:22-23. Transmission of Signature Copy Registers to Election Districts. On or before the second Monday preceding the primary election for the general election and the general election, respectively, the county board shall deliver to the municipal clerks in each municipality the signature copy registers for each election district in such municipality and shall take a receipt for the same. The municipal clerk shall thereupon deliver at his office or in any other way he sees fit such registers to a member ore members of the proper district boards at the same time and together with the primary for the general election sample ballots, as the case may be. The register shall be used by the district boards on election days and the purpose of mailing the sample ballots.

Before delivering the registers, the county board shall cause to be printed upon a separate sheet or sheets of paper to be inserted inside the front cover of such registers in conspicuous type, such instructions to election officials regarding the use and disposition of the binders and forms as provided by the Commission on Elections.

Source: R.S.19:31-20 amended 1947, c.168, s.22.

19A:22-24. Use of Signature Copy Registers on Election Days. A person whose name appears in the signature copy register and who, upon applying for a ballot or voting authority shall have given the information and singed the signature comparison record as provided in this Title and whose signature in the signature comparison record shall have been compared by a member of the district board and in the presence and view of the challengers with the signature of the applicant as recorded in the register shall be eligible to receive a ballot or voting authority, unless it be shown to the satisfaction of a majority of the members of the district board that he is not entitled to vote in the district or has otherwise become disqualified.

No person shall be required to sign the signature comparison record as a means of identification if he shall have been unable to write his name when he registered, or if having been able to write his name when registered, he subsequently shall have lost his sight  
or

lost the hand with which he was accustomed to write or shall by reason of disease or accident be unable to write his name when he applies to vote, but each such person shall establish his identity in the manner provided in this Title.

In addition to signing the signature comparison record and after the comparison of the signature with the signature in the register, a person offering to vote at a primary election for the general election shall announce his name and the party primary in which he wishes to vote.

After a charge has voted, the member of the district board, having charge of the signature copy register, shall place the number of the person's ballot in the proper column on the record of voting form of such person, which number shall constitute a record that the person has voted. In the case of a primary election for the general election, such member of the district shall also place in the proper column on the record of voting form the first three letters of the name of the political party whose primary ballot such person has voted. In the event that the duplicate permanent registration form of any person cannot be found in the signature copy register at the time he applies for a ballot or voting authority, a member of the district board shall promptly ascertain from the county board or its duly authorized clerk if such person is permanently registered. Upon information that such is the fact, such member of the district board shall require the person applying for voting authority to obtain an order from the county board authorizing him to receive voting authority. The county board shall specially authorize and deputize clerks to issue such orders in municipalities within its county. The county board or its duly authorized clerks shall require the voter to sign his name upon such order for the purpose of signature comparison. The district board shall require the voter to again sign his name on said order in the presence of the board, and if the signatures compare shall permit him to vote. At primary elections the county board or its duly authorized clerk shall endorse on the order the political party whose ballot such person voted at the last preceding primary election. The order shall be returned to the county board at the same time and along with the signature copy registers.

Source: R.S.19:31-21 amended 1945, c.77.

19A:22-25. Return of Signature Copy Registers to County Board; Review and Correction of Records; Ineligibility of District Board Members. No later than noon on the day following the canvass of the votes cast at the primary election for the general election or the general election, the signature copy registers shall be returned by each district board to the county board at its office or in such other way as the county board may see fit.

Upon receipt of the registers, the county board shall inspect them and verify from the party primary poll books and the general election poll books, as the case may be, that the entries required to be made on the record of voting forms in such registers by the district boards have been made. If the county board shall ascertain that such entries have not been made or have been improperly made, it shall cause such entries and corrections to be made forthwith. The county board shall then notify those members of the district board who have so failed in their duty, and such members may be declared ineligible for appointment as members of any district board thereafter.

Source: R.S.19:31-22 amended 1965, c.106.

#### ARTICLE 4. RECORDS AND FILES

19A:2-26. County Board to Check Record of Voting. Following each election, the county board shall cause the record of voting, as shown on the record of voting forms in the signature copy registers to be entered on the record of voting forms in the original permanent registration binders.

Source: R.S.19:31-23.

19A:22-27. Destruction or Loss of Records; General Registration. In the event of the loss or destruction of any or all of the original or duplicate permanent registration binders, the county board shall promptly provide for a general registration at the regular polling places in the district or districts for which the binders have been lost or destroyed.

Source: R.S.19:31-24.

19A:22-28. Master Index File; Card Index; Entries on; Correction. The county board shall make and maintain a card index file showing on separate cards the full name, address, municipality, ward and district, registration

number and date of registration of each person registered permanently in its county. This file shall be arranged alphabetically according to names irrespective of municipality, ward, district, registration number and date of registration. Reasonably sufficient space shall be reserved on each card for the notations to be made thereon as herein provided.

The county board shall cause to be made notations on these cards as to each registrant, respectively, whose registration forms have been transferred from one register to another or to the inactive, death, or conviction files concurrently with such transfer. The card with such notation shall show the location of the registration forms of each registrant at all times. All changes of address of the registrant, including those within the same district, shall be noted on these cards concurrently with the changes of address on the permanent registration forms.

Source: R.S.19:31-26.

19A:22-29. Candidate Inspection of Registration Binders; Court Order. Any candidate or his duly authorized attorney shall, within 20 days after any election, upon application to the county board, be permitted to inspect and examine the original and duplicate registration binders in the office of the county board and compare signatures thereon and if the county board shall refuse the right of examination and inspection, application may be made to the Assignment Judge of the county or his designee and such judge shall forthwith order the said county board to allow such person to make an examination and inspection as aforesaid.

Source: C.19:31-27 (1940: c.53, s.1 amended 153, c.19, s.46).

## CHAPTER 23

### SIGNATURE COMPARISON RECORDS; FORM AND USE

#### Section

19A:23-1. Signature Comparison Records on Duplicate Permanent Registration and Voting Forms.

19A:23-2. Comparison of Signatures; Voting; Statements; Disability Certificates; Certification of Signature Comparison Record.

19A:23-3. Erroneous Record.

19A:23-1. Signature Comparison Records on Duplicate Permanent Registration and Voting Forms. The county board shall have printed on the back of the duplicate permanent registration and voting form a signature comparison record, the form and contents of which shall be prescribed by the Commission on Elections.

Source: C.19:31A-7 (1944,c.230,s.1 amended 1972, c.82, s.2).

19A:23-2. Comparison of Signatures; Voting; Statements; Disability Certificates; Certification of Signature Comparison Record. Every person qualified to vote in any election shall at any time after the opening of the polls be at liberty to enter the polling place or room and claim his right to vote in such election in his proper district, and he shall claim such right in person before the district board in the district. The board shall permit no person to vote whose name does not appear in the signature copy register of its election district. The board shall permit no person to vote whose name does not appear in the signature copy register of its election district. Each voter, in claiming the right to vote, shall first, give his full name and address to the member of the district board having charge of the duplicate permanent registration binder and voting record and the signature comparison record. Such clerk shall thereupon locate permanent registration form and voting record and signature comparison record of the voter and shall require the voter to thereupon sign his name in the proper place on his signature comparison record, if the voter has previously signed his name on the line marked "sample signature" and compare the sample signature with the signature made by such person at the time he registered and if satisfied that they were made by one and the same person, he shall then permit the voter to sign his name in the proper space on the signature comparison record. Such signature being completed on the signature comparison record, the member of the board having charge of the duplicate permanent registration binder, shall audibly and publicly announce the name of

the claimant and, if the member of the board has ascertained from the duplicate permanent registration binder that the claimant is registered as a qualified voter, and upon comparison, the member of the board is satisfied that the signature of the claimant and the sample signature on the signature copy register have been made by one and the same person, the member of the board who compared the signature of the voter shall place his initials in the proper column on the signature comparison record signifying that he has made such comparison and is satisfied that the signature of the claimant and the sample signature have been made by one and the same person; whereupon the voter shall be eligible to receive a ballot unless it be shown to the satisfaction of a majority of the members of the district board that he is not entitled to vote in the district or has otherwise become disqualified.

In addition to signing the signature comparison record, and after the comparison of the signature in the register, a person offering to vote at a primary election for the general election shall announce his name and the party primary in which he wishes to vote.

After a person has vote, the member of the district board, having charge of the signature copy registers, shall place the number of the person's ballot in the proper column on the record of voting form the first three letters of the name of the political party whose primary ballot such person has voted.

No person shall be required to sign the signature comparison record as a means of identification if he shall have been unable to write his name when registered, or if, having been able to write his name when registered, he subsequently shall have lost his sight or lost the hand with which he was accustomed to write, or shall by reason of disease or accident, be unable to write his name when he applies to vote, but each such person who alleges his inability to sign his name in the signature comparison record shall establish his identity as follows:

One of the members of the district board shall read the same list of questions to the voters as were required upon registration, as prescribed upon the registration forms prepared by the Commission on Elections. Such questions shall be provided at each election by the

county board and shall be known as "identification statements for election day". The member of the board shall write answers for the voter upon the identification statement.

The questions answered upon registration shall not be turned to or inspected until the answers to the questions shall have been written on election day by the member of the board. At the end of each list of questions shall be printed the following statement; "I certify that I have read to the above-named voter each of the following questions and that I have duly recorded his answers as above to each of these questions", and the member of the board who has made the above record shall sign his name to such certificate and date the same and note the time of day of making such record. If the answers to the questions asked of the voter on election day agree with the answers given by him to the same questions at the time he registered, he shall then be permitted to receive a ballot. Any person who shall permit or attempt to furnish the answers on behalf of the voter shall be guilty of a misdemeanor. The county board shall furnish sufficient identification statements for each election district in each county. The form and content of said statements shall be as provided for by the Commission on Elections and said statements shall be numbered serially in each election district and inserted in numerical order in the front of the duplicate registry binders.

At any election any person who declares under oath and establishes to the satisfaction of a majority of all members of the district board that by reason of blindness or other physical condition he is unable to vote without assistance, shall have the assistance of two members of the board of opposite political faith, to be assigned by the board. Such members shall retire with such voter to the booth and assist him in voting. The member acting as clerk of the district board shall make an entry on a disability certificate for assistance which entry shall be in the form of an oath and be inserted in front of the duplicate registry binders each election.

In every instance where such oath was administered to a voter as herein provided, it shall state briefly what facts were sworn to and the names of the members of the board who aided such voter. No member of the board shall reveal the name of any person whom such voter has voted, or anything that took place while he was being assisted.

Such blind or disabled voter may, in lieu of the assistance of the board as above provided, have assistance of some person of his own selection in executing his vote. Such person shall be recorded as above. In such case, no other person than the one so selected by the voter shall be allowed to assist such voter in the execution of his vote. No person so selected shall reveal the name of any person for whom such voter has voted or anything that took place while he was being assisted.

The disability certificate shall be numbered serially one to 20. The county board shall furnish sufficient disability certificates for assistance for each election district in its county. The form and content of disability certificates for assistance for each election district in its county. The form and content of the disability certificates for assistance shall be prescribed by the Commission on Elections.

The county board in each county shall furnish sufficient certificates of signature comparison records for each election district in its county to be filled in and signed at the close of the polls by the members of the district board. A blank space shall also be provided for on the certificate for the signatures of the members of the election board. Under said certificate there shall be printed the word "Regards" together with a number of blank lines. The county board shall insert one of such certificates in the front of the signature copy registers in each election district in the county. The form and content of said certificates shall be prescribed by the Commission on Elections.

After each election, the county board shall remove from the senders the identification statements, the disability certificates for assistance, and the certifications of signature comparison record and shall preserve them in its office in a suitable place for a period of two years.

Source: C.19:31A-8 (1944,c.230,s.2); R.S. 19:50-3 amended 1944, c.128, 1945, c.56, s.7; 1957, c.15; 1977, c.304.

19A:23-3. Erroneous Record. When any legal voter shall apply to the district board in the district in which he resides and shall find that his name upon the signature comparison record is marked as having voted, the district board shall not permit such person to vote. Application

may be made by the registrant to the county board and upon due proof to the county board or its duly authorized clerk that such registered voter has not voted in such election, the county board shall issue a certificate directed to the district board authorizing the district board to permit such person to vote.

The county board shall immediately, following such election, cause the members of the district board in such district to appear before it and unless such district board can explain to the satisfaction of the county board why such registrant's form was marked as "voted" the member or members of such district board who have so failed in their duty may be declared ineligible for appointment as members of any district board thereafter.

Source: C.19:31-9. (1944, c.230, s.3).

## CHAPTER 24

### REMOVAL OF NAMES FROM REGISTERS BY COURT

19A:24-1. Procedure for Removal of Names from Registers by court.

#### Section

19A:24-1. Procedure for Removal of Names from Registers by court. The Assignment Judge of a county or his designee shall order stricken from any register the name of any person who shall be shown to his satisfaction not to be entitled to vote at any election in the election district wherein he is registered, and the county board shall upon such order cause the name of such person to be stricken from the register.

Such judge shall hear an application to strike off in a summary manner at the time and day specified in the notice hereinafter provided; but no name shall be stricken or ordered stricken from any such register in the absence of the person to be affected thereby, unless it shall appear to the judge by affidavit of the county board or its duly authorized clerk that notice has been given such person, either personally or by leaving the same at his registered place or residence or present actual residence if known to the county board at least five days before the day and time of hearing before such judge, that at such hearing application would be made to

have the name of such registered person stricken from the register, and of the grounds on which such application would be based. Such judge shall not order any name stricken subsequent to the fifth Tuesday preceding any election. the county board shall notify the judge five days before the day and time specified when the application will be made.

In addition to the notice heretofore mentioned, the county board shall also publish in one or more newspapers within the county at least five days before the day and time of hearing before such judge the names and registered addresses of such persons as shall be affected by this proceeding, giving notice through such publication of time and place where the application is to be made for the removal of said names from the registry list.

The county board shall after the hearing transfer to the inactive file a permanent registration and record of voting forms of such persons as the judge shall have ordered stricken from the signature copy register pursuant to this section, and shall immediately notify the registrant by mail of any transfer made pursuant to this section.

All costs and expenses of such proceedings shall be paid by the county.

Source: R.S. 19:33-1 amended 1945, c.270, 1953, c.19, s.53.

## SUBTITLE 7 ELECTORAL COLLEGE

### Chapter

25. Meetings and Duties, 19A:25-1 to 19A:25-3.

## CHAPTER 25 MEETINGS AND DUTIES

### Section

19A:25-1. Electoral College; Time and Place of Meeting.

19A:25-2. Vacancies; Filling.

19A:25-3. Organization; Performance of Duties.

19A:25-1. Electoral College; Time and Place of Meeting. The electors of President and Vice-President.

shall convene at the State House at Trenton, on the day appointed by Congress for that purpose, at the hour of 3:00 p.m. in the afternoon of that day, and constitute an electoral college.

Source: R.S. 19:36-1.

19A:25-2. Vacancies; Filling. When a vacancy shall happening the college of electors, or when an elector shall fail to attend, by the hour of 3:00 p.m. in the afternoon of the day fixed by Congress for the meeting of the college of electors, at the place holding such meeting, those of such electors who shall be assembled at the hour and place shall immediately proceed to fill by a majority of votes such vacancy.

If the members of the electoral college shall have been nominated and elected a representing different political parties, any vacancy occurring shall be filled by the elector or electors representing the same political party as the absent elector; and if there shall be no elector present representing the same political party as the absent elector, then such vacancy shall be filled by a majority of the electors present, who shall choose some person of the political party which the absent elector represents.

Source: R.S. 19:36-2.

19A:25-3. Organization; performance of Duties. After choosing a president and secretary from their own body, such electors shall proceed to perform duties required of them by the Constitution and laws of the United States.

Source: R.S.19:36-3.

#### SUBTITLE 8. BLANK

#### CHAPTER 26. BLANK

#### SUBTITLE 9

#### FIRST ELECTIONS IN CONSOLIDATING MUNICIPALITIES

#### Chapter

27. Procedure, 19A:27-1 to 19A:27-5.

#### CHAPTER 27

#### PROCEDURE

#### Section

19A:27-1. Officers Election at General election Immediately Preceding Date of Consolidation.

19A:27-2. Preparation and Delivery of Election Paraphernalia.

19A:27-3. County Board; Powers and Duties.

19A:27-4. Election Officers; Appointments; Duties.

19A:27-5. Certificates of Election Issued by County Board.

19A:27-1. Officers Elected at General Election Immediately Preceding Date of Consolidation. When the voters of two or more municipalities in the same county shall vote to consolidate and form a municipality by virtue of any act of the Legislature, the first set of officers and officials of that municipality shall be elected within the limits of such municipalities at the general or regular municipal election, as the case may be, immediately preceding the date of consolidation at which such officers are required by law to be elected in municipalities of the type and form of government of the consolidated municipality.

During the calendar year in which such election is held, there shall be no nomination or election for officers of the separate consolidated municipalities, and incumbents thereof shall continue to hold office until the date of consolidation.

Source: R.S.19:38-1 amended 1939, c.343, s.22.

19A:27-2. Preparation and Delivery of Election of Paraphernalia. The county board of the county wherein such municipalities lie, shall prepare and deliver all the necessary books and other records of registry of voters, as well as all books and other equipment to be used in such municipalities for registry of voters and the nomination and election of the officers and officials of the municipality so formed.

Source: R.S. 19:38-2 amended 1939, c.343, s.23.

19A:27-3. County Board; Powers and Duties. The county board of the county in which the municipalities are located shall have the legal powers and duties of the municipal clerk of the consolidated municipality for the purposes of nomination and election of the first set of municipal officers.

Source: R.S. 19:38-3 amended 1939, c.343, s.24.

19A:27-4. Election Officers: Appointment; duties. The board of the county wherein such municipalities are located shall appoint and provide proper election officers at the various polling places designated in the manner specified by law providing for the formation of

such municipality, to conduct the elections and perform the usual duties required by such officers by this Title.

Source: R.S. 19:38-5 amended 1939, c.343, s.25.

19A:27-5. Certificates of Election Issued by County Board. Certificates of election shall be issued by the county board of the county within which such municipalities lie to the successful candidates, which certificates shall be filed with the clerk of the municipality on the date set for such municipalities to become consolidated.

Source: R.S. 19:38-6 amended 1939, c.343, s.26.

#### SUBTITLE 10

### CAMPAIGN EXPENDITURES

#### Chapter

28 Campaign Expenditures and Practices, 19A:28-1 to 19A:28-21.

28A. Forbidden Contributions and Practices, 19A:28A-1 to 19A:28A-9.

28B. Gubernatorial Financing and Expenditures, 19A:28B-1 to 19A:28B-18.

#### CHAPTER 28

### CAMPAIGN EXPENDITURES AND PRACTICES

#### Section

19A:28-1. Public Policy.

19A:28-2 Application of Chapter.

19A:28-3 Blank.

19A:28-4 Reports by Political Committees and Information Organizations.

19A:28-5 Candidates in Election; Campaign Treasurer and Campaign Depository; Appointments; Deputies.

19A:28-6 Political Committees: Campaign Treasurers and Campaign Depositories.

19A:28-7 Contributions, Loans or Obligations and Expenditures in Support of or to Defeat Candidate or Public Question; Methods; Personal Expenditures; Reports; Anonymous Contribution; Disposition.

19A:28-8 Funds Received by Campaign Treasurer; Deposits; Transfers; Statements; Filing.

19A:28-9 Political Information Organizations; Treasurer and Depository; designation; Filing.

19A:28-10. Contribution: Loans or Obligations to , and Expenditures by, Political Information Organizations; methods; Personal expenditures; Reports; Anonymous Contributions; Disposition -

19A:28-11. Funds Received by Treasurer; Deposits; statements; Filing.

19A:28-12. Campaign Treasurer; Reports.

19A:28-13. Campaign Depository or Depository of Political Information Organizations; Filing of Documents.

#### Section

19A:28-14 Post-Election Contributions; Expenditures; Testimonial Affairs or Public Solicitations; Reports.

19A:28-15. Public Solicitations; Authorization by Campaign Treasurer or Treasurer of Political Information Organization or Personal Effort; Reports.

19A:28-16. Solicitations, Acceptance or Donations; Prohibition.

19A:28-17. Blank

19A:28-18. Blank.

19A:28-19. Construction of Chapter.

19A:28-20. blank.

19A:28-21. Severability.

19A:28-1. Public Policy. It is hereby declared to be in the public interest and to be the policy of the State to require the reporting of all contributions received and expenditures made to aid or promote the nomination, election or defeat of any candidate for public office or to aid or promote the passage or defeat of a public question in any election and to require the reporting of all contributions received and expenditures made to provide political information on any candidate for public office, or on any public question.

Source: C.19:44A-2 (1973, c.83, s.2).

19A:28-2. Application of Chapter. The provisions of this chapter shall apply:

a. In any primary election for delegates and alternates to the national conventions of a political party;

b. in any election at which a public question is to be voted upon by the voters of the State or any political subdivision thereof;

c. in any primary, general, special, school or municipal election for any public office of the State or any political subdivision thereof; provided, however that this chapter shall not apply to elections for county committee man or committeewoman.

Source: C.19:44A-4 (1973, c.83, s.4).

19A:28-3. Blank.

19A:28-4. Reports by Political committees and Information Organizations. Each State, county and municipal committee of a political party, each political committee and each political information organization shall make a full report, upon a form prescribed by the Commission on Elections of all moneys, loans, paid personal services or other things of value contributed to it and all expenditures made, incurred, or authorized by it in furtherance of the nomination, election or defeat or any candidate, or in aid of the passage or defeat of any public question, or to provide political information on any candidate or public question, during the period ending with the day preceding the date of the report and beginning on the date of the most recent such report filed. The report, except as hereinafter provided, shall contain the name and address of each person, form or organization to whom expenditures have been paid and the amount and purpose of each such expenditure. The report shall be filed with the Commission on Elections on the dates designated in N.J.S.19A:28-12. the campaign treasurer of the committee or political committee reporting or the treasurer of the political committee reporting shall certify to the correctness of each report.

Each State, county municipal committee of a political party and each political information organization shall also file with the Commission on Elections, not later than March 1 of each year, an annual report of all moneys, loans, paid personal services or other things of value contributed to it during the previous calendar year and all expenditures made, incurred or authorized in furtherance of the election or defeat of any candidate, or in aid of the passage or defeat of any public question or to provide information on any candidate or public question.

The report shall contain the name and address of each person or group from whom moneys, loans, paid personal services or other things of value have been contributed and the amount contributed by each person or group. The report shall also contain the name and address of each person, firm or organization to whom expenditures have been paid and the amount and purpose of each such expenditure. The treasurer of the committee or organization reporting shall certify to the correctness of each report.

In any report filed pursuant to the provisions of this section the organization or committee reporting may exclude from the report the names and addresses of contributors whose contributions during the period covered by the report did not exceed \$100.00; provided, however, that (a) such exclusion is unlawful if any person responsible for the preparation or filing of the report knew that it was made with respect to any person whose contributions relating to the same election or issue and made to the reporting organization or committee or to an allied campaign organization or organizations aggregate, in combination with the contribution in respect of which such exclusion is made, more than \$100.00 and (b) any person who knowingly prepares, assists in preparing files or acquiesces in the filing of any report from which the identification of a contributor has been excluded contrary to the provisions of this section is subject to the provisions of N.J.S. 19A:28-17, but (c) nothing in this provision shall be construed as requiring any committee or organization reporting pursuant to this chapter to report the amounts, dates or other circumstantial data regarding contributions made to any other organization or political committee, committee of a political party or campaign organization of a candidate.

Any report filed pursuant to the provisions of this section shall include an itemized accounting of all receipts and expenditures relative to any testimonial affairs held since the date of the most recent report filed, which accounting shall include the names and addresses of each contributor in excess of \$100.00 to such testimonial affair and the amount contributed by each, the expenses incurred, and the disposition of the proceeds of such testimonial affair.

No State, county or municipal committee of political party nor any political committee nor any political information organization shall be required to file reports pursuant to this section of contributions received or expenditures made in behalf of any candidate who is not required to file reports pursuant to N.J.S. 19A:28-12.

Source: C.19:44A-8 (1973, c.83, s.8).

19A:28-5. Candidates in Election; Campaign Treasurer and Campaign Depository; Appointments; Deputies. Each

candidate in an election shall appoint one campaign treasurer and shall designate one campaign depository before receiving any contribution or expending any money in furtherance or aid of his candidacy. Any bank authorized by law to transact business in the State may be designated as the campaign depository. The designation of the campaign treasurer and the campaign depository shall be made by the candidate filing the name and address of such campaign treasurer and such depository with the Commission on Elections.

A campaign treasurer of the candidate may appoint deputy campaign treasurers as required and may designate additional campaign depositories in each county in which the campaign is conducted. The candidate shall file the names and addresses of deputy campaign treasurers and additional campaign depositories with the Commission on Elections.

A candidate may remove a campaign treasurer or deputy campaign treasurer. In the case of the death, resignation or removal of a campaign treasurer, the candidate shall appoint a successor as soon as practicable and shall file his name and address with the Commission on Elections within three days. A candidate may serve as his own campaign treasurer.

Source: C.19:44A-9 (1973, c.83, s.9).

19A:28-6. Political Committees; Campaign Treasures and Campaign Depositories. Each state, county and municipal committee of a political party shall, on or before January 31 in each year, designate a campaign treasurer and campaign depository and shall file the name and address thereof with Commission on Elections.

Every political committee shall, before receiving any contribution or expending any money in furtherance or aid of the election or defeat of any candidate, or to aid the passage or defeat of any public question, appoint one campaign treasurer and designate one campaign depository and file the name and address thereof with the Commission on Elections. A campaign treasurer of the State, county or municipal committee of a political party, and a campaign treasurer of a political committee may appoint deputy campaign treasurers as may be required and may designate additional campaign depositories. Such committees shall file the names and addresses of such deputy campaign treasurers and additional campaign depositories with the Commission on Elections.

Any state, county or municipal committee or a political party, and any political committee may remove its campaign treasurer or deputy campaign treasurer. In the case of the death, resignation or removal of its campaign treasurer, the committee shall appoint a successor as soon as practicable and shall file his name and address with the Commission on Elections within three days.

Source: C.19:44A-10 (1973, c.83, s.10).

19A:28-7. Contributions, Loans or Obligations and Expenditures in support of or to defeat Candidate or Public Question; Methods; Personal Expenditures; reports, Anonymous Contributions; Disposition. No contribution of money or other thing of value, nor obligation therefor, including but not limited to contributions, loans or obligations of a candidate himself or of his family, shall be made or received, and no expenditure of money or other thing of value, nor obligation therefor, including expenditures, loans or obligations of a candidate himself or of his family shall be made or incurred, directly or indirectly, to support or defeat a candidate in any election, or to aid the passage or defeat of any public question, except through;

a. The duly appointed campaign treasurer, or deputy campaign treasurers of the candidate;

b. The duly appointed campaign treasurer or deputy campaign treasurers of a political party committee;

c. The duly appointed campaign treasurer or deputy campaign treasurer of a political committee.

It shall be lawful, however, for any reason, not acting in concert with any other person or group, to expend personally from his own funds a sum which is not to be repaid to him for any purpose not prohibited by law, or to contribute his own personal services and personal traveling expenses, to expend personally from his own funds a sum which is not to be repaid to him for any purpose not prohibited by law, or to contribute his own personal services and personal traveling expenses, to support or defeat a candidate or to aid the passage or defeat of a public question; provided, however, that any person making such expenditures and expenses, except personal traveling expenses, if the total of the money so expended, exclusive of such traveling expenses, exceeds \$100.00, either:

a. To the campaign treasurer of the candidate.

political party committee or political committee on whose behalf such expenditure or contribution was made, or to his deputy, who shall cause the same to be included in his report to the Commission on Elections subject to the provisions of N.J.S. 19A:28-4 and 19A:28-5; or

b. Directly to the Commission on Elections at the same time and in the same manner as political committee subject to the provisions of N.J.S. 19A:28-4.

Any anonymous contribution received by a campaign treasurer or deputy campaign treasurer shall not be used or expended, but shall be returned to the donor, if his identity is known, and if no donor is found, the contribution shall escheat to the State.

Any State, county or municipal committee of any political party, after a primary election, but not prior thereto, may receive and expend funds to be spent in furtherance and in aid of the candidacy of all the candidates of such party, or of any one or more of such candidates, in accordance with the provisions of this chapter.

Source: C.19:44A:11 (1973, c.83, s.11).

19A:28-8. Funds Received by Campaign Treasurer; Deposits; Transfers; Statements; Filing. All funds received by a campaign treasurer or deputy campaign treasurer of a candidate, of a State, county or municipal committee of a political party, or of a political committee shall be deposited by the campaign treasurer or deputy campaign treasurer in a campaign depository of the candidate, committee or political committee, in an account designated "Campaign Fund of (name of candidate or committee); no later than the tenth calendar day following receipt of such funds; except that the campaign treasurer or deputy treasurer may, when authorized by the candidate or committee of which he is the campaign treasurer or deputy campaign treasurer, transfer any such funds to the duly designated campaign treasurer or deputy campaign treasurer of another candidate or committee, for inclusion in the campaign fund thereof, without first so depositing them; provided, however, that a record of all nondeposited funds so transferred shall be attached to the statement required under this section, identifying them as to source and amount in the same manner as deposited funds.

All deposits made by a campaign treasurer or deputy campaign treasurer shall be accompanied by a statement

containing the name and address of each person or group contributing or providing the funds so deposited, and the amount contributed or provided by each person or group, provided that the campaign treasurer or deputy campaign treasurer may exclude from each person or group, provided that the campaign treasurer or deputy campaign treasurer may exclude from such statement the names and addresses of persons or groups contributing \$100.00 or less. The statement shall be made upon a form prescribed by the Commission on Elections, and one copy thereof shall be filed by the campaign depository with the Commission on Elections in accordance with N.J.S. 19A:28-13, one copy shall be retained by the campaign depository for its records and one copy shall be retained by the campaign treasurer for his records.

Source: C.19:44A-12 (1973, c. 83, s.12).

19A:28-9. Political Information Organizations; Treasurer and Depository; Designation; Filing. Each political information organization shall on or before January 31 in each year, designate a treasurer and a depository and shall file the name and address thereof with the Commission on Elections.

Every political information organization shall, before receiving any contribution or expending any money to provide any political information on any candidate or public question, appoint one treasurer and designate one depository and file the name and address thereof with the Commission on Elections. The treasurer of a political information organization may appoint deputy treasurers as may be required and any designate additional depositories. Such organizations shall file the names and addresses of such deputy treasurers and additional depositories with the Commission on Elections.

Any political information organization may remove its treasurer or deputy treasurer. In the case of the death, resignation or removal of its treasurer, the organization shall appoint a successor within 10 days and shall file his name and address with the Commission on Elections within three days.

Source: C.19:44A-13 (1973,c.83, s.13).

19A:28-10. Contributions, loans or obligations to, and Expenditures by, Political Information Organizations; Methods; Personal Expenditures; reports; Anonymous Contributions; Disposition. No contribution of money or

other thing of value, nor obligation therefor, including but not limited to contributions, loans or obligations shall be made to or received by a political information organization, and no expenditure of money or other thing of value, nor obligation therefor, including expenditures, loans or obligations, shall be made or incurred, directly or indirectly, by a political information organization to provide information on any candidate or political information organization to provide information on any candidate or public question except through the duly appointed treasurer or deputy treasurer of the political information organization.

It shall be lawful, however, for any person, not acting in concert with any other person or group, to expend personally from his own funds a sum which is not to be repaid to him for any purpose not prohibited by law, or to contribute his own personal services and personal traveling expenses if the total of the money so expended, exclusive of such travel expenses, exceed \$100.00, either:

a. To the treasurer of the political information organization on whose behalf such expenditure or contribution was made, or to his deputy, who shall cause the same to be included in his report to the Commission on Elections; or

b. Directly to the Commission on Elections at the same time and in the same manner as a political information organization subject to provisions of N.J.S. 19A:28-4.

Any anonymous contribution received by a treasurer or deputy treasurer of a political information organization shall not be used or expended, but shall be returned to the donor, if his identity is known, and if no donor is found, the contribution shall escheat to the State.

Source: C.19:44A-14 (1973, c.83, s. 14).

19A:28-11. Funds Received by Treasurer; Deposits; Statements; Filing. All funds received by a treasurer or deputy treasurer of a political information organization shall be deposited by the treasurer or deputy treasurer in a depository of the organization in an account designated "(name of political information organization) Fund" no later than the tenth day following receipt of such funds.

All deposits made by a treasurer of a political information organization shall be accompanied by a statement containing the name and address of each person

or group contributing or providing the funds so deposited, and the amount contributed or provided by each person or group, provided that the treasurer or deputy treasurer may exclude from such statement the names and addresses of persons or groups contributing \$100.00 or less. The statement shall be made upon a form prescribed by the Commission on Elections, and one copy thereof shall be filed by the depository with the Commission on Elections in accordance with N.J.S. 19A:28-13, one copy shall be retained by the treasurer for his records.

Source: C.1944A-15(1973,c.83,s.15).

19A:28-12. Campaign Treasurer; Reports. Each campaign treasurer of a candidate shall make a full report, upon a form prescribed by the Commission on Elections, of all moneys, loans, paid personal services or other things of value, contributed to him or to the deputy campaign treasurers of the candidate, during the period ending with the day preceding the date of the report and beginning on the date the most recent such report was filed, or, in the case of the first such report filed after the appointment of the campaign treasurer, beginning on the date of the appointment of the campaign treasurer. The report shall also contain the name and address of each person or group from whom moneys, loans, paid personal services or other things of value have been contributed by each person or group. The campaign treasurer and the candidate shall certify the correctness of the report.

During the period between the appointment of the campaign treasurer and the election with respect to which contributions are accepted or expenditures made by him, the campaign treasurer shall file his report (a) on the seventh day preceding the election, and (b) on the twenty-fifth day preceding the election; and after the election he shall file his report on the fifteenth day following such election. Concurrent with the report filed on the fifteenth day following an election, or at any time thereafter, the campaign treasurer of a candidate or political committee or committee of a political party or the treasurer of a political information organization may certify to the Commission on Elections that the campaign fund of such candidate, political committee or committee or a committee or a political party or a political information organization

which continues its activities beyond the election, that its business regarding the late election has been wound up; and said certification shall be accompanied by a final accounting of such campaign fund, or of the transactions relating to such election, including the final disposition of any balance remaining in such fund at the time of dissolution or the arrangements which have been made for the dissolution or the arrangements which have been made for the discharge of any obligations remaining unpaid at the time of dissolution. Until such certification has been filed, each such treasurer shall continue to title at the conclusion of each 60-day interval from the fifteenth day following such election, reports in the form and manner hereinprescribed.

In the case of a primary, general, municipal, school, or special election of a candidate for an office elected by a municipal or countywide constituency or a school district a duplicate copy of the campaign treasurer's report, duly certified, shall be filed at the same time with the county clerk of the county in which the candidate resides.

There shall be no obligation to file the reports required by this section on behalf of a candidate if such candidate files with the Commission on Elections a sworn statement to the effect that the total amount to be expended in behalf of his candidacy by the candidate, by any State, county or municipal committee of a political party, by any political committee, or by any person shall not in the aggregate exceed \$1,000.00; provided, that if a candidate who has filed such a sworn statement receives contributions from any one source aggregating more than \$100.00 he shall forthwith make report of the same, including the identity of the source and the aggregate total of contributions therefrom, to the Commission on Elections.

There shall be no obligation imposed upon a candidate seeking election to a public office of a school district to file either the reports or the sworn statements required and referred to in this section or to comply with the requirements of N.J.S. 19A:28-5, 19A:28-7 or 19A:28-8, if the total amount expended and to the expended in behalf of his candidacy by the candidate, any political committee, any political party committee or by any person, does not in the aggregate exceed \$1,000.00;

provided, that if such candidate receives contributions from any one source aggregating more than \$100.00 he shall forthwith make a report of the same including the identity of the source and the aggregate total of contributions therefrom, to the commission.

In any report filed pursuant to the provisions of this section, the names and addresses of contributors whose contributions during the period covered by the report did not exceed \$100.00 may be excluded; provided, however, that (a) such exclusion is unlawful if any person responsible for the preparation or filing the report knew that such exclusion was made with respect to any person whose contributions relating to the same election and made to the reporting candidate or to an allied campaign organization or organizations aggregate, in combination with the contribution in respect of which such exclusion is made, more than \$100.00, and (b) any person who knowingly prepares, assists in preparing, files or acquiesces in the filing of any report from which the identity of any contributor has been excluded contrary to the provisions of this section is subject to the provisions of N.J.S. 19A:28-17, but (c) nothing in this provision shall be construed as requiring any candidate reporting pursuant to this chapter to report the amounts, dates or other circumstantial data regarding contributions made to any other candidate, political committee or committee of a political party.

Any report filed pursuant to the provisions of this section shall include an itemized accounting of all receipts and expenditures relative to any testimonial affair held since the date of the most recent report filed, which accounting shall include the names and addresses of each contributor in excess of \$100.00 to such testimonial affair and the amount contributed by each, the expenses incurred, and the disposition of the proceeds of such testimonial affair.

Source: C.19A:44A-16 (1973, c.83, s.16 amended 1975, c.11, s.1).

19A:28-13. Campaign Depository or Depository of Political Information Organizations; Filing of Documents. Within 15 days after the primary or general election, each campaign depository of a candidate, of a State, county or municipal committee of a political party or of a political committee and each depository of a

political information organization shall file with the Commission on Elections the originals or true copies of the statements filed with such depositories by the treasurers or deputy treasurers pursuant to N.J.S. 19A:28-8 and 19A:28-11 together with true copies of ledger sheets and deposit tickets of a campaign fund or political information organization fund account or accounts as of the date on which they are transmitted to the commission by the depository.

Source: C.19:44A-17 (1973, c.83, s.17).

19A:28-14. Post-Election Contributions; Expenditures, Testimonial Affairs or Public Solicitations; Reports. If any former candidate or any political committee or any political information organization or any person or association of persons in behalf of such political committee or former candidate or organization shall receive any contributions or make any expenditures with relation to any election after the date set in N.J.S. 19A:28-12 for the final report subsequent to such election, or shall conduct any testimonial affair or public solicitation for the purpose of raising funds to cover any part of the expenses of a candidate or political committee or organization in such election, all such contributions, expenditures, testimonial affairs or public solicitations shall be reported to the Commission on Elections by the person or persons receiving such contributions or making such expenditures or conducting such testimonial affairs or public solicitations. Such report shall be made by any person receiving any such contribution or contributions, or making any such expenditure or expenditures, which in the aggregate total more than \$100.00 or conducting any testimonial affair or public solicitation of which the net proceeds exceed \$100.00; and shall be made within 20 days from the date upon which the aggregate of such contributions, expenditures or proceeds exceeds \$100.00 for the period commencing with the fifteenth day following such election or with the date upon which any previous report was made pursuant to this section, whichever is soonest. Such report shall be made in the same form and shall contain the same detail prescribed for any other report made pursuant to N.J.S. 19A:28-4 or 19A:28-12.

Source: C.19:44A-18 (1973, c.83, s.18).

19A:28-15. Public Solicitations; Authorization by Campaign Treasurer or Treasurer of Political Information

Organization or Personal Effort; Reports. a. No person shall conduct any public solicitation as defined in this chapter except (1) upon written authorization of the campaign treasurer of the candidate, party committee or political committee on whose behalf such solicitation is conducted, or (2) upon written authorization of the treasurer of a political information organization, or (3) in accordance with the provisions of subsection c. of this section. A person with such written authorization may employ and accept the services of others as solicitors, and shall be responsible for reporting to the treasurer the information required under subsection b. of this section and for delivery to the treasurer the net proceeds of such solicitation in compliance with N.J.S. 19A:28-7 and 19A:28-10. A contribution made through donation or purchase in response to a public solicitation conducted pursuant to written authorization of a treasurer shall be deemed to have been made through such treasurer.

b. Whenever a public solicitation has been authorized by a treasurer during a period covered by a report required to be filed under N.J.S. 19A:28-4 and 19A:28-12, there shall be filed with such report and as a part thereof an itemized report on any such form and detail as required by the rules of the Commission on Elections, which report shall include:

(1) The name of the person authorized to conduct such solicitation, and the method of solicitation;

(2) The gross receipts and expenses involved in the solicitation including the actual amount paid for any items purchased for resale in connection with the solicitation or, if such items or any portion of the cost thereof was donated, the estimated actual value thereof and the actual amount paid therefor, and the names and addresses of any such donors. If it is not practicable for such itemized report to be completed in time to be included with the report due under N.J.S. 19A:28-4 and 19A:28-12 for the period during which such solicitation was held, then such itemized report may be omitted from said report and if so omitted shall be included in the report for the next succeeding period.

c. Notwithstanding the provisions of subsection b. of this section, it shall be lawful for any natural person, not acting in concert with any other person or group, to

make personally a public solicitation the entire proceeds of which, without deduction for the expenses of solicitation, are to be expended by him personally or under his personal direction to finance any lawful activity in support of or opposition to any candidate or public question or to provide political information on any candidate or public question; provided, however, that any individual making such solicitation who receives gross contributions exceeding \$100.00 in respect of activities relating to any one election shall be required to make report stating (1) the amount so collected, or (2) the method of solicitation and (3) the purpose or purposes for which the funds so collected were expended and the amount expended for each such purpose. Such report shall be made either.

(1) To the treasurer of the candidate, political party committee, political committee or political information organization on whose behalf such funds are collected and expenditures made, or to his deputy, who shall cause the same to be included in this report to the Commission on Elections subject to the provisions of N.J.S. 19A:28-4 and 19A:28-12; or

(2) Directly to the Commission on Elections at the same time and in the same manner as a political committee or political information organization subject to the provisions of N.J.S. 19A:28-4.

d. Contributions or purchases made in response to a public solicitation conducted in conformity with the requirements and conditions of this chapter shall not be deemed anonymous within the meaning of N.J.S. 19A:28-7, 19A:28-10 and 19A:28-16.

e. No person contributing in good faith to a public solicitation not duly authorized in compliance with the provisions of this chapter shall be liable to any penalty under this chapter or Title by reason of having made such contribution.

Source: C.19:44A-19 (1973, c.83, s.19).

19A:28-16. Solicitations, Acceptance or Donations; Prohibition. No contribution of money or other thing of value, nor obligation therefor, shall be made, and no expenditure of money or other thing of value, nor obligation therefor, shall be made or incurred whether anonymously, in a fictitious name, or by one person or group in the name of another, to support or defeat a

candidate in a primary or general election or to aid the passage or defeat of any public question or to provide political information on any candidate or public question. No person shall contribute, or purport to contribute, to any political candidate, party committee, political committee or political information organization funds or property not actually belonging to him and in his full custody and control, or which has been given or furnished to him by any other person or groups for the purpose of making a contribution thereof, except in the case of group contributions by persons who are members of the contributing group. No treasurer, candidate or member of a party committee, political committee or political information organization shall solicit or knowingly accept, agree to accept or concur in or abet the solicitation or acceptance of any contribution contrary to the provisions of this section.

Source: C.19:44A-20 (1973, c.83, s..20).

19A:28-17. Blank.

19A:28-18. Blank.

19A:28-19. Construction of Chapter. This chapter shall be construed liberally to effectuate the legislative intent and as complete and independent authority for the performance of each and every law and thing herein authorized.

Source: C.19:44A-23 (1973, c.83, s.23).

19A:28-20. Blank.

19A:28-21. Severability. If any section, subsection, paragraph, sentence or other part of this chapter is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this chapter, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this chapter directly involved in the controversy in which said judgment shall have been rendered.

Source: C.19:44A-25 (1973, c.83, s.25).

## CHAPTER 28A

### FORBIDDEN CONTRIBUTIONS AND PRACTICES

#### Section

19A:28A-1. Contributions by Certain Corporations.

19A:28A-2. Contributions by Insurance Corporations.

19A:28A-3. Contributions by Office Holders.

- 19A:28A-4. Printing and Distributing of Circulars, etc.;  
Required Statement; Records of Printer; Use of Authorized  
Name by Association, Organization or Committee.
- 19A:28A-5 Exemption of Bona Fide News Item or Editorial.
- 19A:28A-6. Violation of N.J.S. 19A:28A-4; Seizure of Material  
by Attorney General; Destruction.
- 19A:28A-7. Person Performing Function in Campaign of  
Candidate for Purpose of Impeding Campaign.
- 19A:28A-8. Knowing Production, Transmittal or Dissemination  
of Mass Communication Which Appears to Originate  
from or Be on Behalf of Campaign of Candidate for  
Purpose of Impeding Campaign.
- 19A:28A-9. Payment of or Lending Money or Other Valuable  
Consideration to Person to Induce Violation of  
N.J.S. 19A:28A-7 or 19A:28-8.

19A:28-1. Contributions by Certain Corporations. No corporation carrying on the business of a bank, savings bank, cooperative bank, trust, trustee, savings indemnity, safe deposit, insurance, railroad, street railway, telephone, telegraph, gas, electric light, heat or power, canal or aqueduct company, or having the right to condemn land, or to exercise franchises in public ways granted by the State or any county or municipality, and no corporation, person, trustee or trustees, owning or holding the majority of stock in any such corporation, shall pay or contribute money or thing of value in order to aid or promote the nomination or election of any person, or in order to aid or promote the interests, success or defeat of any political party. Any officer, director, stockholder attorney or agent of any such corporation who participates in, aids, abets, advises or consents to any such payment or contribution, and any person who solicits or knowingly receives any such payment or contribution, is guilty of violating this section.

Source: R.S.19:34-45.

19A:28A-2. Contributions by Insurance Corporations. No insurance corporation or association doing business in this State shall, directly or indirectly, pay or use, or offer, consent or agree to pay or use, any money or property for or in aid of any political party, committee.

organization or corporation, or for or in aid of any candidate for political office, or for nomination for such office, or for any political purpose whatsoever, or for the reimbursement or indemnification of any person for money or property so used.

Any officer, director, stockholder, attorney or agent of any corporation or association which violates any of the provisions of any such violation, and any person who solicits or knowingly receive any such payment or contribution, shall be guilty of violating this section.

Source: R.S.19:34-32.

19A:28A-3. Contributions by Office Holders. No holder of a public office or position shall demand payment or contribution from purposes of any candidate or for use of any political party.

Source: R.S. 19:34-42 amended 1975, c.70, s.1

19A:28A-4. Printing and Distributing of Circulars, etc.; Required Statements; Records of Printer; Use of Authorized Name by Association, Organization or Committee. No person shall print, copy, publish, exhibit, distribute or pay for the printing, copying, publishing, exhibiting or distribution of any circular, handbill, card, pamphlet, statement, advertisement or other printed matter having reference to any election or to any candidate or to the adoption or rejection of any public question at any election unless said material shall bear upon its face the following:

a. The name and address of the person or persons causing the same to be printed, copied or published or the name and address of the person or persons by whom the cost of the printing, copying or publishing thereof has been, or is to be, defrayed.

b. The identification of the printer or copier.

c. In the event the persons set forth in subsection a. are an association, organization or committee or corporation, the statements, shall, in addition, set forth the name of at least one person by whose authority, acting for such association, organization, committee or corporation, such action is taken.

The printer or copier set forth in subsection b. shall maintain a record which shall include a copy of the full text printed, copies, published or distributed, and the true names and addresses of the persons paying for or to whom was billed the cost of such printing, copying,

publishing or distribution, and the true names and addresses of the persons paying for or to whom was billed the cost of such printing, copying, publishing or distribution, which records shall be retained for a period of not less than two years at the principal office of said printer, copier or publisher and shall be available for inspection by any interested person at all reasonable times between the hours of 10:00 a.m. and 4:00 p.m. on weekdays.

Source: C. 19:34-38.1 (1963, c.57, s.2); 19:34-38.2 (1963, c.57, s.3); 19:34-38.3 (1963, c.57, s.4).

19A:28A-5. Exemption of Bona fide News Item or Editorial. This chapter shall not apply to any bona fide news item or of bona fide general circulation.

Source: C. 19:34-38.4 amended 1963, c.57, s.5.

19A:28A-6. Violation of N.J.S. 19A:28-4; Seizure of Material by Attorney General; Destruction. Any material held for distribution in violation of N.J.S. 19A:28A-4 may be seized by the Attorney General or the prosecutor of the county in which it is found and proceeded against by a summary action in rem in the Superior or County Court. If the court shall find that the material is held for distribution in violation of said chapter, it shall order the Attorney General or prosecutor to destroy it. No compensation in respect to such material shall be paid to any person whatsoever, whether he be an owner, lienholder or otherwise have or claim an interest in such material. A habitual violator of this chapter may be restrained from further violations at the suite of the Attorney General in the Superior Court. The remedies provided by this section shall be in addition to other remedies provided by law.

Source: C. 19:34-38.5 (1966, c.70).

19A:28A-7. Persons Performing Function in Campaign of Candidate for Purpose of Impeding Campaign. No person shall perform any function in the campaign of a candidate for public office or party position for the purpose of impeding the campaign of such candidate while concealing that he is actually acting under the instructions of, or on behalf of, another candidate or such other candidate's paid or volunteer staff.

Source: C. 19:34-65 (1975, c.190, s.2).

19A:28A-8. Knowing Production, Transmittal or Dissemination of Mass Communication Which Appears to

originate from or Be on Behalf of Campaign of Candidate for Purpose of Impeding Campaign. No person shall knowingly produce, transmit or disseminate any election advertisement, literature or other mass communication in any medium, including but not limited to newspapers, magazines, printed circulars, television, radio, movies, telephone, telegraph, billboards and signs, which purports to or appears to originate from, or be on behalf of, the campaign of a candidate for public office or party position, for the purpose of impeding the campaign of such candidate while failing to reveal specifically in such communication that he is acting under the candidate's paid or volunteer campaign staff; provided, however, that this section shall not apply to any owner, manager, editor, publisher, reporter or employee of any newspaper, magazine, periodical or other publication or of any radio or television station who, in the course of his duties, publishes or broadcasts any such advertisement, literature or mass communication.

Source: C. 19:34-66 (1975, c. 190, s.3).

19A:28A-9. Payment of or Lending Money or other Valuable Consideration to Person to Induce violation of N.J.S. 19A:28A-7 or 19A:28A-8. No person shall, directly or indirectly, by himself or through any other person acting in his behalf, knowingly give, lend or agree, offer to promise to give or lend any money or other valuable consideration, office, place, employment or thing to any person to induce him to violate N.J.S. 19A:28-7 or 19A:28A-8.

Source: C. 19:34-67 (1975, c.190, s.4).

## CHAPTER 28B

### GUBERNATORIAL FINANCING AND EXPENDITURES

#### Section

19A:28B-1. Declaration of Policy.

19A:28B-2. Applicability of Chapter.

19A:28B-3. Limitation of Political Contributions in Aid of  
Candidacy to the Office of Governor.

19A:28B-4. Appropriation.

19A:28B-5. Contributions Received Before Primary Election  
Date.

19A:28B-6. Bank Account for Candidates; Transfer;  
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- 19A:28B-7. Receiving of Moneys from Fund.
- 19A:28B-8. Forwarding of Contributions to Commission.
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- 19A:28B-10. Moneys Spent in Aid of Candidacy; Excess Contribution.
- 19A:28B-11. Statement by Candidate; Printing, Mailing.
- 19A:28B-12. Rules and Regulations.
- 19A:28B-13. New Jersey Public Broadcasting Commission to Promote Discussion.
- 19A:28B-14. Violation of Chapter.
- 19A:28B-15. Penalties; Remission; Hearing Officer.
- 19A:28B-16. Construction of Chapter.
- 19A:28B-17. Partial Invalidity.
- 19A:28B-18. Borrowing funds; Repayment; Failure.

19A:28B-1. Declaration of policy. It is hereby declared to be a compelling public interest and to be the policy of this State that general election campaigns for the office of Governor shall be financed with public support pursuant to the provisions of this chapter. It is the intention of this law that such financing be adequate in amount so that candidates for election to the office of Governor may conduct their campaigns free from improper influence and so that persons of limited financial means may seek election to the State's highest office.

Source: C. 19:44A-27 (1974, c.26, s.2).

19A:28B-2. Applicability of Chapter. The provisions of this chapter shall apply to the general election campaigns for the office of Governor, except that the provisions hereof shall not apply to any general election campaign for the office of Governor for which the Legislature fails to make an appropriation.

Source: C. 19:44A-28 (1974, c.26, s.3).

19A:28B-3. Limitation of Political Contributions in Aid of Candidacy to the Office of Governor. a. No person, candidate or political committee, otherwise eligible to make political contributions, shall make any contribution or contributions to a candidate, his campaign treasurer or deputy campaign treasurer, a State committee, county committee or municipal committee of any political party, or to any other person or committee, in aid of the candidacy of or in behalf of a candidate for election to

the office of Governor in a general election in the aggregate in excess of \$600.00, except as provided by this section. No candidate for election to the office of Governor in a general election and no campaign treasurer or deputy campaign treasurer of such candidate shall knowingly accept from any person, candidate or political committee, any contribution or contributions in aid of such candidate's candidacy or in behalf of such candidate in the aggregate in excess of \$600.00, except as provided by this section.

b. No person or political committee, except the State committee, county committees and municipal committees of any political party, otherwise eligible to make political contributions, shall make any contribution or contributions to a candidate, his campaign treasurer, a State committee, county committee or municipal committee or any political party, or to any other person or committee, in behalf of the winner of a primary election for the office of Governor in the aggregate in excess of \$600.00 for any purpose after the date of such primary election. No candidate for election to the office of Governor in a general election who has won the preceding primary election, and no campaign shall knowingly accept from any person or political committee, except the State committee, county committees and municipal committees of any political party, any contribution or contributions in the aggregate in excess of \$600.00 for any purpose after the date of such primary election.

c. The spouse of any contributor may make a contribution or contributions of up to \$600.00 in the aggregate in aid of the candidacy of or in behalf of a candidate for election to the office of Governor in a general election.

d. No State committee of any political party shall knowingly accept from any person or political committee, any contribution or contributions in the aggregate in excess of \$600.00 in aid of the candidacy of or in behalf of a candidate for election to the office of Governor in a general election, except as provided by subsection c. of this section. A State committee may allocate up to \$600.00 of a contribution in excess of \$600.00 to, in aid of the candidacy of or in behalf of such candidate. A State committee shall create an account in a National or State bank in behalf of any candidate the committee

intends to or does assist for election to the office of Governor in a general election, shall deposit in such account and report to the Commission on Elections the name of the contributor all moneys accepted or allocated in aid of the candidacy of or in behalf of such candidate, and may make a contribution or contributions from such account in any amount in aid of the candidacy of or in behalf of such candidate. No State committee may make any contribution or contributions in aid of the candidacy of or in behalf of such candidate of moneys not deposited in a bank account pursuant to this subsection, and no State committee may make a contribution or contributions, in aid of the candidacy of or in behalf of such candidate of moneys or other thing of value pledged or received in a year without an election for the office of Governor.

e. The county committees and municipal committees of any political party may make a contribution or contributions of \$100,000.00 in the aggregate in aid of the candidacy of or in behalf of any candidate for election to the office of Governor in a general election, except that no county committee or municipal committee may transfer any money to any such candidate or to such candidate's campaign treasurer or deputy campaign treasurer, and except that no county committee and municipal committees in any county may make a contribution or contributions in excess of \$10,000.00 in the aggregate in aid of the candidacy of or in behalf of any such candidate. A candidate or his campaign treasurer or deputy campaign treasurer shall determine the exact amount that individual county committees or municipal committees may contribute in aid of the candidacy of or in behalf of such candidate, and shall file a report of such determination with the Commission on Elections no later than the seventh day prior to the general election being funded.

f. Communications on any subject by a corporation to its stockholders and their families, or by a labor organization to its members and their families, and nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and their families, or by a labor organization aimed at its members and their families shall not be construed to be in aid of the candidacy of or in behalf of a candidate for election to the office of Governor in a general election.

Source: C.19:44-29 (1974, c.26, s.4).

19A:28B-4. Appropriation. The Legislature shall appropriate to the Commission on Elections out of the General Treasury of the State such sums as are necessary to carry out the purposes of this law, which sums shall constitute a fund for campaign expenses for the general election to the office of Governor to be regulated and distributed by the commission pursuant hereto. Upon notice by the commission, the Legislature shall appropriate to the commission out of the General Treasury such additional sums as may be required to carry out the purposes of the law if the sums first appropriated become inadequate.

Source: C.19:44A-30 (1974, c.26, s.5).

19A:28B-5. Contributions Received Before Primary Election Date. No contribution received by or on behalf of any candidate for election to the office of Governor on or before the date of the primary election immediately preceding the general election campaign being funded and not deposited pursuant to N.J.S. 19:28B-6 on or before such date may be utilized or expended by or in behalf of such candidate or any other candidate in the general election campaign being funded. Such a contribution shall be returned to its contributor.

Source: C.19:44A-31 (1974, c.26, s.6).

19A:28B-6. Bank Account for Candidates; Transfer, Expenditures. The Commission on Elections shall create an account in a National or State bank in behalf of each candidate for election to the office of Governor in a general election. The commission shall deposit promptly into such an account all moneys received from the campaign treasurer or deputy campaign treasurer of a candidate or from a State committee of any political party in aid of the candidacy of or in behalf of such a candidate, prior to the date on which is held the general election for the office of Governor, provided that such moneys are received pursuant to N.J.S. 19A:28B-3 and 19A:28B-11. Immediately after deposit by the commission, the campaign treasurer or deputy campaign treasurer of any candidate may transfer or expend moneys deposited in such candidate's bank account.

Source: C.19:44A-32 (1974, c.26, s.7).

19A:28B-7. Receiving of Moneys from Fund. The campaign treasurer or deputy campaign treasurer of any qualified candidate for election to the office of

Governor in a general election shall promptly receive in behalf of such qualified candidate from the fund for general election campaign expenses moneys in an amount equal to twice the amount of each contribution deposited by the Commission on Elections in such qualified candidate's bank account, except that no payment shall be made from the fund for general election campaign expenses to any candidate for the first \$40,000.00 deposited by the commission in such qualified candidate's bank account.

Source: C.19:44A-33 (1974, c.26,S.8).

19A:28B-8. Forwarding of Contributions to Commission.

a. No contribution which must be or is intended by the contributor of the recipient to be refunded or repaid at any time shall be forwarded to the Commission on Elections or knowingly deposited by the commission into any candidate's bank account.

b. No contribution by any county committee or municipal committee of any political party shall be forwarded to the Commission on Elections or knowingly deposited by the commission into any candidate's bank account. A State committee may forward to the commission and have deposited by the commission into any candidate's bank account money in aid of the candidacy of or in behalf of such candidate received pursuant to N.J.S. 19A:28B-3 and 19A:28B-11.

Source: C. 19:44A-34 (1974, c. 26, s.9).

19A:28B-9. Rules and Regulations for Expenditures; Purposes.

a. All expenditures from the fund for general election campaign expenses shall be made pursuant to rules and regulations of the Commission on Elections and shall be strictly limited to the following purposes:

- (1) Purchase of time on radio and televisions stations;
- (2) Purchase of rental space on outdoor signs or billboards;
- (3) Purchase of advertising space in newspapers and regularly published magazines and periodicals;
- (4) Payment of the cost of producing the material aired or displayed on radio, television, outdoor signs or billboards, and in newspapers, regularly published magazines and periodicals;
- (5) Payment of the cost of printing and mailing campaign literature and brochures distributed under the name of any qualified candidate.

b. The limitations in subsection a. of this section upon expenditures from the fund for general election campaign expenses shall not apply to expenditures of private contributions, whether or not such private contributions were deposited in a candidate's bank account pursuant to N.J.S. 19A:28B-6.

c. Moneys received by a qualified candidate from the fund for general election campaign expenses may be retained for a period not exceeding six months after the general election for the liquidation of all obligations to pay expenses for the purposes permitted by this section which were incurred during the general election campaign. All obligations having been liquidated, all moneys remaining available to any qualified candidate, shall be paid into the fund, except that no candidate shall pay into the fund moneys in excess of moneys received from the fund.

Source: C.19:44A-35 (1974, c. 26, s. 10).

19A:28B-10. Moneys Spent in Aid of Candidacy; Excess Contribution. Moneys received by any qualified candidate from the fund for general election campaign expenses are to be considered "spent in aid of the candidacy of any candidate" for election to the office Governor for the purpose of N.J.S. 19A:28B-6. The Commission on Elections shall return to any contributor any contribution, and shall refuse to withdraw from the fund for general election campaign expenses any sum, which results in a candidate's exceeding the limitation of that section.

Source: C.19:44A-36 (1974, c. 26, s. 11).

19A:28B-11. Statement by Candidate; Printing, Mailing. The Commission on Elections shall, on or before the forty-fifth day prior to the date on which the general election is to be held, supply each county board with the text of statements from each candidate for election to the office of Governor. Each candidate for the office of Governor who wishes a statement mailed on his behalf shall submit to the commission, on forms provided by it, his proposed statement which shall not exceed 500 words in length. Each county board shall cause the statements submitted by all such candidates to be printed and mailed with the sample ballot for the general election to each registered voter in the county with a short explanation from the commission that such statements are provided pursuant to this law to assist

the voters of this State in making their determination among the candidates for the office of Governor. The cost of printing and mailing such statements shall be paid for in the same manner and as part of the costs of printing and mailing the sample ballots.

Source: C.19:44A-37 (1974, c. 26, s. 12).

19A:28B-12. Rules and Regulations. The Commission on Elections may adopt such rules and regulations as may be required to implement the provisions of this law and to carry out its purpose.

Source: C.19:44A-38 (1974, c. 26, s. 13).

19A:28B-13. New Jersey Public Broadcasting Commission to Promote Discussion. The New Jersey Public Broadcasting Commission, P.L. 1968, c. 405 (C. 48:23-1 et seq.), shall promote full discussions of public issues by the candidates for the office of Governor on the ballot in any general election, free of charge to any such candidate. The commission shall make available at least one hour of time on its stations for joint appearances by such candidates, and at least one additional hour of time on its stations for individual appearances by each of such candidates. The commission may promulgate such rules and regulations as may be necessary to effectuate the purposes of this section.

Source: C.19:44A-39 (1974, c. 26, s. 14).

19A:28B-14. Violation of Chapter.

a. Any person who willfully and knowingly violates N.J.S. 19A:28B-3, 19A:28B-5, 19A:28B-8 or 19A:28B-9 is guilty of a misdemeanor.

b. The election to office of any candidate who is guilty of any violation within the description of subsection a. of this section shall be void, and the office shall be filled as required by law in the case of a vacancy; provided, however, that nothing herein contained shall be construed in derogation of the constitutional authority of either House of the Legislature to be the judge of the election and qualification of its own members.

Source: C.19:44A-40 (1974, c. 26, s. 15).

19A:28B-15. Penalties; Remission; Hearing Officer.

a. Any person who willfully and knowingly violates N.J.S. 19A:28B-3, to any other penalty provided by law, be liable to a penalty of not more than \$1,000.00 for the first offense and not more than \$2,000.00 for the second and each subsequent offense.

b. Upon receiving evidence of any violation of the above sections, the Commission on Elections shall have power to hold, or to cause to be held under the provisions of subsection d. of this section, hearings upon such violation and, upon finding any person to have committed such a violation, to assess such penalty, within the limits prescribed in subsection a. of this section, as it deems proper under the circumstances which penalty shall be paid forthwith into the State Treasury for the general purposes of the State. Such penalty shall be enforceable in a summary proceeding under the "Penalty Enforcement Law" (N.J.S. 2A:58-1 et seq.).

c. In assessing any penalty under this section, the Commission on Elections may provide for the remission of all or any part of such penalty conditioned upon the prompt correction of any failure, neglect, error or commission constituting the violation for which said penalty was assessed.

d. The commission may designate a hearing officer to hear complaints of violations of this act. Such hearing officer shall take testimony, compile a record and make factual findings, and shall submit the same to the commission, which shall have power to assess penalties within the limits and under the conditions prescribed in subsection b. of this section. The commission shall review the record and findings of the hearing officer, but it may also seek such additional testimony as it deems necessary. The commission's determination shall be by majority vote of the entire authorized membership thereof.

Source: C.19:44A-41 (1974, c. 26, s. 16).

19A:28B-16. Construction of Chapter. The provisions of this chapter shall be construed liberally and applied so as to promote the purposes expressed herein.

Source: C.19:44A-42 (1974, c. 26, s. 17).

19A:28B-17. Partial Invalidity. If any section, subsection, paragraph, sentence or other part of this chapter is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this chapter, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this chapter directly involved in the controversy in which said judgment shall have been rendered.

Source: C.19:44A-43 (1974, c. 26, s. 18).

19A:28B-18. Borrowing Funds; Repayment; Failure. Notwithstanding any provision of this chapter any candidate for the office of Governor in a general election, or his campaign treasurer or deputy campaign treasurer may borrow funds from any National or State bank, provided that no person or political committee, other than the candidate himself or the State committee of any political party, may in any way endorse or guarantee such loan. The amount borrowed by any such candidate or his campaign treasurer or deputy campaign treasurer shall in the aggregate not exceed \$50,000.00 and must be repaid in full by such candidate or his campaign treasurer or deputy campaign treasurer from moneys accepted or allocated pursuant to N.J.S. 19A:28B-2 30 days prior to the date of the general election for the office of Governor, and certification of such repayment shall be made by the borrower to the Commission on Elections.

Upon the failure of the borrower to repay the full amount borrowed on or before the thirtieth day prior to the date of the general election for the office of Governor, or to certify such repayment to the Commission on Elections as required herein, all payments of moneys to such candidate from the fund for general election campaign expenses pursuant to N.J.S. 19A:28B-7 shall promptly cease; and the Commission on Elections shall forthwith seek and may obtain in a summary action in the Superior Court an injunction prohibiting the expenditure by any such candidate of any moneys received by him at any time from the fund for general election campaign expenses pursuant to said N.J.S. 19A:28B-7, and any other moneys received by him in aid of his candidacy in said general election for the office of Governor.

Source: C.19:44A-44 (1974, c.26, s. 19).

## SUBTITLE 11

### PUBLIC ELECTION EXPENSES

#### Chapter

29. Liability For, 19A:29-1 to 19A:29-8.

## CHAPTER 29

## LIABILITY FOR

## Section

19A:29-1. Election Expenses Payable by State and Political Sub-divisions.

19A:29-2. State's Expenses.

19A:29-3. County's Expenses.

19A:29-3.1. Estimate of Expenditures by County Board; Inclusion in County Budget; Reduction of Estimate by Commission on Elections.

19A:29-3.2. Expenditures Exceeding Budgeted Amounts; Certification by Commission on Elections; Payment by County.

19A:29-4. Municipality's Expenses.

19A:29-5. Compensation of Members of District Boards.

19A:29-6. Voucher for Compensation.

19A:29-7. Compensation for Members of County Boards.

19A:29-8. Compensation of Municipal Clerks.

19A:29-1. Election Expenses Payable by State and Political Subdivisions. All general elections, special elections, municipal elections, primary elections for general elections and primary elections for the delegates and alternates to national conventions held in the State or in any of its political subdivisions shall be conducted at the expense of the State or its political subdivisions.

Source: R.S. 19:45-1.

19A:29-2. State's Expenses. All costs, charges and expenses incurred by the State Board of Canvassers, the Commission on Elections and any other officer or official of the State Government in carrying out any provisions of this Title shall be paid by the State.

Source: R.S. 19:45-2.

19A:29-3. County's Expenses. All costs, charges and expenses incurred by the county board or any other officer or official of the county in carrying out the provisions of this Title, and the salaries of the members of the county board and employees of the county board and the compensation of the members of the district boards, except as herein otherwise provided shall be paid by the county upon certification by the county board or other county officer or official; but the board of chosen freeholders of any county to facilitate the prompt payment of the compensation of members of the district.

boards and the rental of polling places is authorized to pay to the several municipal clerks in the county one payment for the gross amount due for such compensation and rentals in the municipality and direct the municipal clerks to pay the individual of the polling places in the municipality upon the proper certification of the county board.

Source: R.S. 19:45-4.

19:29-3.1. Estimate of Expenditures by County Board; Inclusion in County Budget; Reduction of Estimate by Commission on Elections. Each county board shall transmit to the board of chosen freeholders, at least 90 days prior to the date fixed by law for the introduction of the county budget, its estimate of proposed expenditures for the year covered by such county budget; and the board of chosen freeholders shall provide therefor in said budget. The proposed expenditures of the county board shall be set forth in such detail and in such categories, format and arrangement in the county board's estimate as the Commission on Elections shall prescribe. If the board of chosen freeholders questions any portion of such estimate, as to the amount thereof or the legal authority of the county board to require the same, it may apply to the Commission on Elections, in accordance with procedures which the said Commission shall adopt, for an amendment of the estimate which shall be included in the county budget. The Commission shall reduce any such estimated expenditures it judges to be in excess of the amount necessary for the object set forth in the estimate, and shall delete any item of expenditure which it judges the county board is not legally authorized to require.

Source: New.

19A:29-3.2. Expenditures Exceeding Budgeted Amounts; Certification by Commission on Elections; Payment by County. Whenever a county board shall deem it necessary to incur expenditures for any purpose in excess of the amount estimated and budgeted therefor the applicable year in accordance with N.J.S. 19A:29-3.1, it shall apply to the Commission on Elections for authorization of such additional expenditure, and shall give notice of such application to the board of chosen freeholders. The Commission on Elections shall approve such expenditures to the amount it judges lawful, necessary and

reasonable. The board of chosen freeholders shall be entitled to make known to the said commission its support of or objection to the request for additional expenditures, and the reasons for such support or objection, before such approval is given. The commission's certificate of approval shall be transmitted to the board of chosen freeholders, which shall there upon proceed to make available to the county board out of county funds the amount of money so certified for the purposes set forth in the certificate.

Source: New

19A:29-4. Municipality's Expenses. All costs, charges and expenses incurred by the municipal clerk or any other officer or official of the municipality in carrying out the provisions of this Title shall be paid by such municipality except as herein otherwise provided.

When any election is held in and for a municipality only, all costs, charges and expenses including the compensation of the members of the district boards of the municipality and the compensation and expenses of the county board and its employees for such elections shall be paid by the municipality.

Source: R.S. 19:45-5.

19A:29-5. Compensation of Members of District Boards. The compensation of each member of the district boards for all services performed by them under the provisions of this Title shall be \$40.00 each time the primary election, the general election or any special election is held under this Title except that no compensation shall be paid for any services rendered at any special election held at the same time as any primary or general election.

Such compensation shall be in lieu of all other fees and payments.

Compensation due each member shall be paid within 30 days, but not within 20 days after each election; provided, however, that no compensation shall be paid to any such member until 10 days after final order has been entered on any recount which may have been allowed affecting such district; and provided further, that no compensation shall be paid to any member of such district board who may have been removed from office or application for the removal of whom is pending under the previous sections of this Title.

Source: R.S. 19:45-6 amended 1941, c. 275, s. 9; 1944, c. 152; 1946, c. 261, s. 8; 1952, c. 97; 1953, c. 88; 1954, c. 15; 1955, c. 33; 1960, c. 128; 1972, c. 155.

19A:29-6. Voucher for Compensation. A voucher for compensation for services rendered by members of any district board of elections in this State for performing any of the services mentioned in N.J.S. 19A:29-5 shall be submitted to the respective County Board of Elections on a form containing a written declaration to be signed by the individual members of the district board of elections. The form and content of said written declaration shall be as prescribed by the Commission on Elections. Upon certification of the county board of elections as correct, such voucher shall be paid by the county treasurer in the manner provided in N.J.S. 19A:29-3 et seq.

Source: C. 19:45-6.1 (1952, c.62).

19A:29-7. Compensation for Members of County Boards. The compensation of the members of the several county boards shall be fixed, with the approval of the respective boards of chosen freeholders, at not less than \$2,000.00 nor more than \$10,000.00 per annum; but nothing herein shall authorize or require in any county a reduction of the rate of compensation paid to members of the county board below the amount lawfully fixed and in effect as compensation for members of the county board of elections in such county as of the date of enactment of this Title.

The members of the county board who shall be elected as chairman and secretary thereof and who shall perform the duties of chairman and secretary thereof may each receive an additional compensation of 1/3 of the compensation of the individual members of the board.

The compensation fixed and determined shall include all services rendered by any county board in conducting all elections in connection with any recount or recheck after any such election.

Source: R.S. 19:45-7 amended 1940, c.165, s.4; 1941, c.324; 1944, c. 178; 1947, c.168, s.23; 1948, c.183; 1951, c.268; 1957, c.83, s.2; 1958, c.136; 1961, c.59, s.5; 1965, c.50, s.1; 1975, c.256, s.2.

19A:28-8. Compensation of Municipal Clerks. The governing bodies of the several municipalities may pay the municipal clerks for extra duties and services imposed upon and performed by them under this Title an amount to be fixed by such governing body.

Source: R.S. 19:45-9.

SUBTITLE 12  
CONGRESSIONAL DISTRICTS

Chapter

30. Districts Constituted, 19A:30-1.

CHAPTER 30  
DISTRICTS CONSTITUTED

Section

19A:30-1. Districts Enumerated and Boundaries Stated.

19A:30-1. Districts Enumerated and Boundaries Stated. For the purpose of electing members of the House of Representatives of the United States to serve in the Congress, this State shall be divided into 15 districts as follows, namely:

First. The county of Gloucester and all the portion of the county of Camden not contained in the sixth district shall constitute and be called the first district;

Second. The counties of Atlantic, Cape May, Cumberland and Salem, and that portion of the county of Burlington embracing the townships of Bass River, Washington, Woodland, and that portion of the county of Ocean not contained in the third and sixth districts shall constitute and be called the second district;

Third. That portion of the county of Monmouth not contained in the fourth district and that portion of the county of Ocean embracing the township of Lakewood and the boroughs of Point Pleasant and Point Pleasant Beach shall constitute and be called the third district:

Fourth. That portion of the county of Burlington embracing the cities of Bordentown and Burlington, the boroughs of Fieldsboro and Wrightstown and the townships of Bordentown, Burlington, Chesterfield, Eastampton, Florence, Mansfield, New Hanover, North Hanover, Springfield and Westampton: that portion of the county of Mercer embracing the city of Trenton, the borough of Hightstown and the townships of East Windsor, Hamilton, Lawrence and Washington: that portion of the county of Middlesex embracing the boroughs of Helmetta, Jamesburg, Milltown, South River and Spotswood and the townships of East Brunswick, Old Bridge and Monroe, and that portion of the county of Monmouth embracing the boroughs of Allentown, Keyport and Roosevelt and the townships of Matawan and Upper Freehold shall constitute and be called the fourth district;

Fifth. The county of Somerset; that portion of the county of Essex embracing the townships of Livingston and Millburn; that portion of the county of Mercer embracing the borough to Princeton and the townships of Princeton and West Windsor: that portion of the county of Middlesex

embracing the boroughs of Dunellen and Middlesex, and that portion of the county of Morris embracing the boroughs of Chatham, Florham Park, Madison, Medham, Morris Plains and Mountain Lakes, the townships of Chatham, Hanover, Harding, Mendham, Morris, Parsippany-Troy Hills and Passaic and the town of Morristown shall constitute and be called the fifth district;

Sixth. That portion of the county of Burlington not contained in the second and fourth districts; that portion of the county of Camden embracing the boroughs of Audubon Park, Collingswood, Lawnside, Magnolia and Merchantville and the townships of cherry Hill, Haddon and Pennsauken, and that portion of the county of Ocean embracing the boroughs of Bay Head, Lavallette and Mantoloking and the townships of Brick, Dover, Jackson and Plumsted shall constitute and be called the sixth district;

Seventh. All of the portions of the county of Bergen not contained in the eighth, ninth and eleventh districts shall constitute and be called the seventh district;

Eighth. All that portion of the county Passaic not contained in the eleventh district and that portion of the county of Bergen embracing the city of Garfield and the borough of Wallington shall constitute and be called the eighth district;

Ninth. That portion of the county of Bergen embracing:

- Borough of Alpine
- Borough of Bergenfield
- Borough of Carlstadt
- Borough of Cliffside Park
- Borough of Closter
- Borough of Cresskill
- Borough of Demarest
- Borough of Dumont
- Borough of East Rutherford
- Borough of Edgewater
- Borough of Englewood
- Borough of Englewood Cliffs
- Borough of Fairview
- Borough of Fort Lee
- Borough of Harrington Park
- Borough of Haworth
- Borough of Leonia

Borough of Little Ferry  
 Township of Lyndhurst  
 Borough of Moonachie  
 Borough of New Milford  
 Borough of Northvale  
 Borough of Norwood  
 Borough of Old Tappan  
 Borough of Palisades Park  
 Borough of Park Ridge  
 Borough of Ridgefield  
 Borough of River Edge  
 Borough of River Vale  
 Borough of Rockleigh  
 Borough of Rutherford  
 Borough of Tenafly

Borough of Teterboro; and that portion of the county of Hudson embracing the city of Union City, the township of Secausus and the town of North Bergen, and that noncontiguous part of the township of South Hackensack bounded by the boroughs of Carlstadt, Moonachie and Little Ferry, and the Hackensack River, shall constitute and be called the ninth district;

Tenth. All of the portions of the county of Essex embracing the borough of Glen Ridge, and the cities of East Orange and Newark and that poetion of the county of Hudson embracing the town of Harrison shall constitute and be called the tenth district;

Eleventh. All of the portions of the county of Essex not contained in the fifth and tenth district; that portion of the county of Bergen embracing the borough of North Arlington; that portion of the county of Passaic embracing the borough of West Paterson and the township of Little Falls, and that portion of the county of Union embracing the township of Hillside shall constitute and be called the eleventh distric;

Twelfth. All of the county of Union not cntained in the eleventh and fifteenth disticts shall constitute and be called the twlfth district;

Thirteenth. The counties of Hunterdon, Sussex and Warren, and that portion of the county of Mercer embracing the townships of Ewing and Hopewell and the boroughs of Hopewell and Penning, and that portion of the county of Morris not contained in the fifth district shall constitute and be called the thirteenth district;

Fourteenth. All of the portions of the county of Hudson not contained in the ninth and tenth districts shall constitute and be called the fourteenth district;

Fifteenth. All of the portions of the county of Middlesex not contained in the fourth and fifth districts, and that portion of the county of Union embracing the township of Winfield and the city of Linden shall constitute and be called the fifteenth district. Source: C.19:46-3 (1966, c.156, s.2 amended 1966, c. 183; 1967, c.235; 1968, c. 11).

### SUBTITLE 13 VOTING SYSTEMS

#### Chapter

- 31. Blank
- 32. Voting Systems, 19Z:32-1 to 19A:32-8.
- 33. Ballots, 19A:33-1 to 19A:33-5.
- 34. Instruction Concerning Voting Systems, 19A:34-1, 19A:34-2.
- 35. Procedure at Polling Place, 19A:35-1 to 19A:35-8.
- 35A. Electronic Voting System, 19A:35A-1 to 19A:35A-14.

#### CHAPTER 31. BLANK

#### CHAPTER 32

#### VOTING SYSTEMS

#### Section

- 19A:32-1. Requirements for Voting Systems.
- 19A:32-2. Examination of Voting Systems by Commission on Elections; Fees; Reports; Certificate of Approval.
- 19A:32-3. Adoption of Voting Systems in Counties.
- 19A:32-4. Custody and Care of Systems
- 19A:32-5. Acquisition of Machines; Payment.
- 19A:32-6. Duty of Officials Concerning Systems.
- 19A:32-7. Inoperable Voting Systems; Procedure.
- 19A:32-8. Rental of Voting Systems to Associations, Clubs, etc; Terms.

19A:32-1. Requirements of Voting Systems. Any fairly tested and reliable voting system may be adopted, rented, purchased or used which shall be so constructed as to fulfill the following requirement:

- a. It shall secure to the voters secrecy in the act of voting;

b. It shall provide facilities for such number of office columns, not less than 40 and not exceeding 60, as the purchasing authorities may specify, and of as many political parties or organization, not exceeding nine as may make nominations, and for or against as many questions not exceeding 30 as submitted;

c. It shall except at primary elections permit the voter to vote for all the candidates of one party or in part for the candidates of one party or one or more other parties;

d. It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for, but no more;

e. It shall prevent the voter from voting for the same person more than once for the same office;

f. It shall permit the voter to vote for or against any question he may have the right to vote on, but no other;

g. It shall for use in primary elections be so equipped the the election officials can lock out all rows except those of the voter's part;

h. It shall correctly register or record and accurately count all votes cast for any and all persons and for or against any and all questions;

i. It shall be provided with a protection counter or protective device whereby any operation of the system before or after the election will be detect;

j. It shall be so equipped with such locks as shall prevent the operation of the system after the polls are closed;

k. It shall provided with a counter which shall show at all times during an election how many persons have voted;

l. It shall be provided with a model illustrating the manner of voting on the machine suitable for the instruction of voter;

m. It shall permit a voter to vote for any person for any office, whether or not nominated as a candidate by any party or any whether or not nominated as a candidate by any party or any organization by providing space for writing in such names or name.

n. It shall be provided with a screen, hood or curtain which shall be so made and adjuste as to conceal the voter and his actions while voting.

o. It shall also be provided with one device for each party for voting for all of the presidential elector of

that party by one operation and ballot therefore containing only the word, "presidential electors for", preceded by the name of that party and followed by the names of the candidates thereof for the offices of president and vice-president and a registering device therefor which shall register the vote cast for such electors when thus voted collectively.

Source: R.S. 1948:-1 amended 1941, c. 166, s. 4.

19A:32-2. Examination of Voting Systems by Commission on Elections; Fees; Reports; Certificate of Approval. Any person or corporation owning or being interested in any voting system may apply to the Commission on Elections to examine such system. Before the examination, the applicant shall pay to the Commission on Elections a fee of \$1,500.00. The Commission on Elections within a period of 90 days shall examine the system and shall file a report of the examination, which report shall state whether in its opinion the kind of system so examined can be safely used by the voters at elections under the conditions prescribed in this subtitle. If the report states that the system can be so used, it shall be deemed approved and the system may be adopted for use at elections as herein provided.

Before making such report, the Commission on Elections shall cause the voting system to be examined by a minimum of three examiners to be appointed for such purpose by it, one of whom shall be an expert in patent law and the other two, mechanical or electrical experts, as the case may be, and shall require of them a written report of such system, which the Commission on Elections shall attach to its own report on the system. The reasonable cost of the examination by said experts shall be borne by the applicant in addition to the fee heretofore made to the Commission on Elections. No member of the Commission of Elections, not any examiner, shall have any pecuniary interest in any voting system. When the system has been approved, any improvement or change that does not impair its accuracy, efficiency or capacity shall not render necessary any reexamination or reapproval thereof. Any form of voting system not so approved cannot be used in any election.

The certificate of approval or a certified copy thereof shall be conclusive evidence that the kind of system so examined complies with provisions of this subtitle except

that the action of the Commission on Elections in approving such system may be reviewed by the Superior Court in a proceeding in lieu of prerogative writ.

Source: R.S. 19:48-2 amended 1953, c. 19, s. 58.

19A:32-3. Adoption of Voting Systems in Counties. All counties shall adopt for use at all elections any kind of voting system that meets the requirements of this subtitle, and upon the adoption thereof, the county board of freeholds shall proceed to acquire within 18 months by rental or purchase the complete equipment of said voting system for all election districts within that county.

Source: R.S. 19:48-3 amended 1940, c. 152; 1940, c. 197, s.1.

19A:32-4. Custody and Care of Systems. Voting systems heretofore and hereafter installed in any manner provided by law in any county shall be placed and remain in the custody of the county board of elections. Said county board of elections shall preserve and keep in repair all voting systems placed in its custody pursuant to the provisions of this section.

Source: R.S. 19:48-4 amended 1945, c.56, s. 1; 1947, c. 168, s. 24

19A:32-5. Acquisition of Machines: payment. Any voting systems owned or in use by a municipality at the time of adoption of this law shall be acquired by the county at a mutually agreeable cost between the county and municipality. In no case shall the municipality be reimbursed to the extent of more than the original cost of the systems.

The board of chosen freeholders may meet the necessary expenditure by budget appropriation and for the purpose of purchasing shall have the power within this subtitle to borrow money and issue negotiable bonds to pay for the same in accordance and subject to the provisions of the Local Bond Law (N.J.S. 40A:2-1 et seq.).

Source: R.S. 19:48-5.

19A:32-6. Duty of Officials Concerning Systems. The county board of elections having custody of voting systems shall have the systems and all necessary equipment, furniture and appliances at the proper polling place or places before the time fixed for opening the polls and the counters set at zero and other wise in good and proper order, setting, testing, adjusting and delivering the systems, said county board of elections

may appoint one or more fully competent persons to be known as "custodian or custodians of voting systems" who shall be thoroughly instructed in their duties by such county board of elections and shall be sworn to perform their duties honestly and faithfully. Such custodians shall be employed or appointed and instructed at least 30 days before the election and shall be considered officers of elections.

Before preparing a voting system for any election, written notice shall be mailed by such county board of elections to the chairman of the county committee of at least two of the principal parties stating the time and place where said systems shall be prepared, at which time one representative of each political party shall be afforded an opportunity to see that the systems are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials but shall not interfere with the custodian or custodians or other persons employed or appointed as aforesaid or assume any of his or their duties.

When a system has been so examined by such representatives, it shall be sealed with a numbered metal seal. Such representative shall certify upon a form to be provided by the county board of elections as to the numbers of systems, that all of the counters were set at a zero and as to the number registered on the protective counter, if one is provided, and on the seal. Such certificate shall be filed by them with such county board of elections. When such a voting system has been properly prepared for election, it shall be locked against voting and sealed, and the keys thereof, if any, shall be delivered to such county board of elections as to the numbers of the systems, that all of the counters were set at zero and as to the number registered on the protective counter, if one is provided, and on the seal. Such certificate shall be filed by them with such county board of elections. When such a voting system has been properly prepared for the election, it shall be locked against voting and sealed, and the keys thereof, if any, shall be delivered to such county board of elections, together with a written report made by a custodian stating that it is in every way properly prepared for the election.

After the voting systems shall be delivered to the polling places, the governing body of the municipality wherein such polling places are located shall provide ample police protection against molestation, or tampering or damage to the systems. Every voting system shall be furnished with a lantern or an electric light fixture in good working order which shall give sufficient light to enable voters while voting to read the ballots and be suitable for use by the district board in examining the counters.

Source: R.S. 19:48-6 amended 1945, c. 56, s.2; 1947, c. 168, s. 25.

19A:32-7. Inoperable Voting Systems; Procedure. If any voting system being used in any election district shall during the time the polls are open become damaged so as to render it inoperable, in whole or in part, the election officers shall immediately give notice thereof to the county board of election and such county board shall cause any person or persons employed or appointed pursuant to 19A:32-6 of this Title to substitute a system in perfect mechanical order for the damaged system. At the close of the polls the records of both systems shall be taken and the votes shown on their counters shall be added together in ascertaining and determining the results of the election. In the event of undue delay, the county board may extend the time for closing of the polls up to but not to exceed the time between the breakdown of said system and its replacement. The results shall be declared the same as though there had been no breakdown to the voting system.

Source: R.S. 19:48-7 amended 1945, c. 56, s. 3.

19A:32-8. Rental of Voting Systems to Associations, Clubs, etc.; Terms. The county board of elections may upon application of any recognized association, club, fraternity, union or other group of persons whose constitution or bylaws require the election to officers by secret ballot rent to said association, club, fraternity, union or other group of persons one or more voting systems owned by said county for the purpose of conducting said secret election at a rental and upon such terms as may be determined upon by such county board of election.

Source: C. 19:48-8 (1966, c.120).

## CHAPTER 33

### BALLOTS

#### Section

- 19A:33-1. Official Ballots Furnished.
- 19A:33-2. Printing Official Ballots; Position of Candidates' Names on Ballots.
- 19A:33-3. Number of Official Ballots to be furnished.
- 19A:33-4. Instruction Ballots; Sample Ballots; Preparation; Mailing; Posting.
- 19A:33-5. Write-in Votes.

19A:33-1. Official Ballots Furnished. Official ballots in the form and description of this subtitle for the use in voting systems shall be prepared and furnished in the same manner as now provided law.

Source: R.S. 19:49-1.

19A:33-2. Printing Official Ballots; Position of Candidates' Names on Ballots. All official ballots shall be printed on clear white paper on cardboard in such form and size as will fit the voting systems, printed in black ink in type as large as the space will reasonable permit; provided, however, that any public question which shall be placed on the ballot shall be printed in red ink and above any public question to be voted upon by the voters of the entire State there shall be printed in red ink and above any public question to be voted upon by the voters of the entire State there shall be printed also in red ink a description of the public question which description shall not exceed six words and shall be printed in type as large as is practicable.

Party nominations shall be arranged in each voting system, either in columns or gorizontal rows; the caption of the various ballots on the systems shall be so placed in the system as to indicate to the voter what push knob, pointer, lever, punch or other device is to be used or operated in order to vote for the candidate or candidates of his choice. The order of precedence and arrangement of parties and of candidates and printing of said official ballots and ths specifications therefor shall be the responsibility of the county board of elections, subject to the provisions of chapter 14, Article 1 chapter 15, Article 2 of this Title.

For the primary election for the general election who have filed a declaration of associated candidacy pursuant to chapter 15. Article 2 of this Title shall be drawn for

position on the ballot as a unit and shall have their names placed on the same line or column of the voting system. Any candidate who has not participated in such a declaration of association may, within two days after the last day for filing nominating petitions request the county board in writing that his name be placed in the same line or column with another candidate or group of candidates; and the county board shall forthwith notify such other candidates or group of candidates, and if within two days of said notification such other candidate or candidates shall signify in writing their agreement to such request it shall be granted.

Notwithstanding any other provisions of this section, all candidates in a primary election who have received and accepted the endorsement of any county committee of a political party, or who have received and accepted the entitlement to be listed on the ballot in the same line or column as such endorsed candidates, shall appear on the primary election ballot in such county on the same line or column, approximately designated as such party's line or column of committee-endorsed candidates, and not elsewhere.

Source: R.S. 19:49-2 amended 1940, c.137; 1941, c. 163, s.1; 1944, c. 127; 1945, c. 70; 1948, c. 17; 1948, c. 240.

19A:33-3. Number of Official Ballots to be Furnished. At least one week prior to any primary, local or general election two sets of official ballots shall be provided for each polling place, for each election district, for use in and upon the voting systems provided. One set thereof shall be inserted or placed in or upon the voting system and the other shall be retained in the custody and possession of the county board of elections, unless it shall become necessary during the course of election to make use of the same upon or in the voting system provided. At the close of the election all official ballots except those actually in or upon the voting system provided at the close of the election to make use of the same upon or in the voting system provided. At the close of the election all official ballots except those actually in or upon the voting system provided at the close of the election, whether the same shall have been used in the system or not, shall be returned to the county board in the manner by this Title provided.

Source: R.S. 19:49-3 amended 1945, c. 56, s. 4.

19A:33-4. Instruction Ballots; Sample Ballots; Preparation: Mailing: Posting. a. The county board shall provide and furnish to each polling place two sample ballots or more, which sample ballot shall be arranged in the form of a diagram showing such portion of the face of voting system as it will appear after the official ballots are arranged thereon or therein for voting on election day. Such sample ballots shall be open to the inspection of all voters on election day.

b. There shall be furnished a sufficient number of sample ballots printed entirely in black ink a facsimile of the face of the system provided, of a reduced size, one of which sample ballots shall be mailed to each registered voter.

(1) The county board of elections shall have all such sample ballots printed in such manner that when folded the words "Official General Election Sample Ballot" or as the case may be, shall appear on the reverse side thereof, together with the words, "In cases where the sample ballot is to be sent to an addressee who does not receive his mail by delivery to his home or through rural free delivery 'if not delivered within five days return to the County Board of Elections' and in all other cases 'if not delivered within two days return to the County Board of Elections.' Do Not Forward. Return Postage Guaranteed" over the return address of the county board elections. Such portion of the ballot may contain such additional words that conform with United States postal regulations that would prevent such envelope from being forwarded to the voter at any other address than that appearing on the envelope and that would cause such envelope to be returned to the county board of elections with information thereon from the post office showing the reason for nondelivery.

(2) The county board of elections shall, not later than noon of the second Monday preceding the election, deliver or mail to the members of each district board three such sample ballots appropriate to their respective districts. Each district board shall post the appropriate sample ballots in the polling place in its district.

c. The county board of elections shall at least 30 days preceding any election make the arrangements necessary to be made with the postmasters in their respective counties to have the said sample ballots mailed under the postal laws and regulations.

Source: R.S. 19:49-4 amended 1947, c. 79; 1958, c. 105; 1969, c. 35, s. 2; 1974, c. 30, s. 14.

19A:33-5. Write-in Votes. A vote for any person whose name does not appear in the system as a nominated candidate for office herein referred to as a write-in vote, shall be written or affixed in or upon the receptacle or device provided in the system for that purpose. No write-in vote shall be voted for any person for any office whose name appears in the system as a nominated candidate for that office; any write-in vote must be cast in its appropriate place in the system or it shall be void and not counted.

Source: R.S. 19:49-5 amended 1941, c. 166, s.5.

#### CHAPTER 34

#### INSTRUCTION CONCERNING VOTING SYSTEMS

##### Section

19A:34-1. Instruction of Voters Before Election.

19A:34-2. Instruction of Voters on Election Day; Model Voting System.

19A:34-1. Instruction of Voters Before Election. The county board of elections shall designate suitable times and places where the approved voting systems containing sample ballots showing titles of the offices to be filled and so far as practicable the names of candidates to be voted for at the next election shall be exhibited for the purpose of giving instructions in the use of voting systems to all voters who apply for the same. No voting systems to be assigned for use in the election shall be used for instruction after having been prepared and sealed for the election.

Source: R.S. 19:50-2 amended 1942, c. 106; 1945, c. 56, s.6.

19A:34-2. Instruction of Voters on Election Day; Model Voting System. For instructing the voters on any election day, there may be provided by the county board of elections for each polling place a model of a portion of the face of the voting system. Such model if furnished shall during the election be located on the district election officers' table or in some other place which the voters must pass to reach the voting system, and each voter shall before entering the voting booth be instructed regarding the operation of the system and such instruction illustrated on the model and the voter given the opportunity to personally operate the model. The

voter's system so that the voter can become familiar with the location of the questions and the names of the officers and candidates.

Source: R.S. 19:50-3 amended 1944, c. 128; 1945, c. 56, s.7: 1957, s. 15; 1977, c. 304.

## CHAPTER 35

### PROCEDURE AT POLLING PLACES

#### Section

- 19A:35-1. Opening of Polls.
- 19A:35-2. Location of Voting Systems.
- 19A:35-3. Voting Authority: Preservation.
- 19A:35-4. Time Allowed a Voter.
- 19A:35-5. Announcing the Vote and Locking the System Against Voting.
- 19A:35-6. Statement of Results of Count of Votes; Number and Transmission.
- 19A:35-7. Locking of Voting System; Disposition of Write-in Ballots.
- 19A:35-8. Disposition of Security Devices and Keys.

19A:35-1. Opening of Polls. The district board each election district shall meet at the polling place  $\frac{1}{4}$  of an hour before the time set for the opening of the polls at each election and shall proceed to arrange the furniture, stationery, equipment and voting systems for the conduct of the election. The district boards shall then and there have the voting systems, equipment and stationery required to be delivered to them for such election by the official charged by law with that duty. If not previously done, they shall insert in their proper place in the voting system the ballots containing the names of the offices to be filled at such election and the names of the candidates nominated therefor. The security devices and keys to the voting systems shall be delivered to the district election officers in any manner that a county board of elections may determine at least  $\frac{1}{4}$  of an hour before the time set for opening the polls, in a sealed envelope, on which shall be written or printed the number and location of the voting system, the number of the seal with which it is sealed and the number registered on the protective counter or device as reported by the custodian. The envelope containing security devices or keys shall not be opened until at least one member of the board from each of the two

political parties shall be present at the polling place and shall have examined the envelope to see that it has not been opened. Before opening the envelope, all election officers present shall examine the number on the seal on the system provided, also the number registered on the protective counter and shall ascertain if they are the same as the number written on the envelope. If they are not the same, the machine must not be opened until the county board of elections shall have caused machine to be reexamined and properly arranged by any person or persons appointed or employed pursuant to N.J.S. 19A:32-6 of Title. If the numbers on the seal and the protective counter are found to agree with the numbers on the envelope, the district election officer shall proceed to expose the counters and each election officer shall carefully examine every counter and ascertain whether or not it registers zero and the same shall be subject to the inspection of official challengers.

The system shall remain locked against voting until the polls are formally opened and shall not be operated except by voters in voting. If any counter is found not to register zero, the district board shall immediately notify such county board of elections who shall if practicable cause such counter to be adjusted to zero by the custodian appointed pursuant to this Title or if impracticable, shall replace the system. In no event shall said defective system be used.

Source: R.S.19:52-1 amended 1945, c.56, s.9.

19A:35-2. Location of Voting Systems. The arrangement of the polling room shall be generally the same as is now provided for by law: the exterior of the voting system and every part of the polling room shall be in plain view of the election officers; the voting system shall be placed at least three feet from every wall or partition of the polling room and at least three feet from every wall or partition of the polling room and at least four feet from any table where any of the district election officers may be engaged or seated.

The voting system shall be so placed that the ballots on the face of the system can be plainly seen by the election officer and the party watchers when not in use by the voters. The election officers shall not themselves be or permit any other person to be in any

position or near any position that would permit one to see or ascertain how a voter votes or how he has voted. The district election officer attending the system shall inspect the face of the system after each voter has cast his vote to see that the ballots on the face of the system are in their proper places and have not been mutilated or defaced and that the system has not been damaged. During the elections the door or other covering of the counter compartment of the system shall not be unlocked or opened or the counters exposed. No persons shall be permitted in or about the polling room except as now permitted by law.

Source: R.S. 19:52-2.

19A:35-3. Voting Authorities; Preservation. In all counties the county board of elections shall furnish for use in each election district at any election a sufficient number of voting authorities. The form and content of said voting authorities shall be as prescribed by the Commission on Elections. The voting authorities shall be numbered consecutively, be bound together in pads and shall be printed in two parts and perforated so that one part may be given to the voter who shall return the same to the district election official in charge of the operation of the voting system in order that such official shall be able to place the same in consecutive order on a string or wire. The other part of the voting authority shall be signed by the voter in his own handwriting before he be permitted to vote and shall be signed by the voter in his own handwriting before he be permitted to vote and shall remain bound to the pad. All pads containing portions of the voting authorities on which the names of the persons who have voted have been signed, together with that portion of the voting authority which has been placed on a wire or string shall be returned to the county board of elections who shall keep them for a period of 6 months.

At any primary election for the general election each voting authority shall be marked to indicate the party primary in which the voter signed the same voted and the used voting authority shall be strung in such manner so that those used in one party primary shall remain separate from those used in the other party primary.

Source: C. 19:52-2.1 (1944,c.213, s.1).

19A:35-4. Time allowed a Voter. When a voter presents himself for the purpose of voting, the election officer

shall follow the procedure as now required by this Title regarding the eligibility of a person to vote. If such eligibility is established, one of the district election officers shall announce the name of the voter and permit him to pass through the voting booth for the purpose of casting his vote. No voter shall remain in the voting booth longer than two minutes, and having cast his vote the voter shall at once emerge therefrom and leave the polling room; if he refuses to leave after the lapse of two minutes, he shall be removed by the district election officers. Such election officers shall ascertain the name and address of each voter in the manner provided by law before he enters the voting booth for the purpose of voting. No voter after having entered and emerged from the voting booth shall be permitted to reenter the same on any pretext whatsoever. Only one voter at a time shall be permitted in the voting booth to vote.

Source: R.S. 19:52-3.

19A:35-5. Announcing the Vote and Locking the System Against Voting. Immediately upon the close of the polls, the district election officer shall lock and seal the voting system against further voting and open the counter compartment in the presence of persons who may be lawfully present at that time, giving full view of the counters. The chairman of the district board under the scrutiny of a member of such board of a different political faith shall then in the order of the officers as their titles are arranged on the machine read and announce in distinct tones the result as shown by the counters and then shall read the votes recorded for each office on the write-in ballots. He shall also in the same manner read and announce the vote on each constitutional amendment, proposition or other question. As each vote is read and announced, it shall be recorded in two statements of canvass by two other members of such district board of opposite political faith, and when completed the record thereof shall be compared with the numbers of the counters of the system. if found to be correct, the results shall be announced by chairman of such board and the statement of canvass, after being duly certified, shall be filed as now provided by law for filing election returns. After the reading and announcing of the vote and before the doors of the counter compartment of the voting system shall be closed.

ample opportunity shall be given to any person or persons lawfully present to compare the results so announced with the counters on the systems and any necessary corrections in the compilation of said results, two copies of a statement of canvass to conform to the requirements of the make and type of voting system being used shall be provided by the county board of elections.

Source: R.S. 19:52-5.

19A:35-6. Statement of Results of Count of Votes; Number and Transmission. After the district board shall have determined the votes cast at such election, it shall make triplicate statements of results thereof certifying the same to be a true and correct statement of the results of the election. The form and content of said statement and certification to be provided by the Commission on Elections.

No member of any district board shall sign any returns of election or certifications until after the completion of the calculation of the votes and his personal examination of the counters to determine the correctness of the results.

After the district board shall have made up and certified such statements, it shall at the same time deliver and safely transmit one of the statements to the clerk of the municipality wherein such election is held, who shall forthwith file the same. The second copy shall be delivered forthwith to the county board of elections, which county board may arrange to accept such certificates in such municipality within the county at the office of the clerk at such municipality or some other convenient place.

The third copy of the statement shall immediately after the election be filed with the Commission on Elections by mail in stamped envelopes to be furnished by said commission. Upon receiving such statements the Commission on Elections shall forthwith file the same in its office.

Source: R.S. 19:17-1 amended 1945, c.76, s.1; 19:17-2; 19:17-3 amended 1945, c. 76, s.2; 1947,c.168,s.6;1953,c.19,s.19.

19A:35-7. Locking of Voting System; Disposition of Write-in Ballots. the district election officer shall as soon as the count is completed and fully ascertained, as by this Title required, lock the                    counter                    compartment                    and

it shall so remain for a period of 15 days except it be opened by order of the Assignment judge or his designee. When write-in votes of whatever description have been counted, the district election officer shall return all such ballots in a properly secured package endorsed "write-in votes" and return and file such package with the county board at the same time the original statement of the results of the election made by them is filed. Such package shall be preserved for six months next succeeding such election, and it shall not be opened or its contents examined during that time except by order of the Assignment judge or his designee. At the end of six months such packages may be opened and the ballots disposed of at the discretion of the county board of elections.

Source: R.S. 19:52-6 amended 1942, c.56;1942,c.56;1943,c.80;1953,c.19,s.59;1955,c.260,s.1.

19A:35-8. Dispositon of Security Devices and Keys. Security devices and keys of each voting system shall be enclosed in an envelope to be supplied by the county board of elections on which shall be written the number of the systems provided and the district and ward where it has been used, which envelope shall be sucurely sealed and endorsed by the district election officers and shall be returned to the source from which the keys were received.. The number on the seal and the number registered on the protective counter shall be written ont he envelope containing the security devices and keys. All such keys and security devices for any voting system shall be kept securely by the officials having them in charge. No unauthorized person shall have in his possession any security device, key or keys or any voting system and all district election officers or persons entrusted with such security devices or keys or election purposes, or in the preparation of the machine therefor, shall not retain them longer than necessary to use them for such legal purpose. All systems shall be stored by the county board of elections as soon after of the close of the election as possible and the systems provided shall at all times be stored in a suitable fireproof or fire resistant public building.

Source: R.S. 19:52-7 amended 1945,c.56,s.10

CHAPTER 35A  
ELECTRONIC VOTING SYSTEM

Section

- 19A:35A-1. Adoption of Electronic Voting System; Applicability of Law.
- 19A:35A-2. Electronic Voting System Requirements.
- 19A:35A-3. Approval of Voting Device.
- 19A:35A-4. Ballots; Labels; Form; Samples; Write-in Ballots
- 19A:35A-5. Preparation for Election; Ballot Cards; Secrecy While Marking Ballot.
- 19A:35A-6. Conduct of Election.
- 19A:35A-7. Count of Ballots; Test of Automatic Tabulating Equipment; Return; Manual Count.
- 19A:35A-8. Absentee Votes.
- 19A:35A-9. Effect of Overvotes or Misvotes.
- 19A:35A-10. Instruction of Voters; Model of Device.
- 19A:35A-11. Challengers.
- 19A:35A-12. Applicability of Title 19A of the New Jersey Statutes.
- 19A:35A-13. Recount Procedure.
- 19A:35A-14. Penal and Election Laws Applicable for Tampering or Interfering With the Electronic Voting Machine System.

19A:35A-1. Adoption of Electronic Voting System; Applicability of Law. a. The board of chosen freeholders of any county may adopt, acquire by purchase, lease, otherwise, or abandon any electronic voting system or mechanical system authorized herein which has been approved for use in the State, in any election or primary or combination thereof, and may use such system in all or part of the districts within its boundaries, or in combination with paper ballots. The county authorities, on the adoption and acquisition of an electronic voting system, shall provide for the payment therefor in such manner as they deem for the best interest of the locality, in such manner as may be provided by law.

b. The provisions of this chapter shall be controlling with respect to elections where electronic voting systems are used, and shall be liberally construed so as to carry out the purpose and intent of this law. Any provisions of law relating to the conduct of elections which conflict with this chapter shall not apply to the conduct of elections with an approved electronic voting system.

Source: C.19:53A-2(1973,c.82,s.2).

19A:35A-2. Electronic Voting System Requirements. Every electronic voting system, consisting of a voting device in combination with automatic tabulating equipment, acquired or used in accordance herewith, shall:

a. Provide for voting in secrecy, except in the case of voters who have received assistance as provided by law;

b. Permit each voter to vote at any election for all persons and offices for whom and for which he is lawfully entitled to vote; to vote for or against any question upon which he is entitled to vote; and the automatic tabulating equipment shall reject choices recorded on his ballot card if the number of choices exceeds the number which he is entitled to vote for the office or on the measure;

c. Permit each voter, at presidential elections, by one mark or punch to vote for the candidates of that party for president, vice president, and their presidential electors;

d. Permit each voter, at other than primary elections, to vote for the nominees of one or more parties and for independent candidates; and personal choice or write-in candidates;

e. Permit each voter in primary elections to vote for candidates in the party primary in which he is qualified to vote, and the automatic tabulating equipment shall reject any votes cast for candidates of another party;

f. prevent the voter from voting for the same person more than once for the same office;

g. Be suitably designed for the purpose used, of durable construction, and may be used safely, efficiently, and accurately in the conduct of elections and counting ballots;

h. When properly operated, record correctly and count accurately every vote cast, including all overvotes or undervotes and all affirmative votes or negative votes on all public questions or referenda.

Source: C. 19:53A-3 (1973, c.82, s.3).

19A:35A-3. Approval of Voting Device. No voting device shall be used in an election in this State unless in combination with automatic tabulating equipment used to count and tabulate ballots it meets the requirement in N.J.S. 19A:35A-02, and has been approved by the Commission on Election, or other person, agency or board charged

with the examination and approval of voting machines. When such device has been approved, any improvement or change which does not impair its accuracy, efficiency, or ability to meet such requirements shall not require a reexamination or reapproval thereof.

Source: C. 19.53A-4 (1973,c.82,s.4).

19A:35A-4. Ballots; Labels; Form; Samples: Write-in Ballots.

a. Ballot labels shall be printed in plain clear type in black ink, of such size and arrangement as to fit the construction of the voting device; they shall be printed on clear white material or on material of different colors to identify different ballots or parts of the ballot, and in primary elections to identify each political party.

b. The titles of offices and the names of candidates may be arranged in vertical columns or in a series of separate pages. The office title with a statement of the number of candidates to be voted for shall be printed above or at the side of the names of the candidates for that office. The names of candidates shall be printed in the order provided by law, and in general elections the party designation of each candidate, which may be abbreviated, and a slogan not to exceed six words may be printed following his name. In case there are more candidates for an office than can be printed in one column or on one ballot page, the ballot label shall be clearly be marked that the list of candidates is continued on the following column or page, and so far as possible, the same number of names shall be printed on each column or page. Arrows may be used to indicate the place to vote for each candidate and on each measure.

c. the different parts of the ballot, such as partisan, nonpartisan, and measure, shall be prominently indicated on the ballot labels, and if practicable, each part shall be placed on a separate page or pages. In the event that two or more elections are held on the same day, the ballot labels shall be clearly marked to indicate the ballot for each election, and, if practical, the ballot labels for each election shall be placed upon separate pages, and labels of a different color or tint may be used for each election.

d. Sample ballot, which shall be facsimile copies of the official ballot or ballot labels, shall be provided as required by law. At least three copies shall be posed

in each polling place on election. Sample ballots may be printed on a single sheet or on a number of pages stapled together.

e. In election in which voters are authorized to vote for persons whose names do not appear on the ballot, at the discretion of the county board of elections either (1) a separate write-in ballot, which may be in the form of a paper ballot, card or envelope in which the voter places his ballot card after voting, shall be provided to permit voters to write in the title of the office and the name of the person or persons for whom he wishes to vote, or to attach a sticker of suitable size on which is printed the title of the office and the name of the person or persons for whom he wishes to vote; or (2) provision shall be made for the voter to write the name of the person or persons for whom he wishes to vote on the ballot card in the location designated and to punch the ballot card in the location provided.

Source: C.19:53A-5 (1973, c.82, s.5 amended 1975, c.316, s.4).

19A:35A-5. Preparation for Election : Ballot Cards: Secrecy While Marking Ballot. a. Prior to any election at which electronic voting devices are used the county board of elections shall have the voting devices prepared for the election and shall provide the district election officers with voting devices, voting booths, ballot boxes, ballot cards, "write-in" ballots and other records and supplies as required.

b. Ballot cards shall be of the size, design and stock suitable for processing by automatic data processing machines. Each ballot card shall have an attached numbered perforated stub, which shall be removed by an election officer before it is deposited in the ballot box. In primary elections the ballot cards of each political party shall be distinctly marked or shall be of a different color or tint so that the ballot cards of each political party are readily distinguishable.

c. Unless the voting device enables the voter to mark his choices in secret, the board of elections shall provide a sufficient number of voting booths for each voting district, which shall be of a size and design so as to enable the voter to mark his ballot in secret.

Source: C.19:53A-6 (1973, c.82, s.6).

19A:35A-6. Conduct of Election. a. Thirty minutes before the opening of the polls the local district

election officers shall arrive at the polling place, place the voting devices in position for voting, and examine them to see that they have the correct ballot labels by comparing them with the sample ballots, and are in proper working order. They shall open and check the ballot cards, supplies, records and forms, and post the sample ballots and instructions to voters.

b. Each voter requesting assistance shall be instructed how to operate the voting device before he enters the voting booth. If he needs additional instruction after entering the voting booth and request assistance, two members of the district board of opposite political parties, may if necessary enter the booth and give him additional instructions.

c. The district election official attending the voting machine shall inspect the face of the machine and the ballot at least once per hour to see that the face of the machine and the ballot are in their proper place and the neither has been mutilate, deface, tampered with or changed and the the machine has not been changed.

d. After the voter has marked his ballot cards, he shall place the ballot card inside the envelope provided for this purpose and return it to the election officer, who shall remove the stub, place it on a string, and deposit the envelope with the ballot card inside in the ballot box. No ballot card from which the stub has been detached shall be accepted by the election official in charge of the ballot box, but it shall be marked "Spoiled" and placed with the spoiled ballot cards.

e. Any voter who spoils his ballot card may return it enclosed in the envelope and secure another. The word "Spoiled" shall be written across the face of the envelope, which shall be placed on the same string with the stubs.

f. As soon as the polls have been closed and the last qualified voter has voted, all unused ballot cards shall be placed in a container and sealed for return to the board of elections. The ballot box shall be opened and any write-in votes counted, unless these votes are to be counted by duly appointed bipartisan tabulating teams at the counting center. Before write-in votes are counted they shall be compared with votes cast on the ballot card for the same office. If the voter has cast more votes for an office than he is entitled to vote for, the vote

for the office shall be declared null and void and the vote shall not be counted for that office. Votes cast for duly nominated candidates on the ballot card will not be voided because of an invalid write-in vote, but if otherwise valid shall be counted. The voted ballot cards shall next be placed in the ballot card container for delivery to the counting center, and the voting devices shall be placed in their containers for returning to the county board of elections.

g. The district board election officers shall prepare a report of the number of voters who have voted, as indicated by the poll list, the number of write-in votes and any other votes counted by the district board and the number of spoiled ballots, and shall place the original copy of this report in the ballot card container for delivery to the counting center, which thereupon shall be sealed so that no additional ballot cards may be deposited or removed. Such container shall be durably constructed so as to be resistant to fire, water and tampering. The duplicative copy of said report shall be returned to the county election board with other records. Two district election board officers one of each opposite political party as in this act defined shall forthwith deliver the ballot card container to the counting center or other place designated by the county board. The county board may, in its discretion, direct that ballots be delivered to one or more collection points from which points the ballots shall be transported collectively to the counting center by two duly appointed deputies of opposite political parties. The district board shall receive a receipt before releasing the ballots to said deputies.

Source; C. 19:53A-7 (1973, c. 82, s. 7 amended 1975, c. 316, s. 5).

19A:35A-7. Count of Ballots; Test of Automatic Tabulating Equipment; Return; Manual Count. a. Prior to the start of the count of the ballots, each county board of elections shall have the automatic tabulating equipment tested to ascertain that it will accurately count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication once in three or more daily or weekly newspapers published in the county or jurisdiction where such equipment is used.

if a newspaper is published therein, otherwise in a newspaper of general circulation therein; said newspapers shall be selected so as to give the widest possible notice to the voters of said county and one of said newspapers shall be selected so as to give the widest possible notice to the voters of said county and one of said newspapers shall be selected so as to give the widest possible notice to the voters of said county and one of said newspapers shall be the newspaper or one of the newspapers in which legal notices of the county are required to be published. The test shall be conducted by processing a preaudited group of ballot cards so punched as to record a predetermined number of valid votes for each candidate and on each measure, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. In such test a different number of valid votes shall be assigned to each candidate for an office, and for and against each measure. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made and certified to by the county board of elections before the count is started. The tabulating equipment shall pass the same test at the conclusion of the count before the election returns are approved as official. On completion of the count, the programs, test materials, and ballot cards arranged by districts shall be sealed and retained as provided for paper ballots.

b. All proceedings at the county center shall be under the direction of the county board of elections or persons designated by it; there shall always be two persons in charge, one from each opposite political party as in this act defined; and all proceedings shall be conducted under the observation of the public, but no persons except those authorized for the purpose shall touch any ballot card or return. All persons who are engaged in processing and counting of the ballots shall be deputized and take an oath that they will faithfully perform their assigned duties. If any ballot card is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, a true duplicate copy shall be made and substituted for the damaged ballot card. All duplicate ballot cards shall be clearly

labeled "duplicate," and shall bear a serial number which shall be recorded on the damaged or defective ballot card. The damaged or defective ballot card as well as the "duplicate" shall be preserved with the other ballot cards. During the count the election officer or board in charge may from time to time release unofficial returns. Upon completion of the count the official returns shall be open to the public.

c. The return of the automatic tabulating equipment, to which have been added the write-in and absentee votes, shall, after being duly certified by the county board of elections, constitute the official return of each election district.

d. If for any reason it becomes impracticable to count all or a part of the ballot cards with tabulating equipment, the county board of elections may direct that they be counted manually, following as far as practicable the provisions governing the counting of paper ballots contained in this Title.

Source: 19:53A-8 (1973, c.82,s.8 amended 1975, c.316, s.6).

19A:35A-8. Absentee Votes. Absentee votes may be cast on paper ballots or ballot cards, or both methods may be used. Such ballots may be counted by automatic tabulating equipment or by special canvassing boards appointed by and under the direction of the county board of elections. A true copy of absentee paper ballots may be made on ballot cards, which after being duly verified, shall forthwith be counted in the same manner as other ballot cards. Such paper ballots and ballot cards shall be forthwith marked with corresponding numbers, which numbering shall be done in such manner as not to identify any voter and such marking shall not be considered to be a marked ballot. Such paper ballots and corresponding ballot cards shall both be preserved in the same manner as other ballot cards are required to be preserved hereunder.

Source: C.19:53A-9 (1973, c.82, s.9).

19A:35A-9. Effect of Overvotes or Misvotes. Any overvote or misvote for one or more offices shall not invalidate the entire ballot.

Source: C.19:53A-10 (1973, c. 82, s.10).

19A:35A-10. Instruction of Voters: Model of Device. For instructing the voters on any election day there

shall, so far as practicable, be provided by the county board of elections of the municipal clerk, as the case may be, having custody of voting devices, for each polling place a mechanically operated model of at least a portion of the face of the device. Such model, if furnished, shall, during the election, be located on the district election board's table or in some other place which the voters must pass to reach the voting device, and each voter shall before entering the voting device booth or before voting, be instructed regarding the operation of the device and such instruction illustrated on the model, and the voter be given opportunity personally to operate the model. The voter's attention shall also be directed to the fact of the device and he shall have the ballot explained as to the location of the public questions or referendum, the location of the officers and the names of all candidates to be voted for.

Source: C.19:53A-11 (1973, c.82, s.11).

19A:35A-11. Challengers. Challengers may be appointed in the same manner as provided in N.J.S. 19A:7-1 et seq., for each counting center set up in each county and said challengers shall have the right to be present and represent the candidates or party appointing them during any time the counting center is open or operating whether for testing of equipment, programs, ballot cards or for counting the ballot cards or for any other purpose.

Source: C.19:53A-12 (1973, c.82, s.12).

19A:35A-12. Applicability of Title 19A of the New Jersey Statutes. The provisions of this Title except as herein modified shall be applicable to the use of electronic voting systems in elections as herein provided for.

Source: C.19:53A-13 (1973, c.82, s.13).

19A:35A-13. Recount Procedure. In case of recount the ballot cards shall be recounted in the manner provided by N.J.S. 19A:35A-7 unless the court ordering the recount directs that they be counted manually.

Source: C.19:53A-14 (1973, c.82, s.14).

19A:35A-14. Penal and Election Laws Applicable for Tampering or Interfering With the Electronic Voting Machine System. The provisions of Chapter 38 (Crimes and Penalties) of this Title shall be applicable to

a. Any person who before, during or after an election tampers with or willfully injures any voting device,

ballot cards, or other records or equipment used in the election, or interferes or attempts to interfere with the correct operation of such device or equipment or the secrecy of voting.

b. The penal laws and election laws relating to misconduct at elections apply to elections conducted with voting devices and automatic tabulating equipment.

Source: C.19:53A-15(1973,c.82, s.15).

#### SUBTITLE 14

#### ABSENTEE VOTING

##### Chapter

36. Absentee, Civilian and Military Service Voting, 19A:36-1 to 19A:36-32.

#### CHAPTER 36

#### ABSENTEE, CIVILIAN AND MILITARY SERVICE VOTING.

##### Section

- 19A:36-1. Short Title.
- 19A:36-2. Persons Entitled to Vote by Absentee Ballot: Manners; Liberal Construction.
- 19A:36-3. Application for Civilian Absentee Ballot or Military Service Ballot; Application by Relative or Friend of Military Service Voter.
- 19A:36-4. To Whom Application Must Be Made.
- 19A:36-5. Notices; Publication.
- 19A:36-6. Printing and Furnishing of Ballots; Directions.
- 19A:36-7. List of Applications; Filing.
- 19A:36-8. Comparison of Signatures; Investigation of Application.
- 19A:36-9. Forwarding of Ballots to Voters.
- 19A:36-10. Special District or Regional District School Election; Forwarding Ballots.
- 19A:36-11. Disposition of Requests for Absentee Ballots; List.
- 19A:36-12. Form of Absentee Ballot; Markings.
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- 19A:36-14. Form of Absentee Ballots; Primary Elections.
- 19A:36-15. Mechanical or Electronic Device for Count or Canvass; Adoption of System by County; Nonconforming Ballots; Preparation of Ballot.
- 19A:36-16. Directions to be Sent With Ballot; Envelopes.

- 19A:36-17. Certificate of Qualification; Contents.
- 19A:36-18. Military Service Ballots; Specifications as to Weight and Size; Postage.
- 19A:36-19. Certifying Names of Persons Receiving Military Service and Civilian Absentee Ballots.
- 19A:36-20. Duties of County Board in Regard to Absentee and Military Service Ballots.
- 19A:36-21. Marking and Handling of Absentee Ballots by Voters.
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- 19A:36-23. Qualifications of Military Service Voters: District in Which Military Service Ballots.
- 19A:36-24. Ballots Received Prior to Closing of Polls Counted.
- 19A:36-25. Person Receiving Absentee Ballot Cannot Vote in Person.
- 19A:36-26. Military Service Voter May Present Ballot in Person.
- 19A:36-27. Death of Absentee or Military Service Voter.
- 19A:36-28. Counting of Absentee Ballots.
- 19A:36-29. Duplicate Voting Records; Marking of.
- 19A:36-30. Requests, Application; Ballots and Certificates to be Kept One Year; Impounding.
- 19A:36-31. Emergency Voting Forms; Registration.
- 19A:36-32. Powers of County Board Over Absentee Voting; Irregularity Not to Invalidate Election.

19A:36-1. Short Title. This chapter shall be known as and may be cited as the "Absentee voting Law".

Source: C.19:57-1 (1953,s.211,s.1).

19A:36-2. Persons Entitled to Vote by Absentee Ballot; Manner; Liberal Construction. the following persons shall be entitled to vote by absentee ballot in any election to be held in this State, in the manner hereinafter provided;

A military service voter who may be absent on the day on which such election is held from the election district in which he resides, whether such person is within or without the State in the case of a military service voter as defined in subparagraphs (1) or (2) of paragraph (rr.) or N.J.S. 19A:1-1 or without the State and within or without the United States in the case of any military

service voter as defined in paragraph (rr.) of N.J.S. 19A:1-1, provided he has resided in this State and in the county in which he claims the right to vote at least 30 days counting the time he has been absent from the election district in which he resides because of his service, work, status or relationship entitling him to vote a military service ballot;

A military service voter who is stationed and resident in any garrison, barrack or military or naval place or station within this State, or who resides therein as spouse or dependent of a person in the military, naval or marine service so stationed, and who claims his vote in the municipality wherein such residence is located, shall be entitled to vote by military absentee ballot in any election for which he is duly registered to cast his vote in the election district of his residence in said municipality, but not otherwise;

A civilian absentee voter who expects to be or may be absent outside the State or the United States on the day on which an election is held or who may be within the State on the day of any election, but because of permanent and total disability, or because of illness or temporary physical disability, or because of observance of a religious holiday pursuant to the tenets of his religion, or because of resident attendance at a school, college or university, or because of the nature and hours of his employment, will be unable to cast his ballot at the polling place in his election district on the day of the election, provided he is a registered voter, and is not otherwise disqualified by law from voting in such election this chapter shall be liberally construed to effect these purposes.

This chapter shall be liberally construed to effect these purposes.

Source: C.19:57-3 (1953,c.211,s.3 amended 1957, c.202, s.2; 1958, c.58, s.1; 1959, c.153, s.2; 1964, c.7, s.5; 1968, c.238, s.2; 1970, c.307,s.2; 1977, c.47, s.2.).

19A:36-3. Application for Civilian Absentee Ballot or Military Service Ballot; Application by Relative or Friend of military Service Voter; Form Prescribed by Commission on Elections. At any time not less than seven days prior to an election in which he desires to vote by mail, a civilian absentee voter may apply to the county board of elections for a civilian absentee ballot. Such

application or request shall be made in writing, shall be signed by the applicant and shall state his or her place of voting residence and the address to which said ballot shall be sent, and the reason for which the ballot is requested.

Any military service voter desiring to vote in any election or any relative or friend of a military service voter who believes that such voter will desire to vote in any election, may apply to the county board of elections for a military service ballot to be sent to such voter.

Any civilian absentee voter who fails to apply within the seven day time prescribed above may apply in person to the county board for an absentee ballot on any day up to 3:00 p.m. of the day before the election.

In the event of sickness or confinement, the qualified voter may apply in writing for and obtain an absentee ballot by authorized messenger so designated over the signature by the voter. The county board is authorized to deliver such authorized messenger a ballot to be delivered to the qualified voter.

A voter who is permanently and totally disabled, and who states the reason for such disability in a request for an absentee ballot, shall be furnished an application for an absentee ballot by the county board of elections for all future elections in which the voter shall be eligible to vote, without further request on the part of the voter.

The form of the application to be used by a relative or a friend of the military service voter shall be prescribed by the Commission on Elections.

The Commission on Elections shall cause to be prepared a standard military service absentee ballot application form and a standard civilian absentee ballot application form. Said civilian absentee ballot application form shall be printed in the NOTICE TO PERSONS DESIRING CIVILIAN ABSENTEE BALLOTS required to be published pursuant to N.J.S. 19A:36-5.

The Commission on Elections shall have the authority to promulgate any rules and regulations to carry out this chapter.

Source: C.19:57-4. (1953, c.211, s.4 amended 1968, c.238, s.3; 1972, c.31,s.1; 1975, c.223, s.1; 1977, c.47, s.3); C.19:57-4.1 (1977, c.47, s.17); C.19:57-5 (1953, c.211, s.5 amended 1958, c.58, s.2; 1964, c.7, s.6; 1968, c.238, s.4; 1977, c.47, s.4).

19A:36-4. To Whom Application Must Be Made. In the case of any election, the application or request shall be made to the county board of elections of the county.

In the case of application for civilian absentee ballots, the county board shall stamp thereon the date on which said application was received in its office.

Source: C.19:57-6 (1953, c.211, s.6 amended 1977, c.47, s.5).

19A:36-5. Notices; Publication. The county board of elections of the county, in the case of any Statewide or county wide election; the clerk of the municipality, in the case of any municipal election; the secretary of the board of education, in the case of any school election; and the commissioners or other governing or administrative body of the district, in the case of any election to be held in any fire district, road district, sewerage district, street lighting district, water supply district or other special district, other than a municipality, created for specified public purposes within one or more municipalities, shall publish or cause to be published notices addressed to those persons desiring absentee ballots and to persons in military service or patients in veterans hospitals and to their relatives and friends, the form and content of which shall be prescribed by the Commission on Elections.

Such notices shall be separately published prior to the fortieth day immediately preceding the holding of any election.

Notices relating to any Statewide or countywide elections shall be published by the county board in at least two newspapers published in the county. All other officials charged with the duty of publishing such notices shall publish the same in at least one newspaper published in each municipality or district in which the election is to be held, or if no newspaper be published in said municipality, then in a newspaper published in the county and circulated in such municipality, municipalities or district. All such notices shall be display advertisements.

Source: C.19:57-7 (1953, c.211, s.7 amended 1957, c.202, s.3; 1959, c.153, s.3; 1968, c.238, s.5; 1970, c.307, s.3; 1977, c.47, s.6).

19A:36-6. Printing and Furnishing of Ballots; Directions. Each county board shall cause to be printed

sufficient military service ballots and civilian absentee ballots for each primary election for the general election and for the general election and there shall be furnished to the said county board of the county as expeditiously as possible before the day fixed for holding any other election within the county by the officer whose duty it shall be to provide the officials ballots for such election sufficient military service ballots and civilian absentee ballots. Along with such ballots for all elections there shall be also be furnished by such county board or other official inner and outer envelopes and printed directions for the preparation and transmitting of such ballots for use in such election within the county and all expenses for mailing such ballots shall be paid in the same manner as other expenses for mailing such ballots shall be paid in the same manner as other expenses of said election are paid.

The form of the absentee ballots shall be prescribed by the Commission on Elections and shall conform with the provisions of this chapter.

Source: C.19:57-8 (1953,c.211, s.8).

19A:36-7. List of Applications: Filing. Each county board upon receipt of applications for military service ballots shall make a list of them and file them alphabetically according to the municipalities of the home addresses of the military service voters appearing thereon.

Such list shall be available at all times for examinations and use by the county board of elections for comparison with the military records of the State for purposes of verification of the qualifications as military voters of the persons whose names appear thereon.

Source: C.19:57-9 (1953, c.211, s.9).

19A:36-8. Comparison of Signatures; Investigation of Application. Upon receipt of any requests for a civilian absentee ballot, or any application for a military absentee ballot from a military service voter who is required under N.J.S. 19A:36-2 to be registered in the municipality where he intends to cast such military absentee ballot, the county board of elections shall cause the signature of said person appearing on the permanent registration form in order to determine from such examination and any other available information if

the applicant is a voter qualified to cast a ballot in the election in which he desires to voter, and determine in the case of a primary election which political party the voter is entitled to vote.

If after such examination the county board is satisfied that the applicant is entitled to a ballot, it shall mark on the application "APPROVED." If after such examination the County Board determines that the applicant is not entitled to a ballot, it shall mark on the application "DISAPPROVED" and shall so notify the applicant stating the reasons therefor.

Source: C.19:57-10 (1953, c.211, s.10 amended 1959, c. 140; 1977, c.47, s.7).

19A:36-9. Forwarding of Ballots to Voters. Each county board shall forward a military service ballot, or a civilian absentee ballot as the case may be, for use under this law by first-class mail or hand-delivered to each military service voter who applies therefor, or on whose behalf application is made therefore, and whose application is approved in any case where approval is required under N.J.S. 19A:36-8, and to each civilian absentee voter whose request therefor has been approved. Ballots that have not been hand-delivered to the voter shall be addressed to the voter at the forwarding address given in the application.

Such ballots shall be forwarded as soon as practicable after the twenty-fifth day preceding the day upon which any election is to be held.

Source: C.19:57-11(1953, c.211, s.11 amended 1963, c.125, s.1; 1972, c.31, s.2; 1977, c.47, s.8).

19A:36-10. Special District or Regional District School Election: Forwarding Ballots. In any case where a military service ballot or a civilian absentee ballot is mailed to a military service voter or civilian absentee voter for use in any annual district or regional district school election pursuant to an application therefor and thereafter a special school election is called pursuant to N.J.S. 18A:22-36 or N.J.S. 18A:13-18, the county board shall cause a military service ballot or civilian absentee ballot for use in said special district or regional district school election to be mailed to the military service voter or civilian absentee voter as the case may be, without any further application for any such ballot.

Source: C.19:57-11.1 (1967, c.148).

19A:36-11. Disposition of Requests for Absentee Ballots; List. The county board, after processing the requests for civilian absentee ballots and the applications for military absentee ballots requiring approval under N.J.S. 19A:36-8 and furnishing the applicants with a civilian or military absentee ballot in the manner prescribed by this chapter, shall maintain a list of such requests, including those disapproved, which list shall be made available to the public and all election officials charged with the duty of administering this chapter.

Source: C.19:57-12 (1953, c.211,s.12 amended 1977, c.47, s.9).

19A:36-12. Form of Absentee Ballot; Markings. Each absentee ballot to be used at any election shall conform generally to the ballot to be used at said election in the absentee voter's district, but the ballots shall be plainly marked "Military Service Ballot" or "Civilian Absentee Ballot," as the case may be.

Source: C.19:57-13 (1953,c.211, s.13).

19A:36-13. Form of Absentee Ballot; List of Candidates Who Do Not Appear on Ballots to be Forwarded. Each absentee ballot to be used at any election to be held while this chapter is in effect shall be printed entirely in black ink and, except as otherwise provided, shall conform generally to the ballot to be used at said election in the absentee voter's election district and shall be so prepared that the absentee voter may indicate thereon his choice of such of the candidates for the offices to be filled, and as to such public questions to be voted upon, at said election by the voters of the entire State, county or municipality in which such absentee voter is a resident, as shall be ascertained and known on the thirty-fourth day preceding such election and sufficient space shall be provided thereon for such absentee voter to write in the name of and vote for any candidate for, or his personal choice for, any public office to be voted for at such election district. A list of the candidates for the offices to be filled in each election district in the county, whose names are known and ascertained on said thirty fourth day but do not appear known upon said ballot, with the statement of the office for which each is a candidate, shall be forwarded with such ballot.

In preparation of absentee ballots the name of any candidate who has been nominated for any office shall be placed upon the absentee ballot to be used in the general election to be held in said year in each election district in which he is a candidate, whether or not such candidate has accepted such nomination prior to said date; provided, that he has not prior to said date declined the same.

Source: C.19:57-14 (1953, c.211, s.14 amended 1969, c.35, s.1; 1972, c.87, s.2; 1975, c.74, s.1).

19A:36-14. Form of Absentee Ballots; Primary Elections. Each absentee ballot to be used in any primary election for the general election to be held while this chapter is in effect, except as otherwise provided, shall conform to the ballot to be used at said election in the absentee voter's election district and to the form herein prescribed for absentee ballots to be used in such general elections, except that it shall be so prepared that the absentee voter may indicate thereon his choice of the candidates of one political party for each of the officers to be voted upon at said election by the voters of said election district and shall be separated into party ballots, which shall all be printed upon one sheet where the voting system so allows.

Each such absentee ballot shall be plainly marked to indicate that but one party ballot is to be voted by each absentee voter and that the party voted by him must conform to the name of the political party indicated by the county board of elections as herein provided.

If the county board of elections has ascertained through investigating on absentee voter's registration record that, under the laws of this State, such voter is qualified to vote only in a certain party primary, it shall so indicate upon the primary ballot the primary party in which such voter is entitled to vote.

In the case where the county board has ascertained through investigating the absentee voter's registration record that such application is requesting a ballot to vote in the first primary for which he is eligible after registration, the county board shall indicate upon the primary ballot that the voter can vote in any one of the party primaries.

Source: C.19:57-15 (1953, c.211, s.15 amended 1972, c.87, s.3; 1975, c.90, s.1; 1977, c.47, s.10.).

19A:36-15. Mechanical or Electronic Device for Count or Canvass; Adoption of System by County: Nonconforming Ballots; Preparation of Ballot. Notwithstanding any provision of law to the contrary, any county may for the purposes of absentee ballots only, adopt a system of electronic scanning, punch cards, or other menchanical or electronic device, which system has been previously approved by the Commission on Elections, to be used in counting or canvassing absentee ballots. The county board in any county adopting such a system may prepare and use absentee ballots that do not conform generally to the ballot to be used at saud election to the extent that such nonconformance is necessary in the operation of the electronic or mechanical canvassing system.

In preparing the absentee ballots the county board shall insert the names of the candidates on the appropriate ballots, punch card or other device in the same order in which they appear on the official ballot with full instructions to the voter as to how to mark or puncture the ballot.

Source: C.19:57-15.1 (1972, c.87, s.1).

19A:36-16. Directions to be Sent With Ballot; Envelopes. Each county board shall send with each absentee ballot printed directions for the preparation and transmitting of absentee ballots as required by this chapter, which may be printed upon the inner envelope, together with two envelopes of such sizes that one will contain the other.

The outer envelope will be addressed to the county board of elections of the county in which is located the home address of the person to whom the absentee ballot is sent.

The inner envelope shall be so designed that it can be sealed after the absentee ballot has been placed therein and the flap thereof shall be of such length and size as to leave sufficient margin, after sealing, for the printing thereon of the certificate required pursuant to N.J.S. 19A:36-17.

The flap shall be so arranged, that after the inner envelope has been sealed, the certificate can be contained, with the inner envelope, in the outer envelope, and that the margin containing the certificate can be detached without unsealing the inner envelope.

On the outside of each envelope in which the absentee ballot is sent to the absentee voter and of each inner

and outer envelope for the return of such ballot, there shall be printed or stamped the words "Official Military Service Ballot" or "Official Civilian Absentee Ballot," as the case may be.

The reverse side of each inner envelope shall contain the following statement:

#### PENALTY FOR FRAUDULENT VOTING

Any person who knowingly violates any of the provisions of this chapter, or who, not being entitled to vote thereunder, fraudulently votes or attempts to vote thereunder or enables or attempts to enable another person, not entitled to vote thereunder, to vote fraudulently thereunder or who prevents or attempts to prevent by fraud the voting of any person legally entitled to vote under this chapter, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject, in addition to such other penalties as are authorized by law, to disenfranchisement unless and until pardoned or restored by law to the right of suffrage.

Source: C.19:57-16 (1953, c.211, s.16 amended 1977, c. 47, s.11); C.19:57-37 (1953, c.211, s.37; 1964, c.7, s.7); C.19:58-33 (1964, c.134, s.33).

19A:36-17. Certificate of Qualification; Contents. Upon the said margin of said flap on the envelopes to be sent to military service voters and civilian absentee voters, there shall be printed a certificate containing the facts which qualify said voter to vote by absentee ballot, the form and contents of which shall be as prescribed by the Commission on Elections.

In addition to the foregoing, the certificate to be used on the margin of the flap on the inner envelope forwarded with any absentee ballot intended to be voted in any primary election for the general election shall contain a statement setting forth the voter's qualifications to vote in the primary of a particular political party in accordance with N.J.S. 19A:15-18. The form and content of said statement shall be as prescribed by the Commission on Elections.

Source: C.19:57-17 (1953, c.211, s.17 amended 1957, c.202, s.4; 1958, c.58, s.3; 1959, c.153, s.4; 1968, c.238, s.6; 1970, c.307, s.4; 1975, c.223, s.2; 1977, c.47, s.12); C.19:57-19 (1953, c.211, s.19 amended 1968, c.238, s.8; 1975, c.90, s.2; 1977, c.47, s.13).

19A:36-18. Military Service Ballots; Specifications as to Weight and Size; Postage. The military service ballots, together with the printed directions for the preparing and transmitting of the same and the inner envelopes with their certificates and the outer envelopes to be used therewith, shall conform as nearly as may be practicable to any specifications as to weight or size, which may be made by the Defense and United States Postal Service in connection with the transporting of the same.

The county board of elections shall take advantage of any provisions for transmission, free of postage, of ballots and the envelopes containing the same provided by the Acts of Congress of the United States, but if no provision is made, proper first-class postage shall be prepaid thereon.

Source: C.19:57-20 (1953, c.211, s.20).

19A:36-19. Certifying Names of Persons Receiving Military Service and Civilian Absentee Ballots. The county board of elections shall maintain a list of the names, serial numbers, if any, and the home addresses of the persons to whom military service and civilian absentee ballots to be voted at such election have been delivered or forwarded pursuant to this chapter.

Source: C.19:57-21 (1953, c.211, s.21).

19:36-20. Duties of County Board in Regard to Absentee and Military Service Ballots. The county board of elections shall in the case of a military service voter remove the permanent registration form of each such voter from the permanent registration binders, if it appears therein, and file such forms in a special file designated "military file" and in the case of civilian absentee voters shall mark the applicant's duplicate voting record appearing on the signature copy register as follows:

In the proper column provided for the recording of the number of the voter's ballot at the election at which the applicant wishes to vote, the county board shall record therein in red ink the initial "A" which shall mean that a civilian absentee ballot was delivered or mailed to the applicant by the county board.

Whenever the county board receives notice that a civilian absentee ballot has been forwarded or delivered to a voter during the time when the signature copy registers are in the custody of other election officials pursuant to this Title or are in transit to or from such

officials, the said county board shall prior to the opening of the polls on election day forward to each district board of elections a list of all civilian absentee voters to whom ballots have been sent but whose duplicate voting record has not been marked in the manner herein described. Such list may be prepared in the same manner as a challenge sheet and may be included therein, together with other causes for challenge. No district board of elections shall permit any person to vote whose registration records shall be marked with the initial "A" in red ink, or whose name shall appear on any list or notice furnished by the county board to the effect that such voter has received an absentee ballot.

Source: C.19:57-22 (1953, c.211, s.22 amended 1972, c.31,s.3).

19A:36-21. Marking and Handling of Absentee Ballots by Voters. Any absentee voter shall be entitled to mark any absentee ballot, so forwarded to him, for voting at any election by indicating his choice of candidates for the offices named, and as to public questions, if any, stated, thereon in accordance with the election laws of this State, except that in such ballots to be voted in a primary election for the general election his choice shall be limited to the candidates of his political party or to any person or persons whose names are written thereon by him. When so marked, such ballot shall be placed in said inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to said inner envelope, at the end of which he shall sign and print his name in his own handwriting. The inner envelope with the certificate shall then be placed in the said outer envelope, which shall then be sealed.

A blind absentee voter shall be entitled to assistance in the marking of his ballot and in completing and signing of the certificate. In such case, the person providing such assistance shall add on the face of the certificate "Voter Assisted by ..." signing and printing his name thereto.

Said sealed outer envelope with the inner envelope and the ballot enclosed therein shall then either be mailed with sufficient postage to the county board of elections to which it is addressed, or delivered to such board. Such ballot must be received by such board before 8:00 p.m. on the day of election.

Source: C. 19:57-23 (1953, c.211, s.23 amended 1963, c.22, s.3; 1968, c.238, s.9; 1972, c.31, s.4.)

19A:36-22. Duties of County Board of Election After Receiving Absentee and Military Service Ballots. The county board of elections shall promptly after receiving each civilian absentee ballot remove the inner envelope containing the ballot from the outer envelope and shall compare the signature and information contained on the flap of the inner envelope with the signature and information contained in the corresponding request for a civilian absentee ballot. In addition, as to civilian absentee ballots issued less than seven days prior to an election, the county board of elections shall also check to establish that the absentee voter did not vote in person. The county board shall reject any such ballot unless the board is satisfied as a result of such comparison or by reference to the permanent registration books that the voter is duly entitled to vote and that the ballot conforms with the requirements of this law.

The county board of elections shall promptly after receiving each military service ballot remove the inner envelope containing the ballot from the outer envelope and ascertain whether or not the name of the person whose name appears following the certificate on the flap of said inner envelope has been certified as a person to whom a military service ballot to be voted at the election at which it is intended to be voted has been forwarded pursuant to this chapter.

The county board shall investigate the qualifications of the military service voter under this law by comparison of the contents of said certificate with the information appearing upon the application for said military service ballot, including the signatures thereon, when the military service voter's signature appears upon said application, and by comparison with the military records of the State when deemed desirable.

In the case of a military service or civilian absentee ballot to be voted at the primary election for the general election, whether or not the military service or civilian absentee voter has indicated in said certificate his intention to vote in the primary election of any political party which he is not entitled to vote in according to the registration books of the county, if it shall appear from said record that he is not entitled to vote such ballot in the primary election of the political party which has been so indicated, such ballot shall be rejected.

Disputes as to the qualifications of military service or civilian absentee voters to vote as to whether or not how any such military or civilian absentee ballot shall be counted in such election shall be referred to the Assignment Judge of the county or his designee for determination.

After such investigation, but no sooner than 7:00 a.m. on the date set for election the county board of elections shall detach or separate the certificate from the inner envelope containing the military service or civilian absentee ballots unless it has been previously rejected by it or by the court, marking the envelope so as to identify the election district in which the ballot contained therein is to be voted as indicated by the absentee voter's home address appearing on the certificate attached to or accompanying said inner envelope, and in the case of ballots to be voted at the primary election for a general election, so as to identify the political party in a primary election of which it is to be voted.

Source: C. 19:57-24 (1953, c.211, s.24 amended 1972, c.31, s.5).

19A:36-23. Qualifications of Military Service Voters; District in Which Military Service Ballot I to be Counted. Except as provided in N.J.S. 18a:36-2, it shall not be necessary to qualify any military service voter to vote by military service ballot in any county, that he shall be or shall have been registered to vote in any election district of this State at the time of any election or at any other time, if his name has been certified as hereinbefore provided. Any military service ballot returned to any county board of elections in the envelopes required by this chapter shall be counted in determining the result of any election in which it is to be voted in the election district indicated by the military service voter's home address appearing on the certificate or certificates attached to or accompanying the inner envelope, containing such military service ballot, if such certificate or certificates contain information which would qualify if he were registered to vote therein, and if said certificate or certificates have been filled in and purport to have been executed and sworn to in the manner required by this law and if such military service ballot has been so marked as to comply

with the requirements of the elections laws of this State, and in computing the length of residence in the county and State of any military service voter the time which shall have elapsed during his absence from the election district in which he resides because of service, work, status or relationship entitling him to vote a military service ballot shall be counted.

Source: C.19:57-25 (1953, c.211, s.25 amended 1968, c.238, s.10; 1977, c.47, s.14).

19A:36-24. Ballots Received Prior to Closing of Polls Counted. All valid military service ballots and valid civilian absentee ballots received by the county boards prior to the time designated for the closing of the polls for each election shall be counted.

Source: C.19:57-26(1953, c.211, s.26).

19A:36-25. Person Receiving Absentee Ballot Cannot Vote in Person. No person who has applied for a civilian absentee ballot and to whom a civilian absentee ballot has been either delivered in person or forwarded by mail by the county board shall be permitted to vote in person at the polling place in his election district on the day of election, but such person may execute such ballot in the manner provided by this chapter even though he is in the State on the day of election.

Source: C.19A:57-28(1953, c.211, s.28).

19A:36-26. Military Service Voter May be Present Ballot in Person. Any military service voter who returns to his place of residence within the State within 10 days before such election and who has not received a military service ballot may appear in person before and apply in writing to the proper county board of elections for a military service ballot and shall be entitled to receive a military service ballot upon being properly identified and to cast the same by presenting it in person to the proper county board of elections properly marked, enclosed and sealed in the inner envelope provided for that purpose with the certificate or certificates on the flap of the inner envelope duly filled in and signed at any time before the closing of polls of the day of such election, and if the ballot is properly marked, it shall be counted at the election.

Source: C.19:57-29 (1953, c.211, s.29 amended 1968, c.238, s.11).

19A:36-27. Death of Absentee or Military Service

Voter. Whenever it shall be made to appear by due proof to the county board that an absentee voter who has marked and forwarded an absentee civilian voter's ballot or military service ballot as provided in this chapter has died prior to the opening of the polls on the day of election, such ballot shall be rejected by the county board and retained by the county board in the same manner as provided herein in cases of other rejected ballots.

Source: C.19:57-30 (1953, c.211, s.30).

19A:36-28. Counting of Absentee Ballots. On the day of each election, the county board of elections shall open the inner envelopes in which the absentee ballots, returned to it to be voted in such election, are contained, except those containing ballots which the board or the court has rejected, and shall remove from said inner envelopes the absentee ballots and shall then proceed to count the votes cast on such absentee ballots, but not absentee ballot shall be counted in any primary election of which such ballot is intended to be voted as marked on said envelope by the county board of elections. Immediately after the county is completed, the respective county boards of elections shall certify the results of such count the appropriate election officer, as the case may be, showing the result of the count by municipality and ward, and the votes so counted shall be counted in determining the results of said election.

The county board of elections shall, immediately after the count is completed for a primary election, certify the results of the votes cast for members of the county committees to the respective municipal clerks, which votes shall be counted in determining the result of said election.

Source: C.19:57-31 (1953, c.211, s.31; 1977, c.47, s.15).

19A:36-29. Duplicate Voting Records: Marking of. As soon as practicable after each election, the county board shall cause to be marked all duplicate voting records which have not been marked with the red "A" in accordance with this chapter to show that a civilian absentee ballot was delivered or forwarded to the respective registered voters. For each civilian absentee ballot, and for each military absentee ballot cast by a military service voter who is required under N.J.S. 19A:36-2 to be registered in the municipality where he intends to cast such absentee

ballot, that has been voted, received and counted, the county board shall also, by reference to the certificates removed from the inner envelopes of such ballots, cause to be written or stamped the word "Voted" in the space provided in the duplicate voting record for recording the ballot number of the voter's ballot in such election, and in the case of a primary election for the general election they shall also cause to be written or stamped in the proper space of the record of voting form the first three letters of the name of the political party in the primary of which such ballot was voted. The record of voting forms in the original permanent registration binders shall be conformed to the foregoing entries in the duplicate forms.

Source: C.19:57-32 (1953, c.211, s.32 amended 1977, c.47, s.16).

19A:36-30. Requests, Application, Ballots, and Certificates to be Kept One Year: Impounding. The county board of elections shall keep for a period of one year all requests and applications for absentee ballots, all voted absentee ballots, and all of the certificates which have been detached or separated by said board from said inner envelopes and all inner envelopes together with their certificates and together with their contents, which have not been opened because the county board or the court rejected them. The county prosecutor may impound all absentee ballot whenever he shall deem such action to be necessary.

Source: C. 19:57-33(1953, c.211, s.33 amended 1955, c.222, s.1).

19A:36-31. Emergency Voting Forms; Registration. Any voter who has been in the military service (including his spouse and dependents) or civilian attached to or serving with the Armed Forces of the United States (including his spouse and dependents who accompany him) or a patient in any veterans hospital, but who has been discharged or released from such service or discharged from said hospital too late to register at the last registration day before any election, may obtain an emergency voting form at the office of the proper county board of elections if he has been previously permanently registered, and upon such presentation of such emergency voting form to the proper district board, he shall be permitted to vote. In the event he has not been

permanently registered, upon exhibiting his discharge or certificate of service to such county board of elections, the said board shall require such discharged or released voter to register, notwithstanding any provisions of law prohibiting the taking of registrations at such time, before issuing such emergency voting form.

Source: C.19:57-34 (1953, c.211, s.34 amended 1968, c.238, s. 12).

19A:36-32. Powers of County Board Over Absentee Voting; Irregularity Not to Invalidate Election. The county board of elections shall exercise the same powers over absentee voting as over other voting in elections except as otherwise provided by this chapter.

No election shall be held to be invalid by reason of any irregularity or failure in the preparation or forwarding of any absentee ballots pursuant to the provisions of this chapter.

Source: C.19:57-36 (1953, c.211, s.35 amended 1955, c.222, s.2); C.19:57-36 (1953, c.211, s.36).

## SUBTITLE 15

### PRESIDENTIAL BALLOT VOTING

#### Chapter

37. Procedure, 19A:37-1 to 19A:37-26.

37A. Overseas Residents Federal Election Absentee Voting Law, 19A:37A-1 to 19A:37A-12.

## CHAPTER 37

### PROCEDURE

#### Section

19A:37-1. Short Title.

19A:37-2. Persons Entitled to Qualify and Vote for Presidential Electors

19A:37-3. Certificate of Disqualification of Removed Residence; Authority for Determination.

19A:37-4. Obtaining Application form for Presidential Ballot.

19A:37-5. Preparation of Application Forms for Presidential Ballot.

19A:37-6. Form of Application and Affidavits.

19A:37-7. Time and Matter of Application; Certificate of Registration Officer in Election District in Which Removed Resident Resides.

- 19A:37-8. Form of Presidential Ballot.
- 19A:37-9. Duty of County Board to Furnish Presidential Ballots, Inner and Outer Envelopes, and Direction; Payment of Expenses.
- 19A:37-10. List of Applicants; Filing.
- 19A:37-11. Examination and Approval of Qualifications of Applicants; Investigation.
- 19A:37-12. Transfer of Permanent Registration Forms of Certain Removed Residents.
- 19A:37-13. Delivery of Ballots; Deadline for Applications.
- 19A:37-14. Maintenance of List of Applications for Presidential Ballots.
- 19A:37-15. Instructions to be Sent with Ballot; Envelopes.
- 19A:37-16. Affidavit to be Printed on Margin of Flap of Envelope.
- 19A:37-17. Marking and Handling of Presidential Ballots by Voters; mailing of Ballots to County Board.
- 19A:37-18. Duties of County Board of Elections After Receiving Ballots.
- 19A:37-19. Ballots Received Prior to Closing of polls Counted; Validity of Ballots Notwithstanding Absence of Voter's Name on Certificate.
- 19A:37-20. Person Receiving Presidential Ballot Not to Vote in Person.
- 19A:37-21. Death of Voter.
- 19A:37-22. Canvass of Presidential Ballots.
- 19A:37-23. Marking of Duplicate Voting Records.
- 19A:37-24. Affidavits of Residence, Applications, Ballots and Certificates to be Kept One Year; Impounding.
- 19A:37-25. Powers of County Board Over Voting by Presidential Ballot.
- 19A:37-26. Validity of Election Not Affected by Irregularity.

19A:37-1. Short Title. This chapter shall be known and may be cited as the "Presidential Ballot Law".

Source: C.19:58-1. (1964, c.134, s.1).

19A:37-2. Persons Entitled to Qualify and Vote for Presidential Electors. Any removed resident shall be entitled to qualify and vote for electors for President

and Vice President of United States in any presidential election to be held in this State in the manner provided in this chapter.

Source: C. 19:58-3 (1964, c.134, s.3 amended 1976, c.24, s.2).

19A:37-3. Certificate of Disqualification of Removed Resident; Authority for Determination. Any certificate filed by an applicant for a presidential ballot as the disqualification of a removed resident, who does not reside in this State, to vote for electors for President and Vice President of the United States in the election district in which he resides shall be sufficient authority for a county board of elections to make any determination in connection with the subject matter of such certificate.

Source: C.19:58-4 (1964, c.134, s.4 amended 1972, c.30, s. 2; 1976, c.24, s.3).

19A:37-4. Obtaining Application Form for Presidential Ballot. An application form for a presidential ballot may be obtained from the clerk of the municipality or the county board of elections of the county in which such applicant was last registered to vote in this State prior to the date of such election.

Source: C.19:58-5 (1964, c.134, s.5 amended 1976, c.24, s.4).

19A:37-5. Preparation of Application Forms for Presidential Ballot. Application forms for presidential ballots to be made by removed residents and the forms of affidavits of residence shall be prepared by the county board of elections and shall be printed on paper of a different color from that used for applications for military service and civilian absentee ballots and sufficient quantities thereof shall be furnished by the county board of elections to each municipal clerk in its county not later than August 1, preceding such election.

Source: C.19:58-6 (1964, c.134, s.6 amended 1976, c.24, s.5).

19A:37-6. Form of Application and Affidavits. The form and content of the application for presidential ballots and the accompanying affidavits of residence shall be as prescribed by the Commission on Elections.

Source: C. 19:58-8 (1964, c.134, s.8 amended 1972, c.30, s.3; 1976, c.24, s.7).

19A:37-7. Time and Manner of Application; Certificate of Registration Officer in Election District in Which

Removed Resident Resides. Applications for Presidential ballots shall be made as prescribed by this chapter to the county board of elections in the county in which the ballot is to be voted, in person or by mail, not later than seven days preceding the date upon which the election in which such ballots are to be voted, is to be held.

Each application for a Presidential ballot by a removed resident who does not reside in this State shall be accompanied by a certificate of the officer in charge of registration of voters in the election district in which the applicant resides, certifying that the applicant will not be entitled to vote for the electors for the President and Vice President of the United States in such election district, at the election at which such ballot is to be voted, by reason of an insufficient period of residence in the state to which he has so removed.

Source: C. 19:58-9 (1964, c.134, s.9 amended 1972, c.30, s.4; 1976, c.24, s.8).

19A:37-8. Form of Presidential Ballot. The Commission on Elections shall prescribe the form of Presidential ballots, which shall in all respects conform with the provisions of this chapter and shall be of such character that they can be voted only for the election of electors for the President and Vice President of the United States nominated in this State and shall be plainly marked "Presidential Ballot."

Source: C.19:58-10 (1964, c.134, s.10).

19A:37-9. Duty of County Board to Furnish Presidential Ballots, Inner and Outer Envelopes, and Direction; Payment of Expenses. Each county board of election shall cause to be printed a sufficient number of Presidential ballots for each Presidential election to be held in this State, and along with such ballots there shall be furnished by the county board inner and outer envelopes, which shall be of a different color from those used to enclose military service and civilian absentee ballots, and also printed directions for the preparation and transmitting of such ballots, and all expenses of printing and mailing such ballots shall be paid in the same manner as other expenses of such election are paid.

Source: C.19:58-11 (1964, c.134, s.11).

19A:37-10. List of Applicants; Filing. Each county board of elections upon receipt of applications for

Presidential ballots for a removed resident shall make a list of them according to the municipalities of addresses or former addresses in this State of the voters making such applications.

Source: C.19:58-12 (1964, c.134, s.12 amended 1976, c.24, s.9).

19A:37-11. Examination and Approval of Qualifications of Applicants; Investigation. Upon receipt of any application for a Presidential ballot, the county board shall make an examination, from any available information, to determine whether or not such applicant is qualified to vote a Presidential ballot as applied for, and they shall cause the signature of the applicant appearing on the application to be compared with the signature of said person appearing upon his permanent registration forms.

If, after such examination, the county board is satisfied that the applicant is entitled to such Presidential ballot, it shall mark upon the application, "APPROVED" but otherwise, it shall mark on the application, "DISAPPROVED," and shall so notify the applicant stating the reason therefor, but no application for a Presidential ballot shall be disapproved because the name of the applicant is not printed thereon, if the signature is legible.

Source: C.19:58-13 (1964, c.134, s.13).

19A:37-12. Transfer of Permanent Registration Forms of Certain Removed Residents. The county board upon receipt of an application for a Presidential ballot shall transfer the applicant's permanent registration form to a presidential ballot file; and in the case of a removed resident who has removed to another state, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, or another county of this State, after the election the applicant's permanent registration form shall be transferred to the inactive file.

Source: C.19:58-14 (1964, c.134, s.14 amended 1972, c.30, s.5; 1976, c.24, s. 10).

19A:37-13. Delivery of Ballots; Deadline for Applications Each county board shall deliver a Presidential ballot for use under this chapter to each applicant whose application therefor has been so approved, in person, or by forwarding the same by first-class mail, in a sealed envelope, to the

applicant's present address as given in the application, if said application is received not less than eight days prior to the day fixed for the holding of the election in which such ballot is to be voted.

Such ballot shall be forwarded as soon as practicable after the receipt and approval of the application therefor.

Source: C.19:58-15 (1964, c.134, s.15).

19A:37-14. Maintenance of List of Applications for Presidential Ballots. Each county board, after processing the applications for Presidential ballots, in the manner prescribed by this chapter, shall maintain a list of such applications showing the disposition thereof, which shall be made available to the public and all election officers charged with the duty of administering this Title.

Source: C.19:58-16 (1964, c.134, s.16).

19A:37-15. Instructions to be Sent with Ballots: Envelope. Each county board shall send with each Presidential ballot appropriate printed instructions for the preparation and transmission of such ballot, together with the inner and outer envelope of the character prescribed in the case of civilian absentee ballots, pursuant to the provisions of chapter 36 of this Title, except that there shall be printed on the inner envelope a legend which shall read "REMOVED RESIDENT - PRESIDENTIAL BALLOT."

Source: C.19:58-17 (1964, c.134, s.17 amended 1976, c.24, s.11).

19A:37-16. Affidavit to be Printed on Margin of Flap of Envelope. Upon the margin of the flap of the inner envelope to be sent to a removed resident, there shall be a certificate to be signed by the voter, the form and contents of which shall be prescribed by the Commission on Elections.

Source: C.19:58-119 (1964, c.134, s.19 amended 1968, c.238, s.14; 1972, c.30, s.6; 1976, c.24, s.13).

19A:37-17. Marking and Handling of Presidential Ballots by Voters; Mailing of Ballots to County Board. Any voter shall be entitled to mark any Presidential ballot, so forwarded to him, for voting at any election by indication his choice of candidates for the offices named. When so marked, such ballots shall be placed in said inner envelope, which shall then be sealed and the

voter shall then fill in the form of certificate attached to said inner envelope, at the end of which he shall sign and print his name in his own handwriting. The inner envelope with the certificate shall then be placed in said outer envelope, which shall then be sealed.

Said sealed outer envelope with the inner envelope and the ballot enclosed therein, shall then be mailed with sufficient postage to the county board of elections to which it is addressed, or shall be presented in person to the county board of elections at the office of said board.

Source: C.19:58-21 (1964, c.134, s.21 amended 1968, c.238, s.15); C.19:58-22 (1964, c.134, s.22).

19A:37-18. Duties of County Board of Election After Receiving Ballots. The county board of elections shall, promptly after receiving each Presidential ballot, remove the inner envelope containing the ballot, from the outer envelope and shall compare the signature and the information contained on the flap of the inner envelope with the signature and information contained in the application for the ballot. The county board shall reject any such ballot unless the board is satisfied as a result of such comparison and any other source of information available that the voter is legally entitled to vote such a ballot and that the ballot conforms with the requirements of this chapter.

Disputes as to the qualifications of voters to vote Presidential ballots, or as to whether or not or how such Presidential ballots, shall be counted in such election shall be referred to the Assignment Judge of the county or his designee for determination. After such investigation, but no sooner than 7:00 a.m. on the date set for election, the county board shall detach and separate the certificate from the inner envelope containing the Presidential ballot unless it has been rejected by it or by the Assignment Judge or his designee, marking the envelopes so as to identify the election district in which the ballot contained therein is to be voted as indicated by the voter's former address in this State on the certificate attached to or accompanying said envelope.

Source: C.19:58-23 (1964, c.134, s.23).

19A:37-19. Ballots Received Prior to Closing of Polls Counted: Validity of Ballots Notwithstanding Absence of Voter's Name on Certificate. All valid Presidential

ballots received by the county board prior to the time designated for the closing of the polls for each election shall be counted, and no Presidential ballot shall be rejected or declared invalid because the voter's name is not printed on the certificate upon the flap of the inner envelope enclosing the same, if such certificate is properly and legibly signed and it otherwise conforms with the provisions of this chapter.

Source: C. 19:58-25 (1964, c.134, s.25).

19A:37-20. Person Receiving Presidential Ballot Not to Vote in Person. No person who has applied for a Presidential ballot and to whom such a ballot has been either delivered in person or forwarded by mail by a county board, shall be permitted to vote in person at the polling place in his election district on the day of election, but a Presidential ballot properly authenticated in the manner provided by this chapter may be voted and counted notwithstanding that the voter is in the State on the day of election.

Source: C.19:58-26 (1964, c. 134, s.26).

19A:37-21. Death of Voter. Whenever it shall be made to appear by due proof to the county board that a voter who has marked and forwarded a Presidential ballot as provided in this chapter has died prior to the opening of the polls on the day of the election, such ballot shall be rejected by the county board and retained by it in the same manner as provided herein in cases of other rejected ballots.

Source: C.19:58-27 (1964, c.134, s.27).

19A:37-22. Canvass of Presidential Ballots. The inner envelopes containing the Presidential ballots shall be opened and the Presidential ballots shall be removed therefrom and counted, and the votes so cast canvassed, and the results thereof certified, by the county board of elections, and the votes so counted and canvassed shall be counted in determining the results of the election of such electors, at the same time and in the same manner as required in the case of absentee ballot, except that it shall only be necessary to count or canvass such votes on a countywide basis and not on a ward and district basis.

Source: C.19:58-28 (1964, c.134, s.28 amended 1972, c.86).

19A:37-23. Marking of Duplicate Voting Records. As soon as practicable after each election, the county board

shall cause to be marked all duplicate voting records to show that a Presidential ballot was delivered or forwarded to the respective registered voter. For each such ballot that has been voted, received and counted the county board shall also by reference to the certificates removed from the inner envelopes of such ballots cause to be written or stamped the words "Voted by Presidential Ballot" in the space provided in the duplicate voting record for recording the ballot forms in the Presidential ballot file shall be conformed to the foregoing entries in the duplicate forms.

Sources: C.19:58-29. (1964, c.134, s.29).

19A:37-24. Affidavits of Residence, Applications, Ballots and Certificates to be Kept One Year: Impounding. The county board of elections shall keep for a period fo one year all of the affidavits of residence and applications for Presidential ballots, together with all certificates accompanying the same, all voted Presidential ballots, and all for the certificates which have been detached or separated by said board from said inner envelopes, and all inner envelopes together with their certificates, and together with their contents which have not been opened because the county board or the Assignment Judge or his designee rejected them. Specific power is hereby granted the county prosecutor to impound all such ballots whenever he shall deem such action to be necessary.

Source: C.19:58-30. (1964, c.134, s.30).

19A:37-25. Powers of County Board Over Voting by Presidential Ballot. The county board of elections shall exercise the same powers over voting by Presidential ballots as over other voting in elections except as otherwise provided in this chapter.

Source: C.19:58-31. (1964, c.134, s.31).

19A:37-26. Validity of Election Not Affected by Irregularity. No election shall be held to be invalid by reason of any irregularity or failure i the preparation of forwarding of any Presidential ballots pursuant to the provisions of this chapter.

Source: C.19:58-32 (1964, c.134, s.32).

CHAPTER 37A.  
OVERSEAS RESIDENTS FEDERAL  
ELECTIONS ABSENTEE VOTING LAW

Section

- 19A:37A-1. Short Title.
- 19A:37A-2. Persons Entitled to Qualify and Vote
- 19A:37A-3. Request for Application to Vote as overseas Federal Election Voter.
- 19A:37A-4. Form and Content of Application to Vote as Overseas Federal Election Voter.
- 19A:37A-5. County Board of Elections to Determine Qualifications of Voter; Comparison of Signature.
- 19A:37A-6. Form of Overseas Federal Election Ballot.
- 19A:37A-7. Instructions to be Sent with Ballot.
- 19A:37A-8. Certification of be Printed on Margin of Flap of Inner Envelope.
- 19A:37A-9. Marking and Handling of Ballot.
- 19A:37A-10. Duties of County Board of Elections of Receipt of Ballot.
- 19A:37A-11. Separate Application Made.
- 19A:37A-12. Commission on Elections to Make Rules and Regulations.

19A:37A-1. Short Title. This chapter shall be known and may be cited as the "Overseas Residents Federal Election Absentee Voting Law".

Source: C.19:59-1 (1976, c.23, s.1).

19A:37A-2. Persons Entitled to Qualify and Vote. Any person meeting the qualifications of an "overseas Federal election voter" and upon compliance with the provisions of this chapter may apply for and vote by absentee ballot in any Federal election held in the election district of this State in which he was formerly domiciled.

Source: C.19:59-3 (1976, c.23, s.3).

19A:37A-3. Requests for Application to Vote as Overseas Federal Election Voter. Requests for an application to vote in a Federal election as an overseas Federal election voter may be made by or on behalf of an applicant to the county board of elections of the county in which the applicant was formerly domiciled or to the Commission on Elections if the applicant does not know the county of his former domicile. To qualify an applicant to be sent a ballot and to vote in an election his completed application shall be received by the appropriate county board of elections on or before the thirtieth day preceding the election.

Source: C.19:59-4 (1976, c.23, s.4).

19A:37A-4. Form and Content of Application to Vote as Overseas Federal Election Voter. The form and content of the application for an overseas Federal election voter ballot shall be as prescribed by the Commission of Elections.

There shall also be sent to the applicant such instructions and portions of the law or regulations as the Commission on Elections shall direct.

Source: C.19:59-5 (1976, c.23, s.5).

19A:37A-5. County Board of Elections to Determine Qualifications of Voter; Comparison of Signature. Each county board of election, upon receipt of an application for an overseas Federal election voter ballot, shall determine whether or not the applicant is qualified to vote such a ballot, make a list of those applications approved and disapproved, which list shall be open to inspection by election officials and the public and shall forward an overseas Federal election voter ballot to each person whose application is approved. As to each voter whose application is approved, the county board of elections shall retain the completed application form for signature comparison with that on the certificate the inner envelope containing the ballot.

Source: C.19:59-6 (1976, c.23, s.6).

19A:37A-6. Form of Overseas Federal Election Ballot. the county board of elections shall prescribe the form of overseas Federal election voter ballot which shall be of such character that it can be voted only for nominating or electing candidates for the office of President of Vice President of the United States, Presidential elector, United States Senator and member of the United States House of Representatives, or such thereof as are to be nominated or elected at the election.

Source: C.19:59-7 (1976, c.23, s.7).

19A:37A-7. Instructions to be Sent with Ballot. Each county board of elections shall send with each overseas Federal election voter ballot, appropriate printed instructions for its completion and return, together with an inner and outer envelope similar to that required as to civilian absentee ballots pursuant to N.J.S. 19A:36-16 except that there shall be printed on the inner envelope a legend which shall read "overseas Federal Election Voter Ballot".

Source: C.19:59-8 (1976, c.23, s.8).

19A:37A-8. Certification to be Printed on margin of Flap of Inner Envelope. Upon the margin of the flap of the inner envelope to be sent to an overseas Federal election voter shall be printed a certificate to be signed by the voter, the form and contents of which shall be as prescribed by the Commission on Elections.

Source: C.19:59-9 (1976, c.23, s.9).

19A:37A-9. Marking and handling of Ballot. Upon completion of the ballot by indicating his choice of candidates for the offices named, the voter shall place the ballot in the inner envelope and seal it. Upon completion and signing in his handwriting the certificate attached to the inner envelope, the inner envelope shall be placed in the outer envelope which when sealed shall be mailed postage prepaid to the county board of elections whose address is printed thereon.

Source: C.19:59-10 (1976, c.23, s.10).

19A:37A-10. Duties of County Board of Elections on Receipt of Ballot. The county board of elections, after receiving each overseas Federal election ballot, shall remove the inner envelope containing the ballot form the outer envelope and shall compare the signature on the certificate on the inner envelope to the signature on the person's application. Ballots shall be approved, disapproved, processed, counted and disputes in connection therewith shall be handled in the same manner as is applicable to other absentee ballots. No ballot received after the time designated for the closing of the polls shall be counted.

Source: C.19:59-11 (1976, c.23, s.11).

19A:37A-11. Separate Application Made. A separate application shall be made for each Federal election in which n overseas citizens desires to vote.

Source: C.19:59-12 (1976, c.23, s.12).

19A:37A-12. Commission on Election to Make Rules and Regulations. To effectuate the purposes of this chapter, the Commission on Elections is authorized to promulgate such rules and regulations as shall be deemed necessary and desirable.

Source: C.19:58-13 (1976, c.23, s.13).

SUBTITLE 16  
PENALTIES

Chapter

38. Crimes and Penalties, 19A:38-1 to 19A:38-3.

CHAPTER 38  
CRIME AND PENALTIES

Section

19A:38-1. Public Policy.

19A:38-2 Civil Penalties.

19A:38-3. Criminal Penalties.

19A:38-1. Public Policy. The Legislature finds, determines and declares:

a. In a democratic form of government, it is of fundamental importance that the electoral process deliver a full, free accurate expression of the people's will concerning those candidates, issues and questions submitted to its judgment and decision, uncontaminated by force, fraud or chicanery and free from all menaces, or inducements calculated to pervert the judgment of the voter in matters affecting the public interest.

b. It is the policy of the State that all mechanisms, procedures and administrative methods connected with registration, balloting and canvassing be such as to facilitate maximum participation by those entitled to vote, while effectually restraining fraudulent or unauthorized voting; to provide swift, accurate, tamper-free tabulation of returns, and to assure that the actual process of voting be conducted in an impartial and secure manner and atmosphere, free of intimidation, harassment or partisan importunity.

c. It is the policy of the State that in all election contests the sources and extent of financial support for or against any candidate or for the passage or defeat of any public question be truthfully stated and in no wise concealed from or misrepresented to the voters, and further, that such financial support be subjected to certain restrictions and limitations which manifest the public interest.

Source: New.

19A:38-2. Civil Penalties. a. Whoever performs or attempts to perform any act forbidden under the

provisions of this Title, or performs or attempts to perform any act in a manner forbidden under any provision of this Title, or omits to perform any act which he is required to perform under any provision of this Title, or fails in any other way to comply with any applicable provision of this Title shall, in addition to any other penalty provided by law, be liable to a penalty of not more than \$5,000.00 for the first offense and not more than \$10,000.00 for the second and each subsequent offense.

b. Upon receiving evidence of any violation of this section, the Commission on Elections shall have power to hold, or cause to be held under the provision of subsection d. of this section, hearing upon such violation and, Upon finding any person to have committed such a violation, to assess such penalty, within the limits prescribed in subsection a. of this section, as it deems proper under the circumstances, which penalty shall be paid forthwith into the State Treasury for the general purposes of the State.

Such penalty shall be enforceable in a summary proceeding under the "Penalty Enforcement Law" (N.J.S.2A:58-1 et seq.).

c. In assessing any penalty under this section, the Commission on Elections may provide for the remission of all or any part of such penalty conditioned upon the prompt correction of any failure, neglect, error or omission constituting the violation for which said penalty was assessed.

d. The Commission on Elections may designate a hearing officer to hear complaints of violations of this section. Such hearing officer shall take testimony, compile a record and make factual findings, and shall submit the same to the commission, which shall have power to assess penalties within the limits and under the conditions prescribed in subsections b. and c. of this section. The commission shall review the record and findings of the hearing officer, but it may also seek such additional testimony as it deems necessary. The commission's determination shall be by majority vote of the entire authorized membership thereof.

Source: C.19:44-22 (1973, c.83, s.22).

19A:38-3. Criminal Penalties. a. Whoever willfully and knowingly and with intent to produce a result

contravening or obstructive to the fundamental policy of the State and the purposes of this Title as set forth in N.J.S. 19A:38-1, performs or attempts to perform any act forbidden under any provision of this Title or performs or attempts to perform any act in a manner forbidden under any provision of this Title, or omits to perform any act which he is required to perform under any provision of this Title, or fails in any other way to comply with any applicable provision of this Title shall be guilty of a misdemeanor and punishable for the first offense by a fine not exceeding \$3,000.00 or imprisonment not exceeding three years, or both.

b. A person who, having once been convicted of a violation of any of the provisions of this Title, shall again be convicted of a violation of any of its provisions, whether such conviction be for the same offense or not, shall on such second conviction be sentenced to pay a fine not exceeding \$5,000.00 or imprisonment for a term not exceeding five years, or both.

c. The nomination for or election to any office of any candidate who is guilty of any violation within the description of subsection a. of this section shall be void and the office shall be filled as required by law in the case of a vacancy; provided, however that nothing herein contained shall be construed in derogation of the constitutional authority of either House of the Legislature to be the judge of the election and qualification of its own members.

d. In addition to any penalties provided for violation of any of the provisions of this Title, the court imposing such penalty may add thereto that such court deems proper.

Source: C.19:44A-21 (1973, c.83, s.21); R.S. 19:34-46.

#### SUBTITLE 17

#### STATUTES REPEALED, PUBLICATION, EFFECTIVE DATE

##### Chapter

39. Statutes Repealed, 19A:39-1.

40. Publication and Effective Date, 19A:40-1 to 19A:40-2.

CHAPTER 39  
STATUTES REPEALED

Section

19A:39-1. Repealers.

19A:39-1 Repealers. All acts and parts of acts inconsistent with this revision law are hereby superseded and repealed, and without limiting the general effect of this law in superseding and repealing acts so inconsistent herewith, the following sections, acts and parts of acts, together with all amendments and supplements thereto, are specifically repealed.

Revised Statutes Sections:

R.S. 19:1-1 to 19:1-4 inclusive.  
 R.S. 19:2-1.  
 R.S. 19:2-3.  
 R.S. 19:3-1 to 19:3-7 inclusive.  
 R.S. 19:3-9 to 19:3-29 inclusive.  
 R.S. 19:4-1 to 19:4-4 inclusive.  
 R.S. 19:4-10 to 19:4-17 inclusive.  
 R.S. 19:5-1 to 19:5-6 inclusive.  
 R.S. 19:6-1 to 19:6-16 inclusive.  
 R.S. 19:6-17 to 19:6-30 inclusive.  
 R.S. 19:7-1 to 19:7-6 inclusive.  
 R.S. 19:8-1 to 19:8-12 inclusive.  
 R.S. 19:9-1 to 19:9-5 inclusive.  
 R.S. 19:10-1.  
 R.S. 19:11-1.  
 R.S. 19:12-1.  
 R.S. 19:12-3 to 19:12-8 inclusive.  
 R.S. 19:13-1 to 19:13-23 inclusive.  
 R.S. 19:14-1 to 19:14-8 inclusive.  
 R.S. 19:14-9, 19:14-10.  
 R.S. 19:14-12 to 19:14-16 inclusive.  
 R.S. 19:14-18 to 19:14-35 inclusive.  
 R.S. 19:15-1 to 19:15-6 inclusive.  
 R.S. 19:15-8 to 19:15-12 inclusive.  
 R.S. 19:15-17 to 19:15-34 inclusive.  
 R.S. 19:16-2 to 19:16-10 inclusive.  
 R.S. 19:17-1 to 19:17-3 inclusive.  
 R.S. 19:17-5.  
 R.S. 19:18-1 to 19:18-8 inclusive.  
 R.S. 19:19-1 to 19:19-17 inclusive.  
 R.S. 19:20-1 to 19:20-9 inclusive.

R.S. 19:21-1 to 19:21-7 inclusive.  
R.S. 19:22-1 to 19:22-8 inclusive.  
R.S. 19:23-1, 19:23-2.  
R.S. 19:23-5 to 19:23-8 inclusive.  
R.S. 19:23-10 to 19:23-14 inclusive.  
R.S. 19:23-15, 19:23-16.  
R.S. 19:23-17 to 19:23-22 inclusive.  
R.S. 19:23-23 to 19:23-25 inclusive.  
R.S. 19:23-27 to 19:23-42 inclusive.  
R.S. 19:23-45.  
R.S. 19:23-46 to 19:23-58 inclusive.  
R.S. 19:24-1 to 19:24-5 inclusive.  
R.S. 19:26-1, 19:26-2.  
R.S. 19:27-1 to 19:27-9 inclusive.  
R.S. 19:27-11 to 19:27-14 inclusive.  
R.S. 19:28-1 to 19:28-8 inclusive.  
R.S. 19:29-1 to 19:29-11.  
R.S. 19:29-13, 19:29-14.  
R.S. 19:31-1.  
R.S. 19:31-2, 19:31-3.  
R.S. 19:31-5, 19:31-6.  
R.S. 19:31-7.  
R.S. 19:31-9 to 19:31-11 inclusive.  
R.S. 19:31-12, 19:31-13.  
R.S. 19:31-14.  
R.S. 19:31-15 to 19:31-18 inclusive.  
R.S. 19:31-19 to 19:31-24 inclusive.  
R.S. 19:31-26.  
R.S. 19:32-1 to 19:32-25 inclusive.  
R.S. 19:33-1.  
R.S. 19:34-1 to 19:34-35 inclusive.  
R.S. 19:34-38.  
R.S. 19:34-39 to 19:34-42 inclusive.  
R.S. 19:34-43 to 19:34-63 inclusive.  
R.S. 19:36-1 to 19:36-3 inclusive.  
R.S. 19:38-1 to 19:38-3 inclusive.  
R.S. 19:38-5, 19:38-6.  
R.S. 19:45-1 to 19:45-6 inclusive.  
R.S. 19:45-7 to 19:45-9 inclusive.  
R.S. 19:47-1, 19:47-2.  
R.S. 19:48-1 to 19:48-3 inclusive.  
R.S. 19:48-4 to 19:48-7 inclusive.  
R.S. 19:49-1, 19:49-2.  
R.S. 19:49-3 to 19:49-5 inclusive.

R.S. 19:50-1 to 19:50-3 inclusive.

R.S. 19:52-1, 19:52-2.

R.S. 19:52-3 to 19:52-6 inclusive.

R.S. 19:52-7.

R.S. 19:53-1.

Pamphlet Laws:

P.L. 1940, c.53 (C.19:31-27, C.19:31-28).

P.L. 1940, c.54 (C.19:31-11.1).

P.L. 1940, c.197 (C.19:48-3.1, C. 19:48-3.2).

P.L. 1941, c.163 (C.19:49-2.1).

P.L. 1941, c.273 (C.19:31-1.1).

P.L. 1944, c.7 (C.19:48-3.3 to C. 19:48-3.14).

P.L. 1944, c.8 (C.19:23-25.1).

P.L. 1944, c.16 (C.19:14-8.1).

P.L. 1944, c.213 (C.19:52-2.1, C.19:52-2.2).

P.L. 1944, c.230 (C.19:31A-7 to C.19:31A-10).

P.L. 1945, c.59 (C.19:48-3.15 to C.19:48-3.21).

P.L. 1945, c.68 (C.19:23-22.1).

P.L. 1945, c.206 (C.19:27-10.1).

P.L. 1947, c.167 (C.19:32-26 to C.19:32-53).

P.L. 1947, c.277 (C.19:31-14.5).

P.L. 1947, c.347 (C.19:31-18.1).

P.L. 1947, c.347 (C.19:31-18.3, C.19:31-18.4).

P.L. 1947, c.414 (C.19:31013.1).

P.L. 1952, c.2 (C.19:25-3, 19:25-4).

P.L. 1952, c.62 (C.19:45-6.1).

P.L. 1953, c.211 (C.19:57-1 to C.19:57-4).

P.L. 1953, c.211 (C.19:57-5 to C.19:57-11).

P.L. 1953, c.211 (C.19:57-12 to C.19:57-15).

P.L. 1953, c.211 (C.19:57-16, C.19:57-17).

P.L. 1953, c.211 (C.19:57-19 to C.19:57-40).

P.L. 1955, c.260 (C.19:52-6.1).

P.L. 1960, c.82 (C.19:7-6.1).

P.L. 1960, c.195 (C.19:4-4.1 to c.19:4-4.7).

P.L. 1963, c.57 (C.19:34-38.1 to C.19:34-38.4).

P.L. 1964, c.134 (C.19:58-1 to C.19:58-6).

P.L. 1964, c.134 (C.19:58-8 to C.19:58-33).

P.L. 1965, c.29 (C.19:23-22.4, C.19:23-22.5).

P.L. 1966, c.70 (C.19:34-38.5).

P.L. 1966, c.120 (C.19:48-8).

P.L. 1966, c.156 (C.19:46-2, C 19:46-3).

P.L. 1966, c.177 (C.19:31-6.1, C.19:31-6.2).

P.L. 1967, c.148 (C.19:57-11.1).

P.L. 1968, c.28 (C.19:24-6).

P.L. 1972, c.87 (C.19:57-15.1).  
P.L. 1973, c.82 (C.19:53A-1 to C.19:53-15).  
P.L. 1973, c.83 (C.19:44A-1 to C.19:44A-26).  
P.L. 1974, c.26 (C.19:44A-27 to 19:44A-44).  
P.L. 1974, c.30 (C.19:31-6.3 to C.19:31-6.10).  
P.L. 1975, c.70 (C.19:34-42.1, C.19:34-42.2).  
P.L. 1975, c.190 (C.19:34-64 to C.19:34-68).  
P.L. 1976, c.16 (C.19:23-45.1 to 19:23-45.3).  
P.L. 1976, c.23 (C.19:59-1 to C.19:59-13).  
P.L. 1976, c.83 (C.19:4-10 to C.19:4-17).  
P.L. 1977, c.47 (C.19:57-4.1).

## CHAPTER 40

### PUBLICATION AND EFFECTIVE DATE

#### Section

19A:40-1 Publication

19A:40-2 Effective date.

19A:40-1. Publication This act, Title 19A, Elections, of the New Jersey Statutes shall be published as a separate volume of the Laws of New Jersey of the year of enactment.

19A:40-2. Effective date. This act shall take effect January 1 next succeeding enactment.

TITLE 19A: ELECTIONS  
Schedule of Allocations of Source Material

Source Sections	Revised Sections	
R.S. 19:1-1	...As am. L.1947, c.168, s.1..... L.1948, c.438, s.1; L.1965, c.213	19A:1-1
R.S. 19:1-2	.....	19A:1-2
R.S. 19:1-3	.....	19A:1-3
R.S. 19:1-4	.....	19A:1-4
R.S. 19:2-1	...As am. L.1948, c.2, s.1..... L.1965, c.4, s.1; L.1966, c.19, s.1; L.1967, c.7, s.1; L.1967, c.26, s.1; L.1969, c.292, s.1	19A:2-1
R.S. 19:2-2	.....	Repealed L.1946, c.11 s.16
C. 19:2-2.1	..... L.1944, c.141.....	Repealed L.1945, c.7 s.21
C. 19:2-2.2	..... L.1944, c.141.....	L.1945, c.7, s.21
C. 19:2-2.3	..... L.1945, c.7, s.1.....	Repealed L.1948, c.2, ss.30,31
R.S. 19:2-3	.....	19A:2-2
R.S. 19:3-1	.....	Not Enacted
R.S. 19:3-2	...As am. L.1948, c.438, s.2....	19A:3-1
R.S. 19:3-3	...As am. L.1948, c.2, s.2..... L.1965, c.4, s.2; L.1974, c.9, s.1; L.1976, c.26.s.1	19A:3-2
R.S. 19:3-4	.....	19A:3-3
R.S. 19:3-5	...As am. L.1971, c.2, s.9.....	19A:3-4
R.S. 19:3-6	...As am. L.1938, c.308;..... L.1941, c.170	19A:3-5

R.S. 19:3-7	...As am. L.1949, c.24, s.1.....	19A:19-14 Repealed
R.S. 19:3-8	.....	L.1973, c.83, s.26
R.S. 19:3-9	...As am. L.1953, c.19, s.1.....	19A:19-15
R.S. 19:3-10	.....	19A:19-16
R.S. 19:3-11	.....	19A:19-17
R.S. 19:3-12	.....	19A:19-18
R.S. 19:3-13	...As am. L.1953, c.19, s.2.....	19A:19-19
R.S. 19:3-14	.....	19A:19-20
R.S. 19:3-15	.....	19A:19-21
R.S. 19:3-16	...As am. L.1953, c.19, s.3.....	Not Enacted
R.S. 19:3-17	.....	19A:19-22
R.S. 19:3-18	.....	19A:19-23
R.S. 19:3-19	...As am. L.1953, c.19, s.4.....	19A:19-24
R.S. 19:3-20	.....	19A:19-25
R.S. 19:3-21	.....	19A:19-26
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R.S. 19:23-11	.....	19A:15-6
R.S. 19:23-12	...As am. L.1942, c.50, s.8..... L.1949, c.24, s.8; L.1975, c.43, s.4	Not Enacted
R.S. 19:23-13	...As am. L.1942, c.50, s.9..... L.1949, c.24, s.9	Not Enacted
R.S. 19:23-14	...As am. L.1940, c.135, s.1.... L.1941, c.166, s.1; L.1942, c.50, s.9a; L.1948, c.2, s.23; L.1956, c.53, s.2	19A:15-7
C. 19:23-14.1	..... L.1945, c.7, s.2..... ...As am. L.1946, c.10, s.2	Repealed L.1948, c.2, ss.31,32
R.S. 19:23-15	...As am. L.1949, c.24, s.10....	19A:15-3
R.S. 19:23-16	...As am. L.1949, c.24, s.11....	19A:15-8
C. 19:23-16.1 through C. 19:23-16.3.....		Expired
R.S. 19:23-17	...As am. L.1944, c.231.....	19A:15-9
R.S. 19:23-18	.....	19A:15-10
R.S. 19:23-19	.....	19A:15-11
R.S. 19:23-20	.....	19A:15-12
R.S. 19:23-21	...As am. L.1942, c.50, s.10....	19A:15-13

R.S. 19:23-22	...As am.	L.1942, c.50, s.11.... L.1948, c.2, s.24	Not Enacted
C. 19:23-22.1	...As am. ...As am.	L.1945, c.68, s.1..... L.1948, c.2, s.25; L.1961, c.62, s.1; L.1965, c.29, s.1	Not Enacted
C. 19:23-22.2	...As am.	L.1945, c.68, s.2..... L.1945, c.290, s.1 L.1961, c.62, s.2	Repealed L.1965 c.29, s.4
C. 19:23-22.3	..... ...As am.	L.1945, c.68, s.3..... L.1945, c.290, s.2; L.1961, c.62, s.3	Repealed L.1965 c.29, s.4
C. 19:23-22.4	..... ...As am.	L.1965, c.29, s.2..... L.1974, c.51, s.1	Not Enacted
C. 19:23-22.5	.....	L.1965, c.29, s.3.....	Not Enacted
R.S. 19:23-23	.....		19A:15-15
R.S. 19:23-24	...As am.	L.1942, c.50, s.12....	Not Enacted
R.S. 19:23-25	...As am.	L.1947, c.104, s.8....	Not Enacted
C. 19:23-25.1	.....	1944, c.8, s.3.....	Not Enacted
R.S. 19:23-26	.....		Repealed L.1947 c.104, s.9
R.S. 19:23-27	.....		Not Enacted
R.S. 19:23-28	.....		Not Enacted
R.S. 19:23-29	...As am.	L.1953, c.19, s.25....	Not Enacted
R.S. 19:23-30	...As am.	L.1941, c.275, s.3.... L.1946, c.261, s.3; L.1947, c.168, s.8	19A:15-16
R.S. 19:23-31	.....		Not Enacted
R.S. 19:23-32	...As am.	L.1947, c.168, s.9....	Not Enacted
R.S. 19:23-33	...As am.	L.1941, c.275, s.4.... L.1946, c.261, s.4; L. 1947, c.168, s.10	Not Enacted
R.S. 19:23-34	...As am.	L.1941, c.274, s.5.... L.1946, c.261, s.5; L.1947, c.168, s.11	Not Enacted
R.S. 19:23-35	...As am.	L.1941, c.275, s.6.... L.1946, c.261, s.6; L.1947, c.168, s.12; L.1952, c.61, s.2	Not Enacted

R.S. 19:23-36	...As am.	L.1941, c.275, s.7.... L.1946, c. 261, s.7; L.1947, c.168, s.13	Not Enacted
R.S. 19:23-37	.....		Not Enacted
R.S. 19:23-38	.....		Not Enacted
R.S. 19:23-39	.....		Not Enacted
R.S. 19:23-40	...As am.	L.1948, c.2, s.26..... L.1965, c.4, s.11; L.1967, c.7, s.5; L.1967, c.26, s.5; L.1968, c.292, s.5	19A:15-17
R.S. 19:23-41	.....		19A:15-17
R.S. 19:23-42	.....		19A:15-17
			Repealed
R.S. 19:23-43	.....		L.1947, c.104, s.9
			Repealed
R.S. 19:23-44	.....		L.1947, c.104, s.9
R.S. 19:23-45	...As am.	L.1939, c.354, s.2.... L.1952, c.158; L.1975, c.260, s.1; L.1976, c.16, s.1; L.1977, c.97, s.1	19A:15-18
C. 19:23-45.1	.....	L.1976, c.16, s.2..... L.1977, c.97, s.2	19A:15-18.1
C. 19:23-45.2	.....	L.1976, c.16, s.3.....	19A:15-18.2
C. 19:23-45.3	.....	1976, c.16, s.4.....	19A:15-18.3
R.S. 19:23-46	.....		19A:15-19
R.S. 19:23-47	.....		Not Enacted
R.S. 19:23-48	.....		19A:15-20
R.S. 19:23-49	.....		19A:15-21
R.S. 19:23-50	...As am.	L.1945, c.76, s.4.....	Not Enacted
R.S. 19:23-51	.....		Not Enacted
R.S. 19:23-52	.....		Not Enacted
R.S. 19:23-53	...As am.	L.1945, c.76, s.5..... L.1947, c.168, s.15	Not Enacted
R.S. 19-23-54	.....		Not Enacted
R.S. 19:23-55	...As am.	L.1975, c.43, s.5.....	Not Enacted
R.S. 19:23-56	.....		Not Enacted

R.S. 19:23-57	.....	Not Enacted
R.S. 19:23-58	.....	19A:15-22
R.S. 19:24-1	...As am. L.1948, c.2, s.27..... L.1965, c.4, s.12	19A:16-1
R.S. 19:24-2	...As am. L.1948, c.2, s.28..... L.1965, c.4, s.13; L.1976, c.9, s.1; L.1976, c.9, s.1	19A:16-2
R.S. 19:24-3	.....	19A:16-3
R.S. 19:24-4	...As am. L.1948, c.2, s.29..... L.1974, c.9, s.2	19A:16-4
R.S. 19:24-5	...As am. L.1944, c.8, s.1..... L.1974, c.9, s.3	19A:16-5
C. 19:24-6	..... L.1968, c.28, s.1.....	Not Enacted
R.S. 19:25-1	.....	Repealed L.1944, c.8, s.2
R.S. 19:25-2	.....	Repealed L.1944, s.2
C. 19:25-3	..... L.1952, c.2, s.1.....	19A:17-1
C. 19:25-4	..... L.1952, c.2, s.2.....	19A:17-2
R.S. 19:26-1	.....	19A:18-1
R.S. 19:26-2	...As am. L.1953, c.19, s.26....	19A:18-2
R.S. 19:26-3	.....	Repealed L.1947, c.104, s.9
R.S. 19:27-1	.....	19A:19-1
R.S. 19:27-2	.....	Not Enacted
R.S. 19:27-3	.....	19A:19-2
R.S. 19:27-4	...As am. L.1947, c.438, s.9....	19A:19-3
R.S. 19:27-5	.....	19A:19-4
R.S. 19:27-6	...As am. L.1957, c.2, s.1.....	19A:19-5
R.S. 19:27-7	.....	19A:19-6
R.S. 19:27-8	.....	19A:19-7
R.S. 19:27-9	.....	19A:19-8
R.S. 19:27-10	.....	Repealed L.1957, c.2, s.2

C. 19:27-10.1	.....	L.1945, c.206;.....	19A:19-9
	...As am.	L.1972, c.181, s.2	
R.S. 19:27-11	...As am.	L.1951, c.119, s.1....	19A:19-11
		L.1972, c.181, s.3	
R.S. 19:27-12	.....		19A:19-3
R.S. 19:27-13	.....		Not Enacted
R.S. 19:27-14	...As am..	L.1947, c.168, s.15....	Not Enacted
R.S. 19:28-1	...As am.	L.1953, c.19, s.27....	19A:20-1
R.S. 19:28-2	...As am.	L.1953, c.19, s.28....	19A:20-2
R.S. 19:28-3	...As am.	L.1953, c.19, s.29....	19A:20-3
R.S. 19:28-4	...As am.	L.1953, c.19, s.30....	19A:20-5
R.S. 19:28-5	...As am.	L.1953, c.19, s.31....	19A:20-6
R.S. 19:28-6	.....		19A:20-7
R.S. 19:28-7	.....		19A:20-8
R.S. 19:28-8	...As am.	L.1953, c.19, s.32....	19A:20-8
R.S. 19:29-1	...As am.	L.1956, c.128, s.1....	19A:21-1
R.S. 19:29-2	...As am.	L.1947, c.6.....	19A:21-2
		L.1953, c.19, s.33;	
		L.1956, c.128, s.2	
R.S. 19:29-3	...As am.	L.1956, c.128, s.3....	19A:21-3
R.S. 19:29-4	...As am.	L.1953, c.19, s.34....	19A:21-4
		L.1956, c.128, s.4	
R.S. 19:29-5	...As am.	L.1953, c.19, s.35....	19A:21-5
R.S. 19:29-6	...As am.	L.1953, c.19, s.36....	19A:21-6
R.S. 19:29-7	...As am.	L.1953, c.19, s.37....	19A:21-7
R.S. 19:29-8	...As am.	L.1953, c.19, s.38....	Not Enacted
		L.1956, c.128, s.5	
R.S. 19:29-9	...As am.	L.1953, c.19, s.39....	Not Enacted
R.S. 19:29-10	...As am.	L.1953, c.19, s.40....	Not Enacted
R.S. 19:29-11	...As am.	L.1943, c.19, s.41....	Not Enacted
			Repealed
R.S. 19:29-12	.....		L.1953,
			c.19, s.42
R.S. 19:29-13	...As am.	L.1953, c.19, s.43....	Not Enacted
R.S. 19:29-14	...As am.	L.1956, c.128, s.6....	19A:21-8
			Repealed
R.S. 19:30-1	.....		L.1947,
			c.347, s.5
			Repealed
R.S. 19:30-2	...As am.	L.1947, c.168, s.16...	L.1947,
			c.347, s.5

R.S. 19:30-3 through R.S. 19:30-10.....			Repealed L.1946 c.11, s.16
R.S. 19:31-1	...As am.	L.1949, c.18..... L.1949, c.19	19A:22-1
C. 19:31-1.1	.....	L.1941, c.273, s.1.... L.1943, c.218	19A:22-2
R.S. 19:31-2	...As am.	L.1940, c.165, s.1.... L.1941, c.275, s.8; L.1947, c.168, s.17; L.1952, c.290, s.1; L.1953, c.348, s.1; L.1961, c.59, s.3; L.1963, c.138, s.1; L.1966, c.117, s.; L.1967, c.73, s.1; L.1974, c.30, s.4; L.1975, c.15, s.1; L.1975, c.204, s.1	19A:22-3
R.S. 19:31-3	...As am.	L.1941, c.174, s.1.... L.1959, c.127, s.2; L.1964, c.7, s.3; L.1972, c.82, s.1; L.1974, c.30, s.5	19A:22-4
R.S. 19:31-4	.....		Repealed L.1941, c.174, s.2
R.S. 19:31-5	...As am.	L.1949, c.123..... L.1959, c.127, s.3; L.1964, c.7, s.4; L.1974, c.30, s.6	19A:22-5
R.S. 19:31-6	...As am.	L.1940, c.135, s.2.... L.1959, c.127, s.3; L.1964, c.7, s.4; L.1974, c.30, s.6	19A:22-5
R.S. 19:31-6	...As am.	L.1940, c.135, s.2.... L.1945, c.36, s.1; L.1947, c.168, s.18; L.1952, c.60, s.1; L.1955, c.133; L.1974, c.30, s.7; L.1975, c.15, s.2	19A:22-5

C. 19:31-6.1	.....	L.1966, c.177, s.1....	19A:22-7
	...As am.	L.1974, c.30, s.8	
C. 19:31-6.2	.....	L.1966, c.177, s.2....	19A:22-7.1
C. 19:31-6.3	.....	L.1974, c.30, s.15....	19A:22-8
	...As am.	L.1974, c.51, s.4	
R.S.19:31-6.4	.....	L.1974, c.30, s.16;...	19A:22-8.1
	...As am.	L.1974, c.51, s.5;	
		L.1975, c.15, s.3	
R.S.19:31-6.5	.....	L.1974, c.30, s.17	19A:22-8.2
	...As am.	L.1974, c.51, s.6;	
		L.1976, c.49, s.1	
C. 19:31-6.6	.....	L.1974, c.30, s.18....	Not Enacted
C. 19:31-6.7	.....	L.1974, c.30, s.19....	19A:22-8.3
C. 19:31-6.8	.....	L.1974, c.30, s.20....	19A:22-8.4
	...As am.	L.1974, c.51, s.7	
C. 19:31-6.9	.....	L.1974, c.30, s.21....	Not Enacted
	...As am.	L.1975, c.15, s.4	
C. 19:31-6.10	.....	L.1974, c.30, s.22....	Not Enacted
R.S. 19:31-7	...As am.	L.1940, c.135, s.3....	19A:22-9
		L.1945, c.36, s.2;	
		L.1952, c.60, s.2;	
		L.1956, c.28;	
		L.1966, c.83;	
		L.1967, c.73, s.2;	
		L.1974, c.30, s.9	
R.S. 19:31-8	.....		Repealed
			L.1952,
			c.60, s.3
R.S. 19:31-9	.....		19A:22-10
R.S. 19:31-10	.....		19A:22-11
R.S. 19:31-11	...As am.	L.1940, c.135, s.4....	19A:22-12
		L.1941, c.165;	
		L.1944, c.251;	
		L.1945, c.75;	
		L.1946, c.149;	
		L.1974, c.30, s.10;	
		L.1974, c.51, s.3;	
		L.1977, c.89	
C. 19:31-11.1	.....	L.1940, c.54.....	Not Enacted
	...As am.	L.1947, c.310	

R.S. 19:31-12	.....		19A:22-13
R.S. 19:31-13	...As am.	L.1945, c.117..... L.1953, c.19, s.44; L.1960, c.139; L.1974, c.30, s.11	19A:22-14
C. 19:31-13.1	.....	L.1947, c.414.....	19A:22-15
R.S. 19:31-14	...As am.	L.1947, c.277, s.1....	19A:22-16
C. 19:31-14.5	.....	L.1947, c.277, s.2....	19A:22-17
R.S. 19:31-15	...As am.	L.1940, c.155..... L.1941, c.273, s.2; L.1945, c.18; L.1947, c.168, s.19; L.1952, c.292; L.1953, c.206	19A:22-18
R.S. 19:31-16	...As am.	L.1947, c.168, s.20...	19A:22-19
R.S. 19:31-17	...As am.	L.1947, c.168, s.21... L.1950, c.37	19A:22-20
R.S. 19:31-18	...As am.	L.1947, c.347, s.1.... L.1974, c.30, s.12; L.1976, c.22	19A:22-21
C. 19:31-18.1	..... ...As am.	L.1947, c.347, s.2.... L.1951, c.273, s.1; L.1966, c.117, s.2; L.1974, c.30, s.13; L.1975, c.115, s.1	19A:22-21
C. 19:31-18.2	.....	L.1947, c.347, s.3....	Repealed L.1951, c.273, s.2
C. 19:31-18.3	.....	L.1947, c.347, s.4....	19A:22-22
C. 19:31-18.4	.....	L.1947, c.347, s.5....	Not Enacted
R.S. 19:31-19	...As am.	L.1940, c.31, s.1.... L.1953, c.19, s.45	Not Enacted
R.S. 19:31-20	...As am.	L.1947, s.168, s.22...	19A:22-23
R.S. 19:31-21	...As am.	L.1945, c.77.....	19A:22-24
R.S. 19:31-22	...As am.	L.1965, c.106.....	19A:22-25
R.S. 19:31-23	.....		19A:22-26
R.S. 19:31-24	.....		19A:22-27
			Repealed
R.S. 19:31-25	.....		L.1941, c.164
R.S. 19:31-26	.....		19A:22-28

C. 19:31-27	.....	L.1940, c.53, s.1.....	19A:22-29
	...As am.	L.1953, c.19, s.46	
C. 19:31-28	.....	L.1940, c.53.....	Not Enacted
			Repealed
C. 19:31A-1	.....	L.1941, c.177, s.1....	L.1944,
	...As am.	L.1943, c.219, s.1	c.230, s.4
			Repealed
C. 19:31A-2	.....	L.1941, c.177, s.2....	1944,
			c.230, s.4
			Repealed
C.19:31A-3	.....	1941, c.177, s.3.....	L.1944,
			c.230, s.4
			Repealed
C. 19:31A-4	.....	L.1941, c.177, s.4....	L.1944,
	...As am.	L.1943, c.219, s.2	c.230, s.4
			Repealed
C. 19:31A-5	.....	L.1941, c.177, s.5....	L.1944,
			c.230, s.4
			Repealed
C. 19:31A-6	.....	L.1941, c.177, s.6....	L.1944,
			c.230, s.4
C. 19:31A-7	.....	L.1944, c.230, s.1....	19A:23-1
	...As. am.	L.1972, c.82, s.2	
C. 19:31A-8	.....	L.1944, c.230, s.2....	19A:23-2
C. 19:31A-9	.....	L.1944, c.230, s.3....	19A:23-3
C 19:31A-10	.....	L.1944, c.230, s.4....	Not Enacted
R.S. 19:32-1	...As am.	L.1940, c.165, s.2....	Not Enacted
		L.1944, c.45;	
		L.1961, c.59, s.4;	
		L.1965, c.143;	
		L.1967, c.13;	
		L.1975, c.256, s.1	
R.S. 19:32-2	...As am.	L.1940, c.165, s.3;...	Not Enacted
		L.1945, c.56, s.11;	
		L.1945, c.304;	
		L.1952, c.290, s.2;	
		L.1953, c.348, s.2;	
		L.1963, c.138, s.2;	
		L.1972, c.32;	
		L.1975, c.204, s.2;	
		L.1976, c.69, s.1	

R.S. 19:32-3 through R.S. 19:32-10.....		Not Enacted
R.S. 19:32-11 ...As am.	L.1953, c.19, s.47....	Not Enacted
R.S. 19:32-12 through R.S. 19:32-14.....		Not Enacted
R.S. 19:32-15 ...As am.	L.1940, c.31, s.2.....	Not Enacted
R.S. 19:32-16 ...As am.	L.1941, c.273, s.3.... L.1945, c.40	Not Enacted
R.S. 19:32-17 ...As am.	L.1940, c.31, s.3..... L.1945, c.19	Not Enacted
R.S. 19:32-18 ...As am.	L.1940, c.31, s.4..... L.1940, c.199, s.1; L.1948, c.438, s.10; L.1953, c.19, s.48	Not Enacted
R.S. 19:32-19 ...As am.	L.1940, c.199, s.2.... L.1948, c.438, s.11; L.1953, c.19, s.49	Not Enacted
R.S. 19:32-20 through R.S. 19:32-25.....		Not Enacted
C. 19:32-26 .....	L.1947, c.167, s.1....	Not Enacted
...As am.	L.1949, c.188, s.2; L.1953, c.84, s.2; L.1953, c.246; L.1953, c.444; L.1965, c.153; L.1971, c.146	
C. 19:32-27 .....	L.1947, c.167, s.2....	Not Enacted
C. 19:32-28 .....	L.1947, c.167, s.3....	Not Enacted
C. 19:32-29 .....	L.1947, c.167, s.4....	Not Enacted
C. 19:32-30 .....	L.1947, c.167, s.5....	Not Enacted
C. 19:32-31 .....	L.1947, c.167, s.6....	Not Enacted
C. 19:32-32 .....	L.1947, c.167, s.7....	Not Enacted
C. 19:32-33 .....	L.1947, c.167, s.8....	Not Enacted
C. 19:32-34 .....	L.1947, c.167, s.8....	Not Enacted
...As am.	L.1953, c.19, s.50	Not Enacted
C. 19:32-35 .....	L.1947, c.167, s.10...	Not Enacted
C. 19:32-36 .....	L.1947, c.167, s.11...	Not Enacted
C. 19:32-37 .....	L.1947, c.167, s.12...	Not Enacted
C. 19:32-38 .....	L.1947, c.167, s.13...	Not Enacted
C. 19:32-39 .....	L.1947, c.167, s.14...	Not Enacted
C. 19:32-40 .....	L.1947, c.167, s.15...	Not Enacted
C. 19:32-41 .....	L.1947, c.167, s.16...	Not Enacted
...As am.	L.1953, c.19, s.51	

C. 19:32-42	.....	L. 1947, c.167, s.17..	Not Enacted
	...As am.	L.1953, c.19, s.52	
C. 19:32-43	.....	L.1947, c.167, s.18...	Not Enacted
C. 19:32-44	.....	L.1947, c.167, s.19...	Not Enacted
C. 19:32-45	.....	L.1947, c.167, s.20...	Not Enacted
C. 19:32-46	.....	L.1947, c.167, s.21...	Not Enacted
C. 19:32-47	.....	L.1947, c.167, s.22...	Not Enacted
C. 19:32-48	.....	L.1947, c.167, s.23...	Not Enacted
C. 19:32-49	.....	L.1947, c.167, s.24...	Not Enacted
C. 19:32-50	.....	L.1947, c.167, s.25...	Not Enacted
C. 19:32-51	.....	L.1947, c.167, s.26...	Not Enacted
C. 19:32-52	.....	L.1947, c.167, s.27...	Not Enacted
C. 19:32-53	.....	L.1947, c.167, s.28...	Not Enacted
R.S. 19:33-1	...As am.	L.1945, c.270.....	19A:24-1
		L.1953, c.19, s.53	
R.S. 19:34-1 through R.S. 19:34-5.....			Not Enacted
R.S. 19:34-6	...As am.	L.1940, c.199, s.3....	Not Enacted
		L.1948, c.438, s.12	
R.S. 19:34-7	...As am.	L.1940, c.199, s.4....	Not Enacted
		L.1948, c.438, s.13	
R.S. 19:34-8 through R.S. 19:34-10.....			Not Enacted
R.S. 19:34-11	...As am.	L.1940, c.199, s.5....	Not Enacted
		L.1948, c.438, s.14	
R.S. 19:34-12	...As am.	L.1940, c.199, s.6....	Not Enacted
		L.1948, c.438, s.15	
R.S. 19:34-13	...As am.	L.1940, c.199, s.7....	Not Enacted
		L.1948, c.438, s.16	
R.S. 19:34-14	.....		Not Enacted
R.S. 19:34-15	...As am.	L.1940, c.199, s.8....	19A:8-1
		L.1948, c.438, s.17	
R.S. 19:34-16 through R.S. 19:34-18.....			Not Enacted
R.S. 19:34-19	.....		19A:8-1
R.S. 19:34-20 through R.S. 19:34-27.....			Not Enacted
R.S. 19:34-28	...As am.	L.1940, c.199, s.9....	Not Enacted
		L.1948, c.438, s.18	
R.S. 19:34-29 through R.S. 19:34-31.....			Not Enacted
R.S. 19:34-32	.....		19A:28A-2
R.S. 19:34-33	.....		19A:5-11
R.S. 19:34-34	.....		Not Enacted
R.S. 19:34-35	.....		Not Enacted

R.S. 19:34-36 .....		Repealed L.1973, c.83, s.26 Repealed
R.S. 19:34-37 .....		L.1973, c.83, s.26
R.S. 19:34-38 ...As am. L.1940, c.199, s.10... L.1948, c.438, s.19; L.1963, c.57, s.1		Not Enacted
C. 19:34-38.1 ..... L.1963, c.57, s.2.....		19A:28A-4
C. 19:34-38.2 ..... L.1963, c.57, s.3.....		19A:28A-4
C. 19:34-38.3 ..... L.1963, c.57, s.4.....		19A:28A-4
C. 19:34-38.4 ..... L.1963, c.57, s.5.....		19A:28A-5
C. 19:34-38.5 ..... L.1966, c.70.....		19A:28A-6
R.S. 19:34-39 through R.S. 19:34-41.....		Not Enacted
R.S. 19:34-42 ...As am. L.1975, c.70, s.1.....		19A:28A-3
C. 19:34-42.1 ..... L.1975, c.70, s.2.....		Not Enacted
C. 19:34-42.2 ..... L.1975, c.70, s.3.....		Not Enacted
R.S. 19:34-43 .....		Not Enacted
R.S. 19:34-44 .....		Not Enacted
R.S. 19:34-45 .....		19A:28A-1
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R.S. 19:34-52 ..... L.1975, c.67.....		Not Enacted
R.S. 19:34-53 through R.S. 19:34-55.....		Not Enacted
R.S. 19:34-56 ...As am. L.1953, c.19, s.54....		Not Enacted
R.S. 19:34-57 ...As am. L.1953, c.19, s.55....		Not Enacted
R.S. 19:34-58 through R.S. 19:34-63.....		Not Enacted
C. 19:34-64 ..... L.1975, c.190, s.1....		Not Enacted
C. 19:34-65 ..... L.1975, c.190, s.2....		19A:28A-7
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		Repealed
R.S. 19:35-1 through R.S. 19:35-18.....		L.1942, c.18, s. 16
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R.S. 19:36-2 .....		19A:25-2
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R.S. 19:38-3	...As am.	L.1939, c.343, s.24...	19A:27-3
			Repealed
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			c.343, s.39
R.S. 19:38-5	...As am.	L.1939, c.343, s.25...	19A:27-4
R.S. 19:38-6	...As am.	L.1939, c.343, s.26...	19A:27-5
			Repealed
R.S. 19:39-1	.....		L.1969,
			c.192, c.2
			Repealed
R.S. 19:39-2	...As am.	L.1956, c.79.....	L.1969,
			c.192, s.2
			Repealed
R.S. 19:40-1 through R.S. 19:40-4.....			L.1973,
			c.83, s.26
			Repealed
R.S. 19:41-1 through R.S. 19:41-4.....			L.1973,
			c.83, s.26
			Repealed
C. 19:41-4.1	.....	L.1946, c.152, s.1....	1973,
			c.83, s.26
			Repealed
C. 19:41-4.2	.....	L.1946, c.152, s.2....	L.1973,
			c.83, s.26
			Repealed
R.S. 19:42-1 through R.S. 19:42-5.....			L.1973,
			c.83, s.26
			Repealed
R.S. 19:43-1	.....		L.1973,
			c.83, s.26
			Repealed
R.S. 19:43-2	.....		L.1973,
			c.83, s.26
			Repealed
R.S. 19:43-3	...As am.	L.1953, c.19, s.56....	L.1973,
			c.83, s.26
			Repealed
R.S. 19:44-1 through R.S. 19:44-5.....			L.1973,
			c.83, s.26

R.S. 19:44-6	...As am.	L.1953, c.19, s.57...	Repealed L.1973, c.83, s.26
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C. 19:44A-2	.....	L.1973, c.83, s.2.....	19A:28-1
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	...As am.	L.1974, c.26, s.1	
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C. 19:44A-6	.....	L.1973, c.83, s.6.....	19A:6-20
C. 19:44A-7	.....	L.1973, c.83, s.7.....	Not Enacted
C. 19:44A-8	.....	L.1973, c.83, s.8.....	19A:28-4
C. 19:44A-9	.....	L.1973, c.83, s.9.....	19A:28-5
C. 19:44A-10	.....	L.1973, c.83, s.10....	19A:28-6
C. 19:44A-11	.....	L.1973, c.83, s.11....	19A:28-7
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C. 19:44A-16	.....	L.1973, c.83, s.16....	19A:28-12
	...As am.	L.1975, c.11, s.1	
C. 19:44A-17	.....	L.1973, c.83, s.17....	19A:28-13
C. 19:44A-18	.....	L.1973, c.83, s.18....	19A:28-14
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C. 19:44A-23	.....	L.1973, c.83, s.23....	19A:28-19
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C. 19:44A-25	.....	L.1973, c.83, s.25....	19A:28-21
C. 19:44A-26	.....	L.1973, c.83, s.26....	Not Enacted
C. 19:44A-27	.....	L.1974, c.26, s.2.....	19A:28B-1
C. 19:44A-28	.....	L.1974, c.26, s.3.....	19A:28B-2
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C. 19:44A-30	.....	L.1974, c.26, s.5.....	19A:28B-4
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C. 19:44A-32	.....	L.1974, c.26, s.7.....	19A:28B-6
C. 19:44A-33	.....	L.1974, c.26, s.8.....	19A:28B-7
C. 19:44A-34	.....	L.1974, c.26, s.9.....	19A:28B-8
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C. 19:44A-39	.....	L.1974, c.26, s.14....	19A:28B-13
C. 19:44A-40	.....	L.1974, c.26, s.15....	19A:28B-14
C. 19:44A-41	.....	L.1974, c.26, s.16....	19A:28B-15
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R.S. 19:45-4	.....		19A:29-3
R.S. 19:45-5	.....		19A:29-4
R.S. 19:45-6	...As am.	L.1941, c.275, s.9 L.1944, c.152; L.1946, c.261, s.8; L.1952, c.97; L.1953, c.88; L.1954, c.15; L.1955, c.33; L.1960, c.128; L.1972, c.155	19A:29-5
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R.S. 19:45-7	...As am.	L.1940, c.165, s.4.... L.1941, c.324; L.1944, c.178; L.1947, c.168, s.23; L.1948, c.183; L.1951, c.268; L.1957, c.83, s.2; L.1958, c.136; L.1961, c.59, s.5; L.1965, c.50, s.1; L.1975, c.256, s.2	19A:29-7
R.S. 19:45-8	.....		Not Enacted
R.S. 19:45-9	.....		19A:29-8
			Repealed
R.S. 19:46-1	...As am.	L.1954, c.8.....	L.1966, c.156, s.3

C. 19:46-2	.....	L.1966, c.156, s.1....	Not Enacted
C. 19:46-3	.....	L.1966, c.156, s.2....	19A:30-1
	...As am.	L.1966, c.183;	
		L.1967, c.235;	
		L.1968, c.11	
R.S. 19:47-1	.....		19A:1-1
R.S. 19:47-2	.....		Not Enacted
R.S. 19:48-1	...As am.	L.1941, c.166, s.4....	19A:32-1
R.S. 19:48-2	...As am.	L.1953, c.19, s.58....	19A:32-2
R.S. 19:48-3	...As am.	L.1940, c.152.....	19A:32-3
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C. 19:48-3.1	.....	L.1940, c.197, s.2....	Not Enacted
C. 19:48-3.2	.....	L.1940, c.197, s.3....	Not Enacted
C. 19:48-3.3	.....	L.1944, c.7, s.1.....	Not Enacted
C. 19:48-3.4	.....	L.1944, c.7, s.2.....	Not Enacted
C. 19:48-3.5	.....	L.1944, c.7, s.3.....	Not Enacted
C. 19:48-3.6	.....	L.1944, c.7, s.4.....	Not Enacted
C. 19:48-3.7	.....	L.1944, c.7, s.5.....	Not Enacted
	...As am.	L.1947, c.168, c.26	
C. 19:48-3.8	.....	L.1944, c.7, s.6.....	Not Enacted
	...As am.	L.1945, c.122	
C. 19:48-3.9	.....	L.1944, c.7, s.7.....	Not Enacted
C. 19:48-3.10	.....	L.1944, c.7, s.8.....	Not Enacted
C. 19:48-3.11	.....	L.1944, c.7, s.9.....	Not Enacted
	...As am.	L.1947, c.168, s.27	
C. 19:48-3.12	.....	L.1944, c.7, s.10.....	Not Enacted
C. 19:48-3.13	.....	L.1944, c.7, s.11.....	Not Enacted
	...As am.	L.1947, c.168, s.28	
C. 19:48-3.14	.....	L.1944, c.7, s.12.....	Not Enacted
C. 19:48-3.15.....	.....	L.1945, c.59, s.1.....	Not Enacted
C. 19:48-3.16	.....	L.1945, c.59, s.2.....	Not Enacted
C. 19:48-3.17	.....	L.1945, c.59, s.3.....	Not Enacted
	...As am.	L.1947, c.168, s.29	
C. 19:48-3.18	.....	L.1945, c.59, s.4.....	Not Enacted
C. 19:48-3.19	.....	L.1945, c.59, s.5.....	Not Enacted
C. 19:48-3.20	.....	L.1945, c.59, s.6.....	Not Enacted
C. 19:48-3.21	.....	L.1945, c.59, s.7.....	Not Enacted
R.S. 19:48-4	...As am.	L.1945, c.56, s.1.....	19A:32-4
		L.1947, c.168, s.24	
R.S. 19:48-5	.....		19A:32-5

R.S. 19:48-6	...As am.	L.1945, c.56, s.2..... L.1947, c.168, s.25	19A:32-6
R.S. 19:48-7	...As am.	L.1945, c.56, s.3.....	19A:32-7
R.S. 19:48-8	.....	L.1966, c.120.....	19A:32-8
R.S. 19:49-1	.....		19A:33-1
R.S. 19:49-2	...As am.	L.1940, c.137..... L.1941, c.163, s.1; L.1944, c.127; L.1945, c.70; L.1946, c.17; L.1948, c.240	19A:33-2
C.19:49-2.1	.....	L..1941, c.163, s.2...	Not Enacted
R.S. 19:49-3	...As am.	L.1945, c.56, s.4.....	19A:33-3
R.S. 19:49-4	...As am.	L.1947, c.79..... L.1969, c.35, s.2; L.1974, c.30, s.14	19A:33-4
R.S. 19:49-5	...As am.	L.1941, c.166, s.5....	19A:33-5
R.S. 19:50-1	...As am.	l.1945, c.56, s.5..... L.1947, c.78	Not Enacted
R.S. 19:50-2	...As am.	L.1942, c.106..... L.1945, c.56, s.6	19A:34-1
R.S. 19:50-3	...As am.	L.1944, c.128..... L.1945, c.56, s.7; L.1957, c.15; L.1977, c.304	19A:23-2 19A:34-2
R.S. 19:51-1	...As am.	L.1945, c.56, s.8.....	Repealed L.1976, c.83, s.9
R.S. 19:52-1	...As am.	L.1945, c.56, s.9.....	19A:35-1
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C. 19:52-2.1	.....	L.1944, c.213, s.1....	19A:35-3
C. 19:52-2.2	.....	L.1944, c.213, s.2....	Not Enacted
R.S. 19:52-3	.....		19A:35-4
R.S. 19:52-4	.....		Not Enacted
R.S. 19:52-5	.....		19A:35-5
R.S. 19:52-6	...As am.	L.1942, c.56..... L.1943, c.80; L.1953, c.19, s.59; L.1955, c.260, s.1	19A:20-1
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R.S. 19:52-7	...As am.	L.1945, c.56, s.10....	19A:35-8
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C. 19:53A-1	.....	L.1973, c.82, s.1.....	19A:1-1
C. 19:53A-2	.....	L.1973, c.82, s.2.....	19A:35A-1
C. 19:53A-3	.....	L.1973, c.82, s.3.....	19A:35-2
C. 19:53A-4	.....	L.1973, c.82, s.4.....	19A:35-3
C. 19:53A-5	.....	L.1973, c.82, s.5.....	19A:35A-4
	...As am.	L.1975, c.316, s.4	
C. 19:53A-6	.....	L.1973, c.82, s.6.....	19:35A-5
C. 19:53A-7	.....	L.1973, c.82, s.7.....	19A:35A-6
	...As am.	L.1975, c.316, s.5	
C. 19:53A-8	.....	L.1973, c.82, s.8.....	19A:35-7
	...As am.	L.1975, c.316, s.6	
C. 19:53A-9	.....	L.1973, c.82, s.9.....	19A:35A-8
C. 19:53A-10	.....	L.1973, c.82, s.10....	19A:35A-9
C. 19:53A-11	.....	L.1973, c.82, s.11....	19A:35A-10
C. 19:53A-12	.....	L.1973, c.82, s.12....	19A:35A-11
C. 19:53A-13	.....	L.1973, c.82, s.13....	19A:35A-12
C. 19:53A-14	.....	L.1973, c.82, s.14....	19A:35A-13
C. 19:53A-15	.....	L.1973, c.82, s.15....	19A:35A-14
C. 19:54-1			Repealed
through	.....	L.1940, c.194, ss.1-13.	L.1942
C. 19:54-14			c.128, s.16
C. 19:54-13.1			Repealed
through	.....	L.1941, c.361, ss.1-8.	L.1942,
C. 19:54-13.8			c.18, s.16
C. 19:54-14			Repealed
through	.....	L.1941, c.44, ss.1-11.	L.1942,
C. 19:54-24			c.18, s.16
C. 19:54-25			Repealed
through	.....	L.1942, c.18, ss.1-16.	L.1945
C. 19:54-40			c.12, s.1
C. 19:55-1	.....	L.1944, c.95, s.1.....	Repealed
	...As am.	L.1944, c.95, s.1	L.1945
			c.12, s.2

C. 19:55-2 through C. 19:55-8	.....	L.1944, c.9, ss.2-8...	Repealed L.1945, c.12, s.2
C. 19:55-9	.....	L.1944, c.9, s.9.....	Repealed L.1945, c.12, s.2
...As am. C. 19:55-9.1	.....	L.1944, c.208, s.1.... L.1944, c.208, s.2....	Expired Expired
C. 19:55-10 through C. 19:55-20	.....	L.1944, c.9, ss.10-20.	Repealed L.1945, c.12, s.2
C. 19:55-21 through C. 19:55-26	.....	L.1944, c.95, ss.3-8..	Expired
C. 19:55-27 C. 19:55-28	.....	L.1944, c.208, s.3.... L.1944, c.208, s.4....	Expired Expired
C. 19:55-29 through C. 19:55-37	.....	L.1945, c.7, ss.3-11..	Repealed L.1948, c.2, s.31
C. 19:55-38	.....	L.1945, c.7, s.12.....	Repealed L.1948
...As am.		L.1946, c.10, s.3	c.2, s.30
C. 19:55-39	.....	L.1945, c.7, s.13.....	Repealed L.1948,
...As am.		L.1946, c.10, s.4	c.2, ss.30,31
C. 19:55-40	.....	L.1945, c.7, s.14.....	L.1948,
...As am.		L.1946, c.10, s.5	c.2, ss.30,31
C.19:55-41	.....	L.1945, c.7, s.15.....	Repealed L.1948,
...As am.		L.1946, c.10, s.6	c.2, ss.30,31
C. 19:55-42	.....	L.1945, c.7, s.16.....	Repealed L.1948
...As am.		L.1946, c.10, s.7	c.2, ss.30,31

C. 19:55-43	.....	L.1945, c.7, s.17.....	Repealed
...As am.		L.1946, c.10, s.8	L.1948,
			c.2, ss.30,31
			Repealed
C. 19:55-44	.....	L.1945, c.7, s.18.....	L.1948,
...As am.		L.1946, c.10, s.9	c.2, ss.30,31
			Repealed
C. 19:55-45	.....	L.1945, c.7, s.19.....	L.1948,
...As am.		L.1946, c.10, s.10	c.2, ss.30,31
			Repealed
C. 19:55-46	.....	L.1945, c.7, s.20.....	L.1948,
...As am.		L.1946, c.10, s.11	c.2, ss.30,31
			Repealed
C. 19:55-47	.....	L.1945, c.7, s.21.....	L.1948,
			c.2, s.30
			Repealed
C. 19:55-48	.....	L.1945, c.7, s.22.....	L.1948,
			c.2, s.30
C. 19:55-49			Repealed
through	.....	L.1945, c.11, ss.1-34.	L.1948,
C. 19:55-82			c.1, s.27
			Repealed
C. 19:56-1	.....	L.1948, c.1, s.1.....	L.1953,
...As am.		L.1949, c.53, s.1	c.211, s.38
C. 19:56-2			Repealed
through	.....	L.1948, c.1, s.2-9....	L.1953, c.11
C. 19:56-9			c.211, s.38
			Repealed
C. 19:56-10	.....	L.1948, c.1, s.10.....	L.1953,
...As am.		L.1949, c.53, s.2	c.211, s.38
C. 19:56-11			Repealed
through	.....	L.1948, c.1, ss.11-16.	L.1953
C. 19:56-16			c.211,s.38
			Repealed
C.19:56-17	.....	L.1948, c.1, s.17.....	L.1953
...As am.		L.1949, c.53, s.3	c.211,s.38

C. 19:56-18	.....	L.1948, c.1, s.18.....	Repealed
...As am.		L.1953, c.19, s.60	L.1953, c.211, s.38
C. 19:56-19 through	.....	L.1948, c.1, ss.19-21.	Repealed
C. 19:56-21			L.1953 c.211, s.38
C. 19:56-22	.....	L.1948, c.22.....	Repealed
...As am.		L.1953, c.19, s.61	L.1953, c.211, s.38
C. 19:56-23	.....	L.1948, c.1, s.23.....	Repealed
...As am.		1953, c.19, s.62	L.1953, c.211, s.38
C. 19:56-24 through	.....	L.1948, c.1, ss.24-27.	Repealed
C. 19:56-27			L.1953, c.211, s.38
C. 19:56-28 through	.....	L.1949, c.54, ss.1-4..	Repealed
C. 19:56-31			L.1953, c.211, s.38
C. 19:56-32	.....	L.1949, c.54, s.5.....	Repealed
...As am.		L.1950, c.146, s.1	L.1953, c.211, s.38
C. 19:56-33 through	.....	L.1949, c.54, s.5.....	Repealed
C. 19:56-37			L.1953, c.211, s.38
C. 19:56-38	.....	L.1949, c.54, s.11....	Repealed
...As am.		L.1950, c.146, s.2	L.1953, c.211, s.38
C. 19:56-39 through	.....	L.1949, c.54, ss.12-14	Repealed
C. 19:56-41			L.1953, c.211, s.38
C. 19:56-42	.....	L.1949, c.54, s.15.....	Repealed
		L.1950, c.146, s.3	L.1953, c.211, s.38

C. 19:56-43 through C. 19:56-47	.....	L.1949, c.54, ss.16-20	Repealed L.1953, c.211, s.38
C. 19:57-1	.....	L.1953, c.211, s.1....	19A:36-1
C. 19:57-2	.....	L.1953, c.211, s.2....	19A:1-1
...As am.		L.1957, c.202, s.1; L.1958, c.76; L.1959, c.153, s.1; L.1960, c.140; L.1963, c.22, s.1; L.1968, c.238, s.1; L.1970, c.307, s.1; L.1977, c.47, s.1	
C. 19:57-3	.....	L.1953, c.211, s.3....	19A:36-2
...As am.		L.1957, c.202, s.2; L.1958, c.58, s.1; L.1959, c.153, s.2; L.1964, c.7, s.5; L.1968, c.238, s.2; L.1970, c.307, s.2; L.1977, c.47, s.2	
C. 19:57-4	.....	L.1953, c.211, 4.....	19A:36-3
...As am.		L.1968, c.238, s.3; L.1972, c.31, s.1; L.1975, c.223, s.1; L.1977, c.47, s.3	
C. 19:57-4.1	.....	L.1977, c.47, s.17....	19A:36-3
C. 19:57-5	.....	L.1953, c.211, s.5....	19A:36-3
...As am.		L.1958, c.58, c.2; L.1964, c.7, s.6; L.1968, c.238, s.4; L.1977, c.47, s.4	
C. 19:57-6	.....	L.1953, c.211, s.6....	19A:36-4
		L.1977, c.47, s.5	
C. 19:57-7	.....	L.1953, c.211, s.7....	19A:36-5
...As am.		L.1957, c.202, s.3; L.1959, c.153, s.3; L.1968, c.238, s.5; L.1970, c.307, s.3; L.1977, c.47, s.6	

C. 19:57-8	.....	L.1953, c.211, s.8....	19A:36-6
C. 19:57-9	.....	L.1953, c.211, s.9....	19A:36-7
C. 19:57-10	.....	L.1953, c.211, s.10..	19A:36-8
	...As am.	L.1959, c.140; L.1977, c.47, s.7	
C. 19:57-11	.....	L.1953, c.211, s.11...	19A:36-9
	...As am.	L.1963, c.125, s.1; L.1972, c.31, s.2; L.1977, c.47, s.8	
C. 19:57-11.1	.....	L.1967, c. 148.....	19A:36-10
C. 19:57-12	.....	L.1953, c.211, s.12...	19A:36-11
	...As am.	L.1977, c.47, s.9	
C. 19:57-13	.....	L.1953, c.211, s.13...	19A:36-12
C. 19:57-14	.....	L.1953, c.211, s.14	
	...As am.	L.1969, c.35, s.1..... L.1972, c.87, s.2; L.1975, c.74, s.1	19A:36-13
C. 19:57-15	.....	L.1953, c.211, s.15...	19A:36-14
	...As am.	L.1972, c.87, s.3; L.1975, c.90, s.1; L.1977, c.47, s.10	
C. 19:57-15.1	.....	L.1972, c.87, s.1.....	19A:36-15
C. 19:57-16	.....	L.1953, c.211, s.16...	19A:36-16
	...As am.	L.1977, c.47, s.11	
C. 19:57-17	.....	L.1953, c.211, s.17...	19A:36-17
	...As am.	L.1957, c.202, s.4; L.1958, c.58, s.3; L.1959, c.153, s.4; L.1968, c.238, 6; L.1970, c.307, s.4; L.1975, c.223, s.2; L.1977, c.47, s.12	
C. 19:57-18	.....	L.1953, c.211, s.18...	Repealed
	...As am.	L.1957, c.20; L.1959, c.153, s.5; L.1963, c.22, s.2	L.1968 c.238, s.7
C. 19:57-19	.....	L.1953, c.211, s.19...	19A:36-17
	...As am.	L.1968, c.238, s.8; L.1975, c.90, s.2; L.1977, c.47, s.13	

C. 19:57-20	.....	L.1953, c.211, s.20...	19A:36-18
C. 19:57-21	.....	L.1953, c.211, s.21...	19A:36-19
C. 19:57-22	.....	L.1953, c.211, s.22...	19A:36-20
	...As am.	L.1972, c.31, s.3	
C. 19:57-23	.....	L.1953, c.211, s.23...	19A:36-21
	...As am.	L.1963, c.22, s.3;	
		L.1968, c.238, s.9;	
		L.1972, c.31, s.4	
C. 19:57-24	.....	L.1953, c.211, s.24...	19A:36-22
	...As am.	L.1972, c.31, s.5	
C. 19:57-25	.....	L.1953, c.211, s.25...	19A:36-23
	...As am.	L.1968, c.238, s.10;	
		L.1977, c.47, s.14	
C. 19:57-26	.....	L.1953, c.211, s.26...	19A:36-24
C. 19:57-27	.....	L.1953, c.211, s.27...	Not Enacted
C. 19:57-28	.....	L.1953, c.211, s.28...	19A:36-25
C. 19:57-29	.....	L.1953, c.211, s.29....	19A:36-26
	...As am.	L.1968, c.238, s.11	
C. 19:57-30	.....	L.1953, c.211, s.30...	19A:36-27
C. 19:57-31	.....	L.1953, c.211, s.31...	19A:36-28
		L.1977, c.47, s.15	
C. 19:57-32	.....	L.1953, c.211, s.32...	19A:36-29
	...As am.	L.1977, c.47, s.16	
C. 19:57-33	.....	L.1953, c.211, s.33...	19A:36-30
	...As am.	L.1955, c.222, s.1	
C. 19:57-34	.....	L.1953, c.211, s.34...	19A:36-31
	...As am.	L.1968, c.238, s.12	
C. 19:57-35	.....	L.1953, c.211, s.35...	19A:36-32
	...As am.	L.1955, c.222, s.2	
C. 19:57-36	.....	L.1953, c.211, s.36...	19:36-32
C. 19:57-37	.....	L.1953, c.211, s.37	
	...As am.	L.1964, c.7, s.7	
C. 19:57-38	.....	L.1953, c.211, s.38...	Not Enacted
C. 19:57-39	.....	L.1953, c.211, s.39...	Not Enacted
C. 19:57-40	.....	L.1953, c.211, s.40...	Not Enacted
C. 19:58-1	.....	L.1964, c.134, s.1....	19A:37-1
C. 19:58-2	.....	L.1964, c.135, s.2....	19A:1-1
	...As am.	L.1972, c.30, s.1;	
		L.1976, c.24, s.1	
C. 19:58-3	.....	L.1964, c.134, s.3....	19A:37-2
	...As am.	L.1976, c.24, s.2	

C. 19:58-4	.....	L.1964, c.134, s.4....	19A:37-3
	...As am.	L.1972, c.30, s.2; L.1976, c.24, s.3	
C. 19:58-5	.....	L.1964, c.134, s.5....	19A:37-4
	...As am.	L.1976, c.24, s.4	
C. 19:58-6	.....	L.1964, c.134, s.6....	19A:37-5
	...As am.	L.1976, c.24, s.5	
			<b>Repealed</b>
C. 19:58-7	.....	L.1964, c.134, s.6....	L.1976,
	...As am.	L.1976, c.24, s.6	c.24, s.6
C. 19:58-8	.....	L.1964, c.134, s.8....	19A:37-6
	...As am.	L.1972, c.30, s.3; L.1976, c.24, s.7	
C. 19:58-9	.....	L.1964, c.134, s.9....	19A:37-7
	...As am.	L.1972, c.30, s.4; L.1976, c.24, s.8	
C. 19:58-10	.....	L.1964, c.134, s.10...	19A:37-8
C. 19:58-11	.....	L.1964, c.134, s.11...	19A:37-9
C. 19:58-12	.....	L.1964, c.134, s.12...	19A:37-10
	...As am.	L.1976, c.24, s.9	
C. 19:58-13	.....	L.1964, c.134, s.13...	19A:37-11
C. 19:58-14	.....	L.1964, c.134, s.14...	19A:37-12
	...As am.	L.1972, c.30, s.5; L.1976, c.24, s.10	
C. 19:58-15	.....	L.1964, c.134, s.15...	19A:37-13
C. 19:58-16	.....	L.1964, c.134, s.16...	19A:37-14
C. 19:58-17	.....	L.1964, c.134, s.17...	19A:37-15
	...As am.	L.1976, c.24, s.11	
C. 19:58-18	.....	L.1964, c.134, s.18...	Not Enacted
	...As am.	L.1968, c.238, s.13; L.1976, c.24, s.12	
C. 19:58-19	.....	L.1964, c.134, s.19...	19A:37-16
	...As am.	L.1968, c.238, s.14; L.1972, c.30, s.6; L.1976, c.24, s.13	
C. 19:58-20	.....	L.1964, c.134, s.20...	Not Enacted
C. 19:58-21	.....	L.1964, c.134, s.21...	19A:37-17
	...As am.	L.1968, c.238, s.15	
C. 19:58-22	.....	L.1964, c.134, s.22...	19A:37-17
C. 19:58-23	.....	L.1964, c.134, s.23...	19A:38-18

C. 19:58-24	.....	L.1964, c.134, s.24...	Not Enacted
	...As am.	L.1968, c.238, s.16;	
		L.1976, c.24, s.14	
C. 19:58-25	.....	L.1964, c.134, s.25...	19A:37-19
C. 19:58-26	.....	L.1964, c.134, s.26...	19A:37-20
C. 19:58-27	.....	L.1964, c.134, s.27...	19A:37-21
C. 19:58-28	.....	L.1964, c.134, s.28...	19A:37-22
	...As am.	L.1972, c.86	
C. 19:58-29	.....	L.1964, c.134, s.29...	19A:37-23
C. 19:58-30	.....	L.1964, c.134, s.30...	19A:37-24
C. 19:58-31	.....	L.1964, c.134, s.31...	19A:37-25
C. 19:58-32	.....	L.1964, c.134, s.32...	19A:37-26
C. 19:58-33	.....	L.1964, c.134, s.33...	19A:37-16
C. 19:59-1	.....	L.1976, c.23, s.1....	19A:37A-1
C. 19:59-2	.....	L.1976, c.23, s.2....	19A:1-1
C. 19:59-3	.....	L.1976, c.23, s.3....	19A:37A-2
C. 19:59-4	.....	L.1976, c.23, s.4....	19A:37A-3
C. 19:59-5	.....	L.1976, c.23, s.5....	19A:37A-4
C. 19:59-6	.....	L.1976, c.23, s.6....	19A:37A-5
C. 19:59-7	.....	L.1976, c.23, s.7....	19A:37A-6
C. 19:59-8	.....	L.1976, c.23, s.8....	19A:37A-7
C. 19:59-9	.....	L.1976, c.23, s.9....	19A:37A-8
C. 19:59-10	.....	L.1976, c.23, s.10....	19A:37A-9
C. 19: 59-11	.....	L.1976, c.23, s.11....	19A:37A-10
C. 19:59-12	.....	L.1976, c.23, s.12....	19A:37A-11
C. 19:59-13	.....	L.1976, c.23, s.13....	19A:37A-12
New.....			19A:4-3
New.....			19A:5-7
New.....			19A:6-20.1
New.....			19A:6-20.2
New.....			19A:6-20.3
New.....			19A:19-10
New.....			19A:19-12
New.....			19A:29-3.1
New.....			19A:29-3.2
New.....			19A:38-1

Revised Section	Source Section	Treatment of Source
19A:1-1	R.S. 19:1-1 C. 19:44A-3 R.S. 19:47-1 C. 19:53A-1 C. 19:57-2 C. 19:58-2 C. 19:59-2	Revised to consolidate source sections, omitted superintendent of elections and commissioner of registration, as they were removed from the electoral process
19A:1-2	R.S. 19:1-2	No change
19A:1-3	R.S. 19:1-3	No change
19A:1-4	R.S. 19:1-4	No change
19A:2-1	R.S. 19:2-1	No change
19A:2-2	R.S. 19:2-3	Editorial
19A:3-1	R.S. 19:3-2	No change
19A:3-2	R.S. 19:3-3	No change
19A:3-3	R.S. 19:3-4	Editorial
19A:3-4	R.S. 19:3-5	Revised to include additional offices; omitted first and second paragraphs because of amendment to U.S. Constitution
19A:3-5	R.S. 19:3-6	No change
19A:4-1	R.S. 19:4-1	Editorial
19A:4-2	R.S. 19:4-4	No change
19A:4-3	New	
19A:4-4	C. 19:4-4.1	Editorial
19A:4-5	C. 19:4-4.2	Secretary of State removed from electoral process; Commission on Elections substituted
19A:4-6	C. 19:4-4.3	No change
19A:4-7	C. 19:4-4.4	No change
19A:4-8	C. 19:4-4.5	No change
19A:4-9	C. 19:4-4.6	Editorial
19A:4-10	C. 19:4-10	No change
19A:4-11	C. 19:4-11	No change
19A:4-12	C. 19:4-12	No change
19A:4-13	C. 19:4-13	No change
19A:4-14	C. 19:4-14	No change
19A:4-15	C. 19:4-15	No change

19A:4-16	C. 19:4-16	Secretary of State removed from electoral process; Commission on Elections substituted
19A:4-17	C. 19:4-17	Secretary of State removed from electoral process; Commission on Elections substituted
19A:5-1	R.S. 19:5-1	Revised to reduce the percentage to 5% instead of 10% for party columns on official ballot
19A:5-2	R.S. 19:5-2	Revised to change term of office of municipal committee members and to provide rules and regulation governing procedure and conduct of meetings
19A:5-3	R.S. 19:5-2	Revised to clarify procedure to fill vacancy in municipal committee membership
19A:5-4	R.S. 19:5-3	Revised to change term of office of county membership and to provide rules and regulations governing procedure and conduct of meetings
19A:5-5	R.S. 19:5-3	Revised to change term of office of chairman and vice-chairman, and notice of meetings
19A:5-6	R.S. 19:5-3	Editorial
19A:5-7	New	
19A:5-8	19:5-4	Revised-chairman and vice-chairman to hold office for two years
19A:5-9	R.S. 19:5-4	No change
19A:5-10	R.S. 19:5-4	Revised to include national committees
19A:5-11	R.S. 19:5-5	Prohibition added to section pertaining to the spending of moneys on candidates
19A:5-12	R.S. 19:5-6	Revised to change holding of conventions

19A:5-13	R.S. 19:5-6	Editorial
19A:6-1	R.S. 19:6-1	Revised to consolidate source
	R.S. 19:6-3	sections
19A:6-2	R.S. 19:6-11	Includes training for new
		members; provides time period
		for attendance of all members
19:6-3	R.S. 19:6-4	Revised to consolidate source
	R.S. 19:6-5	sections; power vested in county
		board for dismissal
19A:6-4	R.S. 19:6-6	Revised for clarification
19A:6-5	R.S. 19:6-7	Changes time for assignment of
		members to election districts
		from April 15 to 25th day before
		primary election
19A:6-6	R.S. 19:6-8	Changes time of term of office
		from April 15 to 25th day before
		primary election
19A:6-7	R.S. 19:6-10	Revised for c;arofocatopm
19A:6-8	R.S. 19:6-12	Editorial
19A:6-9	R.S. 19:6-16	Revised to consolidate
	R.S. 19:15-8	sections
	R.S. 19:15-9	
19A:6-10	R.S. 19:6-17	First-class counties eliminated;
		Commission on Elections appoints
		full-time executive director for
		two years and prescribes powers
		and duties
19A:6-11	R.S. 19:6-18	No change
19A:6-12	R.S. 19:6-19	Editorial
19A:6-13	R.S. 19:6-20	No change
19A:6-14	R.S. 19:6-21	Revised to eliminate first-class
		counties; no restrictions on
		county boards in any county
19A:6-15	R.S. 19:6-22	Revised for clarification
19A:6-16	R.S. 19:6-23	Revised for clarification;
		Commission on Elections to
		prescribe form of oath of office

19A:6-17	R.S. 19:6-24	First-class counties eliminated; Executive director to supervise office procedure of the county board
19A:6-18	R.S. 19:6-25	Revised for clarification
19A:6-19	C. 19:44A-5	Editorial
19A:6-20	C. 19:44A-6	Editorial
19A:6-20.1	New	
19A:6-20.2	New	
19A:6-20.3	New	
19A:6-20.4	New	
19A:6-21	R.S. 19:6-26	County clerk removed as member of board of county canvassers
19A:6-22	R.S. 19:19-1	Revised to change meeting place of board of county canvassers
19A:6-23	R.S. 19:19-8	Editorial
19A:6-24	R.S. 19:19-9	First two paragraphs omitted as obsolete
19A:6-25	R.S. 19:19-10	Revised; Commission on Elections to preserve form of statement
19A:6-26	R.S. 19:8-11	Revised; Commission on Elections to prescribe form of certificate
19A:6-27	R.S. 19:9-12	Editorial
19A:6-28	R.S. 19:19-13	Revised; Commission on Elections to file and issue certificates
19A:6-29	R.S. 19:19-14	Editorial
19A:6-30	R.S. 19:19-15	Revised for clarity
19A:6-31	R.S. 19:19-27	Revised; sets forth who shall be the members of the State board of canvassers
19A:6-32	R.S. 19:21-1	Revised to include State Senate and General Assembly; also meeting date of State board of canvassers
19A:6-33	R.S. 19:21-6	Revised for clarity

19A:6-34	R.S. 19:6-28	Editorial
19A:6-35	R.S. 19:6-29	Revised; filing procedure changed
19A:6-36	R.S. 19:6-30	Revised to conform to present practice
19A:7-1	R.S. 19:7-1	No change
19A:7-2	R.S. 19:7-2	Revised to include challengers where tally boards or deputies open and count absentee ballots
19A:7-3	R.S. 19:7-3	No change
19A:7-4	R.S. 19:7-4	No change
19A:7-5	R.S. 19:7-5	Editorial
19A:7-6	R.S. 19:7-6	No change
19A:7-7	C. 19:7-6.1	No change
19A:7-8	R.S. 19:15-17	No change
19A:7-9	R.S. 19:15-18	Editorial
19A:7-10	R.S. 19:15-19	Revised to conform to present practice
19A:7-11	R.S. 19:15-23	Editorial
19A:7-12	R.S. 19:15-24	Revised for simplicity in procedure
19A:7-13	R.S. 19:15-20	Editorial
19A:8-1	R.S. 19:8-1	Revised to consolidate source sections
	R.S. 19:34-15	
	R.S. 19:34-19	
19A:8-2	R.S. 19:8-2	Changes certification date; permits Commission on Elections to designate polling places upon a deadlock
19A:8-3	R.S. 19:8-3	No change
19A:8-4	R.S. 19:8-4	Changes date of listing polling places; omits sheriff, county clerk and superintendent of elections
19A:8-5	R.S. 19:8-5	County clerk omitted; flag furnished by county board
19A:8-6	R.S. 19:8-6	Eliminates class distinction of counties and for clarification for equipment required

19A:9-1	R.S. 19:9-2	Officials no longer in electoral process are eliminated; Commission on Elections shall have power to prepare and distribute supplies
19A:9-2	R.S. 19:9-5	Commission on Elections substituted for county clerk
19A:10-1	R.S. 19:10-1	No change
19A:11-1	R.S. 19:11-1	Saturday included with Sunday or Legal Holiday
19A:12-1	R.S. 19:12-1	Secretary of State no longer in electoral process; Commission on Elections substituted
19A:12-2	R.S. 19:12-3	Officials no longer in electoral process are omitted; Commission on Elections and county board substituted
19A:12-3	R.S. 19:12-4	Transfers responsibility to county board in lieu of county clerk
19A:12-4	R.S. 19:12-5	County clerk omitted from electoral process; county board substituted
19A:12-5	R.S. 19:12-6	County Clerk omitted from electoral process; substituted county board to receive notices
19A:12-6	R.S. 19:12-7	Revised for clarity and simplicity; removes discrimination among counties by virtue of class
19A:13-1	R.S. 19:31-1	No change
19A:13-2	R.S. 19:13-2	No change
19A:13-3	R.S. 19:13-3	Revised to omit certain officials from electoral process
19A:13-4	R.S. 19:13-4	Revised for clarity

19A:13-5	R.S. 19:13-5	Revised as to require number of signatures to petition for Statewide offices and their required percentages
19A:13-6	R.S. 19:13-6	Editorial
19A:13-7	R.S. 19:13-7	Editorial
19A:13-8	R.S. 19:13-8	Revised to omit oath of allegiance
19A:13-9	R.S. 19:13-9	Officials no longer in electoral process omitted; Commission on Elections and county board substituted
19A:13-10	R.S. 19:13-10	No change
19A:13-11	R.S. 19:13-11	Includes Commission on Elections and county board
19A:13-12	R.S. 19:13-12	Includes Assignment Judge or the designee to hear complaints
19A:13-13	R.S. 19:13-13	No change
19A:13-14	R.S. 19:13-14	Revised to meet present times
19A:13-15	R.S. 19:13-15	Increases time of meeting before Presidential election; Committee on Elections substituted for Secretary of State
19A:13-16	R.S. 19:13-16	Increases time for notification from 40 to 45 days
19A:13-17	R.S. 19:13-17	No change
19A:13-18	R.S. 19:13-18	No change
19A:13-19	R.S. 19:13-19	Sets forth the required number of signatures needed for a valid petition
19A:13-20	R.S. 19:13-20	Secretary of State removed from electoral process; Commission on Elections substituted
19A:13-21	R.S. 19:13-21	Oath of allegiance omitted; Commission on Elections substituted for Secretary of State

19A:13-22	R.S. 19:13-22	Commission on Elections substituted for Secretary of State
19A:13-23	R.S. 19:13-23	Commission on Elections substituted for Secretary of State
19A:14-1	R.S. 19:14-1	County board substituted for county clerk
19A:14-2	C. 19:14-8.1	Editorial
19A:14-3	R.S. 19:14-9	Secretary of State and county clerk omitted; Commission on Elections and county board substituted
19A:14-4	R.S. 19:14-10	Revised to omit freeholders, coroners; includes county executive
19A:14-5	R.S. 19:14-12	Revised to meet present practices; officials no longer in electoral process omitted
19A:14-6	R.S. 19:14-12	Editorial
19A:14-7	R.S. 19:14-12	Revised for simplicity and clarity
19A:14-8	R.S. 19:14-12	Revised for simplicity and clarity
19A:14-9	R.S. 19:14-13	Revised to conform to present times; Secretary of State and county clerk omitted; Commission on Elections and county board substituted
19A:14-10	R.S. 19:14-15	Responsibility is transferred to Commission on Elections for order of questions on ballot
19A:14-11	R.S. 19:14-20	County board is substituted for county clerk; Assignment judge of the county substituted for judge of the Superior Court

19A:14-12	R.S. 19:14-21	Deletes paragraphs (a), (b), and (c) as no longer to be used in the electoral process
19A:14-13	R.S. 19:14-22	Revised for simplicity and clarity
19A:14-14	R.S. 19:14-27	Includes time limitation on mailing of proposition; county board substituted for commission of registration; Commission on Elections prescribes form of proposition
19A:14-15	R.S. 19:14-28	No change
19A:14-16	R.S. 19:14-29	No change
19A:14-17	R.S. 19:14-30	Responsibility placed upon Commission on Elections in lieu of Attorney General
19A:14-18	R.S. 19:14-31	Gives to Commission on Election instead of to Attorney General the power to direct the county board to print and distribute statements of effect of the applicable laws in question
19A:15-1	R.S. 19:23-5	No change
19A:15-2	R.S. 19:23-6	Revised to have petitions addressed to Commission on Elections and county boards in lieu of Secretary of State, county clerks and municipal clerks
19A:15-3	R.S. 19:23-7 R.S. 19:23-15	Revised to consolidate source sections
19A:15-4	R.S. 19:23-8	Revised to conform to N.J.S. 19A:13-5 for uniformity
19A:15-5	R.S. 19:23-10	Revised for simplicity and to conform with the provisions of N.J.S. 19A:15-18
19A:15-6	R.S. 19:23-11	Revised to conform to N.J.S. 19A:13-7 for uniformity

19A:15-7	R.S. 19:23-14	Commission on Elections and county board substituted for Secretary of State, county clerk or municipal clerk; second paragraph omitted
19A:15-8	R.S. 19:23-16	Revised for clarity; Commission on Elections and county board substituted for Secretary of State and county clerk
19A:15-9	R.S. 19:23-17	Retains existing language with respect to public office but prohibit any designation other than one word description of the party with respect to candidates for party positions
19A:15-10	R.S. 19:23-18	Revised for clarity; Commission on Elections and county board substituted for Secretary of State and county clerk
19A:15-11	R.S. 19:23-19	No change
19A:15-12	R.S. 19:23-20	No change
19A:15-13	R.S. 19:23-21	Revised for clarity and uniformity in procedure
19A:15-15	R.S. 19:23-23	Revised with substantive changes
19A:15-16	R.S. 19:23-30	Revised to make uniform the sample ballot procedures for both general and primary elections
19A:15-17	R.S. 19:23-40 R.S. 19:23-41 R.S. 19:23-42	Revised to consolidate source sections
19A:15-18	R.S. 19:23-45	No change
19A:15-18.1	C. 19:23-45.1	County board substituted for commissioner of registration
19A:15-18.2	C. 19:23-45.2	No change

19A:15-18.3	C. 19:23-45.3	Commission on Election substituted for Secretary of State
19A:15-19	R.S. 19:23-46	Revised for conformity to present times
19A:15-20	R.S. 19:23-48	Revised for uniformity
19A:15-21	R.S. 19:23-49	Revised for uniformity
19A:15-22	R.S. 19:23-58	No change
19A:16-1	R.S. 19:24-1	Notification of time period changed from March 1 to 90 days prior to primary election; Commission on Elections substituted for Secretary of State; Reference to State chairmen has been changed to include State chairmen of any political party
19A:16-2	R.S. 19:24-2	Revised with substantive changes
19A:16-3	R.S. 19:24-3	No change
19A:16-4	R.S. 19:24-4	Revised with substantice changes
19A:16-5	R.S. 19:24-5	Editorial
19A:17-1	C. 19:25-3	Commission on Elections substituted for Secretary of State
19A:17-2	R.S. 19:25-2	Commission on Elections substituteed for Secretary of State and county board substituted for county clerk
19A:18-1	R.S. 19:26-1	Revised for simplicity and clarity
19A:18-2	R.S. 19:26-2	Revised for simplicity and clarity
19A:19-1	R.S. 19:27-1	No change
19A:19-2	R.S. 19:27-3	Editorial
19A:19-3	R.S. 19:3-27	Revised to consolidate source
	R.S. 19:27-4	sections
19A:19-4	R.S. 19:27-5	No change

19A:19-5	R.S. 19:27-6	Editorial
19A:19-6	R.S. 19:27-7	Commission on Elections substituted for Secretary of State
19A:19-7	R.S. 19:27-8	Revised for simplicity and clarity; Commission on Elections substituted for Secretary of State
19A:19-8	R.S. 19:27-9	Revised to permit publication in one newspaper instead of two
19A:19-9	C. 19:27-10.1	Revised with substantice changes
19A:19-10	New	
19A:19-11	R.S. 19:27-11	Commission on Elections and county board substituted for officials no longer in electoral process; county class distinction omitted
19A:19-12	New	
19A:20-4	C. 19:52-6.1	Revised for clarity and simplicity; omits officials no longer in electoral process; includes the counting of absentee and military ballots of districts affected
19A:20-5	R.S. 19:28-4	Revised to eliminate provisions not in present practice
19A:20-6	R.S. 19:28-5	Commission on Elections substituted for Secretary of State and county board substituted for county clerk
19A:20-7	R.S. 19:28-6	Commission on Elections substituted for Secretary of State and county board substituted for county clerk

19A:20-8	R.S. 19:28-7	Secretary of State and county clerk omitted from electoral duties; substituted Commission on Elections and county board
19A:20-9	R.S. 19:28-8	No change
19A:21-1	R.S. 19:29-1	No change
19A:21-2	R.S. 19:29-2	No change in first three paragraphs; last paragraph omitted as not essential
19A:21-3	R.S. 19:29-3	Editorial
19A:21-4	R.S. 19:29-4	Commission on Elections substituted for Secretary of State; county board substituted for county clerk
19A:21-5	R.S. 19:29-5	Editorial
19A:21-6	R.S. 19:29-6	Editorial
19A:21-7	R.S. 19:27-7	No change
19A:21-8	R.S. 19:29-14	Revised to permit the court to have jurisdiction over assessment of costs
19A:22-1	R.S. 19:31-1	Revised for simplicity; paragraphs (a) and (b) are obsolete
19A:22-2	C. 19:31-1.1	Revised to conform to present times
19A:22-3	R.S. 19:31-2	Revised to omit officials who are no longer in the electoral process; substitutes Commission on Elections and county board of elections; county class distinction is removed
19A:22-4	R.S. 19:31-3	Revised to give Commission on Elections full authority to prescribe forms of registration; provisions pertaining to form and content are omitted as unnecessary

19A:22-5	R.S. 19:31-5	No change
19A:22-6	R.S. 19:31-6	Revised to conform to present times; officials no longer in electoral process omitted; Commission on Elections and county board substituted
19A:22-7	C. 19:31-6.1	Editorial
19A:22-7.1	C. 19:31-6.2	Editorial
19A:22-8	C. 19:31-6.3	No change
19A:22-8.1	C. 19:31-6.4	Officials no longer in electoral process omitted; Commission on Elections and county board substituted
19A:22-8.2	C. 19:31-6.5	Officials no longer in electoral process omitted; Commission on Elections and county board substituted
19A:22-8.3	C. 19:31-6.7	Commission on Elections substituted for Secretary of State
19A:22-8.4	C. 19:31-6.8	Commission on Elections substituted for Secretary of State
19A:22-9	R.S. 19:31-7	Officials no longer in electoral process omitted; Commission on Elections substituted
19A:22-10	R.S. 19:31-9	Officials no longer in electoral process omitted; county board substituted
19A:22-11	R.S. 19:31-10	County board substituted for commissioner of registration
19A:22-12	R.S. 19:31-11	Transfers the duties of the commissioner of registration to the county board, and the forms referred to are to be prescribed by the Commission on Elections
19A:22-13	R.S. 19:31-12	County board substituted for commissioner of registration

19A:22-14	R.S. 19:31-13	Editorial
19A:22-15	C. 19:31-13.1	Revised to include "or another State, commonwealth, territory or possession of the United States"; county board substituted for commissioner of registration
19A:22-16	C. 19:31-14	Commission on Elections substituted for Secretary of State
19A:22-17	C. 19:31-14.5	Duties are transferred to county board and Commission on Elections in lieu of commissioner of registration and Secretary of State
19A:22-18	R.S. 19:31-15	Revised with substantive changes
19A:22-19	R.S. 19:31-16	Changes the age of 21 to the new legal age of 18; officials no longer in electoral process omitted; transfers the duties to the county board
19A:22-20	R.S. 19:31-17	Includes the Attorney General's report to the county board; eliminates references to superintendent of elections or commissioner of registration
19A:22-21	R.S. 19:31-18	Revised to consolidate source
	C. 19:31-18.1	sections
19A:22-22	C. 19:31-18.3	County board substituted for county clerk
19A:22-23	R.S. 19:31-20	Reference to superintendent of elections and commissioner of registration are eliminated; county board and Commission on Elections substituted

19A:22-24	R.S. 19:31-21	Commissioner of registration omitted and county board substituted
19A:22-25	R.S. 19:31-22	Commissioner of registration omitted and county board substituted
19A:22-26	R.S. 19:31-23	Commissioner of registration omitted and county board substituted
19A:22-27	R.S. 19:31-24	Commissioner of registration omitted and county board substituted
19A:22-28	R.S. 19:31-26	Commissioner of registration omitted and county board substituted
19A:22-29	R.S. 19:31-27	Reference to commissioner of registration eliminated; county board substituted. Assignment judge of county has jurisdiction in lieu of Superior Court judge assigned to the county
19A:23-1	C. 19:31A-7	Form and contents of signature comparison record omitted; county board substituted for commissioner of registration; Commission on Elections to prescribe form and contents of signature comparison record
19A:23-2	C. 19:31A-8	Revised to conform to present practice; omits commissioner of registration and transfers duties to the Commission on Elections and the county board
19A:23-3	C. 19:31A-9	Commissioner of registration is omitted and county board is substituted

19A:24-1	R.S. 19:33-1	Revised to conform to present practice; eliminates reference to commissioner of registration and county clerk; duties transferred to county board
19A:25-1	R.S. 19:36-1	No change
19A:25-2	R.S. 19:36-2	No change
19A:25-3	R.S. 19:36-3	No change
19A:27-1	R.S. 19:38-1	No change
19A:27-2	R.S. 19:38-2	Duties transferred to county board and revised to conform to present practice
19A:27-3	R.S. 19:38-3	Officials no longer in electoral process omitted; powers transferred to county board
19A:27-4	R.S. 19:38-5	No change
19A:27-5	R.S. 19:38-6	County board of elections is substituted for county clerk
19A:28-1	C. 19:44A-2	Editorial
19A:28-2	C. 19:44A-4	Editorial
19A:28-4	C. 19:44-8	Editorial
19A:28-5	C. 19:44A-9	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-6	C. 19:44A-10	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-7	C. 19:44A-11	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-8	C. 19:44A-12	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-9	C. 19:44A-13	Editorial
19A:28-10	C. 19:44A-14	Editorial
19A:28-11	C. 19:44A-15	Commission on Elections is substituted for Election Law Enforcement Commission

19A:28-12	C. 19:44A-16	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-13	C. 19:44A-17	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-14	C. 19:44A-18	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-15	C. 19:44A-19	Commission on Elections is substituted for Election Law Enforcement Commission
19A:28-16	C. 19:44A-20	Editorial
19A:28-19	C. 19:44A-23	No change
19A:28-21	C. 19:44A-25	No change
19A:28A-1	R.S. 19:34-45	Revised to include penalty clause
19A:28A-2	R.S. 19:34-32	Editorial
19A:28A-3	R.S. 19:34-42	No change
19A:28A-4	C. 19:34-38.1	Revised to consolidate source
	C. 19:34-38.2	sections
	C. 19:34-38.3	
19A:28A-5	C. 19:34-38.4	No change
19A:28A-6	C. 19:34-38.5	No change
19A:28A-7	C. 19:34-65	Editorial
19A:28A-8	C. 19:34-66	No change
19A:28A-9	C. 19:34-67	No change
19A:28B-1	C. 19:44A-27	No change
19A:28B-2	C. 19:44A-28	Editorial
19A:28B-3	C. 19:44A-29	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-4	C. 19:44A-30	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-5	C. 19:44A-31	No change
19A:28B-6	C. 19:44A-32	Commission on Elections substituted for Election Law Enforcement Commission

19A:28B-7	C. 19:44A-33	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-8	C. 19:44A-34	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-9	C. 19:44A-35	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-10	C. 19:44A-36	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-11	C. 19:44A-37	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-12	C. 19:44A-38	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-13	C. 19:44A-39	No change
19A:28B-14	C. 19:44A-40	No change
19A:28B-15	C. 19:44A-41	Commission on Elections substituted for Election Law Enforcement Commission
19A:28B-16	C. 19:44A-42	No change
19A:28B-17	C. 19:44A-43	No change
19A:28B-18	C. 19:44A-44	Commission on Elections substituted for Election Law Enforcement Commission
19A:29-1	R.S. 19:45-1	No change
19A:29-2	R.S. 19:45-2	Commission on Elections substituted for Secretary of State
19A:29-3	R.S. 19:45-4	Revised for simplicity; officials no longer in electoral process omitted
19A:29-3.1	New	
19A:29-3.2	New	
19A:29-4	R.S. 19:45-5	No change
19A:29-5	R.S. 19:45-6	Revised for simplicity and to conform with present practice

19A:29-6	C. 19:45-6.1	Form and content of voucher omitted; Commission on Elections to prescribe form and content
19A:29-7	R.S. 19:45-7	Revised for simplicity and uniformity
19A:29-8	R.S. 19:45-9	Payment for extra duties to county clerks omitted as they are no longer part of the electoral process
19A:30-1	C. 19:46-3	Editorial
19A:32-1	R.S. 19:48-1	Editorial
19A:32-2	R.S. 19:48-2	Revised to meet present practice; Commission on Elections substituted for Secretary of State
19A:32-3	R.S. 19:48-3	Revised for clarity and simplicity
19A:32-4	R.S. 19:48-4	Revised for clarity and simplicity
19A:32-5	R.S. 19:48-5	Revised to conform to present practice
19A:32-6	R.S. 19:48-6	Officials no longer in electoral process omitted; county board substituted
19A:32-7	R.S. 19:48-7	Editorial
19A:32-8	C. 19:48-8	Superintendent of elections substituted by county board
19A:33-1	R.S. 19:49-1	Editorial
19A:33-2	R.S. 19:49-2	Revised with substantive changes
19A:33-3	R.S. 19:49-3	Editorial
19A:33-4	R.S. 19:49-4	Revised to remove the responsibility of commissioner of registration and county clerk; county board is substituted for these officials in the electoral process
19A:33-5	R.S. 19:40-5	Editorial

19A:34-1	R.S. 19:50-2	Revised for uniformity; eliminates reference to officials no longer in electoral process; the duties are transferred to the county board
19A:34-2	R.S. 19:50-3	Revised for uniformity; eliminates reference to officials no longer in electoral process
19A:35-1	R.S. 19:52-1	Revised to meet present times and to eliminate references to officials no longer to be in the electoral process
19A:35-2	R.S. 19:52-2	Editorial
19A:35-3	R.S. 19:52-2.1	The form and content of voting authorities shall be prescribed by the Commission on Elections
19A:35-4	R.S. 19:52-3	Editorial
19A:35-5	R.S. 19:52-5	Editorial
19A:35-6	R.S. 19:17-1 R.S. 19:17-2	Revised to consolidate sections; eliminates reference to officials no longer to be in the electoral process; form and content of statement are to be provided by Commission on Elections
19A:35-7	R.S. 19:52-6	Revised to meet present practice; eliminates reference to officials no longer to be in the electoral process; county board substituted
19A:35-8	R.S. 19:52-7	Revised to meet present times; eliminates reference to officials no longer to be in the electoral process
19A:35A-1	C. 19:53A-2	No change
19A:35A-2	C. 19:53A-3	No change

19A:35A-3	C. 19:53A-4	No change
19A:35A-4	C. 19:53A-5	No change
19A:35A-5	C. 19:53A-6	No change
19A:35A-6	C. 19:53A-7	No change
19A:35A-7	C. 19:53A-8	No change
19A:35A-8	C. 19:53A-9	No change
19A:35A-9	C. 19:53A-10	No change
19A:35A-10	C. 19:53A-11	No change
19A:35A-11	C. 19:53A-12	No change
19A:35A-12	C. 19:53A-13	No change
19A:35A-13	C. 19:53A-14	No change
19A:36-1	C. 19:57-1	No change
19A:36-2	C. 19:57-3	No change
19A:36-3	C. 19:57-4	Revised to consolidate source
	C. 19:57-4.1	sections; Form of application
	C. 19:57-5	for absentee ballot to be
		prescribed by Commission on
		Elections instead of Secretary of
		State
		No change
19A:36-4	C. 19:57-6	No change
19A:36-5	C. 19:57-7	County board substituted for
		county clerk; Commission on
		Elections shall prescribe the form
		and content of the notices to be
		published
19A:36-6	C. 19:57-8	Eliminates reference to officials
		no longer to be in electoral
		process; duties transferred to
		county board; Commission on
		Elections prescribes the form of
		the absentee ballots
19A:36-7	C. 19:57-9	Eliminates reference to officials
		no longer to be in the electoral
		process; duties transferred to
		county board
19A:36-8	C. 19:57-10	Duties of commissioner of
		registration, superintendent of
		elections and county clerk
		transferred to the county board

19A:36-9	C. 19:57-11	Air mail deliveries of absentee ballots in areas outside of the States have been omitted; duties of the county clerk transferred to the county board
19A:36-10	C. 19:57-11.1	County board substituted for county clerk
19A:36-11	C. 19:57-12	Duties removed from county clerk, commissioner of registration and superintendent of elections and transferred to county board
19A:36-12	C. 19:57-13	No change
19A:36-13	C. 19:57-14	No change
19A:36-14	C. 19:57-15	Duties of the county clerk transferred to county board
19A:36-15	C. 19:57-15.1	Commission on Elections substituted for Secretary of State and county board substituted for county clerk
19A:36-16	C. 19:57-16 C. 19:57-37 C. 19:58-33	Revised to consolidate source sections
19A:36-17	C. 19:57-17 C. 19:57-19	Revised to consolidate source sections; form of certificate and statement omitted, leaving the form and content of certificate and statement to be prescribed by Commission on Elections
19A:36-18	C. 19:57-20	County board substituted for county clerk; air mail postage eliminated
19A:36-19	C. 19:57-21	County board substituted for count clerk and commissioner of registration

19A:36-20	C. 19:57-22	Revised to eliminate duties of officials no longer to be in the electoral process; transferred to county board; last paragraph omitted as unnecessary
19A:36-21	C. 19:57-23	No change
19A:36-22	C. 19:57-24	Editorial
19A:36-23	C. 19:57-25	County clerk and commissioner of registration substituted by county board
19A:36-24	C. 19:57-26	No change
19A:36-25	C. 19:57-28	County board substituted for county clerk
19A:36-26	C. 19:57-29	County board substituted for county clerk
19A:36-27	C. 19:57-30	No change
19A:36-28	C. 19:57-31	Eliminates reference to commissioner of registration or his assistants; the work "canvass" is omitted
19A:36-29	C. 19:57-32	Commissioner of registration's duties were removed and transferred to the county board
19A:36-30	C. 19:57-33	Superintendent of elections is removed from his duties
19A:36-31	C. 19:57-34	County board substituted for commissioner of registration
19A:36-32	C. 19:57-35 C. 19:57-36	Revised to consolidate source sections; officials no longer in electoral process omitted
19A:37-1	C. 19:58-1	No change
19A:37-2	C. 19:58-3	New residents omitted
	C. 19:58-4	No change
19A:37-4	C. 19:58-5	County board substituted for county clerk
19A:37-5	C. 19:58-5	County board substituted for county clerk

19:37-6	C. 19:58-8	Form of presidential ballot omitted; form and content to be prescribed by the Commission on Elections
19A:37-7	C. 19:58-9	County board substituted for county clerk; duties of commissioner of registration omitted
19A:37-8	C. 19:58-10	County board substituted for county clerk
19A:37-9	C. 19:58-11	Duties of county clerk transferred to county board
19A:37-10	C. 19:58-12	Officials no longer in electoral process omitted; county board substituted
19A:37-11	C. 19:58-13	Officials no longer in electoral process omitted; county board substituted
19A:37-12	C. 19:58-14	County board substituted for county clerk
19A:37-13	C. 19:58-15	County board substituted for county clerk; eliminates air mail
19A:37-14	C. 19:58-16	County clerk's duties removed and transferred to county board
19A:37-15	C. 19:58-17	County board substituted for county clerk
19A:37-16	C. 19:58-19	Form of certificate omitted; Commission on Elections to prescribe the form and content
19A:37-17	C. 19:58-21	Revised to consolidate source
	C. 19:58-22	sections
19A:37-18	C. 19:58-23	Editorial
19A:37-19	C. 19:58-25	No change
19A:37-20	C. 19:58-26	County board substituted for county clerk
19A:37-21	C. 19:58-27	No change
19A:37-22	C. 19:58-28	Editorial

19A:37-23	C. 19:58-29	County board substituted for commissioner of registration
19A:37-24	C. 19:58-30	Duties of superintendent of elections eliminated
19A:37-25	C. 19:58-31	Reference to county clerk, superintendent of elections and commissioner of registration eliminated
19A:37A-1	C. 19:59-1	No change
19A:37A-2	C. 19:59-3	Editorial
19A:37A-3	C. 19:59-4	Commission on Elections substituted for Secretary of State
19A:37A-4	C. 19:59-5	Form omitted; revision authorizes Commission on Elections to prescribe form and content of ballot
19A:37A-5	V. 19:59-6	Duties of county clerk transferred to county board of elections
19A:37-6	C. 19:59-7	County board substituted for county clerk
19A:37A-7	C. 19:59-8	Revised to eliminate duties of county clerk and to conform to 19A:36-16
19A:37A-8	C. 19:59-9	Form omitted; Commission on elections to prescribe the form and content of the certificate
19A:37A-9	C. 19:59-10	Editorial
19A:37A-10	C. 19:59-11	Editorial
19A:37A-11	C. 19:59-12	No change
19A:37A-12	C. 19:59-13	No change
19A:38-1	New	
19A:38-2	C. 19:44A-22	Penalties increased to maximum of \$5,000 for first offense and \$10,000 for second offense; Commission on Elections substituted for Election Law Enforcement Commission
19A:38-3	C. 19:44A-21 C. 19:34-46	Revised to consolidate source sections: Penalties prescribed

## STATEMENT

The revision to existing Title 19 is largely the result of the work of the Election Law Revision Commission, later refined through the efforts of a State-wide citizens committee.

The basic changes remove election law supervision from the Office of the Secretary of State and place it, but with greater authority to achieve election uniformity, in the Election Law Enforcement Commission. That body, already enforcing the finance disclosure parts of election law, would have expanded jurisdiction over all election problems. To reflect the change its name would become the "Commission on Elections."

Another structural change would eliminate the role of the County Clerk and Superintendents of Elections, and replace them with an executive director, who would be appointed in each county by the Commission on Elections upon recommendation of the county board of elections. The appointed person would have to be a resident of the county.

Use of paper ballots is eliminated. Durational requirements for residency have been brought up to date to comply with State and Federal constitutional mandates as defined in case law.

All legislative amendments to Title 19, including but without limitation the laws on post-card registration, gubernatorial campaign financing, and absentee voting, are incorporated intact into the new bill.

The highlights of proposed change, in addition to those described above, are as follows:

Chapter 1 updates definitions to reflect recent amendments and new material.

Chapter 3 prohibits the holding of incompatible office, expanding the interdictions of existing law.

Chapter 4 clarifies the term "voting residence".

Chapter 5 revises the section on municipal committees by mandating the adoption of a constitution and bylaws, and increases the term in office from 1 to 2 years. It further permits endorsement of candidates for designated offices, and reduces the term of office of state committeemen from 4 to 2 years.

Chapter 6 creates the Commission on Elections, setting forth its powers and responsibilities, and further establishes an advisory board of citizens whose function is the periodic review of the election process.

Chapter 13 clarifies the use of a common designation of slogan by candidates, and the eligibility requirements for write-in candidates.

Chapter 16 provides that in a primary campaign for delegates to a party' national convention, party rules concerning such representation shall govern.

Chapter 22 which includes the section on permanent registration and post-card registration, also changes the method of disenfranchising voters by establishing a uniformity of forms and procedures.

Chapter 38 is a new penalties section, providing that violations which are criminal in nature are punished as misdemeanors. It further provides for the voiding of any election where a candidate has been guilty of a criminal violation.

## ELECTIONS

### Vote Procedures and Ballots

Establishes new Title 19A, Elections, of the New Jersey Statutes to replace Title 19 of the Revised Statutes.



STATE OF NEW JERSEY

INTRODUCED JANUARY 26, 1989

By Assemblyman ROBERTS

1 AN ACT providing for the coordination of certain nonpartisan  
elections, revising parts of the statutory law and supplementing  
3 Title 40 of the Revised Statutes.

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

7 1. N.J.S.18A:13-10 is amended to read as follows:

18A:13-10. The board of education of each regional district  
9 shall provide for the holding of an annual school election for the  
regional district on the [first] second Tuesday in [April] May.

11 At such election there shall be elected for terms of three  
years, beginning on any day of the first or second week following  
13 such election, the members of the regional boards of education to  
succeed those members of the board whose terms shall expire in  
15 that year, except as is in this chapter provided for the election of  
the first elected members of the board.

17 (cf: P.L.1987, c.289, s.5)

2. N.J.S.18A:13-17 is amended to read as follows:

19 18A:13-17. The regional board of education shall, at each  
annual school election, submit to the voters of the regional  
21 district the amount of money fixed and determined in its budget  
[to be voted upon] for the use of the regional schools of the  
23 district for the ensuing school year and may submit thereat any  
other question authorized by this law to be submitted at such an  
25 election.

(cf: N.J.S.18A:13-17)

27 3. N.J.S.18A:13-19 is amended to read as follows:

18A:13-19. If the voters reject any of the items submitted at  
29 the annual election, within 2 days thereafter the board of  
education of the regional district shall certify to the governing  
31 body of each municipality, included within the regional district,  
the item or items so rejected, and such governing bodies, after  
33 consultation with the board, and no later than [April 28] 10 days  
following that certification, shall determine the amount or

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 amounts which they deem necessary to provide a thorough and  
3 efficient system of schools in the regional district for the ensuing  
school year and cause the same to be certified by the respective  
municipal clerks to the board of education of the regional district.

5 (cf: P.L.1983, c.119, s.1)

4. N.J.S.18A:13-20 is amended to read as follows:

7 18A:13-20. a. Should said governing bodies fail to so certify or  
fail to agree and certify different amounts for said purposes, then  
9 the commissioner shall determine and certify the amount or  
amounts which in his judgment shall be necessary to provide a  
11 thorough and efficient system of schools in such regional district,  
to the board of education of the regional district.

13 b. If, after the annual school election, the amount finally  
certified as necessary to provide a thorough and efficient  
15 education differs from the amount fixed and determined by the  
regional board of education pursuant to N.J.S.18A:13-17,  
17 adjustments in local tax assessments, apportionment of  
assessments, and State aid entitlements shall be made in the  
19 school year following the year for which the budget is certified.

(cf: N.J.S.18A:13-20)

5. N.J.S.18A:14-2 is amended to read as follows:

21 18A:14-2. An annual school election shall be held in each type  
23 II local district, on the [first] second Tuesday in [April] May.  
Whenever such date falls on a legal holiday the election shall be  
25 held on the following day.

(cf: P.L.1978, c.136, s.5)

6. N.J.S.18A:22-32 is amended to read as follows:

27 18A:22-32. At or after the public hearing on the budget but  
29 not later than [12 days prior to the election] March 18, the board  
of education of each type II district having no board of school  
31 estimate shall fix and determine by a recorded roll call majority  
vote of its full membership the amount of money to be voted  
33 upon by the legal voters of the district at the annual election,  
which sum or sums shall be designated in the notice calling such  
35 election as required by law.

The secretary of the board of education shall certify the  
37 amounts so determined upon, if any, and the sums so stated for  
interest and debt redemption charges, to the county board of  
39 taxation of the county on or before March 25 of each year and

1 the amount or amounts so certified shall be included in the taxes  
2 assessed, levied and collected in the municipality or  
3 municipalities comprising the district for such purposes.

(cf: P.L.1978, c.136, s.11)

5 7. N.J.S.18A:22-33 is amended to read as follows:

6 18A:22-33. The board of education of each type II district not  
7 having a board of school estimate shall, at each annual school  
8 election, submit to the voters of the district, the amounts of  
9 money fixed and determined in its budget, excluding therefrom  
10 the sum or sums stated therein to be used for interest and debt  
11 redemption charges, in the manner provided by law, to be voted  
12 upon for the use of the public schools of the district for the  
13 ensuing school year, which amounts shall be stated in the notice  
14 of the election, and the legal voters of the district shall  
15 determine at such election, by a majority vote of those voting  
16 upon the proposition, the sum or sums, not exceeding those stated  
17 in the notice of the election, to be raised by special district tax  
18 for said purposes, in the district during the ensuing school year  
19 [and the secretary of the board of education shall certify the  
20 amounts so determined upon, if any, and the sums so stated for  
21 interest and debt redemption charges, to the county board of  
22 taxation of the county within 2 days following the date of the  
23 election and the amount or amounts so certified shall be included  
24 in the taxes assessed, levied and collected in the municipality or  
25 municipalities comprising the district for such purposes].

(cf: P.L.1978, c.136, s.12)

27 8. N.J.S.18A:22-37 is amended to read as follows:

28 18A:22-37. If the voters reject any of the items submitted at  
29 the annual school election, the board of education shall deliver  
30 the proposed school budget to the governing body of the  
31 municipality, or of each of the municipalities included in the  
32 district within 2 days thereafter. The governing body of the  
33 municipality, or of each of the municipalities, included in the  
34 district shall, after consultation with the board, and [by April 28]  
35 within 10 days, determine the amount which, in the judgment of  
36 said body or bodies, is necessary to be appropriated, for each  
37 item appearing in such budget, to provide a thorough and  
38 efficient system of schools in the district, and certify to the  
39 county board of taxation the totals of the amount so determined

- 1 to be necessary for each of the following:
- 2 a. Current expenses of schools;
  - 3 b. Vocational evening schools or classes;
  - 4 c. Evening schools or classes for foreign-born residents;
  - 5 d. Appropriations to capital reserve fund; or
  - 6 e. Any capital project, the cost whereof is to be paid directly
  - 7 from taxes, which amounts shall be included in the taxes to be
  - 8 assessed, levied and collected in such municipality or
  - 9 municipalities for such purposes.

10 Within 15 days after the governing body of the municipality or

11 of each of the municipalities included in the district shall make

12 such certification to the county board of taxation, the board of

13 education shall notify such governing body or bodies if it intends

14 to appeal to the commissioner the amounts which said body or

15 bodies determined to be necessary to be appropriated for each

16 item appearing in the proposed school budget.

17 (cf: P.L.1983, c.119, s.2)

18 9. N.J.S.18A:22-38 is amended to read as follows:

19 18A:22-38. a. If said governing body or bodies shall fail so to

20 certify any amount, determined by them to be necessary for any

21 item rejected at the annual school election, or in event that the

22 governing bodies of the municipalities comprising a school

23 district, shall certify different amounts, then the commissioner

24 shall determine the amount or amounts which in his judgment, are

25 necessary to be appropriated, for each of the items appearing in

26 the budget, submitted to such governing body or bodies, to

27 provide a thorough and efficient system of public schools in the

28 district, and certify to the county board of taxation the totals of

29 the amount so determined to be necessary for each of the

30 following:

- 31 a. Current expenses of schools;
- 32 b. Vocational evening schools or classes;
- 33 c. Evening schools or classes for foreign-born residents;
- 34 d. Appropriations to capital reserve fund; or
- 35 e. Any capital project, the cost whereof is to be paid directly
- 36 from such taxes[; and the amounts so certified shall be included
- 37 in the taxes to be assessed, levied and collected in such
- 38 municipality or municipalities for such purposes].

39 b. If, after the annual school election, the amount finally

1 certified as necessary to provide a thorough and efficient  
2 education differs from the amount fixed and determined by the  
3 board of education pursuant to N.J.S.18A:22-32, adjustments in  
4 local tax assessments, apportionment of assessments, and State  
5 aid entitlements shall be made in the school year following the  
6 year for which the budget is certified.

7 (cf: P.L.1969, c.250, s.3)

8 10. N.J.S.40A:14-70 is amended to read as follows:

9 40A:14-70. Fire district designation; election of  
10 commissioners.

11 In any municipality not having a paid or part-paid fire  
12 department and force, the governing body, upon application of at  
13 least 5% of the registered voters or 20 legal voters, whichever is  
14 the greater, by ordinance, shall designate a territorial location or  
15 locations for use as a fire district or fire districts and, by  
16 resolution, provide for the election of a board of fire  
17 commissioners for the district or each district, to consist of five  
18 persons, residents therein, and specify the date, time and place  
19 for the election of the first board.

20 The district or each district shall be assigned a number and the  
21 commissioners thereof and their successors shall be a body  
22 corporate, to be known as "the commissioners of fire district No.  
23 ..... in ..... (name of municipality), county of  
24 ..... (name of county)." The said body corporate shall  
25 have the power to acquire, hold, lease, sell or otherwise convey in  
26 its corporate name such real and personal property as the  
27 purposes of the corporation shall require. All sales and leases of  
28 real and personal property shall be in accordance with the  
29 provisions of section 13 or 14, as appropriate, of the "Local Lands  
30 and Buildings Law," P.L.1971, c.199 (C.40A:12-13 and  
31 40A:12-14). Said body corporate may adopt and use a corporate  
32 seal, sue or be sued and shall have such powers, duties and  
33 functions as are usual and necessary for said purposes.

34 On the date and at the time and place specified for the  
35 election of the first board the clerk of the municipality shall  
36 conduct the election and shall preside at the meeting until the  
37 board shall have been elected.

38 At the first meeting of a newly elected board of fire  
39 commissioners of a district the board shall choose a chairman and

1 fix the place for the annual election. The members of the board  
shall divide themselves by lot into three classes: the first to  
3 consist of two members whose terms shall expire at 12 o'clock  
noon on the [first] second Tuesday in [March] May of the year  
5 following the year in which the first board is elected; the second,  
two members whose terms shall expire at 12 o'clock noon on the  
7 [first] second Tuesday in [March] May of the second year  
following that year; and the third, one member whose term shall  
9 expire at 12 o'clock noon on the [first] second Tuesday in [March]  
May of the third year following that year. The terms of fire  
11 commissioners in each class, other than members of the first  
board, shall expire at 12 o'clock noon on the [first] second  
13 Tuesday in [March] May of the third year following the year in  
which they were elected.

15 Any vacancy in the membership shall be filled by the remaining  
members until the next succeeding annual election, at which time  
17 a resident of the district shall be elected for the unexpired term.  
(cf: P.L.1985, c.288, s.1)

19 11. N.J.S.40A:14-72 is amended to read as follows:  
40A:14-72. Annual election.

21 An election shall be held annually on the [third Saturday]  
second Tuesday in [February] May in each established fire district  
23 for the election of members of the board according to the  
expiration of terms. The initial election for a newly created fire  
25 district may take place on another date as a governing body may  
specify under N.J.S.40A:14-70, but the annual election thereafter  
27 shall be held on the [third Saturday] second Tuesday in [February]  
May. The place of the election shall be [determined by the board]  
29 as provided in section 18 of P.L. ...., c. .... (C. ....) (now pending  
before the Legislature as this bill) and a notice thereof, and of  
31 the closing date for the filing with the clerk of the board of  
petitions of nomination for membership on the board, shall be  
33 published at least once in a newspaper circulating in the district,  
at least six weeks prior to the date fixed for the election.

35 The legal voters thereat shall determine the amount of money  
to be raised for the ensuing year and determine such other  
37 matters as may be required.  
(cf: P.L.1985, c.288, s.3)

39 12. N.J.S.40A:14-75 is amended to read as follows:

1 40A:14-75. Use of voting machines.

3 The superintendent of elections of any county having a  
superintendent of elections or the county board of elections of  
5 any county not having a superintendent of elections, may upon  
application of the board of commissioners of any fire district,  
7 loan or rent to said board, one or more voting machines owned by  
the county [, for a period of time which does not conflict with  
any State, county, municipal or school district election.] for the  
9 purpose of conducting a fire district election as required by law.  
The loan or rental of a voting machine or machines for this  
11 purpose shall be upon such terms and conditions as may be  
determined by the board of chosen freeholders of the county.

13 In any case in which voting machines are made available for  
such purpose, the use thereof for any fire district election shall  
15 be held as provided herein.

(cf: N.J.S.40A:14-75)

17 13. N.J.S.40A:14-76 is amended to read as follows:

40A:14-76. Polls; hours.

19 Upon petition of 25 or more voters, filed with the clerk of the  
board at least 20 days prior to the date of any election, after the  
21 first election, the board of fire c6mmissioners, by resolution, may  
divide the fire district into 2 or more polling places.

23 The polls for any election shall be opened [between the hours of  
2:00 and 9:00 P.M., but the board may designate a later closing  
25 hour on the same day] during the same hours as the polls for  
school elections held pursuant to Title 18A of the New Jersey  
27 Statutes. The board shall furnish the necessary books for the  
entries of the names and addresses of the voters.

29 (cf: N.J.S.40A:14-76)

31 14. Section 13 of P.L.1985, c.288 (C.40A:14-78.17) is amended  
to read as follows:

33 13. A fire district may and, if any contracts, commitments or  
payments are to be made prior to the adoption of the budget,  
shall, by resolution [adopted prior to January 15], adopt a  
35 temporary budget to make appropriations to provide for the  
period between the beginning of the fiscal year and the adoption  
37 of the budget.

The total of the appropriations so made shall not exceed [14%]  
39 50% of the total of the appropriations made for all purposes in

1 the budget for the preceding fiscal year, excluding, in both  
instances, appropriations made for interest and debt redemption  
3 charges and capital improvements.

Nothing herein contained shall prevent or relieve the fire  
5 district from making appropriations for all interest and debt  
redemption charges maturing during the fiscal year, at any time  
7 prior to the date of the adoption of the budget.

(cf: P.L.1985, c.288, s.13)

9 15. N.J.S.40A:14-80 is amended to read as follows:

40A:14-80. Borrowing money in anticipation of revenue.

11 The commissioners of any fire district, by resolution, may  
borrow [after March 1 and before December 31 following.] a sum  
13 not to exceed the amount appropriated at the preceding annual  
election held in the district, for current expenses and necessary  
15 repairs to fire apparatus and fire houses within the district, less  
any sums received from the collector of taxes or municipal  
17 treasurer on account of such appropriation. They may execute  
evidences of such indebtedness and pay the amount so borrowed,  
19 together with interest thereon, at a rate not exceeding 5% per  
annum.

21 (cf: N.J.S.40A:14-80)

16. (New section) Notwithstanding the provisions of any other  
23 law to the contrary, any member of a board of fire commissioners  
whose term expires on the third Saturday in February following  
25 the effective date of this amendatory and supplementary act is  
extended until the second Tuesday in May of that year.

27 17. (New section) Notwithstanding the provisions of any other  
law to the contrary, every board of fire commissioners shall,  
29 prior to the third Saturday in February following the effective  
date of this amendatory and supplementary act, and subject to  
31 the approval of the local governing body, adopt an interim budget  
which shall be in effect until the adoption of a budget at or  
33 following the election held on the second Tuesday in May  
pursuant to this amendatory and supplementary act. The amount  
35 provided for in the interim budget shall be assessed by the  
assessor of the municipality and paid over to the treasurer or  
37 custodian of funds of the fire district pursuant to  
N.J.S.40A:14-79.

39 18. (New section) Notwithstanding the provisions of any other

1 law to the contrary, the annual school election held pursuant to  
3 Title 18A of the New Jersey Statutes, fire district elections held  
pursuant to chapter 14 of Title 40A of the New Jersey Statutes  
and elections held pursuant to the "Uniform Nonpartisan  
5 Elections Law," P.L.1981, c.379 (C.40:45-5), shall occur on the  
second Tuesday in May at the same polling places and during the  
7 same hours. The officials who are by law responsible for  
administering each election shall cooperate in making such  
9 arrangements for the coordination of these elections as they shall  
deem necessary and appropriate.

11 19. This act shall take effect on January 1 next following the  
date of enactment.

13

15

#### STATEMENT

17 This bill provides that annual school elections, fire district  
elections and nonpartisan municipal elections shall be held at the  
19 same place and time on the second Tuesday in May. At present,  
these elections occur on three different dates. The bill's purpose  
21 is to increase voter participation at these elections and save  
money by eliminating duplication of effort.

23

25

#### ELECTIONS

##### Municipalities

27

29 Coordinates holding of school elections, fire district elections and  
nonpartisan municipal elections.



FISCAL NOTE TO  
ASSEMBLY, No. 4165

STATE OF NEW JERSEY

DATED: August 17, 1989

Assembly Bill No. 4165 of 1989 provides that annual school elections, fire district elections and nonpartisan municipal elections shall be held at the same place and time on the second Tuesday in May. At present, these elections occur on three different dates.

The Department of State, Division of Elections indicates that because these elections are funded locally, it has no data on the cost of conducting them, or of the savings that local governments would realize in conducting them all on the same date.

The Office of Legislative Services notes that the proposed change may result in some savings in salary and machine rental fees. However, this savings may be offset by a possible need for additional ballots or machines at some polling places, and the need for extra individuals to staff the consolidated elections.

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



STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator RICE

1    AN ACT concerning voting, amending R.S. 19:48-6 and  
          supplementing Title 19 of the Revised Statutes.

3

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

          1. R.S. 19:48-6 is amended to read as follows:

7        19:48-6. The county board of elections or the superintendent  
          of elections or the municipal clerk, as the case may be, having  
9        custody of voting machines, shall have the machine or machines  
          and all necessary furniture and appliances at the proper polling  
11       place or places before the time fixed for opening the polls, and  
          the counters set at zero (000), and otherwise in good and proper  
13       order for use at such election. For the purpose of placing  
          ballots in the ballot frames of the machines; putting in order,  
15       setting, testing, adjusting and delivering the machines, such  
          county board of elections or such superintendent of elections or  
17       such municipal clerk, as the case may be, [may] shall employ or  
          appoint one or more fully competent persons to be known as  
19       custodian or custodians of the machines, who shall be thoroughly  
          instructed in their duties by such county board of elections or  
21       such superintendent of elections or such municipal clerk, as the  
          case may be, and shall be sworn to perform their duties honestly  
23       and faithfully. Such custodians shall be employed or appointed  
          and instructed at least 30 days before the election and shall be  
25       considered as officers of elections; provided, however, that for  
          the purpose aforesaid in counties having a superintendent 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 SSG committee amendments adopted January 21, 1988.

1 elections, the superintendent of elections may employ or  
appoint, in addition to one or more custodian or custodians,  
3 other fully competent persons and may classify them, assign  
their duties, and fix their compensation according to the  
5 particular duties assigned them, which said persons shall also be  
employed or appointed, and thoroughly instructed and sworn to  
7 perform their duties honestly and faithfully, at least 30 days  
before the election and shall likewise be considered as officers  
9 of election.

Before preparing a voting machine for any election, written  
11 notice shall be mailed by such board of elections or such  
superintendent of elections or such municipal clerk, as the case  
13 may be, to the chairman of the county committee of at least  
two of the principal political parties, stating the time and place  
15 where the machines will be prepared[, at which time]. This  
preparation shall be completed by the seventh day before the  
17 day of the election. On that day one representative of each  
such political party shall be afforded an opportunity to see that  
19 the machines are in proper condition for use in the election;  
such representatives shall be accompanied by two members of  
21 the county board of elections, one from each political party, in  
those counties without a superintendent of elections, or by the  
23 superintendent of elections in those counties with such an  
official, or by the municipal clerk, as the case may be. The  
25 representatives shall be sworn to faithfully perform their duties  
and [shall be regarded as election officials, but] shall not  
27 interfere with the custodian or custodians or other persons  
employed or appointed as aforesaid or assume any of his or their  
29 duties. When a machine has been [so] examined by [such] the  
representatives and the accompanying officials and determined  
31 to be in perfect mechanical order, it shall be sealed with a  
numbered metal seal. Such representatives shall certify, upon a  
33 form to be provided by such county board of elections or such  
superintendent of elections or such municipal clerk, as the case  
35 may be, as to the numbers of the machines, that all of the  
counters are set at zero (000), and as to the number registered  
37 on the protective counter, if one is provided,

1 and on the seal. Such certificate shall be filed by them with  
 3 such county board of elections or such superintendent of  
 elections or such municipal clerk, as the case may be. When a  
 voting machine has been properly prepared for the election, it  
 5 shall be locked against voting and sealed[; and the]. The keys  
 thereof shall be delivered to such county board of elections or  
 7 such superintendent of elections or such municipal clerk, as the  
 case may be, together with a written report made by a custodian  
 9 no later than the sixth day before the day of the election stating  
 that it is in every way properly prepared for the election.

11 After the voting machines shall be delivered to the polling  
 places, the governing body of the municipality, wherein such  
 13 polling places are located, shall provide ample police protection  
 against molestation, or tampering or damage to the machines.  
 15 Every voting machine shall be furnished with a lantern, or an  
 electric light fixture, which shall give sufficient light to enable  
 17 voters while voting to read the ballots and be suitable for use by  
 the district board in examining the counters. The lantern or  
 19 electric light fixture shall be prepared in good order by such  
 county board of elections or such superintendent of elections or  
 21 such municipal clerk, as the case may be, for use before the  
 opening of the polls.

23 (c.f. P.L. 1947, c. 168, s.25)

25 2. (New section) Each county board of elections, or  
 superintendent of elections in those counties with such an  
 official, shall provide to the district boards of registry and  
 27 election on or before the day of each election:

a. A list of the telephone numbers of those persons, including  
 29 but not limited to the municipal clerk, the county clerk, the  
 board of elections, the superintendent of elections in those  
 31 counties with such an official, and the Secretary of State, who  
 may be contacted by members of the district boards in the event  
 33 that a voting machine malfunctions or a replacement machine is  
 not available, or some other emergency arises;

b. A sufficient number of custodians of voting machines,  
 35 appointed pursuant to R.S. 19:48-6, to perform emergency  
 repairs on the voting machines at the district boards if any of  
 37 those voting machines malfunction;

1 c. Sufficient voting machines in perfect mechanical order for  
 use in the event that a voting machine at the district board  
 3 malfunctions, or if sufficient replacement machines are not  
 available, <sup>1</sup>[an] a sufficient<sup>1</sup> amount of emergency voting forms  
 5 <sup>1</sup>[equal in number to the number of voters in the election  
 district]<sup>1</sup>;

7 d. Copies of a pamphlet or some other publication, written in  
 plain English or in Spanish in those election districts where the  
 9 primary language of 10% or more of the voters within the  
 county is Spanish, describing the procedures to be followed by  
 11 members of the district boards in the event that a voting  
 machine malfunctions or if sufficient replacement machines are  
 13 not available, or some other emergency arises.

3. (New section) Any voter who believes that he has been  
 15 disenfranchised or denied the ability to vote on the day of an  
 election because a county board of elections or a superintendent  
 17 of elections in those counties with such an official failed to  
 provide the district board of registry and election of the voter  
 19 with: (a) a list of telephone numbers of those persons who may  
 be contacted in the event that a voting machine malfunctions or  
 21 a replacement machine is not available, or some other  
 emergency arises; (b) a sufficient number of custodians of voting  
 23 machines to perform emergency repairs on voting machines  
 which malfunction; (c) sufficient voting machines in perfect  
 25 mechanical order for use in the event that a voting machine  
 malfunctions, or if sufficient replacement machines are not  
 27 available, <sup>1</sup>[an] a sufficient<sup>1</sup> amount of emergency voting forms  
<sup>1</sup>[equal in number to the number of voters in the election  
 29 district]<sup>1</sup>; or (d) copies of a plain language publication, written  
 in English or in Spanish were appropriate, describing the  
 31 procedures to be followed by members of the district boards in  
 the event that a voting machine malfunctions or a replacement  
 33 machine is not available, or some other emergency arises, as  
 provided in section 2 of P.L. . . . ., c. . . . . (C. . . . .) (now  
 35 pending before the Legislature as this bill), shall be entitled to  
 bring action for relief on the day that the alleged  
 37 disenfranchisement occurs in the Superior Court of the county in

1 which the voter resides. If such voter proves that the failure of  
 2 a county board of elections or a superintendent of elections to  
 3 conform to the above-mentioned provisions of section 2 of P.L. .  
 4 . . . , c. . . . (C. . . . .) (now pending before the Legislature as  
 5 this bill) as resulted in the disenfranchisement or denial of the  
 6 ability to vote of that voter, the voter shall be permitted to  
 7 vote by emergency ballot.

8 4. This act shall take effect immediately, but if a regularly  
 9 scheduled election shall occur within 30 days after this effective  
 10 date, the act shall take effect on the day following that election.

11

13

## ELECTIONS

### Vote Procedures and Ballots

15

16 Establishes procedures for election officials to follow to prepare  
 17 voting machines for election day, directs election officials to  
 18 provide certain assistance to district boards of election on  
 19 election day.



SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 596

with Senate committee amendments

STATE OF NEW JERSEY

DATED: January 21, 1988

The Senate State Government Committee reports favorably and with committee amendments Senate Bill No. 596.

This bill establishes procedures for the county board of elections, the superintendent of elections, or the municipal clerk, as the case may be, to follow in preparing voting machines for use on the day of an election. The bill makes it mandatory for these officials to employ or appoint one or more persons to act as custodians for voting machines and provides that voting machine preparations shall be completed by the seventh day before the day of the election.

The bill directs each county board of elections, or superintendent of elections in those counties with such an official, to provide to the district boards of registry and election on or before the day of each election:

(1) a list of telephone numbers of persons who may be contacted by members of the district boards in the event that a voting machine malfunctions, a replacement machine is not available, or some other emergency arises;

(2) a sufficient number of custodians of voting machines to perform emergency repairs at the district boards if there is a voting machine malfunction;

(3) sufficient voting machines in perfect mechanical order or emergency voting forms in case of a voting machine malfunction;

(4) copies of a pamphlet, in plain English or Spanish, as appropriate, describing the procedures to be followed in the event a voting machine malfunctions or some other emergency arises.

The bill also provides that any voter who believes that he has been denied the right to vote because of the failure of the county board of elections or the superintendent of elections to comply with the provisions of this act may bring action for relief in the Superior Court of the county in which the voter resides.

This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

# COMMITTEE AMENDMENTS

The committee amended the bill to change the number of emergency voting forms to be provided from an amount equal in number to the number of voters in the election district to a sufficient number.

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mjz: 1-88



ASSEMBLYMAN ROBERT J. MARTIN (Chairman): Good morning. We would like to welcome you to the second of two public hearings regarding election laws in New Jersey. This is the Assembly State Government Committee. My name is Bob Martin. I am an Assemblyman from Morris County. The towns that I live around frequently confuse it with Moorestown. We are up by Morristown.

To my left is Assemblyman Schluter, who is from Hunterdon County. And Don Margeson is our staff Committee Aide -- nonpartisan staff -- connected with the Office of Legislative Services. He is to my right. And to my left is Glen Beebe, who is a staffer with the Assembly Majority. We are hopeful that Skip Cimino, an Assemblyman from Mercer County, will be with us. He indicated he was going to try. I see also a number of Assembly members present today in our audience.

The reason we have been holding these hearings is because the Assembly State Government Committee has literally scores -- at least dozens -- of bills that would pertain to changing the way that registration -- the way elections are conducted in the State of New Jersey. It seemed useful, prior to acting further on some of these bills, that we take some testimony from those persons who either have a direct interest in seeing change -- or reform, depending on how you want to classify it -- and also those who are out in various offices of the State, such as the Superintendent of Elections offices, the Board of Elections offices, to see what they perceive to be the existing problems, and what the problems, if any, they would see if we go about changing the present systems.

We have had several meetings in Trenton on various measures -- but not public hearings per se -- just on this topic. We have passed out a witness list. I will essentially go from that list, as far as having people testify. It is my intention that the hearing will not go beyond one or

one-thirty, so we will ask you to make your points, keeping them succinct, while pithy, and not going into any unnecessary elaboration.

I would like to begin by asking Assemblyman Roberts, who represents this district, to perhaps come up and say a few words. Joe?

**A S S E M B L Y M A N J O S E P H J. R O B E R T S, J R.:**  
Mr. Chairman, thank you very much. I want to welcome you and Assemblyman Schluter, and Committee staff as well, to Camden County and to Camden City and to the Fifth Legislative District. As I indicated, Assemblyman Wayne Bryant, who is my colleague in this district, is going to attempt to be here this morning as well. I think he is stuck in court at the present time, but hopefully he will be able to get out of there sometime soon.

I just want to congratulate you for this commitment to holding these hearings on these important issues, as well as your commitment to hold them throughout the State. That is something that is very, very important. Today, you will have the opportunity to hear from people from Burlington County, Camden County, and Gloucester County, as well as representatives from a number of statewide organizations, people who may not have had the opportunity to testify if the hearings were confined to Trenton.

So I want to congratulate you for that. These are important issues. I am pleased to have one bill that you are going to consider today. But as you indicated, Bob, there is really a multitude of issues that are being addressed by the Committee and being considered. I really think this is a fine framework in which to deal with them in this kind of a coordinated way.

So, welcome. It is a pleasure to have you here today.

**ASSEMBLYMAN MARTIN:** You will have an opportunity later to speak on your specific bill. I might just mention,

too, the bills that we listed, while we are considering them, there are, as I indicated earlier, many other bills. This is by way of illustration, as far as the listing of the bills is concerned, as much as it is to speak specifically on these bills. So, if there are other areas which deal with registration, voter turnout, changes in any of the Title 19 election law, you may comment on those, as well.

I would like to begin by calling Assemblyman Gerard Naples, who is here to testify on Assembly Bill No. 205. Gerry?  
A S S E M B L Y M A N   G E R A R D   S .   N A P L E S : Thank you very much.

ASSEMBLYMAN MARTIN: We took you out of Trenton to bring you down here.

ASSEMBLYMAN NAPLES: Thanks, Bob. Usually I get up because, you know, Trenton is the Capital city, and I say, "Welcome to the Fifteenth District." About two months ago, I was speaking in Teaneck, and I said that automatically. They all looked at me like I was nuts. They all looked askance.

But, thank you, Joe, for welcoming me to this district. I believe it is the Fifth, is it? Not bad. To get serious for a moment, I am down here to speak in support of one of my bills. It speaks for itself. You all have your agenda. It provides that anybody who is permanently disabled, and obviously by the nature of such permanency the person will not become well, or be able to help himself or herself again, that that person, when seeking an absentee ballot, seek it one time. Prove the disability and the nature thereof, and because the disability won't get any better, have that waiver-- In other words, have the -- I'm sorry, the request for future absentee ballot applications waived.

This came about, about three or four years ago, when a friend of mine, a member of the Board of Education in Trenton, called me, and said she knew of someone who was crippled, who would never get better. "I have known him all my life, and he

is complaining about having to file every year." I went over to see the man and talk to him. I said, "You know, I have never thought of it, but it is kind of ridiculous. It would save a lot of paperwork and a lot of effort and time on behalf of county superintendents, commissioners of registration -- voter registration -- county clerks, and what have you."

So, this bill speaks for itself. Any request for a civilian absentee ballot, you know, which has been approved by the clerk, should the person who made the request be permanently disabled, would then get a permanent waiver.

Before I close, I just want to say I saw Dulcy Ricciani and Josephine Chianese (phonetic spelling) come in from Mercer. Anything that they favor, I favor. Are there any questions on the bill?

ASSEMBLYMAN MARTIN: I can just say that we had a bill last term which essentially did the same thing with respect to seniors who would request it. It may have been a little more generalized, but it went to the same point; that there may be some persons who have real difficulty in actually going to the polls. To the extent that they would, at some point, request -- and it appears that it would simply just be a recurring nature that they would have to go through, it seems somewhat -- just not very useful, or even practical, to have them have to go through the procedure every election.

I think that to a certain extent it would cause some voter falloff, because they would miss a date or they wouldn't go through the process.

ASSEMBLYMAN NAPLES: The county clerk has to be relied upon -- any county clerk -- to use good judgment. If a person has a broken leg for one election and applies to vote again without a renewal the next year, it is common sense that a broken leg can heal. But, there are certain maladies which are permanent. Okay?

ASSEMBLYMAN MARTIN: I agree. Bill?

ASSEMBLYMAN SCHLUTER: Thank you. Mr. Naples--

ASSEMBLYMAN NAPLES: Yes, Bill?

ASSEMBLYMAN SCHLUTER: I commend you on this initiative.

ASSEMBLYMAN NAPLES: Which page are you on, Bill?

ASSEMBLYMAN SCHLUTER: No, I said, I commend you on this initiative. The seven-day notification which would apply if the board of elections -- I presume it is the board, or the superintendent -- denies a person from getting the ballot application automatically through the mail-- I wonder if that is enough time for the person then to apply for a new one, or to make arrangements to vote. Could you speak to that particular issue?

ASSEMBLYMAN NAPLES: An excellent point, Assemblyman. I don't think it is, looking at it. I just figure that there would be very few, if any, but you might get a county clerk, or an election official, who will make a mistake. And, in the event a mistake is made and the disability is proven to be permanent, the person might not be available to the opportunity to vote. I think the waiting period-- We might be better served if we amend this bill to make it a longer waiting period -- I'm sorry, a longer period of appeal.

ASSEMBLYMAN SCHLUTER: Before that would take place.

ASSEMBLYMAN NAPLES: Yeah, but that could be done in Committee when--

ASSEMBLYMAN SCHLUTER: Another question: Would you have any problem if the bill were amended -- and I am just speaking off the top of my head now; I don't know that it would be-- Would you have any problem if there were -- if the bill said that regulations would be promulgated by the Division of Elections in the Secretary of State's Office to effectuate the purpose of the act, such as perhaps considering a doctor's certificate indicating that there is a permanent disability, in the same manner as-- Assemblyman Martin mentioned a senior

citizen who is confined to nursing care, or something like that. It seems to me that if that were in it, it might make it take care of any situation that we cannot contemplate now.

ASSEMBLYMAN NAPLES: I would say that that is correct. That would almost assure what you just mentioned, that election officials would make a correct decision, and would obviate, pretty much, any mistakes. That is an excellent idea, Bill; excellent. I think these can be amended along the lines of what Assemblyman Schluter said when the bill comes before Committee. You can make a note of it -- anybody -- and have the amendments prepared, and I could introduce them, or any of you could introduce them that day.

ASSEMBLYMAN MARTIN: Okay. A point well taken.

ASSEMBLYMAN NAPLES: Thanks a lot, Assemblyman. I appreciate it.

ASSEMBLYMAN MARTIN: Thank you, Gerry.

ASSEMBLYMAN NAPLES: Thank you very much. I've got to run. I have a 12 o'clock appointment in Trenton. Thank you for your kind attention.

ASSEMBLYMAN MARTIN: Next we would like to hear from Assemblywoman Dolores Cooper, from Atlantic County.

A S S E M B L Y W O M A N D O L O R E S G. C O O P E R:  
Good morning, Assemblyman Martin and members of the Assembly State Government Committee. I am here on behalf of my bill, A-3533, which, of course, pertains to the absentee ballot issue.

Just a year ago this month, the Department of New Jersey American Legion completed their convention, and I received their resolution, which was one of the highlights of their convention, to face a problem which they have encountered. I received the first letter from James E. Demarest, the Department Adjutant, Department of New Jersey American Legion, containing this resolution. I sent it to you because I felt, as I wrote to you, that each of us who depend upon the electorate for the preservation of our political

careers knows the significance of even just one vote. Recently -- that was last year when I first wrote to you -- one of our Freeholders lost her bid for election by one vote.

As you know, A-3533 will permit military service and civilian absentee voters to register and vote in all Federal, State, county, and municipal elections by using one -- I repeat, one -- Federal postcard application form. This resolution was researched by Mr. Marvin Jiggetts of the OLS staff, and contains all of the information requested by the American Legion officers and their members.

Timothy Carmody, Department Commander, hopes to ensure military and civilian personnel the opportunity to vote. Well, of course, now it is past the 1988 general election, so we will move into 1989. Although I do not feel that last year we could have accomplished it in that time period, I feel, as many others do, that it must be in place and duly signed by Governor Kean in time for the '89 elections, and we can move that to 1990.

I look forward to your cooperation. Of course, the bill is self-explanatory. There are hundreds, or thousands of our military and civilian personnel around the world, many of them in very remote areas. It has been quite a problem with all of them. Finally, the American Legion has brought it to light. Of course, this also applies to the maritime and merchant marine service of the United States, allowing their members to qualify as military service voters.

So, I seek your support and endorsement of the bill. It has been long needed. I received-- as I say, many other organizations have written to me supporting it. I believe there is an American Legion officer here, Mildred DeFante, who would also like to make a presentation on behalf of my bill.

ASSEMBLYMAN MARTIN: Would you like her to speak now while you are here?

ASSEMBLYWOMAN COOPER: Yes, I would like to have Mildred-- Mildred, where are you?

M I L D R E D   D e F A N T E: Right here.

ASSEMBLYWOMAN COOPER: Would you like to follow up my presentation? (no response)

ASSEMBLYMAN MARTIN: Good morning. Your name, please?

MS. DeFANTE: Mildred DeFante. Mr. Chairman, members of your Committee: We thank Assemblywoman Cooper for introducing this bill. I couldn't hear what she said, and I don't want to be redundant.

ASSEMBLYMAN MARTIN: She said she likes her bill, and she thinks you do, too.

MS. DeFANTE: Well, it is a known fact that there are, all over the world, people in the military, and civilians who are working for the military, who are being deprived of their right to vote because the ballots don't get there in time. Many of those people who do vote don't realize that they are disenfranchised because the ballots don't get back to the United States in time.

The American Legion, as far back as 1986, or 1987-- This bill has been in your Committee since January of '88. We are thankful that you are now bringing it up for a hearing. The American Legion, and the VFW, although I do not speak for the VFW, are on record in supporting this Federal postcard. We are also on record as supporting the 90-day provision. We realize that they are under the law that provides for the election laws, and that there are other things that might have to be changed. But, under our Constitution of the United States, everyone is entitled to vote. It is incumbent upon the legislators in the State of New Jersey to see that military persons are not disenfranchised.

We thank you for this opportunity to be heard.

ASSEMBLYMAN MARTIN: I don't think anyone has a problem with the direction your bill is going. I will follow up with the Secretary of State's Office. The only question is whether there have been some practicalities. We may not be

able to provide for every service member. I know I have talked to some of the service associations, and they have talked about if a person is in a nuclear submarine and is 60 days down in the water. We may miss a few, I don't know, but certainly I think your bill would go in the direction of trying to see that the absentee ballot works for at least most service personnel.

ASSEMBLYWOMAN COOPER: Well, I think the first step is just reaching out and showing them that their government cares. We can't service everyone, but at least we can reach those in remote areas of the world, those on maneuvers, those who just cannot function in the present system.

ASSEMBLYMAN MARTIN: Do you know how many states this type of system is being used in?

ASSEMBLYWOMAN COOPER: Mildred, do you have any statistics on that?

MS. DeFANTE: (speaking from audience) Yes.

ASSEMBLYWOMAN COOPER: I know there are quite a few, but I don't have a number.

MS. DeFANTE: There are at least 15 states.

ASSEMBLYMAN MARTIN: Are they using 40 days, do you know, Mildred?

MS. DeFANTE: Pardon?

ASSEMBLYWOMAN COOPER: Are they using 40 days?

MS. DeFANTE: Yes. The (indiscernible; witness speaking without microphone) ballot and the postcard are now being used in California, Connecticut, Georgia, Maine, Oregon, Washington, and there are others. There are 15 altogether. This includes Peace Corps Volunteers and missionaries, I think, who are out of communication for extended periods.

ASSEMBLYMAN MARTIN: Assemblyman Schluter has a question. I just want to recognize Al Harris, who is a staff member for the Assembly Minority. He is here. He joined us a little late. Bill?

ASSEMBLYMAN SCHLUTER: I have a question of the top vote-getter of Atlantic County. I'm glad to see you here today. Assemblywoman Cooper, if this postcard system is put in, and if a person gets his ballot for the school board election, and maybe a city election and a primary election, and then is discharged in July and comes back to his home town of, let's say, Atlantic City and wants to vote in November, and goes into that poll and says, "I want to vote. My name is so and so," and they say, "I'm sorry, you can't vote because we've got you with an absentee ballot, and we sent out the application--"

Now, true, I guess the application might not be filled out so that the note on the registry sheet isn't sent out. I think there might have to be some language in there notifying these people to discontinue their postcard coming to them if they are discharged. Do you see a problem with that?

ASSEMBLYWOMAN COOPER: Assemblyman Schluter, I respect your vision -- your long-range vision -- but having been a military employee during World War II and knowing the rights that I was deprived of then, I think the chances are very slim. But, if you feel it would enhance the status of this bill and protect anyone from fraudulent voting, then I would turn this back for an amendment to Legislative Services. How do you feel?

ASSEMBLYMAN MARTIN: Dolores, I think Assemblyman Schluter is concerned that they may not be able to vote if the absentee ballots have already gone -- if the applications have gone out to their service districts, and they come home -- they are discharged -- and they find out that they are caught in some bureaucratic maze, where they don't want to allow them to vote on election day because they have indicated their preference for voting by absentee ballot. So, it is actually an attempt to allow that person to be able to vote, once discharged. I think he is onto something there. We might want to at least clarify that.

ASSEMBLYWOMAN COOPER: If you feel an amendment is necessary, it could be done. There is no reason why it couldn't. How do you feel about that, Mildred -- an amendment for a returnee within the voting time? How does that impact you?

MS. DeFANTE: I don't understand your questions.

ASSEMBLYWOMAN COOPER: Explain that please, Mr. Schluter.

ASSEMBLYMAN SCHLUTER: Well, it is a highly technical question. If a person is discharged in July, and because of continuing the postcard mailing of the application the person's registry sheet shows that he or she has gotten an absentee ballot, and therefore they are disallowed from voting in November, even though they are back--

Now, I would like to get some comment from election officials who are here who could probably tell me how that might be precluded from happening because of initialing them--

MS. DeFANTE: (still speaking from audience; no microphone) I think it is incumbent upon the voter to keep them informed; either they are out of the service or they moved away, the same as with a driver's license. If you move to another state, you get a new driver's license. (one sentence indiscernible here) I still say it is incumbent upon the voter.

ASSEMBLYMAN MARTIN: Well, we will take a look at it. If it is not too difficult, maybe we can come up with some procedure. Okay?

ASSEMBLYWOMAN COOPER: Are there any other questions?

ASSEMBLYMAN MARTIN: Those are all the questions we have for you this morning. Thank you, Dolores.

I would like to recall Assemblyman Roberts, who is the sponsor of several bills dealing with elections, including motor voters. Good morning, Joe.

ASSEMBLYMAN ROBERTS: Good morning. Thank you very much. Assembly Bill No. 4167, as you indicated, the motor

voter bill, is something that has been tried with a great deal of success in other states. It really gets to what I think is the central issue in terms of voter participation, and that is that we really need to do everything possible to encourage broader based voter registration.

When you look at comparisons between the United States and other industrial democracies around the world, you see that when you look at all those who are eligible to vote, namely those who are of voting age and have no legal impediments to their being able to vote, participation in the United States ranks terribly. Out of 19 or 20 states, we rank at the very bottom. When you look, however, at participation on the part of those who are registered, our record improves significantly. The lesson, at least to me, is that once we can get people to register, we have a better chance, obviously, of getting them to vote. So, involvement in the registration process in the first place is something that is really essential.

Mr. Chairman, as you indicated, I have introduced a couple of bills that deal with this. One other provides a voter registration form on the income tax instruction booklet. A third one does something similar to what Governor Kean and Senator Bradley called for a couple of weeks ago, which is agency-based voter registration, whereby public agencies in the State are encouraged, if not mandated, to inquire as to whether or not a client they are serving -- whether it be in the unemployment office or the Board of Social Services or a child services program or any one of a variety of services -- to simply ask if the person is a registered voter. If they are not, give them the opportunity to become registered. It deals with the notion that a lot of people are simply not familiar with how to become a registered voter. They don't think about it in a lot of cases until it is too late. But these are the same people who come into contact with State offices on a

regular basis. This interactive agency-based voter registration would give them the opportunity to become registered voters.

I want to thank you for considering my bills so expeditiously. I know that over the course of the next number of months maybe you will have a change to look at those as well. Today's business at hand is A-4167, as you indicated, the motor voter bill. I have given you a copy of the form that is used in the State of Minnesota. It is really so simple and convenient that it really doesn't need much elaboration from me. It is simply a detachable form that someone encounters when they go into a Motor Vehicle office. The first part is an application to become a licensed driver in the State of Minnesota. Then there is a perforated part that says: "If you are not a registered voter, if you are eligible to register and you want to become registered, fill out the bottom portion." That, in essence, allows the person to become a licensed driver and a registered voter at the same time.

There are some issues with it. Obviously, in Minnesota and in New Jersey, the age to become a licensed driver is not 18, the same age as it is to become a registered voter. So it is not going to apply to everybody. It is going to apply significantly to people who are moving in from out-of-state who are transferring their driver's license, and things of that sort. In a perfect world, obviously, both ages would be the same, but that is not the case, so we are not going to catch everyone in terms of getting them to register. I acknowledge that.

The second issue is that the bill that I have introduced, calls for deleting the requirement that a voter registration form be signed by a witness. I would encourage you, as you are listening to folks today, and at other hearings in the future, to get other thoughts on that issue. I added that into the bill because of some of the input I have gotten.

People involved in elections -- election board officials and professionals in that area -- have convinced me that the mechanism we have for witnessing a voter registration form in New Jersey doesn't make any sense. The person who signs as a witness is not in a position to make any statement about whether or not the person who is registering is eligible and entitled to be a registered voter. Moreover, they are not even able to make a determination that the person who signs the form is the name that is on the form. All they are doing is witnessing that someone signed something in their presence. It is really something that serves as an impediment to getting people registered to vote, and really doesn't provide us with much of a safeguard.

But, as I said, that is something I would ask you to think about as you get testimony on the issue. I said that I think it is a fairly straightforward and simple bill. If you have any questions, I would be very happy to try to answer them.

ASSEMBLYMAN MARTIN: Testimony taken in Bergen County last Thursday was very positive about both of these bills, as well as testimony about the problem that you identified with witnesses; the fact that not only is it unclear what the person is witnessing and whether they could even recall what they were witnessing, but secondly, the practical problem of having these signatures then being submitted to the superintendents of elections' offices, especially in crunch time, just before a general election. Many of the witnesses' signatures can't be verified at all, and are just simply -- sort of just left alone. Any security they may provide for the process seems somewhat moot at this point, especially in the larger urban counties, where the votes come in in much greater numbers right at election time.

One of the questions -- or one of the recommendations that was made regarding your agency registration bill, not in criticism of the bill itself, again as a mechanism, was to

consider appointing, or at least having the head of the agency identify one person as the receiver of the cards, because what happens, at least some testimony in Essex, Bergen, and Passaic Counties was that there may be a person who is just given the position, or is sort of doing it, and they may take these cards, and they somehow get put into a drawer, and the person who thought they registered, in fact never did, because the agency itself was viewing this as something of just another assignment, without any real understanding, if you will, that there is a responsibility there. So, there were comments that maybe a person should be designated; that there at least be some form of penalty, if you will -- I don't mean criminal necessarily -- but to impress upon that person that this is -- that once you have these signatures, there is a real obligation to ensure that they be delivered to the clerk. There was some comment about that, which I thought made some sense. If we are going to do this, we have to-- Otherwise, as I said, there can be misunderstandings and then a fight on election day when someone is trying to represent that they really did register, and there is no proof. It gets a little sticky, to say the least.

ASSEMBLYMAN ROBERTS: I think that is a good idea. I would not want to see a situation in the agency, for example, where someone went in and applied for unemployment, or under this provision applied for a driver's license, and then was told that they needed to go see someone else to register. I think they would head out the door rather than potentially going to another line to wait in, or something of that sort. So, I would want to see the same person who serves the client in the agency-based registration -- in the public agency -- be in a position to do the voter registration process. But, you are absolutely right. There ought to be an interoffice procedure where someone can act as, you know, the caretaker to safeguard all of the forms and see that they are--

ASSEMBLYMAN MARTIN: Someone would have to be designated.

ASSEMBLYMAN ROBERTS: Yeah, that makes perfect sense.

ASSEMBLYMAN MARTIN: As far as the motor voter bill, I don't think-- At least on Thursday, there was relatively no criticism of that. The fact that if it is a mail-in procedure, the feeling was that you could-- The counties could pretty much handle that the same way that they are accepting mail-in registrations now. There didn't seem to be anything to distinguish that, that would make it more difficult than other persons who are registering. The fact that we drive at 17-- I am not sure that that presents an overwhelming problem. It would just be cleaner if everything meshed as far as ages go.

ASSEMBLYMAN ROBERTS: Sure. I met with a group of high school students a couple of months ago just in conjunction with my other legislative duties, and I told them about the bill. I said, "We're thinking of doing something to streamline it. We are going to raise the age to become a licensed driver to 18." They thought that was a less than good' idea. But, we will do the best we can.

ASSEMBLYMAN MARTIN: I am sure they would prefer the alternate approach. Mr. Schluter, questions?

ASSEMBLYMAN SCHLUTER: No questions.

ASSEMBLYMAN MARTIN: Okay. Thank you very much, Joe.

ASSEMBLYMAN ROBERTS: Thank you very much, Bob.

ASSEMBLYMAN MARTIN: I would like to call on the County Clerk of Burlington County, Mr. Edward Kelly. Is he here? (no response) Judy Savage, Department of Education.

J U D I T H E. S A V A G E: Thank you very much. I know most of your focus this morning is going to be on the general election procedures in Title 19. I would like to turn for a minute to school election procedures, which is where the Department of Education has some concerns.

We are very concerned about the prospect of moving the election from its current date, the first Tuesday in April to another date later on in the year, in order to merge it with another election. Specifically, our concerns this morning focus on A-2923, which would combine the April school election with the June primary election.

We understand that the intent of the bill is to increase voter turnout, and that is an intent that we certainly support. However, we do not believe that combining the two elections is going to accomplish that goal. Primary votes seem to hover around 11%, 12%, 14%, and somewhat higher in a presidential or a hotly contested gubernatorial year. School elections have gone as low as 7%, but most recently they have been closer to the 15% range. So, we don't see that large a difference between the turnouts, and we really don't believe that combining them is going to increase either the school election or the primary turnout.

In addition, we have some very serious concerns about the ramifications of combining the two elections.

ASSEMBLYMAN MARTIN: I hope you do, because some of the testimony in Bergen was that you could just move it to the general election and then you could get a bigger turnout. Of course, you would have to redo the entire fiscal schedule and whatnot, but at least there were one or two people who proposed that as a possibility. I think the heart of the matter has to do with the education elections. The municipal, county, and State elections should be at the same time.

MS. SAVAGE: Well, our main concern about that is combining a nonpartisan school election with a partisan election. It immediately would take on some political tones, and so far school elections in New Jersey have remained apart from that. So, that would be a major concern.

Also, as you mentioned, there is a whole calendar that is set out for the school budget process. It kicks off in

November-- Actually, it kicks off in September, when the school districts are first notifying us what their enrollments are. Based on those enrollments in the previous year's budget, we then tell them how much State aid they can expect in the following year. Based on those figures, which are revised in November/December--

ASSEMBLYMAN MARTIN: Better be careful with that, you know, how much State aid. You're telling them--

MS. SAVAGE: It's a touchy topic. Based on those figures, and then the Governor's budget recommendations, they build a budget. There are then procedures for them to hold public hearings, and ultimately put the budget before the voters in April, which they must do in order for the tax rates to be struck at the end of April.

What A-2923 would do, is simply move the election from April to June. The tax rate would still be struck in April. So the tax rate would be struck on a tax that the voters had not spoken to yet. It would be just a proposed budget. If the voters were then to reject that budget -- which they did in 38% of the communities in New Jersey last year -- they would be forced to pay that tax anyway, and then have an adjustment in the following year.

We think that would be very unfair to the voters, you know, especially the voters who might feel seriously a burden by paying an increased tax that they voted against. It would be totally unfair to make them pay it, and then pay less the following year.

ASSEMBLYMAN MARTIN: Although to be fair, when voters reject the school budget, I would think that the amount-- If you took on average what the actual cut was after the school board and the governing body did their thing and the school did its thing and, if necessary, the Administrative Office of the Courts did its thing, and then finally the Chancellor did his thing, the fractional amount of the cut would not be all that

great, at least relative to what the original budget was. I would think it would have to be somewhere in the 90%-plus range, as far as what the cuts were.

MS. SAVAGE: I think in most cases, you are absolutely correct, because in most cases school boards are appropriating money pretty close to the line, and they can't go too much below that, even if the voters do not want it, without jeopardizing the education.

However, there could be a community in which they would propose a major project the voters would be opposed to, and voting down the budget would be a vehicle for that. Then it could be a matter, you know, of five or ten cents on the tax rate, I suppose.

ASSEMBLYMAN MARTIN: What would happen if you moved the election to the second -- is it Monday or Tuesday in May, when you have the nonpartisan elections in New Jersey? As you know, some municipalities which have nonpartisan elections have their elections the second Tuesday in May, such as Jersey City for example.

MS. SAVAGE: We would also be concerned then that you would still be left with that same process for striking the tax rate before you went to the polls to vote on the budget, although it would be happening a little bit earlier.

The other thing is, we have heard concerns about the fact that it is not really a Department of Education concern, but more a concern of the election people. If you have all the voters then going to the polls on May 10, or May 9, whenever that is, the second Tuesday, there would really not be enough time to hold the machines for recounts in contested elections and then reprogram in time for a June primary.

ASSEMBLYMAN MARTIN: We'll work on that. That is a separate issue. I still don't think they need as much time as they claim, especially if the turnout is-- Your turnouts have been 10% to 15% in the nonpartisan elections. I don't know

what they are, but they are not more than probably 40% or 50% in most municipalities.

But, I agree. I think there are some real fundamental questions about whether we should mix general elections with education. Even those towns that are nonpartisan-- While they may be nonpartisan in name, many of them -- again, perhaps Jersey City comes to mind -- are, at least looking under the surface-- They seem to be quite political. Whether you want to deal with those two issues at the same time -- the educational, as well as the political, at least what I perceive to be political -- is a matter of philosophy. I am not terribly enthusiastic about it.

Mr. Schluter, questions?

ASSEMBLYMAN SCHLUTER: This is not facetious, but does the Department have any policy on continuing the voting by the public on school budgets? If that were eliminated, at least one of the problems that you perceive might be avoided.

MS. SAVAGE: That is a very tough issue. As you know, school budgets are the only case where the voters go to the polls and vote on a budget. Unfortunately, we have been seeing a lot, in recent years, of voters who have frustration generally with rising taxes, with increases in municipal and county and even State budgets. The only chance they have to vote on a budget and taxes is at the school elections, and sometimes even if they have no problem with what is being spent in a school district, they vote, "No," to make that point.

As far as the Department is concerned, there is really no strong reason to continue those elections, except for the fact that they have always been that way. There are a lot of voters who would feel that something was being taken away from them, if that were changed. But from a policy point of view, there is no need for the voters to vote on a school board election.

ASSEMBLYMAN MARTIN: I'm sure many voters would love to get their hands on a municipal budget, and the State budget as well. I can tell you, too -- and I'm sure you know this -- it cuts both ways, when you say that. As far as the budget goes, there are many elected municipal officials who feel frustration because the voters come to them and want them to be able to cut portions of the educational budget. The voters are not aware that the school budget is totally separate from the municipal budget, and the municipality, expect when the school budget is defeated, has no input at all into what that budget is. So, in some respects, they take some heat for you, as much as you may take heat for them, as I am sure you are aware.

Anything else, Mr. Schluter?

ASSEMBLYMAN SCHLUTER: No, thank you.

ASSEMBLYMAN MARTIN: Thank you very much, Judy.

MS. SAVAGE: Thank you.

ASSEMBLYMAN MARTIN: Mr. John Henderson, New Jersey School Boards Association.

J O H N H E N D E R S O N: Thank you, Mr. Chairman. I just want to follow up on what Judy Savage from the Department of Education said. We also oppose Assemblywoman Crecco's bill to move the elections. Judy has already expressed the reason, and you have underscored it. The problem of further politicizing the political process regarding education is one of the chief concerns about moving the date anywhere. Even if it were moved to the May nonpartisan elections, as you pointed out, in Jersey City and other towns, it would become political. The school budget, right or wrong, would be the chief campaign issue if you moved the nonpartisan or the June primary. It would automatically become the issue, even if it should not be, because of the size of it.

So, we believe it would be a bad move, bad politics, bad public policy. We hope that bill will not be considered.

We have studied the issue. We had a 10-member internal New Jersey School Boards Association committee, which met with Barry Skokowski's office, Division of Local Government Services in the Department of Community Affairs, the Department of State's Office, the Department of Education -- Mr. Calabrese, Assistant Commissioner of Finance at the time -- and all of the groups that would be concerned about the school budget calendar, to talk about moving the date. Assemblywoman Crecco was there at the meeting also, because we had asked her to hold her bill once before. What we found out was, there is no way to move the date to enhance the turnout. That was one of the things we found out.

What you could do, and what we recommend to you -- and we're looking for a sponsor for this, by the way -- is move the election back to the third Tuesday in March, for this simple reason: to get it away from the Passover/Easter problem. Almost yearly, the Commissioner is asked -- and the School Boards Association is caught in the cross fire between school districts that want the date moved somewhere else in April -- as you may know, the Commissioner has the authority to move it to April now -- to move it somewhere else in April because their vacation conflicts with either Easter or Passover.

We propose the third Tuesday in March, as a result of the study of our committee, because it takes away all Passover and Easter conflicts, I think through the year 2010. That is a modest-- It wouldn't achieve a greater voter turnout, but it would end this problem of oftentimes having the school election when there is no one around in the school buildings. They are off that week and you can't get workers, and the turnout is even more impaired.

The second issue we want to bring to your attention is the budget vote itself. We believe that after the November elections, because it would be a very hot political issue now -- it would be unfairly portrayed -- but after the November

elections, we believe it would be time for an initiative to get rid of the budget vote altogether. As you indicated, no Federal, State, county, or local budget is voted on, but in New Jersey the school budget is. The reason those budgets are not voted on is, not only are these enormously complicated documents -- there is probably nothing more complicated in government than putting any kind of budget together -- but the mechanism for voter anger at inappropriate spending by public officials, is to vote them out of office, and that applies to school board members as well.

Also, there are already about 40 districts, including some of the largest in the State -- and I believe Camden -- that do not vote on their school budgets now because they are Type One districts. They have two members of the school board and two members of the town council, and the tie is broken by the mayor, to concoct the school budget. It is not voted on. We see the school budget vote as an unfortunate anachronism.

Another piece of information the Committee may be interested in: Even when a school budget -- I think, Mr. Chairman, you alluded to this -- is voted down, the cut is trivial, because these things are cut so close to the bone that over 95% of it is locked in. It is absolutely needed for T&E, so if they end up on a \$10 million or \$20 million budget, they cut \$100,000 out of it, and it ends up being an insult to the voters who went through the rain or got off a train from New York City to rush to the polls to vote on it. It is a waste of their time.

You may also be interested in the fact that even when that happens, if the school board feels it can't even lose that \$100,000, they can go back to the Commissioner, and half of the time the Commissioner puts it right back. So the no vote is totally wasted. We don't believe the public fully appreciates this. We believe what the public reacts to is the word "vote," and, "They are going to take away my vote."

We know that we have to get a big educational campaign going to show the voters that the school budget is not an appropriate document for a public referendum. Since we know that any legislation would have to come through your Committee, we are interested in your views on this early on.

Those are the two issues that we wanted to bring to your attention, Mr. Chairman, Assemblyman Schluter. Do you have any questions?

ASSEMBLYMAN MARTIN: I think the first proposal is an excellent one. Hopefully, it wouldn't fall on St. Patrick's Day either, but you can't avoid everything.

As far as the other issue, it's got some heavy political baggage, as you know.

MR. HENDERSON: Yeah, it does. We're collecting editorials. I think we have one from: The New York Times, The Newark Star-Ledger, and The Trenton Times, that go into detail, explaining why-- They say in a quicker way than I did why this is a silly exercise. We're hoping to meet with editorial boards to generate a newspaper campaign. I don't remember reading any editorial that really says to keep it. I think any time that thoughtful people look at the issue, they dismiss it. It just has that buzzword "vote" next to it, and we know that is a tough one to beat.

ASSEMBLYMAN MARTIN: Mr. Schluter?

ASSEMBLYMAN SCHLUTER: On the latter subject, first of all I don't know, Mr. Henderson, if it would come before this Committee. It might come before the Education Committee. It would require, I think, a constitutional amendment, would it not?

ASSEMBLYMAN MARTIN: I don't know if that would be a constitutional amendment or not. I don't think so, but I could be wrong.

ASSEMBLYMAN SCHLUTER: May I suggest that you, in your research, possibly consider other safeguards, such as a

two-thirds vote of the school board, or where 10% of the voters could petition to have it reviewed by a State agency, because just to take away that right is not going to pass, particularly if it takes a constitutional amendment, where the voters have to vote on it. It would have to be mitigated by some other kinds of real or perceived guarantees of the rights of citizens to be sure that these budgets don't go hog-wild.

MR. HENDERSON: Thank you for that.

ASSEMBLYMAN MARTIN: Thank you very much, Mr. Henderson.

MR. HENDERSON: Thank you.

ASSEMBLYMAN MARTIN: Joan Wiskowski? Is she here? (no response) Rob Stuart? I didn't see him. Is he here? (no response) Is there a representative from PIRG -- the New Jersey Public Interest Research Group? (no response) Barbara Trought, The League of Women Voters. Good morning.

B A R B A R A H. T R O U G H T: Good morning, Mr. Chairman, members of the Committee. I am Barbara Trought, Government Director of The League of Women Voters of New Jersey. I am pleased to be here today to express the League's concern about a problem that presents a "silent threat" to the future of our democracy. Declining voter turnout threatens the very foundation of America's representative democracy.

We urge action in this legislative session to begin reversing what has become a very disturbing and dangerous trend. The time is ripe and the need is great. The Legislature must act now to ensure that citizens have access to voter registration procedures that facilitate, rather than impede, their exercise of the right to vote.

The League of Women Voters of New Jersey is a nonpartisan citizen organization with 6000 members in 75 local leagues. For almost 70 years, leagues have worked to educate the electorate, register voters, and make government at all levels more accessible and responsive to the average citizen.

In recent years, we have been particularly concerned about declining voter turnout at all levels of government.

We have all heard the statistics. In the recent presidential election in November 1988, barely half of all eligible citizens turned out to vote. This was not an isolated instance, but represented the continuation of a decades-long trend toward decreased voter turnout in elections. This problem can no longer be ignored.

We know for a fact that citizens will vote if they are registered. Even in years with overall low turnout, 80% to 90% of the registered voters have participated in presidential elections. In a New York Times/CBS News poll taken after the 1988 election, more than one-third of the non-voters surveyed said they did not vote because they were not registered. This recent poll confirms what we have long known: Many citizens do not vote because they cannot, because they are not registered.

There is a new generation of State and local election officials who see their jobs as facilitators as well as regulators of the voter registration process. In 1987, the National Association of Secretaries of State endorsed a report of its Task Force on Barriers to Voting, which advocated wide-ranging reforms, including use of uniform mail-in voter registration forms, unrestricted availability of mail-in forms, registration at public agencies, registration through driver's licensing agencies, and either reduced registration deadlines or election day registration.

We believe that A-4167 addresses the need to make voter registration easier and more accessible by providing that mail-in voter registration forms shall be a detachable part of all applications for drivers' licenses.

We do have reservations on deleting the requirement that all new voter registration forms be witnessed by a registered voter. We will study this further and respectfully request an opportunity to address this aspect of the bill at a later date.

Mr. Chairman, members of the Committee, the Legislature must assert its leadership now. "Government derives its just powers from the consent of the governed." That most fundamental principle of our representative democracy is threatened when increasing numbers of Americans do not vote. Broad-based citizen participation in the electoral process provides the foundation and secures the future of our democracy.

Thank you.

ASSEMBLYMAN MARTIN: Barbara, may I just ask you: Has the League taken a position on Marion Crecco's bill?

MS. TROUGHT: On what? I'm sorry.

ASSEMBLYMAN MARTIN: On Marion Crecco's bill, which would move the school board elections to some other date, such as the primary?

MS. TROUGHT: No, we have not.

ASSEMBLYMAN MARTIN: Have you taken any formal positions on any of the Roberts' bills or any of the specific ones here today? You do support the motor voter bill?

MS. TROUGHT: Yes, the motor voter.

ASSEMBLYMAN MARTIN: And the agency registration?

MS. TROUGHT: That we support.

ASSEMBLYMAN MARTIN: Do you support same-day registration?

MS. TROUGHT: Yes.

ASSEMBLYMAN MARTIN: The Naples bill-- Did you have a chance to look at the bill he testified on?

MS. TROUGHT: We have not spoken to that one. I would think that that would be in the general category of those bills that make registration more accessible and voting more possible for a greater number of voters, and would be in a general category of bills none of which we have addressed specifically.

ASSEMBLYMAN MARTIN: Has the League looked at any of the issues related to potential for fraud? I think we are all

trying to be facilitators, but we also want to respect the integrity of the system.

MS. TROUGHT: Right. That is part of what is behind our reservation on eliminating the witnessing of the signature. I appreciate Assemblyman Roberts' comment that what is happening right now in our mail-in, or any witnessing, is not to say that, "Yes, I know that you are over 18, that you are capable of voting, that you have no criminal--" It doesn't say any of that. You are just acknowledging that, "Yes, I saw someone sign the paper."

I think for some of us in the League there is still the idea that voting is such a special privilege, that there ought to be attendant requirements that heighten the fact that this is a special privilege. It is not just something you do without a great deal of concern for the moment, you know. Maybe eliminating that witnessing moves us off in another direction. We are not sure on that yet, and I would like to come back to you on that.

ASSEMBLYMAN MARTIN: I would really request, if I may be so bold-- I would like to hear the League's view on that, because I am a little torn. I think convenience is one thing. I am also, as you said-- I don't want to demean what voting is all about.

MS. TROUGHT: Right.

ASSEMBLYMAN MARTIN: It is important, I think, both aspects--

MS. TROUGHT: It is not just a coupon on a cereal box. It's something that has moment for the citizen.

ASSEMBLYMAN MARTIN: And I think in a close election, someone who wins or somebody who loses at least wants to be as sure as we can be in this world that the system itself -- that the rules were fair and that the real winner did win and the real loser did lose. I think that is incredibly important.

Thank you. Bill?

ASSEMBLYMAN SCHLUTER: No questions.

ASSEMBLYMAN MARTIN: Al Manton, Commissioner of Registration for the County of Gloucester, who is also the State spokesman for the Board of Elections.

A L B E R T E. M A N T O N: Mr. Chairman, members of your Committee: My name is Albert Manton. We are here this morning representing various counties throughout the State of New Jersey. If I may, I would like to introduce the individuals who are here for the record: We have John Sacca, from Burlington County, and his Deputy Clerk, Nancy Jeffers; from Camden County, we have the administrators Tom Comley and Pat Marshall; my Secretary from the State Association, and Commissioner of Registration from Cumberland County, Lynn Pardee; Dulcy Ricciani, Superintendent from Mercer County, and her secretary, Joyce Chianese.

Mr. Chairman, we appreciate the opportunity to appear before your Committee. I would like to say that the aim of our State Association, of which I am President, is to register and to have vote as many persons throughout the State of New Jersey as possibly, but to also maintain the lowest amount of voter fraud. As you stated previously, that is one of the concerns also.

We would like to extend our assistance wherever possible to any of our State legislators in the formulation of any electoral process, not only as requested by yourself or Assemblyman Schluter, but by anyone else who would have any thoughts on voter registration or the election process.

I don't know exactly what position I would be allowed to take now. If I could go down the itinerary that was presented-- Would that be all right with you, Mr. Chairman?

ASSEMBLYMAN MARTIN: That would be fine, Al.

MR. MANTON: With the first bill by Assemblyman Naples, with regard to the absentee ballot on a continuing basis-- In Gloucester, where I am Commissioner of

Registration, the County Clerk has a list of permanently disabled individuals where absentee ballot applications are mailed out. I am not sure whether Assemblyman Naples meant to just send out the ballots, where it reads: "Permits disabled persons to receive absentee ballots on a continuing basis." If it were just to mail the ballots out without the application process, this could lead to a great many problems if we had deceased individuals. I don't know whether that was meant to do away with the application for an absentee ballot, and to just mail the ballots from the old list or not. That is a question that would have to be answered.

As far as A-243, which eliminates evening voter registration, we naturally want to make it possible for as many people to register to vote as we can. What we have found by the process in the current situation, is that we are paying individuals on the county and local levels to hold our offices open, and we are getting very, very little response. As I said earlier, it is our thought to register and vote everyone in the State of New Jersey, but the participation, or the results of the current situation lead us to say that rather than eliminate evening registration altogether, we would go along with the thought of having evening registration the last day that it is eligible to register to vote in the ensuing election.

Assembly Bill No. 385 has more to do with clerks than with election officials, so I will pass over that one.

ASSEMBLYMAN MARTIN: With reference to Assemblyman Felice's bill -- Assembly Bill No. 243 -- there was a suggestion in Bergen that it should perhaps be open one night, maybe the last night before the close-out of registration.

MR. MANTON: The deadline, yes, sir.

ASSEMBLYMAN MARTIN: Would you have a problem with that?

MR. MANTON: No, no. In fact, I do not have the bill -- I only read it by title -- but it says: "Eliminates evening

voter registration." I would assume there is a bill in to eliminate it altogether. By the way, I don't pretend to be an expert witness, or what have you. But if there are any questions that I could attempt to answer through the process--

After receiving the Committee notice, obviously there is a bill in the hopper to eliminate evening voter registration altogether. They are nonproductive. Records have proven that. But rather than just eliminate them completely, we would suggest that the last day that a person is eligible to register, that the office stay open that evening until a reasonable time, probably nine o'clock.

I don't mean to-- I am not speaking for everyone back there. Probably someone else may have different -- have some things they might care to say.

Assembly Bill No. 335 deals with clerks. Assembly Bill No. 1294, by my Assemblyman, Tony Marsella: "Eliminates requirements that a person must re-register to vote if name is changed." That today, with society the way it is-- I can understand that a woman doesn't want to change her name if she is married. I recognize that. The only thing is, we have to keep accurate records in our boards of elections of who can and who cannot vote. I think Title 19 probably addresses a certain amount of that, where a woman can keep her own name to vote if, in fact, she keeps her own name on her driver's license, credit cards, etc., etc. I am not sure exactly what Tony had in mind about that, but we must keep accurate records so we know who can and who cannot vote.

Assembly Bill No. 2221, by Assemblymen Littell and Haytaian-- That really eliminates a process. Our Association went on record at our convention, which was held in April, as being against that.

ASSEMBLYMAN MARTIN: I think the sponsors have had second thoughts and have requested that that bill, at this point, not be released by the Committee.

MR. MANTON: Good.

ASSEMBLYMAN MARTIN: I assume partially because of your reservations about it.

MR. MANTON: I am glad to hear that our Association is moving ahead, and so forth.

By the way, the individuals who appeared at the Hackensack meeting-- I am familiar with them. I think they were Mrs. Squier and Mrs. Steinacker. I didn't know they were going. I am just recently the President of the State Association, so I really haven't had the ability to coordinate everything. I don't know exactly what Karla and Joan had on their minds up there, but knowing both of them, they are very well able to present their feelings.

ASSEMBLYMAN MARTIN: They spoke.

MR. MANTON: Assembly Bill No. 2408: "Permits a person eligible to vote to register on election day." Sir, we are strictly against that; very definitely, emphatically against same day registration in the voting process. We realize that the percentage of persons who are voting on elections are becoming less and less. I submit to you that we have just gone through a primary campaign in the State of New Jersey where four or five, if I may, Republican candidates for Governor spent probably somewhere around \$8 million or \$9 million to inform the people that they were running. If that didn't shake the people up, then I don't see where registering on election day is going to accomplish anything whatsoever, except perhaps present the possibility of voter fraud, because there would be no way of checking up on whether the person actually lived in that municipality.

Conceivably -- and I don't mean to go into a long hassle on this -- but conceivably, a person could live in Franklin Township, as I do, in Gloucester County, and then travel over into Salem, Camden, and Cumberland Counties and register and vote at the same time. I know it would be foolhardy, but it is conceivable that that could happen. With that in mind, our Association is definitely against that.

ASSEMBLYMAN MARTIN: Let me ask you this: Have you given any thought to reducing the time frame from 29 days down to 14 or some other period of time in which you could continue to register before an election?

MR. MANTON: Mr. Chairman, that has been talked about amongst our Association members. The largest objection to that would be having our facilities -- our records in line with election day. If we cut the registration time down to, as you said, 14 days, it would make it practically impossible, if something unforeseen should happen, to have all of the machines, etc. in place for the election day process. They have one now, I believe, where the off elections are in May. If there is a recount or something like that, the machines are tied up. You know, it makes it difficult even now. If we were to cut down the registration from the required time presently to 14 days, it would be very difficult to handle within our scope of records.

Assembly Bill No. 2707, by Assemblyman Schluter: "Expands methods by which a voter may change from one political party to another or become a disaffiliated voter." I haven't read your bill, Assemblyman Schluter, so I really don't know what would be involved. I think in the past it ranged all the way from changing on the polls to a two-year wait -- going back a little ways. It is mostly the changing, or the party declaration, and the nonaffiliation is more, I believe, controlled or requested by political parties. We would be only too willing to hear, or to read the bill. I don't think this appeared before our convention, so I have no thought on it whatsoever. We are not against anything that would be put forth in that way.

ASSEMBLYMAN MARTIN: On a related topic, if we had a bill prepared that would change the transfer from one party to another -- which is presently 50 days -- down to the 30-day registration period, would you see a problem with that? If I

wanted to switch parties -- I haven't been thinking about it, but if I did -- it would reduce the time frame--

MR. MANTON: Well, I think probably everybody in the room, Mr. Chairman, is pretty well satisfied with the party they belong to. There again, you are asking the various boards throughout the State of New Jersey to accomplish something that we could do if we had the resources to hire individuals we could put into our book room.

We are in favor of doing anything that would register and get a person out to vote. That particular situation, in the past, was changed for the simple reason that, as I recall it, there was some pirating among some of our northern neighbors in counties that had the ability-- At one time, you could go to the polls, like, two or three or four days before election, I think it was, and change your party. The politicians who were running for office all got together and said, "We can't put up with that any more, because if Jim over here wants to pirate votes from the other party, and he can do that right before election, it could be very disturbing, as far as our electoral process, from the political side of it." I don't know whether that answers the question or not.

ASSEMBLYMAN MARTIN: I think it sort of does. Do you have a position on A-2923 -- Assemblywoman Crecco's bill?

MR. MANTON: As far as voting-- I understand where the school boards are coming from, as far as their lack of voting participation is concerned. I think Franklin, the town I live in within Gloucester County, is probably bellwether of most other communities throughout the State of New Jersey. The school boards, by and large, spend three or four times as much money as the local entities spend, and yet the participation for the school boards is so minimal. Voter education is something that would have to change that. Putting them together with other nonpartisan-- Or, I'm sorry, I'm on the wrong one.

As far as having it the first Tuesday in June, there are recounts on the board of election members also, or I mean on the school elections. Excuse me. There are recounts which have happened in the past. What would happen if we tied it up now? Are they saying there that they want it on primary day?

ASSEMBLYMAN MARTIN: That is what her bill says, yes.

MR. MANTON: Well, if you vote on a primary day, then you are going to have a third category for independent voters, unless-- They certainly wouldn't disenfranchise an independent voter from school elections, and yet--

ASSEMBLYMAN MARTIN: I hadn't thought about it, but that person may be a little upset if he or she goes to vote on primary day, and they can vote on the school board election but they can't vote for the elected officials.

MR. MANTON: Mr. Chairman, I don't mean to criticize anyone who preceded me, or what have you, but a vote is never wasted. I don't care what happens. That statement with reference to the school budgets and so forth was made earlier. As far as I am concerned, a vote is never wasted. My vote may not be the way the majority votes, but a vote is never wasted. Actually, if we had --

ASSEMBLYMAN MARTIN: Well, the point he was making was that in some school elections you can go in and vote down the budget, and it can be fully restored later on. So, there is a misunderstanding by some voters that by voting down a school budget they would automatically see some significant reduction. That is not always the case. It may not be wasted as far as expressing a point of view, but as far as seeing the results of a reduction in certain costs, that doesn't always happen.

MR. MANTON: No. Actually, the statement was, "It is a waste of time to vote," because of that. That is really what I meant. It is never a waste of time to vote. We should all vote in every election that comes up.

But, talking about having school elections on the same day as the primary elections, that would lock out that certain group of people, unless there were other provisions made for them to come out and vote, which would be an overhaul of Title 19. That is another thing also. I feel the school elections are controlled by Title 18 and Title 19 as the rest of them. I don't believe they should mix the two. So, for that particular bill, our Association has to vote against that.

Assembly Bill No. 3533, by Assemblywoman Cooper: We are not clear exactly on what she meant. Obviously, it was a bill that was introduced, or suggested by the Veterans of Foreign Wars. We want everybody to vote, regardless of where they are. We realize, of course, that throughout the State of New Jersey, as exists throughout our great nation, there is a problem if a person, I think as you mentioned, is under water somewhere in a submarine, or in Tibet or somewhere else on duty. I don't know that a-- That was the gist of the conversation for changing the Federal method of absentee ballot.

That whole bill is completely unclear. We don't have a stand on it. I would have to ask my Legislative Committee to research it and take it up with the Association members throughout the State, unless I am missing something on that. So, actually, we have no position on that particular bill. We would have to find out more about it.

Assemblyman Schluter's A-3575, "Establishes new Title 19A, Elections, of the New Jersey Statutes to replace Title 19 of the Revised Statutes.

ASSEMBLYMAN MARTIN: Time out.

MR. MANTON: I'm sorry.

ASSEMBLYMAN SCHLUTER: That has been removed from the agenda.

MR. MANTON: Oh, I'm sorry. I would appreciate--

ASSEMBLYMAN SCHLUTER: That is rather broad and beyond, I think, the scope--

MR. MANTON: Well, if I may afterward -- if we have time -- I would just like to talk about it a little bit.

ASSEMBLYMAN SCHLUTER: Okay.

MR. MANTON: It was not a controversial statement I had either.

ASSEMBLYMAN MARTIN: In fact, we did, at one time, talk about the issue of redoing Title 19 with a 19A. That, in and of itself, would take more than a public hearing to discuss.

MR. MANTON: I was just going to offer any assistance, or participation, as an Association. We aren't here to knock it or anything. I think there have been so many amendments and what have you, that a lot of times something should be done. But, if we could help in any way, shape, or form, we stand at your disposal. That was my only statement with regard to that bill. That may be a surprise to some of my northern neighbors, I'm not sure, but that is the position of our organization.

The coordinating of school elections with fire district elections and so forth and so on: If that will raise the turnout, fine, then it's great; then it should be. But traditionally-- I have never voted or participated in a non-political election, or a nonpartisan municipal election, but I know with our fire elections, the firemen come out to vote. A very, very small percentage of the residents of a municipality vote in school elections. I really feel that the emphasis on voting participation is more -- should be more directed toward those organizations, because there again the dollar value that is expended, or approved or not approved by such a small majority of our taxpayers, lies in those fields more than it does in our municipal and county elections and so forth.

The last bill, S-596-- I am not qualified to speak on this because in Gloucester County we have the punch card system. Perhaps some of the individuals who have gathered here in Camden this morning would care to speak on the establishment of procedures for election officials.

ASSEMBLYMAN MARTIN: Did you look at Assemblyman Roberts' A-4165, the motor voter bill? That was added to the agenda, so perhaps under the original list you may not have been aware of it. I think you have heard testimony today. That is where in getting your registration as a license, you would also be able to detach a card and submit that, as far as registering to vote.

MR. MANTON: Mr. Chairman, I would endorse that completely. Perhaps I may make a suggestion, with your indulgence. One of the reasons some people will not register to vote is that they are afraid of jury duty. I realize the process has been changed to-- Currently, they are using your driver's license for selection for jury duty. Perhaps if there were some effort put forth throughout the State of New Jersey explaining to those individuals that if they drive a car, they are susceptible to being called for jury duty, and it is no longer the practice to use the voter registration.

I ran into a person who moved into our State from Colorado last Wednesday night. They bought a new home in the West Deptford portion of Gloucester County. When they signed their deed, they were also given voter registration cards. We endorse anything that will legitimately register people, and any movement that would legitimately get them out to vote on election day. I don't feel personally, nor does my Association feel, that the current laws we have on the books at the present time are a deterrent in any way, shape, or form to a person not voting. I don't know the answer to that. It would be beyond me how to bring them out.

We stand ready to cooperate in any way, shape, or form with any move throughout the State of New Jersey to assist in raising the percentage of voter participation -- more popular candidates, whatever. There are some candidates who run who can draw 75%, 80%, 82% of the vote, and yet others are limited to 24%, 25%. That tends to suggest that those laws we have

today are capable of handling greater voter participation, if the candidate so draws.

ASSEMBLYMAN MARTIN: What I would like to do, Al, if you would-- I have a few technical questions I would like to ask about some current procedures. You have a reservoir here, I think, of experts. But, the Rainbow Coalition is here. They raise some certain perspectives, as well as one or two other persons who I think are advocating some increased voting. I would like you to listen to what they say and digest it, because I would like you, if you have any comments later on, or if members of your Association have any comments, to perhaps respond. I think they have some interesting points. The question would be, in changing the system in the way they are advocating, what your response would be to your capacity to be able to handle it with present resources, perhaps new resources, etc.

So, if you would be so kind as to perhaps vacate your position for a few moments, but remain here, we would like to have a little additional testimony from you in a short period of time -- if you would.

MR. MANTON: Fine. Thank you, Mr. Chairman.

ASSEMBLYMAN MARTIN: Thank you. At this time, I see Assemblyman Bryant here, who is the senior Assemblyman from this Fifth District. I would ask him to come up, if he wishes to, as the Speaker would say, "invoke greetings," perhaps. That is presumptuous on my part.

A S S E M B L Y M A N W A Y N E R. B R Y A N T: I bring greetings, also. Thank you, Mr. Chairman.

Mr. Martin, Mr. Schluter, my colleagues: I am glad you came to the City of Camden to talk about election law reform, which is something in this State that I think is an important issue. I am happy that the Assembly State Government Committee has taken this up, because we all recognize, no matter what county, no matter what political party, that

voters, for some reason, are not coming out. It might be access to voting or how they can register to vote.

I see this series of bills, including my colleague Joe Roberts' bill, dealing with driver's licenses and voter registration forms. I think this series of bills really starts to home in on the issue of how we can make voting more accessible, at the same time keeping the credibility of those who are registered. That is very important, because we don't want double voting in any places.

I think this Committee taking this up at the present time is very, very important. I commend the total Committee. I think you will find that here in the southern part of the State we offer much hospitality. After today -- as you finish up the day, if you like -- you may have a tour of the City of Camden and some of the problems we face. We would be glad to accommodate you with that. Anything you need, my office is right down the street at 309 Market Street. Please feel free to call me, and we will make as much accessible to you as we can.

Thank you for coming. I think you are going to hear testimony here from the Rainbow Coalition and others on how important it is that we reform election laws to encourage, as opposed to impeding folks from registering and then actually voting.

Thank you very much.

ASSEMBLYMAN MARTIN: Thank you, Wayne. I would now like to hear from Human Serve, Jo-Anne Chasnow.

J O - A N N E C H A S N O W: Good morning.

ASSEMBLYMAN MARTIN: Good morning.

MS. CHASNOW: It gives me special pleasure to be back in New Jersey. I am the National Associate Director now for Human Serve. Don (speaking to Committee Aide), it is good to see you.

MR. MARGESON: It's nice to see you.

MS. CHASNOW: I remember testifying before your Committee with slightly different Committee members, so it's nice to be back. I used to be the New Jersey Director for Human Serve -- 1983 through 1985 -- and I am now the National Associate Director, working on state, city, county reforms for agency-based, as well as other kinds of reforms for voter registration accessibility.

I am thrilled to be here to speak on a subject which is vital to the promotion and protection of a participatory democracy, that of voter registration reform. Reforms are sweeping the country right now. The report of the Task Force on Barriers to Voting of the National Association of Secretaries of State, issued in June 1987, which we were an instrumental part in putting together information for, stated: "The depressed level of voter turnout in the United States is directly attributable to the haphazard system of requirements for citizens to register to vote within the 50 states. Both the Harvard-ABC Symposium in 1983 and the Commission on National Elections in 1986 -- both bipartisan groups -- reached this same compelling conclusion."

The report continues: "In the United States, government does not hesitate to track down citizens to ensure that they fulfill their obligations. Government agencies make every effort to find an individual and compel compliance, be it registering for the draft" -- which is done through all the post offices -- "licensing a car, paying parking tickets, contributing to Social Security, or sending children to school. Government has even found ways to deliver services, that it deems necessary, door-to-door, such as delivery of the mail. In every other western democracy, government has also acknowledged a parallel responsibility to contact citizens to ensure their right to vote. Only in the United States is the responsibility for voter registration placed wholly on the citizen to find out when, where, and how to become eligible to register to vote."

Americans vote if they are registered. According to the Advance Report of the U.S. Census for Voting and Registration in the Election of November 1988, issued in February 1989, 86.2% of those Americans who registered voted, but almost 70 million Americans, unfortunately, are not registered. In New Jersey, actually, the statistics are more impressive: 89% of those who were registered voted. But according to that same report, there are almost two million New Jersey citizens who are not registered.

In a November 1988 post-election New York Times/CBS news poll -- which was already referred to -- 37% of the non-voters indicated that they could not vote because they were not registered.

Reliance on volunteers has reached, in 1989, a system of being insufficient and expensive. The voter registration process in this country has consistently relied upon volunteers to go door-to-door or to do voter registration at various events. Mobility rates are approximately 20% as the nation changes addresses annually, our pool of volunteers is rapidly shrinking -- as we all know -- paid volunteers can be very expensive -- partisan and nonpartisan voter registration campaigns had estimated costs of up to \$10 per new registrant in the 1988 elections across the country -- and still so many citizens are unregistered.

Human Serve is the one and only national nonpartisan voter registration reform organization whose only purpose is to promote reforms which expand the electorate, while preserving the integrity of the system -- by making voter registration more available and accessible to all of the citizenry. Founded in 1983, we conduct research and provide technical expertise for the development of election day registration, mail-in registration systems, reduction of pre-election day deadlines, and elimination of all purges for non-voting. However, the majority of our work focuses on a strategy -- which you have

already heard something about -- of agency-based voter registration, the system whereby citizens are offered voter registration opportunities on the spot, whenever they interact with a public or private, nonprofit office of any kind for any kind of assistance.

Why agency-based? Agency-based registration has developed, actually, as the easiest, most efficient, most effective solution which can be initiated to solve the problem of voter registration. I might add, it is the most inexpensive as well. As a year-round program, it provides constant contacts with the citizenry to keep their registrations current. It could reduce the last minute rush to register before a deadline, and so reduce the general strain on the system.

Many national organizations, including the Council of State Governments, the National Conference of State Legislatures, the National League of Cities, and the U.S. Conference of Mayors -- with whom I work very closely -- are supporting agency-based voter registration, either by resolutions, policy statements, or highlighting this strategy through publications and workshops. Twenty states -- now I might say including New Jersey technically -- offer some form of agency-based voter registration, along with Washington, D.C. The reason I add New Jersey is because, as you know, Governor Kean signed an Executive Order about two weeks ago, which I will get into in a little more detail.

Those which are most effective have developed a mechanism where people who enter the offices are able to register to vote by filling out a single form -- you have already received a copy of the Minnesota form, which is perforated -- or using a non-carbon, multi-page form, as is used in Colorado and Washington, D.C. You will note that one of the attachments in the material I have provided to you has a Washington, D.C. form for obtaining a permit or a driver's

license, to become an organ donor, and to register to vote. It is a one-page, very simple to fill out form.

Federal legislation is also receiving much attention in the House and in the Senate, including agency-based registration as the centerpiece.

The District of Columbia began its program actually one month ago, on May 1. The motor voter program, in its first month, registered 1971 District of Columbia residents to vote, compared to the 463 new voter registrations processed from all other sources during the previous month. Emmet Fremaux, who I work closely with, who is the Director of the Washington, D.C. Board of Elections, estimates that the new forms cost approximately five cents each and, of course, the form serves more than one purpose. It is not only for voter registration. As you look through the packet of materials I just provided to you, you will see that I have attached a news release from Washington, D.C., which just came out several days ago.

Minnesota used approximately two million of their perforated forms in the first year of their motor voter program, in 1988. These forms cost them \$40,000, and they attribute between \$15,000 and \$20,000 of this cost to the voter registration portion of the perforated form. More than 100,000 voter registration cards were centrally processed from the motor vehicle voter registration program, and the Secretary of State's Office estimates that an equal number were forwarded directly to the local county offices.

Legislators in Iowa, after passing legislation in 1987 which resulted in having forms available in high-volume state offices, were not pleased with the results because the process was too passive. So, two months ago, they passed legislation, with bipartisan support from the Secretary of State and the Governor, to create a single combined form. I'm certain the results will be equally as favorable as they have been in the other states.

With encouragement and support from U.S. Senator Bill Bradley, two weeks ago Governor Kean signed Executive Order No. 207, to establish staff-assisted, agency-based voter registration programs in all of New Jersey's high-volume agencies. I was pleased to be at the press conference. It was really very wonderful to have Governor Kean personally speak with me about his support for a combined form, as he held the Minnesota model in his hand, and said, "Jo-Anne, is there anything you can do to facilitate this becoming a reality in New Jersey?"

Support for A-4167: This bill ensures an effective, permanent motor voter program for New Jersey. It creates a single form, which as I have already mentioned Governor Kean supports. It eliminates the need for a witness, which is a time-consuming procedure. Let me make a note about procedures for witnesses: A lot of your high-volume states -- your major urban states -- do not require any witnesses. Included in that list of states -- as I have listed here -- are: California, Ohio, New York, Iowa, Minnesota, and Washington, D.C., and I might add Pennsylvania to that list as well.

Furthermore, the New Jersey witness is not attesting -- as you have already heard from Assemblyman Roberts -- to the identity or the residence of the applicant anyhow. This bill creates a well-designed system which will go far toward enfranchising much of the New Jersey unregistered population, and I urge you to report this bill favorably out of your Committee in a timely fashion.

There is only one problem with this bill, and that is that all New Jerseyans do not have a driver's license. Although many other states offer state identification cards to non-drivers through their driver's license offices, New Jersey does not have that statewide identification card.

According to a 1986 report on Personal Travel in the United States, issued by the Federal Highway Administration,

the National Highway Traffic Safety Administration, and the Urban Mass Transportation Administration, the overwhelming proportion of people without a driver's license are folks below the median income. That is why we also need A-4169. It is a complimentary program. This would ensure that voter registration opportunities are offered to applicants in employment services, unemployment, disability insurance, and public assistance programs.

As you will note from the attached Minnesota application for food stamps, cash assistance, and medical assistance, it is easy to amend a standard application form to ask the question: "If you are not registered to vote where you live now, would you like to register to vote here today?" The Minnesota form is the last page in the stabled packet which you have in front of you, and you will see that they have amended the form to ask that question. I have also attached in your packet, a copy of the top page of the application for participation in the New Jersey Food Stamp Program. There are similar forms used in Medicaid and in AFDC programs in New Jersey. I would encourage you to make that same kind of an amendment on the form, which could be very easily done, at really no cost.

If the applicant answers affirmatively, a voter registration form is supplied, with assistance as might be needed to correctly complete the form. Amending forms to include this question protects both workers and the applicants, because it builds it in as part of the integrity of the application procedure.

Governor Kean understands the need to include various agencies in an agency-based program, as Executive Order No. 207 specifically includes the Department of Human Services and the Department of Labor. I hope that you will, too.

In closing, I would like to thank you for this valuable opportunity to share my thoughts on these pieces of

legislation which are so vital to the promotion of a participatory democracy. I will be happy to answer any questions you have on this legislation or any other legislation you are considering.

I would also like to make one note, since you brought up before, Assemblyman Martin, the question of collection of forms. I have visited the Michigan motor voter program and I have also visited in Minnesota with the motor voter program and the program for social services. I find that they have done exactly that; they developed a system for collection of the forms, just like all other completed forms. For example, in driver's licenses, they are collected at the end of the day and go into a particular bin, and then they are processed. They have similarly designed a system whereby the completed forms for voter registration are collected on a daily basis, put into a particular bin, and there is an individual responsible for processing them.

ASSEMBLYMAN MARTIN: The recommendation arose because of some -- apparently some negligence, if you will, in some instances up in North Jersey, which was even more frustrating to the people than if they hadn't registered in the first place. That is why it was suggested. I agree with you. I think in any bill like this it would be pretty easy to designate, or require that the head of a particular department designate, a person or certain procedures or perhaps leave it to some regulations through the Department of State or some other appropriate agency.

MS. CHASNOW: In an interesting way, the agency-based system could be designed to offer that protection, whereas it is much harder to monitor volunteers who register people to vote, which is where I assume the problem came up in North Jersey, because there is really no agency-based programs up there. When you have volunteers registering people, they all try their best, I'm sure, to remember to submit the completed

forms in a timely fashion, but every now and then they are forgotten. So I think by institutionalizing registration into the agencies, it really can provide that protection as well.

ASSEMBLYMAN MARTIN: The other problem that was raised, which may be one just in terms of gathering support, was that if this were to be statewide and applied to municipalities as well as school boards, you would get into some questions of home rule, also State-mandate State-pay issues, which may not be directly related to the concerns you have, just simply their wherewithal, resources, and even willingness to participate in the system.

But I would think that your main focus would be on State agencies, while also advocating others such as municipal. I would think that that would go a long way toward achieving the goals you are talking about, would it not?

MS. CHASNOW: Mandating agency-based in State offices would go a very long way, particularly including all State agencies which have any kind of supervisory roles, county offices which are under State supervision, if you will. I know that several departments, including Human Services, are designed that way. The State supervises; the county administers. I would encourage that those agencies which have that kind of structure be included.

ASSEMBLYMAN MARTIN: The biggest roadblocks would be at the municipal level, I think--

MS. CHASNOW: Yes.

ASSEMBLYMAN MARTIN: --even if it were there; then identifying which portion of municipal government would have to provide such procedures.

MS. CHASNOW: Well, our official position, really, is that all levels of government should be doing it. It would be as easy for a municipality to amend an intake form and ask a voter registration question.

ASSEMBLYMAN MARTIN: I am just highlighting, you know, some of the questions and concerns that would be raised in trying to take this bill and run it through the procedure.

MS. CHASNOW: Right. I think the home rule issue is something I'm sure you can address in a way that sees that everyone is being accommodated, if it is State offices, those with jurisdiction over more local offices, and letting the cities make their own decisions whether they want to implement the program or not in the city offices. If that is the way you need to go to accommodate folks, then we would not be opposed to that. But we definitely support that all levels of government should be involved in the system. I mean, we are working with the Federal government for them to mandate that all the states should be doing agency-based voter registration, because everyone should have equal access to voter registration. It shouldn't matter if you are using a city office or a county office, because people living all over New Jersey are voting in statewide elections. From that perspective, we would like to see all of the offices doing it.

ASSEMBLYMAN MARTIN: Mr. Schluter, questions?

ASSEMBLYMAN SCHLUTER: Yes. Mr. Chairman, I have a couple of questions, and then I have a couple of comments, if I may.

Thank you very much for your testimony, Ms. Chasnow. Do you have any results of your concentration in Washington, D.C. for agency-based registration, the kinds of results which would indicate the total universe of potential people who can be registered; in other words, over 18, who have, say, been residents for 60 days, or whatever the residency is? Then, the percentage who are registered, the percentage who vote. Do you have that now, have you had it in the past, or any kind of comparison which has resulted from your--

MS. CHASNOW: Well, I can tell you-- When you say in Washington, D.C., do you mean at the local level in the District of Columbia?

ASSEMBLYMAN SCHLUTER: Well, registered in Washington, D.C., which means that they can vote on--

MS. CHASNOW: Right, through the agency-based program.

ASSEMBLYMAN SCHLUTER: How many are registered just in Washington, D.C., yes.

MS. CHASNOW: Well, we haven't seen significant results. We have just had the agency-based program in Washington, D.C. in place for a month. So, in terms of numerical differences, we haven't really seen that yet. I can say that of the three jurisdictions where voter registration and voter participation actually increased in 1988 over 1984, a major one -- one was Washington, D.C. and one was Nevada. Nevada just instituted an agency-based program beginning in January 1988. Over a nine-month period of time, 73,000 people were registered to vote, at a total cost of \$120,000. That significantly increased, I believe by seven percentage points, the population in Nevada who were registered to vote. So, it was a very significant jump in terms of who was registered and in terms of who participates.

In the presidential elections, it is basically across-the-board. It is over 80% of those who are registered. So, once people get registered, the newly registered, the people who are already registered, they are generally voting in the presidential elections. The reason I did not highlight Nevada in my testimony was specifically because Nevada has not yet combined -- created a combined single form. That is specifically because in the legislation that developed -- that instituted the Nevada motor voter program, there was a two-year sunset provision, which they are now going back to eliminate. But they didn't want to go with a single combined form with the sunset provision yet.

ASSEMBLYMAN SCHLUTER: So, essentially, the results are not in on Washington, but that would be very interesting to keep us informed of what that looks like.

MS. CHASNOW: Well, they are in in Nevada and they are in in Colorado. In fact, I can provide you with that, if I step over to the materials I have with me.

ASSEMBLYMAN SCHLUTER: A couple of points, if I may: You made one statement which you might want to look over. I quote: "Paid volunteers can be very expensive," and I would agree with you. I don't know that you meant that, though. You talked about the difficulty of getting volunteers, but then you said, "Paid volunteers can be very expensive."

MS. CHASNOW: Well, they can be very expensive. They are very expensive.

ASSEMBLYMAN SCHLUTER: But they are no longer volunteers.

MS. CHASNOW: Well, in a way, they're not; I mean, depending on how different states set up their volunteer programs. I know that parties, for example, will solicit people and call them volunteers, and then pay them a bounty on every voter registration form they bring in. I know that is done in both parties. I know it has been done in New Jersey; I know it was done in California. It's really done all across the country, so technically they are volunteers, but they are also being paid this bounty per registration form.

ASSEMBLYMAN SCHLUTER: All right.

MS. CHASNOW: Also, if I may speak to Michigan-- The results are in in terms of voter registration and voter participation being up in states where agency-based has been happening and has a track record. In Michigan, for example, they claim to have 90% of their registered voters -- of their eligible electorate registered, according to the Secretary of State, although the census indicates that it is a little less. We think between 75% and 80% of the eligible voters are registered in Michigan. Michigan has had a motor voter program since 1975. So they are really the father state of this concept. We know that it is effective, and we know it



increases the number of people who are registered. As a result, it also increases the number of people who are voting.

ASSEMBLYMAN SCHLUTER: If I may, I would just like to direct two comments to you, and also to the League of Women Voters, which is represented here. We have talked about the efforts to get more people to vote, and anything that can be done to do that would be helpful. One way, perhaps, would be to have fewer off-year elections, or to have more concentration of elections. I think one of New Jersey's greatest strengths is the fact that this year, 1989-- We have State elections in the odd years, and Federal elections in the even years. Maybe you could get more participation by putting them all in the even years, but then you get coattails and you get major swings and you get people running for State office and Governor who are elected not by virtue of their issues and their positions, but by some extraneous force. I would be the first one to resist that, because I think the integrity of each jurisdiction is very, very important, point number one.

Point number two, which will end up with a question: Mr. Manton, you commented about the change in the primary voting requirements, whereby people's primary vote was kept with them and it did not get expunged after a two-year hiatus. That was strictly -- if my good friend, Joe Charles, was here, I would gladly say it to him -- a Hudson County initiative, which was to polarize all voters, or identify all voters of a particular party, and be able to colonize them in that county, or in that municipality -- in that jurisdiction in the county. It was passed. It was signed into law based on some other questionable understandings and arrangements.

Now, we've heard about other states and other possibilities of opening up registration for the primary, and we have the possibility of changing it from a 50-day registration to a 29-day registration, and all of what that means. Ms. Chasnow, do you, and does your organization --

Human Serve -- believe that greater participation and greater ability to participate in primaries would aid greater voter participation in general?

MS. CHASNOW: That greater participation in primaries would precipitate greater participation in the general election? I am not quite sure I--

ASSEMBLYMAN SCHLUTER: Yes, would precipitate greater voter participation, or after greater voter participation--

ASSEMBLYMAN MARTIN: You have lost me, Bill. Maybe you could just restate it.

ASSEMBLYMAN SCHLUTER: All right, I'm sorry. Right now, those people who observed this recent primary-- I'm sure that if you go to any polling place, you can come back with all these different stories about people who go away mad because they couldn't vote, and they haven't voted in a primary for eight years, or ten years, but their last vote was a "D," and they wanted to vote "R," or vice versa, and they're mad.

Now, if we make it easier for people, without having to affirmatively switch, which they do with their affiliation card, which was the 1976 law from Hudson County-- If we can make it easier for people to vote in primaries, don't you think that would help in general voter participation in the general elections?

ASSEMBLYMAN MARTIN: The answer has to be, "Yes." (laughter) It is phrased in such a way that it calls for a yes answer.

ASSEMBLYMAN SCHLUTER: I'm not a lawyer either.

MS. CHASNOW: It's a charged question, Assemblyman. I think there are a lot of partisan issues that Human Serve really doesn't spend its time looking at on that issue. Because I have been involved in a lot of other state activities, I know that as there are 50 states, there are 50 different ways the states figure out who is going to vote in which primary and how to control the issue and how to control

the voters and how to make sure there is no party raiding. You know, all of those kinds of things -- different deadlines. New Jersey sets it up so you can declare at the polls if you are an independent, but you have to switch 50 days ahead of time. So, it's a very complicated question.

Human Serve takes a position of 100% universal voter registration, because that is what we believe is the major hindrance in voter participation -- voter registration. Now, before you made that comment about the primaries, you then also talked about other items. I would suggest to you that there are other changes you may want to look into later on. For example, some states are-- Maybe you want to combine election days local and general, and maybe you don't, because I think that has other implications that you begin to get into. But other factors, like voting by mail-- Some states are now encouraging voting by mail in the local elections. Is that a concept that you want to look at further down the line, because that might enhance, and it seems to be enhancing, voter participation in those elections?

Now the issue of fraud comes up. I won't even address the issue of fraud in voting by mail, because I don't know enough about it. I do know probably as much as anybody else does in this country about agency-based voter registration. I can tell you that there is no way that this system opens anything up to more fraud, or exposes itself in any way beyond what other systems already have and, in fact, in a lot of ways, it really tightens up that system. But I don't feel like I am an expert on mail -- voting by mail, or on combining local and statewide elections onto a single day. I just don't know enough, because I know there are multiple implications which you inferred.

ASSEMBLYMAN MARTIN: Thank you very much, Jo-Anne. I would like to hear from Mr. Hamm, who spoke at Hackensack, and who wishes to readdress the Committee. Good morning, Mr.

Hamm. He is the representative from the New Jersey Rainbow Coalition.

L A W R E N C E H A M M: Good morning. As you know, on Thursday, I believe it was, when the Committee last met, I presented prepared testimony. Is there any member of the Committee who didn't receive that testimony?

ASSEMBLYMAN MARTIN: We will see that all members of the Committee get the information, but I think Bill might want to see it now, if you have it readily available. (Mr. Hamm gives Assemblyman Schluter copy of testimony)

MR. HAMM: Not to be redundant, but there were just a few things that were brought up at our hearing last week that I feel a need to respond to.

First of all, let me thank my friend, Jo-Anne Chasnow, from Human Serve, for being here, and for the very informative testimony that she also presented.

Since I last came before the Committee, I had to go to California on some business, but my plane stopped over in Minneapolis, so during that time I had the opportunity to have some discussions with a representative from the Secretary of State's Office on the issue of same-day registration. As you know, I have already expressed support for Assemblyman Roberts' bill -- the motor voter bill, A-4167 -- and Assemblywoman Bush's bill -- A-2408. The effectiveness of motor voter registration can be seen in the figures. In a year's time, Minnesota registered 250,000 new voters through the motor vehicle agencies.

But I did not get to say anything last week about same-day registration. In my discussions with Mr. Jeffrey Seagirtson (phonetic spelling) from the Secretary of State's Office, I heard that during the 16 years that the State of Minnesota has had same-day registration, they have registered nearly three million new voters, and they claim also to have 90% of their voting age population registered.

During our last hearing, one of the reasons that the registration officials represented for not being able to engage in same-day registration-- It was said that we would have to upgrade our systems immediately. We would have to computerize all of the systems, etc., etc. Now, that the systems need upgrading I don't think anyone can doubt. I went through, on a walking tour, the Essex County system for registering voters, and it is antiquated. But I posed this question to the representative of the Secretary of State's Office, and he said that it is only now after 16 years that they are beginning to computerize their operation. In fact, they are setting up a mainframe computer in the state capitol to receive all registrations. But they have basically had a paper registration system, like we have been doing it, for the past 16 years. It was through that system that they registered the additional nearly three million new voters.

I also asked him about the question of cost. He said it was not very expensive; that the total cost really involved paying for one additional election official in each district, and that actually worked out to pennies per voter in that state.

Concern was expressed last week about the issue of fraud, which was also expressed today. I just want to read a paragraph from the testimony of Joan Anderson Growe, who is the Secretary of State in Minnesota. This is testimony she gave before the U.S. House Subcommittee on Elections in May 1988: "The massive fraud in the scare stories never did materialize. There is absolutely no evidence that there is any more fraud in election day registration than in pre-registration. In Minnesota, the penalty for giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both. We have had six cases of fraud in Minnesota related to election day registration since the law was first implemented in 1973. All the cases of fraud have resulted in a felony

conviction. We know our statute isn't perfect, and the legislature is always reviewing and making changes, but it does work for us." That has been their experience with fraud.

One suggestion I wanted to make-- As you know, during the last hearing I requested that we could have one more hearing, maybe one in the evening when working people could attend after working hours. But another suggestion I might make is that perhaps we could either bring, for the Committee, registration officials from other states where same-day registration exists and have them testify, or if we cannot bring them, maybe we could do it electronically through conference phone calls, or as a last resort, we could have them solicit testimony and send it to us. I think it would be interesting to see how other states do it.

One of the things that has troubled me about some of the testimony of election officials in our State that has been given, is that they have expressed opposition to same-day registration, but have not said that any attempt has been made to explore the possibility of how we might do this in New Jersey. Of course, we understand conditions in New Jersey are different than those in Minnesota and other states. We do things differently here. But perhaps there are ways if we really look -- if we really sit down and look and talk about it and explore, whereby we could work this thing out and do it here in New Jersey.

The last thing is, we live in a world community. New Jersey is not alone in the world. We are in this global village, so to speak. As you know, events in China, events in the Soviet Union, events in Eastern Europe-- We hear the cry for democracy all over the world, and people in other countries are looking to the United States for leadership. They are looking at our democratic practices for inspiration. It is important, I think, that we stay in the vanguard of leadership in the democratic movement around the world, and not lag behind the rest of the world.

I have talked with election officials in Canada; I have talked with election officials in England, and it amazes me how conservative our registration processes are here in the United States. As I said last week, in Canada, they send enumerators door-to-door to register the entire population before each election. I said to a woman, "This must be a massive job." She said, "This is the way we do elections." In England, they register the entire voting age population every year in the month of October, through mail-in registration, but here we rely primarily on the individual to get himself or herself registered. Whatever happens to the rest of the population, so be it.

I think that as a country which has stood for democracy over the years, as a country that fought against fascism and dictatorship during World War II, we should care more about our democratic processes in this country, because democracy is like a muscle. You know, if you don't use it, you lose it. If we don't give leadership to the rest of our population on this issue, on the importance of voting, on the importance of participatory democracy, then the rest of the population will just go as things have been going. That is the difference between being a leader and being a follower. A leader is not just supposed to do what is popular, but a leader is supposed to instruct those who follow him or her as to what is going on and which direction we should be traveling in and what we should be doing at this particular moment.

Quite frankly, with so little of our voting age population participating in elections, it troubles me that there is not more discussion in our society about this. Perhaps that is why this issue of same-day registration has been getting so much attention lately in New Jersey. It is really the issue right now, you know, corresponding to the whole question of democracy in our country and in our State.

So, I hope we can do more on this issue. I hope we can solicit testimony from other states, and I hope that we will do what we can to pass A-2408 and implement same-day registration in New Jersey, as an affirmation of our democratic process.

ASSEMBLYMAN MARTIN: Thank you, Mr. Hamm. You speak quite eloquently. Bill, do you have any comments?

ASSEMBLYMAN SCHLUTER: No, thank you.

ASSEMBLYMAN MARTIN: Is there anyone other than the representatives from the election boards and Mr. Manton's delegation who wish to speak, but who haven't had a chance to as yet? (no response)

Mr. Manton, would you please return? Is there someone else you would like to come up with you?

MR. MANTON: John, do you have anything you would like to express? (speaking to Mr. Sacca)

ASSEMBLYMAN MARTIN: Don't be shy.

J O H N W. S A C C A, J R.: I am John W. Sacca, Jr., Superintendent of Elections for Burlington County. I find that one thing that has never been addressed is the apathy in voting. How do we encourage people to vote? Speaking about my county in particular, we lost 11,000 voters who were purged. These people should not have been purged if they voted. They had four years in which to vote and they did not vote. It's apathy. How do we address that?

You're talking about voter registration through Motor Vehicle. I don't know whether you know it or not, but we get an awful lot of duplicates in our registration. How do we ferret that out? How do we understand whether that is the first time that person voted or not? How many inquiries have we had where people say, "Did I register? Am I permitted to vote?" How is this apathy going to be cured?

And another thing also about the driver registration: All drivers registered in New Jersey do not live here. Some of

them have duplicates; they are from other states. Some of them are transients. They just use New Jersey as a means, as a vehicle for obtaining a driver's license. Are we going to permit those people to vote also? I can't see how we can do it.

Another thing also, we cooperate with all agencies. When you talk about an agency getting voter registrations, we have VRFs -- voter registration forms -- which are easy and accessible. We cooperate with the League of Women Voters. They come into our place and get 500 applications at a clip. Various other agencies do the same thing. That is still available. I don't understand why we have to use Motor Vehicle as a means to get people to register. We cover an awful lot. We cover homes; we cover various agencies; we cover schools. We do all of that. We have various areas that we attack. To our way of thinking, we want to make certain that all people who are eligible to vote, vote. We make certain if they do not have an application properly filled out, that we contact those people to make certain that their applications become legal, and we permit them to vote. We are not there to prevent people from voting. We are there to encourage them to vote.

Also, you are talking about school elections and machines. All of our machines are not equipped to handle anything much more than the regular elections. To put the school elections on our machines, along with the regular machine dates -- I mean, election dates -- would be something that we would have to turn around and look into. Also, we would have to have another set of books to permit those very same people who are eligible to vote, to vote. And how about people in regional schools -- regional districts -- where they vote locally and they vote regionally? How would you handle all of these things?

I think there is much more for us to address than just mentioning some of these things. We have to have some answers.

ASSEMBLYMAN MARTIN: Mr. Sacca, how long does it take you to actually register a voter when someone sends in a mail registration, or if they vote through their municipality?

MR. SACCA: Okay. We have what we call "clerk sheets," which are in the Municipal Hall. The Borough Clerk, or anyone who is deputized to fill out those forms, fills out those forms. Once a week, they send those forms into us, and it is a matter of whether we want to process them within minutes. It does not take an awful long period of time to do that.

I would also like to turn around, if I may, and invite you gentlemen to visit us, and allow us to show you the process. Maybe you would get a better understanding as to what we do and how we do it and how we protect the voter and also the candidate who is running. To us, it is very, very important. We don't like to shortchange anyone.

ASSEMBLYMAN MARTIN: If I may ask another question regarding sample ballots-- Since you have been kind enough to be here since the beginning, you heard that there were some questions about providing sample ballots for military, and also perhaps for the handicapped. Can you run through the procedures with the sample ballots, with the date?

MR. SACCA: You're talking about absentees?

ASSEMBLYMAN MARTIN: Yes. I'm sorry, the absentee ballots.

MR. SACCA: Sample ballots are entirely different.

ASSEMBLYMAN MARTIN: I meant absentee ballots.

MR. SACCA: Well, with those absentee ballots, all we do is-- They send out-- You request an absentee ballot. It comes through the County Clerk. We don't process those things. All we do is verify the signatures and that the voters are bona fide voters. It is entirely up to the County Clerk.

ASSEMBLYMAN MARTIN: Do you see any problems with the recommendations, as far as with the military and with the handicapped voters?

MR. SACCA: No, but there is only one thing that I would be concerned about. That is if that individual -- as I think Assemblyman Schluter related to-- If a person comes off of that list, what happens? I think it behooves the individual, the registrant, to notify his election officials that he is no longer in that capacity. I think the onus is on that particular individual to contact our agencies to make certain that that fellow does not stay on that roll, and that he is rejected when he goes to the polls.

ASSEMBLYMAN MARTIN: What procedure do you have, to determine if somebody has become deceased? Do you check obituaries?

MR. SACCA: We get, I believe monthly, reports from the various clerks in Vital Statistics. We get reports from the various hospitals in our area. Through those means, and also through families who notify us that a loved one is deceased. We get notification from those people stating that they should be removed from the rolls because of that.

ASSEMBLYMAN MARTIN: Are you computerized? Can you just pull--

MR. SACCA: We are getting into computers more each time. We have several programs. We are fully computerized, I would say, where we can handle same-day registrations.

ASSEMBLYMAN MARTIN: One of the issues in Bergen County was the amount of time when we get into the question of same-day voting or a reduction from the 29-day registration. Do you feel now that you would be able to handle, let's say-- Let's start with the easier one: If we reduced the registration period to 14 days instead of 29, would that present any significant problems?

MR. SACCA: Sure it would. The process, the procedure, take ax to the handle-- There are voluminous numbers of people. It would be almost impossible, because we have what we call "deadlines." We must-- We have over 400

machines that we must process. Can you imagine trying to get those machines programmed during that period of time, and delivered? It takes us five delivery days now to get all of our machines out. Therefore, I can't see where we could possibly handle the reduction in the number of days.

ASSEMBLYMAN MARTIN: If it goes down to 14 days, how do you handle-- The sample ballots are supposed to go out, aren't they, after the person registers, and then they come back to your office?

MR. SACCA: The sample ballots are usually sent out by the clerk, who sends them out to-- We have Infocomp, which does all that. We must meet a certain deadline. That deadline is, I think, 17 days prior to, where all our records must be up-to-date in the computer, so when they take this run off, or they mail out the sample ballots, that everything that is in that computer is correct.

ASSEMBLYMAN MARTIN: How about the question presently of the witnesses who verify the signatures? Are you, in reality, checking the witnesses' signatures?

MR. SACCA: Absolutely. We check each and every one of them. If there are any of them which seem to be improper, or if we find anything wrong with them-- If you are from Bergen County, or wherever you may be from, and you are registering in Burlington County, if the witness is a registered voter from that county, we contact your county to ask if you were a bona fide registered voter. Yes, we do.

ASSEMBLYMAN MARTIN: When it comes to the time frame just before the election, especially in a presidential year where you get the greatest amount of voters, are you still able to handle that process, or not?

MR. SACCA: We have been able to up until the present time, absolutely. We can't find any problem. It is just a matter of time. It is a matter of getting the personnel in your department to turn around and really work at this. We

work late hours in the morning, and at night, and we meet deadlines. If that is what you're saying, yes, we can meet those deadlines by adding personnel to help with the work load.

ASSEMBLYMAN MARTIN: How about finding qualified persons to be able to handle the chores, both in your offices, as well as at the election polls themselves?

MR. SACCA: Well, that falls under the Board of Elections. They make those selections. They program those people. They educate them, school them, whatever it may be. They handle all of the people who work at the polls. Our division is entirely different. We are in charge of machines. We are in charge of the records. The Board of Elections is charged with absentee ballots, and whatever.

ASSEMBLYMAN MARTIN: Bill, do you have any questions?

ASSEMBLYMAN SCHLUTER: I have one question of this gentleman, and then a couple more. Mr. Manton is coming back, isn't he?

ASSEMBLYMAN MARTIN: I would hope so. Mr. Manton, can you come up here as well? Mr. Schluter has a couple of questions. (Mr. Manton's response from audience is indiscernible to transcriber) Well, you can both come up.

ASSEMBLYMAN SCHLUTER: One question that the Chairman asked of you, sir-- He said, "What would be the problem if the deadline for registering were reduced from 29 to 14 days?" Now, I understand what the deadline would be with respect to the books and the voter registration sheets. But you started to explain that this would cause a problem with machines. Why would it cause a problem with the machines? What is there that causes you to wait until 29 days before the election that you couldn't do 14 days before the election, with respect to the machines?

MR. SACCA: Okay. The registered voter-- We must have a deadline for the registered voter. Now, if we don't meet that particular deadline, if that person is permitted to

carry over an additional week, we cannot process and program -- okay? -- our books, which have to be programmed and sent out to the districts. As I said before, we send our books out five or six days prior to. Now, you must remember that that shortens the amount of time we have to get those books in order -- prepared. We must make certain that everyone who has registered up until that point is in those books.

If those books go out without those people's names in them, then we are doing the people an injustice. We do need that additional time.

ASSEMBLYMAN SCHLUTER: I understand that. But the question was with respect to the machines, because it seems to me that there has been nothing presented here today, or that I have known in the past, which would mean that the reduction of time from 29 to 14 would impair the preparation of the machines.

MR. SACCA: Okay. Basically, the only thing I can see is that if there was an error, probably, in the -- where we had an incidence where one of the candidates was not a registered voter. Naturally, that is something where we would have to turn around and remove that name from the machine. Now, that--

ASSEMBLYMAN SCHLUTER: When is the date? Do any of the election officials know--

MR. SACCA: Maybe I am not reaching you.

ASSEMBLYMAN SCHLUTER: Pardon me?

MR. SACCA: Maybe I am not reaching you on that.

ASSEMBLYMAN SCHLUTER: No, no. When is the date that Title 19 says the candidates have the right to inspect machines?

MR. SACCA: I am not familiar at all with machines. We don't use them in our county. I am ignorant of that. (Ms. Ricciani speaks from the audience at this point; her remarks are indiscernible)

ASSEMBLYMAN MARTIN: Would you please identify yourself? We are having this recorded. Please come up to the microphone and just tell us who you are.

D U L C Y   R I C C I A N I: Oh, I'm sorry. My name is Dulcy Ricciani. I am the Superintendent of Elections in Mercer County. I think I can help Mr. Sacca out, because I have the same kind of machine that Mr. Sacca has, as opposed to the electronic machine that Mr. Manton has.

This past June primary, we began to deliver the machines Friday afternoon before the Tuesday election. That Friday morning, we had the machines ready for inspection by any elected official or candidate or either of the political parties. They were all personally invited to inspect, to make sure that the machines were all tabbed zero zero at each of the counters on the machine.

Back to the question that Senator Schluter asked about -- Assemblyman Schluter -- the preparation of the--

ASSEMBLYMAN MARTIN: He can actually be addressed as either one, depending on what weight he is trying-- (laughter)

MS. RICCIANI: I think the question was: Why is it important that the registered voters be -- that the tally of registered voters be ready at this specific time -- 29 days prior to?

ASSEMBLYMAN SCHLUTER: No, Dulcy.

MS. RICCIANI: May I have that question again?

ASSEMBLYMAN SCHLUTER: I'm fully cognizant of the need to have as much time as possible to get your voter registration books. My question was on the matter of the machine.

MS. RICCIANI: Okay. There is a specific mention in the law, which statute I can't tell you off the top of my head-- But there is that in the law that tells us that up to 750 voters in a voting district, we are required to have one machine. Okay? Over 750, two machines; over 1000, three machines. Okay?

MR. SACCA: I'm sorry. That answers it.

ASSEMBLYMAN SCHLUTER: I see. That's a point. That's a good reason. I understand.

May I continue, Mr. Chairman? I have a couple--

ASSEMBLYMAN MARTIN: Sure.

ASSEMBLYMAN SCHLUTER: Ms. Ricciani, maybe you could stay up here, because these are-- I don't know how to do this by questions and answers, but--

Mr. Naples' bill is about permanent absentee ballots for people who are permanently disabled, and Assemblywoman Cooper's bill is that if a person applies for an absentee ballot -- a military absentee ballot -- once in that year, that person will continue to get absentee ballots for the rest of the year based on that one application.

Now, let me just go over this, and you tell me if I am wrong on any of these procedures: When an absentee ballot is applied for, it goes into the County Clerk. The County Clerk then transfers that request to the election officials.

MR. SACCA: No, sir.

ASSEMBLYMAN SCHLUTER: Oh, he doesn't? What does the County Clerk do?

MS. RICCIANI: The County Clerk is required to visit our office with a designated personnel, and accompanied by one of the Superintendent's or the Board of Elections' personnel, and checks to verify the eligibility of that voter, and the signature. When that is established and that voter becomes eligible to apply for a ballot to vote, we so mark our books as "application applied -- AB -- application applied."

ASSEMBLYMAN SCHLUTER: On the voter registration sheet?

MS. RICCIANI: Right.

ASSEMBLYMAN SCHLUTER: Okay.

MS. RICCIANI: In that election -- for that election.

ASSEMBLYMAN SCHLUTER: Then that particular voter is sent out the absentee ballot?

MS. RICCIANI: By the County Clerk.

ASSEMBLYMAN SCHLUTER: By the County Clerk, okay. So this means that if a person, like in the military, sends in the

application once -- the postcard -- at the beginning of the year-- That means, according to this law, if it were passed, that for every election they would automatically get an absentee ballot.

MS. RICCIANI: That is the way I understood it.

ASSEMBLYMAN SCHLUTER: That is the way the bill reads. They would not have to apply anymore. The same way in Mr. Naples' bill on the permanently disabled. They wouldn't have to apply anymore. They would automatically-- Theoretically, their voter registration sheet would have that AB marked on it, so that if they did show up on election day, they would be refused the right to vote. Right -- if that mark is made on the--

MS. RICCIANI: Yeah.

MR. SACCA: But, Assemblyman Schluter, what happens under the process that we have now, every election -- primary and general, the ones we are primarily interested in -- the application for the absentee ballot is processed-- Even though we have a standing permanently disabled list that is in the possession of the County Clerk, that function sends out the application to those individuals.

ASSEMBLYMAN SCHLUTER: Okay. You just made my point for me. It would seem to me that if we are looking at avoiding abuse on this business of the military -- and we talked to the sponsors-- If the law said that once they are permanently disabled, then they would automatically get an application--

MR. SACCA: Correct, sir.

ASSEMBLYMAN SCHLUTER: Then if you had people who died, there wouldn't be possibilities of fraud.

ASSEMBLYMAN MARTIN: That's true. The only problem you may run into is that they would have to submit the application and then receive the ballot, so there is a--

ASSEMBLYMAN SCHLUTER: Then receive the ballot, that's right.

ASSEMBLYMAN MARTIN: It's a two-step process.

ASSEMBLYMAN SCHLUTER: They said that the two-step process would work, where with the one single step you might either have the military person discharged, or you might have the permanently disabled person deceased, but they would still be getting the ballot.

ASSEMBLYMAN MARTIN: As it stands right now, all military personnel have to request both the application-- They have to receive both-- They have to request both of the two steps. Well, the second one comes automatically.

MR. MANTON: Yes, sir. If I am not mistaken, a person who is in the military -- and correct me if I am wrong -- doesn't have to be registered.

MS. RICCIANI: For the presidential.

MR. MANTON: For the presidential election. In other words, if a person is in the military service serving somewhere around the world, and it is a presidential election, they have the privilege of just--

ASSEMBLYMAN MARTIN: But they still have to fill out an application for an absentee ballot.

MR. MANTON: That is a step that has been made by the Legislature to try to improve the voting participation, and also recognize the fact that our service boys definitely need some help, you know, because of where they are located throughout the world on election day.

But, if a person applies for-- What I think Assemblywoman Cooper was trying to say was that a person in the military should register once, the same as a person who is permanently disabled. I think that is a little different situation. If a person is permanently disabled, he or she is permanently disabled. If a person is in the military it is for a period of time. If they were just sent a ballot, it would be highly difficult to control the legalities of it.

ASSEMBLYMAN MARTIN: Right now, they have to request an application to fill out an absentee ballot. That is their first step.

MR. MANTON: The military?

ASSEMBLYMAN MARTIN: Yes.

MR. MANTON: Yes, sir.

ASSEMBLYMAN MARTIN: Then they receive the application to fill out an absentee ballot?

MR. MANTON: Oh, no. The request for application can come from any one of the local persons, their parents, their wives or sweethearts, or even-- (indiscernible comment from unidentified speaker in the audience) Pardon? (comment is repeated, but cannot be picked up because person is speaking without a microphone)

ASSEMBLYMAN MARTIN: That is what I mean. It is actually three stages in order for them to vote. They have to request, either themselves or through some surrogate--

MR. SACCA: Yes.

MS. RICCIANI: Excuse me. There is a Federal application.

ASSEMBLYMAN MARTIN: We have Camden County checking in here, sir. It's Tom, right?

T H O M A S J. C O M L E Y: My name is Thomas Comley. I am one of the administrators in Camden County. Gentlemen, it's a fact that in most military bases throughout the world there is some officer in the Personnel Department, or somewhere, who is designated as the official-- They have printed applications for absentee ballots right on the base. These can be mailed to the County Clerk, and they receive the absentee ballot back as a result of that application.

ASSEMBLYMAN MARTIN: But in some respects, it is a three-step process. You request the application. Then you get the application, and then you get the absentee ballot. We ought to be able to reduce it by one step.

MR. COMLEY: Right.

MR. MANTON: Mr. Chairman?

ASSEMBLYMAN SCHLUTER: Well, it's either three or two, because a relative of a military person can make the application without the voter's signature. The relative can sign to make the request for that person.

ASSEMBLYMAN MARTIN: Request for the application.

ASSEMBLYMAN SCHLUTER: It has to be two, and sometimes, as you say, it is three.

MR. MANTON: But, Mr. Chairman, the three-step process would hold true for anyone. If I wish to vote absentee ballot, I must go to my Municipal Clerk, or the County Board of Elections, and request the application, file it, get my ballot, and vote. Those individuals who are in the service-- There are circumstances, naturally. They don't have a personnel section in a submarine somewhere, or what have you. But most places, that serviceman -- from what Mr. Comley has said -- would have a facility within that institution, the same as I would within my municipality, or any municipality -- the Township Clerk's Office -- to go and request an application for the ballot. So regardless, it is a three-step process all over: seeking the application, filing it, receiving the ballot, and then voting it and returning it.

ASSEMBLYMAN MARTIN: Do you have some other questions?

ASSEMBLYMAN SCHLUTER: I have one other question for the gentleman from Burlington. You talked about purging of people who are deceased. What about the return of sample ballots? Sample ballots are supposed to go out--

MR. SACCA: Yeah, we also use that. We have what we call "POLs," which we must publish in the newspapers prior to the elections. Also, that list is--

ASSEMBLYMAN SCHLUTER: What kind of list was that, sir, POLs? What does that stand for?

MR. SACCA: What are the words? Preemptory something -- preemptory order list. We must publish that in the newspaper, or two newspapers -- the list of names. Now, that list says that this voter is not permitted to vote, per se. The only one who can permit any individual on that list to vote-- It is by going to a judge and getting a judge's order. Then he is permitted to vote.

ASSEMBLYMAN SCHLUTER: Do you find the return of sample ballots to be effective, or do you think there is a lot of sloppiness in that system?

MR. SACCA: There's a lot of work to it. We got something like 8000 of them back in the previous election. There is a lot of work connected with it. We find it very, very important to us. We are able to follow people who may have moved. We are also able to correct errors that appear in some of the addresses. As you know, an individual must have a postal street address, not just a box. Okay? So when they send those out, it does tell us if that person has a box. We send them out a double card asking them for their return address, or if they have moved. They return that to us. That way it tells us that that individual is still in our books. He would remain there, and he would be permitted to vote.

ASSEMBLYMAN MARTIN: Are you able to investigate all of those sample ballots when they come back, especially, like, in a presidential election year?

MR. SACCA: If we ever tried it, we would probably be running behind every year, to the point where it would be just too far out of hand. We are able to use the contacts we have, and the postcards we have also. We are able to control a great part of that, yes. If there is anything that seem suspicious, yes, we investigate it, or we turn it over to the prosecutor.

ASSEMBLYMAN MARTIN: Well, the Superintendents' offices are responsible for the investigations, I gather, right?

MR. SACCA: Correct.

ASSEMBLYMAN MARTIN: Are there times when you just aren't able to do all the investigation you would want because there is just too much pressure, or because the deadlines are on top of you?

MR. MANTON: Mr. Chairman, in various counties it would be different. In Gloucester County, any absentee ballot that is returned through the mail is definitely investigated by our prosecutor. Of course, I only have 108,000 registered voters, where in other counties there are considerably more. But it is not investigated prior to the return. It is investigated prior to the next election, if a sample ballot is mailed out and it comes back. Sometimes it won't come back until maybe after the election, mails being what they are. Sometimes they are really good; other times they leave a little bit to be desired. But, every absentee--

ASSEMBLYMAN MARTIN: Sample ballot.

MR. MANTON: --not absentee, every sample ballot that is returned to my headquarters is investigated by the staff investigators. We have two.

ASSEMBLYMAN MARTIN: But you are not always able to get to it for that election?

MR. MANTON: No, not for that election.

MR. COMLEY: That would be almost impossible.

MR. MANTON: It would be virtually-- We would have to have a staff of quite a few people.

ASSEMBLYMAN MARTIN: So, Mr. Comley, what do you do, just keep those on file, and then when -- and then after the election--

MR. COMLEY: Well, in Camden County, we have a regular procedure. Most of the sample ballots come back after the election, so it is after the fact, but they come back with address corrections, for which we pay a premium. We first investigate by mail, either out-of-county or in-county. There

are two categories. When if we fail to receive satisfactory information from those inquiries by mail, we send investigators out from our office to personally investigate whether--

ASSEMBLYMAN MARTIN: When a person is originally registered by mail, do you send them a postcard or something?

MR. COMLEY: They are sent a postcard notification that their registration has been received and accepted. Those, many times, come back prior to the election, and if they do, we investigate those immediately.

MR. SACCO: We have identification cards you put in your wallet that say you are a registered voter in whatever district, whatever town.

ASSEMBLYMAN MARTIN: That system then serves as another means of investigation, because if those postcards come back as being undeliverable, you have a cross check on whether these people listed their proper address, or whatever, right?

MR. COMLEY: With regard to the matter of the absentee ballots and automatic mailing, in quite a few counties there are numerous rest homes and convalescent homes where the clerks of the municipalities do not necessarily get the information when a guest, or a resident, passes on. Therefore, that information is not relayed to us. A scenario could develop wherein ballots were automatically being sent out, say, 40 or 50 to a convalescent home, with a social worker who was politically involved, who could conceivably vote those ballots and send them back. It would be very difficult, you know, to prevent fraud in that case.

ASSEMBLYMAN MARTIN: It would be less of a problem, I would think, in the military, where you would have an officer, presumably-- The chances of him, or her, being directly concerned with an election somewhere in New Jersey-- I mean, the chances are he or she wouldn't even be in this State, and even if they were, they would have more of an obligation, I would think, as an officer in the--

MR. COMLEY: I have a comment to make also on the removal of the witness: I have personally no problem with that. I don't think the Commissioners at the Camden County Board of Elections do. However, from experience in the past, if that is done, there should be some stipulation in the law that any fee or paid volunteers should be illegal. We have had cases in the past where premiums were being paid for registrations by political parties. We had wholesale signatures of postcard registrations by individuals which were distributed wholesale, without any consideration at all about where they were going and who they were going to. We came back with duplications, people who were on the disenfranchised list, all kinds of combinations. So that should be a consideration if you go ahead with that.

ASSEMBLYMAN MARTIN: There is no investigation up-front, is there? I mean, if you get a voter registration in the mail with a person's signature on it-- Let's assume we do away with the witnesses' signatures. What you will do is, you will compare the signature of the person who votes on election day with that signature, but there is no means -- I can't think of any, and I am not suggesting anything -- that validates that initial signature. It is just a comparison with that at a later point in time.

ASSEMBLYMAN SCHLUTER: Excuse me. May I follow up on that? Let me see if I understand this correctly. In, let's say, Burlington County, a new resident fills out a voter registration form. That resident is from California. You have no way to identify that signature. But a person from Mount Holly witnesses -- legitimately witnesses -- that person's signature -- John Jones -- and that goes into the election--

MR. SACCA: Into the Superintendent's office.

ASSEMBLYMAN SCHLUTER: The Superintendent or the Election Board. Now, don't you check the signature of John Jones against John Jones' signature on your books?

MR. SACCA: You're talking about an application now.

ASSEMBLYMAN SCHLUTER: I'm talking about an application.

MR. SACCA: The only thing we can do is verify the witness' signature. Is that what you are referring to?

ASSEMBLYMAN SCHLUTER: The witness, yeah.

MR. SACCA: Yes, we do that.

ASSEMBLYMAN SCHLUTER: You do that in each case?

MR. SACCA: Yeah. We also have books-- If you are from Mount Holly and I am from Palmyra--

ASSEMBLYMAN SCHLUTER: Mount Holly and California, let's say.

MR. SACCA: No, we can't do that. If the witness is out-of-state, it's void.

ASSEMBLYMAN SCHLUTER: No, the witness is in this State. The witness is from Mount Holly, but the person came from California.

MR. SACCA: Does he have a bona fide residence?

ASSEMBLYMAN SCHLUTER: He moved into Mount Holly.

MR. SACCA: Well, that's normal. That is done considerably.

ASSEMBLYMAN SCHLUTER: But the witness -- the signature of the witness you verify against that person's--

MR. SACCA: If you came from California into Palmyra, I witness your signature on your application. They check my signature and they check me in the books, saying that I am the person who signified it and said yes. That is a verification.

ASSEMBLYMAN SCHLUTER: So that signature is checked?

MR. SACCA: Exactly.

ASSEMBLYMAN SCHLUTER: Okay.

ASSEMBLYMAN MARTIN: If a person moves from Burlington County to Camden County, and the witness is another person from Camden County, do you attempt to validate the person's signature with their previous address if it was in New Jersey?

MR. COMLEY: It is attempted, depending upon, again, crunch time. Unfortunately, crunch time has a lot to do with it. Rather than disenfranchise a voter, we would go ahead and follow the procedure that you stated first, that his signature on the application would be the comparison when he went into vote. He would then have to sign the comparison sheet, and at that point that is when the comparison would take place, in the polling place.

ASSEMBLYMAN MARTIN: Well, let me ask you a question: What safeguards are there to prevent people from voting twice, from a previous location and a new location?

MR. MANTON: The threat of fraud; mostly the threat of fraud. As with most of our society, the disciplinary action that would follow a wrongdoing is the biggest deterrent.

This may or may not answer your question, and I don't mean to confuse the issue, but the electoral process today is being supplemented with new equipment and new concepts everyday. I don't feel it is going to be very far in the future until everybody's signature that is put in the permanent registration books will be able to be computerized, along with facts from Gloucester County to Bergen County, or what have you. That would answer the question you asked as far as a person moving from somewhere else within the State of New Jersey into Camden County or Bergen County or some other county.

Today, it is almost impossible to make that comparison, but in the very near future, with the advances that are coming constantly with election equipment, that day is just down the road apiece to where we will actually be able to compare by electronic methods. Our convention that we hold in Atlantic City every year is a teaching process. We have seminars there and we have a list of vendors who come in and display the new concepts in voting equipment. It's tremendous, the strides they have made since the old paper ballot days.

I don't know whether that answers you or not, Mr. Chairman, but--

ASSEMBLYMAN MARTIN: Yes, I think it does, at least in theory. When a person comes from Burlington County to Camden County, and Camden is registering that person, assumably Burlington is taking that person's name out of their old election district.

MR. MANTON: It's the old thing, "You're innocent until--" what have you. If a person really wants to maneuver around, they take that chance, and so forth. But to actually compare-- If Mr. Sacca moved into Gloucester County and signed a new registration sheet, and so forth, it would be virtually impossible to check that particular signature at this particular time.

MR. COMLEY: That is one of the other arguments against same-day registration.

ASSEMBLYMAN SCHLUTER: May I follow up on your question, Mr. Chairman? A person moves from Burlington to Camden. Now, when that person registers, forget about a witness. The person goes to the clerk and registers. "Where did you live before?" "I lived at such and such Main Street, Mount Holly." Okay? "I am now living in Camden." Does Camden-- Does the election board in Camden send a document to Mount Holly, saying, "Remove this person's registration from Burlington"?

MR. COMLEY: There are provisions in the statute for that. Yes, sir.

ASSEMBLYMAN SCHLUTER: Do they do it in all cases?

MR. COMLEY: Unfortunately, it isn't adhered to as well as it should be.

ASSEMBLYMAN SCHLUTER: So, if it comes to a crunch time, or whatever, and it doesn't get done, or maybe the county is Bergen County or Hudson County, and it is too far, you don't have good liaison with them. The person in Camden County is newly registered, properly registered within the time limit, and that person, John Jones, goes out and votes. And he gets a

call from his previous ward leader, or political person, saying, "Hey, your name is still on the registration. Why don't you come up here and vote also?" The person could conceivably go up there and vote, if the person were dishonest.

MR. COMLEY: Yes, that's correct. That's right, he could.

MR. MANTON: Unfortunately, that is true.

ASSEMBLYMAN SCHLUTER: And sometimes it's not-- Sure, he would be committing a criminal act, but some people might want to take that chance.

MR. COMLEY: Assemblyman Schluter, again, the narrower you make that gap between the deadline for registration and election day, the greater the possibility of that happening.

ASSEMBLYMAN MARTIN: Did she want to speak? Ma'am? (speaking to unidentified woman in the audience) (no response)

MR. SACCA: My Deputy just reminded me that that is why we have challengers at the polls.

ASSEMBLYMAN SCHLUTER: Sometimes there are no challengers.

MR. SACCA: Well, we do have them, usually.

ASSEMBLYMAN SCHLUTER: You have been very informative.

ASSEMBLYMAN MARTIN: Thank you very much. We appreciate it.

MR. MANTON: Chairman Martin, thank you very much for allowing us to speak. As I said before, if in any way, shape, or form our Association can be of any help or assistance whatsoever, please feel free to call on us. It will be our pleasure.

ASSEMBLYMAN MARTIN: Thank you, Mr. Manton. I appreciate that.

MR. MANTON: Thank you very much.

ASSEMBLYMAN MARTIN: It's 1:29. We made it. We thank you very much for participating in this hearing. We are

hopeful that we will be able to-- We do have a minute, and I see someone who wishes to comment.

J O A N W I S K O W S K I: May I approach you?

ASSEMBLYMAN MARTIN: Surely.

MS. WISKOWSKI: Thank you. Are you still accepting testimony?

ASSEMBLYMAN MARTIN: Sure.

MS. WISKOWSKI: Okay. I will try to make this very brief. Thank you, Mr. Chairman.

My name is Joan Wiskowski. I am the--

ASSEMBLYMAN MARTIN: I'm sorry. I did call your name earlier, but I don't think you were here.

MS. WISKOWSKI: Oh, I'm sorry. I got here just about an hour ago. My name is Joan Wiskowski. I am here today as Chairman of Electronic Voting Systems, Inc. We are the type of vendor that was referenced just a short while ago, that is really near to providing advanced technology to the voting process.

But if I may, I would just like to say a few words. I would be happy to leave a very well-documented package of information for you, given the time and the length of the hearing. What I want to do is just give you a little bit of an outline of who we are, what we do, and our understanding of the process.

First, I should say that a lot of my interest in the development of this project we have is based upon my former work in State government. So I really appreciate, and I think can sympathize with the folks who are here today representing the Boards of Elections.

The system that is in place has really been untouched by technology for 50 or 60 years, certainly a generation. All of the worthwhile public purposes that your Committee has been addressing today are possible to be implemented today, given the availability of the technology. Same-day registration,

voter identification based upon voice, voter identification based upon signature verification, all of that technology actually does exist today. It is this software technology that is really the basis of Electronic Voting Systems, Inc., my company. We were certified by the Secretary of State in New Jersey last month to begin to market this equipment in the State.

I would be very pleased to answer any questions you might have as to the implications of this technology, along with the hardware that we have developed over the last five years which we can offer for providing greater access, greater security, and substantially reduced costs to the election process.

ASSEMBLYMAN MARTIN: How long would it take to fully computerize New Jersey with what you would consider state-of-the-art equipment?

MS. WISKOWSKI: State-of-the-art technology exists now, and if I may -- I don't want to go over your time -- let me just tell you a little bit about what it is based upon. It is based upon our partnership with IBM. We are an IBM technology-based company. We have spent almost the last five years in the development of this system. It has been field tested in the West, and it is currently in IBM's Usability Laboratory in Atlanta being subjected to all kinds of issues and problems that we probably couldn't even begin to think about here today.

Hardware technology is known as Info Window. It is very similar to your ATM screen that you might see at a bank, but it has some advances in it which offer greater security and ease of access by the electorate. It is a hardened glass screen head terminal, which probably if you took a mallet to it, it wouldn't be able to be broken, because the glass is tempered so it is impervious to breakage. It's fingerprint proof, and so forth. It is highly sensitized to the exact

location that somebody would touch the screen. It is driven by the IBM PC-30 technology, which is probably one of the most secure and foolproof systems of technology that has been introduced, in terms of its application to literally thousands and thousands of different programs, including the U.S. military.

The software itself relies upon apparently very simple means of accessing the screen. It can be fitted for any language. It can be fitted for any type of handicap, whether it be a visual impairment, whether it be a hearing impairment, motor coordination, and so forth. It is also possible via the software technology to allow remote voting via telephone modum hookups, where voice identification can be verified through a voice identification package that the U.S. military uses right now. It is part of the program.

The overall question you have asked, Mr. Chairman, about how long it would take for the State of New Jersey to be computerized is very much, as you know, a county by county decision-making process. If you start with the end product of a voting machine and then work backwards, it would be possible -- and we have been involved with discussions with the Secretary of State -- to totally computerize all of the registration lists so that verification could be handled immediately; so that the question that you asked before, Assemblyman Schluter, about registering in Burlington County and then registering at the same time, possibly a duplicate vote, in Camden County, would be impossible to occur. You would have an immediate cross match via the Secretary of State's list files, which would automatically purge. The same type of purging system would be accomplished via the Bureau of Vital Statistics in the various counties. So you would have pretty much of a similar system as one I was used to operating a number of years ago at the Division of Motor Vehicles, where it is impossible to have a valid driver's license in two places in the State of New Jersey.

I guess what I am really saying is, the technology exists right now. It is a process that we have been developing for a number of years. We felt confident that we were ready to go with it, and therefore sought the certification process in the State of New Jersey at the Secretary of State's Office, and received that. It is probably a bit premature for me to be here talking about the product. I really don't mean to talk as much about the product from our company's point of view, as just to let you know that there is technology that is available now -- it has been demonstrated; it is valid -- that can allow voters of all kinds, whether they be impaired because of disability or unable to come to a polling precinct because of a military assignment or so forth, much greater access to the process.

In addition, the equipment we have, we think, serves a uniquely different purpose than any type of equipment that is available now, in that because it is an IBM PC, because it is an interacted touch screen technology, you can program it with a diskette -- an IBM diskette -- to serve the purpose of providing voter education during the course of the year, in churches, schools, civic associations, and whatever public place would be appropriate given the particular municipality or county.

The need for a lockup of the equipment is no longer necessary, because what we are talking about now is, through technology, really being able to provide, in one little diskette, all of the information that heretofore had taken just pounds and pounds of equipment and reams and reams of paper to process. So, it's there and it is available.

ASSEMBLYMAN MARTIN: You should have been in Hackensack when they talked about the fact that some of the election board workers who were seniors couldn't lift the 25-pound books.

MS. WISKOWSKI: That's correct. You know, it's really interesting when you think about what can be done, given the state of technology that we have available to us now. The system-- Again, it is perhaps somewhat analogous to some of the work I did at Motor Vehicles, and that is why I really do sympathize with the Superintendents of the Boards of Elections and their staffs, who have got to be just totally frustrated by the inability of their equipment to provide the type of service that they want to provide, and that they work so hard to provide to the public. It is a very frustrating process to know that you must handle literally hundreds of separate transactions in a very short period of time in a very visible process and assure total accessibility by the public and total integrity to the public, and yet be lacking in the resources to do that, while the resources actually do exist in the form of technology.

Those books, if you take it a few steps further-- The entire system of collecting the data and storing the data can be accomplished easily on diskette, rather than on those big reams of a book. The process of verification of signatures, which by law must be accomplished after every election-- We are working with one county in the northern part of the State that is still working very hard to validate signatures from the election of last November. I don't know how we expect our people to be signature validators, even though they try so very hard to do that. The margin of error is great, and we all know that signatures do change over time. When you think that by the availability of a very simple software program signatures on those books can be validated in a matter of minutes, rather than in a matter of months, at great cost savings to the public, and with a great improvement in the eventual outcome-- That is the sort of thing that is available now.

ASSEMBLYMAN MARTIN: Thank you. Mr. Schluter, any questions?

ASSEMBLYMAN SCHLUTER: Mr. Chairman, I promise to be brief. I think it is very fortuitous that Ms. Wiskowski has come forward. Just a couple of quick questions: Are you saying -- in my unprofessional way of expressing myself -- one screen per voting booth -- like a screen?

MS. WISKOWSKI: Right. Do you know what we have really done, Assemblyman? We have taken the process very much as it exists now. Yes, one screen.

ASSEMBLYMAN SCHLUTER: Okay. Now, is this-- Say you have one county. It has 10 towns -- to make it very simple -- and each town has a voting place; just one voting booth each town, and there is a central county seat.

MS. WISKOWSKI: Yes?

ASSEMBLYMAN SCHLUTER: So you have 10 of these screens in 10 different voting places, and at eight o'clock on election night, do those individual screens tally up the total vote and transmit it to the county headquarters electronically, or by telephone wire, or hard wire, or what?

MS. WISKOWSKI: They do it in several different ways, sir. They can do it depending upon the way that the particular county would want it operated. They could absolutely -- you know, going right to the heart of your question-- They could be instantaneously tallied to the County Clerk's Office. They could be instantaneously tallied to the Secretary of State's Office, or--

ASSEMBLYMAN SCHLUTER: Excuse me. So it gets over the problem about Gloucester County, where you have punch cards. If somebody on the way into the tabulating machine drops those punch cards in a sewer, or gets them all wet-- That problem is overcome. This is a direct communication--

MS. WISKOWSKI: Right.

ASSEMBLYMAN SCHLUTER: --with the tally point and the headquarters?

MS. WISKOWSKI: There are actually four ways of doing it, because security was the most important factor in this development over the last five years. Essentially, right in the machine-- Take it from the most simple perspective. One machine that would just tally itself. Then we could go on to what I indicated earlier. But one machine would then-- The machine would have two diskettes that are removable, and those diskettes would each have the same information. You would also have a readout right from the front of the machine. So when the election official closes the election, there is a particular access key -- a secure access key -- that goes in there -- it is on the outside, and so forth, in compliance with other requirements of Title 19 -- and you would get a readout. You could do it the same way now. You could have the two judges there take down the readout. It could be printed out. There is a printer. So you have the printer, you've got the two diskettes, and then there is also in the hard drive, which is the permanent memory of the machine -- it's a permanent part of the machine, locked in, cannot be accessed at all; can't be erased, nothing can happen to it. You've got that as the permanent memory, and that is the hard drive.

So, there is an opportunity to tally four ways. Then, if it were determined by the particular county that they wanted an instantaneous recording of all machines to the County Clerk's Office or to the Secretary of State's Office, that can be accomplished as well through a modum hookup.

ASSEMBLYMAN SCHLUTER: You answered the question, so-- Let me ask you a real far out one, and this is the last, please: Could this machine be programmed to vary the position on ballots of different candidates, like alternating from district to district? If you had three people--

MS. WISKOWSKI: Oh, yes, each one--

ASSEMBLYMAN SCHLUTER: --running for the same office -- and it has been proved statistically that the person with

the favored ballot position gets many more votes-- Could you rotate the order in which they appear by the simple programming and--

MS. WISKOWSKI: You could do virtually anything at all. There is nothing that couldn't be accomplished by the software at all. I mean, you can rotate ballot position randomly, through a random code of, you know, a lot of rhythmic numbers.

ASSEMBLYMAN SCHLUTER: Well, with that, Mr. Chairman, I would strongly urge that we, as a Committee, have another meeting on this very subject. Not that it's IBM or AT&T or anything else, but I think that this could be a major breakthrough. Cost, as you implied, is a very major concern. It is something that the election officials should be very much aware of. I think it can improve the integrity of the vote, and it can improve the participation.

ASSEMBLYMAN MARTIN: Maybe you could do some cost runs for us for the various counties, so we would have a clearer understanding. We will see you again, Joan.

MS. WISKOWSKI: I will just end by saying that we are doing those cost comparisons in two counties right now, working with the Superintendents of the Boards of Elections in those counties.

ASSEMBLYMAN MARTIN: What counties are those?

MS. WISKOWSKI: Essex and Hudson Counties. Those estimates are coming in to be substantially less than the current costs of operating an election, when one takes into consideration the process of maintenance, storage, transportation, replacement parts, and so forth and so on.

I would again just like to say that I didn't mean to be very vendor specific. I wanted to let you know that the public purpose for which your Committee was charged, that is to provide, you know, greater access by the public to the election process in a secure and cost-efficient way, is possible today.

I would certainly invite you, or any of the people who are here, or who were at the previous hearing, to see a demonstration of our equipment, either at IBM in New Jersey, or actually, if there is interest, at the Usability Laboratory in Atlanta, where it is being subjected to some very interesting protocol testing right now.

ASSEMBLYMAN MARTIN: Thank you very much.

MS. WISKOWSKI: Thank you very much.

ASSEMBLYMAN MARTIN: That concludes this meeting of the Assembly State Government Committee.

(HEARING CONCLUDED)



## **APPENDIX**





GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS  
DISTRICT BUILDING  
WASHINGTON D C 20004-3084

NEWS RELEASE

From the D.C. Board of Elections  
June 6, 1989  
Contact: Leona Agouridis, 727-2525

DISTRICT'S MOTOR VOTER PROGRAM TAKES OFF:  
1,971 RESIDENTS REGISTER TO VOTE DURING FIRST MONTH

During the first month of the District's new "Motor Voter" Program, 1,971 D.C. residents have registered to vote--a dramatic increase over the 463 new voter registrations processed from all other sources during the previous month--Board of Elections Director Emmett H. Fremaux, Jr. announced today.

Established through legislation enacted by the City Council in 1988, the Motor Voter Program allows D.C. residents to register to vote at the Bureau of Motor Vehicles Services (BMVS), when they apply for or renew their driver's license or nondriver's ID. The District's Motor Voter Program is one of only six currently in operation nationwide. Legislation that would mandate similar programs in all 50 states is now pending before the Congress.

The purpose of the program is to increase citizen participation in the electoral process by making voter registration more convenient and accessible. As provided in the local law, the D.C. Motor Voter program uses a combined application form, covering both voter registration and motor vehicle services. The voter registration portion of the form is

- M O R E -

forwarded to the Board of Elections for processing. The combined form may also be used by a registered voter to file a change of address, name, or party with the Board of Elections.

"So far, the average number of motor voter registrations processed by our staff each day is exceeding normal intake levels by nearly five to one," noted Fremaux. At the current rate, some 24,000 registered voters per year would be added to the District's voter roll, a projected annual increase of 9% from the Motor Voter Program alone. In addition, more than 400 voter record changes were made through BMVS; in the previous month, non-motor voter record updates totalled 374. A ward breakdown of the Motor Voter transactions is attached.

"The steady intake of voter registrations and record changes during slow periods in the election cycle promises to produce consistently higher voter registration rates in the District and may help to reduce the rush of last minute registrations before each election," Fremaux said.

A sample of the Motor Voter Information Pamphlet, which is available at BMVS, is enclosed. For more information, the public may call the Board's Information and Voter Services Branch at 727-2525.

NR 89-3/500



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS  
DISTRICT BUILDING  
WASHINGTON D C 20004-3084

D.C. "MOTOR VOTER" PROGRAM - TRANSACTIONS DURING FIRST MONTH

REPORTING PERIOD: MAY 1, 1989 - MAY 31, 1989

\*\*\*\*\* Ward Breakdown of "Motor Voter" Registrations \*\*\*\*\*

<u>Ward</u>	<u>New Registrations</u>
1	300
2	268
3	198
4	244
5	229
6	286
7	237
8	<u>209</u>
TOTAL	1,971

Breakdown of "Motor Voter" Changes to Existing Voter Registrations

<u>Type of Change:</u>	<u>Number Recorded</u>
Address	381
Name	15
Party	<u>39</u>
TOTAL:	435

D.C. DEPARTMENT OF PUBLIC WORKS

WELCOME TO  
THE BUREAU OF MOTOR VEHICLE SERVICES

Please fill out this application if you wish to:

- ☒ Obtain an Operator's Permit
- ☒ Obtain a Learner's Permit
- ☒ Obtain a Non-Driver's Identification Card
- ☒ Become an Organ Donor
- ☒ Register to Vote



Government of the  
District of Columbia  
Marion Barry, Jr., Mayor

Department of  
Public Works  
John E. Touchstone, Director



**INSTRUCTIONS: PLEASE READ CAREFULLY BEFORE COMPLETING APPLICATION**

 **SECTION 1 – INDICATE TYPE OF APPLICATION**

On this application, you may apply for ONE of the following: an operator's permit, a learner's permit, or a non-driver's identification card. Please check the appropriate box under the one that you select. You must be a resident of the District of Columbia.

- If you are applying for an operator's permit, you must hold a valid learner's permit and pass the eye examination and road test; OR you must present a valid out-of-state driver's license, have a Social Security Card, and pass the rules of the road examination and eye test.
- If you are applying for a learner's permit you must be at least 16 years old. You must present both a birth certificate and Social Security Card. All applicants under 18 years of age must also present a notarized parental consent form.
- If you are applying for a non-driver's identification card, you may NOT hold a valid driver's license from any jurisdiction. You must be at least 16 years old, and you must present both a valid birth certificate and Social Security Card.

 **SECTION 2 – PROVIDE APPLICANT INFORMATION**

Please complete ALL the boxes in this section. PRINT all information clearly in INK.

**NOTE:** If you check the box marked "YES" in the organ donor section, you are agreeing to permit any of your organs or tissues to be used for the purposes of transplant operations, medical research, or education after you die. If you do not want to become an organ donor, you should check the box marked "NO".

 **SECTION 3 – USE FOR CHANGE OF NAME**

Fill out this section only if you are requesting a change of name to your motor vehicle registration record. There is a \$5.00 fee for changing your name on your motor vehicle registration record.

If you are currently registered to vote in D.C., you may also change your name on your voter registration by filling out Section 7 on the bottom portion of the form.

 **SECTION 4 – DRIVER'S PERMIT AND VISION QUESTIONS**

You must answer all questions in this section. If you respond "NO" to question #4, you must indicate whether you wear glasses or contact lenses for driving.

 **SECTION 5 – HEALTH QUESTIONS**

You must answer "YES" or "NO" to each of the questions in this section. If you answer "YES" to any question, please explain briefly in the space provided.

 **SECTION 6 – SIGN YOUR APPLICATION**

Please review your answers before you sign this application to make sure that they are complete. Your application must be signed in your own handwriting.

 **SECTIONS 7 THROUGH 10 – D.C. VOTER REGISTRATION FORM**

Under the District's new "Motor Voter" Program, you may now register to vote in the District (or update your existing D.C. voter registration) on the same application used for your driver's permit. If you fill in Sections 7 - 10, your form will be forwarded to the D.C. Board of Elections and Ethics to be processed. You will then receive by mail from the Board, a D.C. Voter Registration Card – along with complete information about elections and voting in the District.

To be eligible to vote in the District, you must be:

- a U.S. citizen
- at least 18 years old by the next election
- a D.C. resident
- not incarcerated for a felony conviction or adjudged mentally incompetent.

TO REGISTER TO VOTE OR TO UPDATE YOUR EXISTING REGISTRATION, PLEASE CHECK THE "YES" BOX ON THE FORM AND COMPLETE SECTIONS 7 THROUGH 10. BE SURE TO SIGN THE REGISTRATION DECLARATION (Section 10).

An information pamphlet on registering to vote is available in this office. Ask for one.

For additional questions on voter registration, please call the Board of Elections at 727-2525.  
(TDD for the Hearing Impaired: 639-8916)

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For additional information on motor vehicle registration, please ask one of the Motor Vehicle clerks, who will be happy to assist you.

ALL CHECKS AND MONEY ORDERS FOR MOTOR VEHICLE SERVICES PROCESSING  
SHOULD BE MADE PAYABLE TO "D.C. TREASURER".





Government of the District of Columbia — Department of Public Works — Bureau of Motor Vehicle Services  
APPLICATION FOR: D.C. MOTOR VEHICLE OPERATOR'S PERMIT / VOTER REGISTRATION



<b>SECTION 1. (Check the proper box for YOUR application)</b>												<b>FOR BMVS USE ONLY</b>														
<b>OPERATOR'S PERMIT</b>				<b>LEARNER'S PERMIT</b>				<b>NON-DRIVER IDENTIFICATION</b>				<b>APPROVAL</b>	<b>DATE</b>	<b>EXAMINER</b>												
New <input type="checkbox"/>				New <input type="checkbox"/>				New <input type="checkbox"/>				Written														
Renewal <input type="checkbox"/>				Renewal <input type="checkbox"/>				Renewal <input type="checkbox"/>				Vision														
Duplicate <input type="checkbox"/>				Duplicate <input type="checkbox"/>				Duplicate <input type="checkbox"/>				Reaction														
<b>SECTION 2. (Fill in completely)</b>												<b>Birth Certificate</b>														
<b>PRINT IN INK</b>	Full Name of Applicant (Last Name) (First Name) (Middle Name)											<b>Out-of-State License</b>														
	Current Residence (Street Address)											<b>SS No.</b>														
	City and State											<b>Restrictions</b>														
	Apt. No.											<b>Classification</b>														
	ZIP Code																									
DATE OF BIRTH		SEX	WEIGHT	HEIGHT	COLOR OF EYES		SOCIAL SECURITY NO.					I wish to be an Organ/Tissue Donor														
Mo. Day Yr.				Ft. Ins.								YES <input type="checkbox"/> NO <input type="checkbox"/>														
<b>SECTION 3. (Change of Name Applicants ONLY)</b>																										
<b>PRINT</b>	Previously Recorded Name of Applicant (Last Name) (First Name) (Middle Name)											Court Record Number (If Applicable)														
<b>SECTION 4. (Check YES or NO for the following questions)</b>																										
1. Has your permit to drive EVER been suspended, revoked, or refused in the District of Columbia or elsewhere? <span style="float:right">YES NO</span>																										
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> YES <input type="checkbox"/> NO</div><div>If YES, where? _____</div></div>																										
2. Has it been restored? <span style="float:right">YES NO</span>																										
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> YES <input type="checkbox"/> NO</div><div>If YES, give date of restoration _____</div></div>																										
3. Do you have in your possession a valid operator's permit? <span style="float:right">YES NO</span>																										
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> YES <input type="checkbox"/> NO</div><div>If YES, where was it issued? _____</div></div>																										
4. Do you have good natural eyesight for driving? <span style="float:right">YES NO</span>																										
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> YES <input type="checkbox"/> NO</div><div>If NO, do you wear glasses <input type="checkbox"/> or contact lenses <input type="checkbox"/></div></div>																										
<b>SECTION 5. (Check YES or NO for the following Questions)</b>																										
Have you ever had, or been treated for, any of the following:																										
<table style="width:100%;"><tr><td>STROKE OR PARALYSIS <input type="checkbox"/> YES <input type="checkbox"/> NO</td><td>MENTAL DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO</td><td>DIABETES <input type="checkbox"/> YES <input type="checkbox"/> NO</td><td>ANY HEART DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO</td></tr><tr><td>LOSS OF FUNCTION IN AN EXTREMITY <input type="checkbox"/> YES <input type="checkbox"/> NO</td><td>ANY BRAIN DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO</td><td>GLAUCOMA, CATARACTS, or OTHER EYE DISEASE <input type="checkbox"/> YES <input type="checkbox"/> NO</td><td>SEIZURE DISORDER OR FAINTING SPELLS <input type="checkbox"/> YES <input type="checkbox"/> NO</td></tr><tr><td>ALCOHOLISM OR OTHER DRUG ABUSE <input type="checkbox"/> YES <input type="checkbox"/> NO</td><td></td><td></td><td>POOR MUSCLE CONTROL or DIZZY SPELLS <input type="checkbox"/> YES <input type="checkbox"/> NO</td></tr></table>															STROKE OR PARALYSIS <input type="checkbox"/> YES <input type="checkbox"/> NO	MENTAL DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO	DIABETES <input type="checkbox"/> YES <input type="checkbox"/> NO	ANY HEART DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO	LOSS OF FUNCTION IN AN EXTREMITY <input type="checkbox"/> YES <input type="checkbox"/> NO	ANY BRAIN DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO	GLAUCOMA, CATARACTS, or OTHER EYE DISEASE <input type="checkbox"/> YES <input type="checkbox"/> NO	SEIZURE DISORDER OR FAINTING SPELLS <input type="checkbox"/> YES <input type="checkbox"/> NO	ALCOHOLISM OR OTHER DRUG ABUSE <input type="checkbox"/> YES <input type="checkbox"/> NO			POOR MUSCLE CONTROL or DIZZY SPELLS <input type="checkbox"/> YES <input type="checkbox"/> NO
STROKE OR PARALYSIS <input type="checkbox"/> YES <input type="checkbox"/> NO	MENTAL DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO	DIABETES <input type="checkbox"/> YES <input type="checkbox"/> NO	ANY HEART DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO																							
LOSS OF FUNCTION IN AN EXTREMITY <input type="checkbox"/> YES <input type="checkbox"/> NO	ANY BRAIN DISORDER <input type="checkbox"/> YES <input type="checkbox"/> NO	GLAUCOMA, CATARACTS, or OTHER EYE DISEASE <input type="checkbox"/> YES <input type="checkbox"/> NO	SEIZURE DISORDER OR FAINTING SPELLS <input type="checkbox"/> YES <input type="checkbox"/> NO																							
ALCOHOLISM OR OTHER DRUG ABUSE <input type="checkbox"/> YES <input type="checkbox"/> NO			POOR MUSCLE CONTROL or DIZZY SPELLS <input type="checkbox"/> YES <input type="checkbox"/> NO																							
Have you any physical defects not mentioned above, either temporary or permanent? <span style="float:right">YES NO</span>																										
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> YES <input type="checkbox"/> NO</div><div>If YES, explain briefly: _____</div></div>																										
<b>PHYSICIAN'S CERTIFICATE (Required for applicants 70 years of age and above)</b>																										
I have examined this applicant and find him/her physically and mentally competent to operate a motor vehicle safely.																										
<div style="display: flex; justify-content: space-between;"><div>(Signature of Physician)</div><div>(Address, Including ZIP Code)</div><div>(Telephone Number)</div><div>(Date)</div></div>																										
<b>SECTION 6. APPLICANT'S CERTIFICATE</b>																										
I certify by my signature, under penalties of perjury, that the information given in this application is true to the best of my knowledge and belief.																										
<div style="display: flex; justify-content: space-between;"><div>6X _____</div><div>(Signature of Applicant)</div><div>(Date)</div></div>																										
DO YOU WISH TO REGISTER TO VOTE OR UPDATE YOUR VOTER REGISTRATION? <span style="float:right">YES <input type="checkbox"/> NO <input type="checkbox"/></span>																										





Government of the District of Columbia — Department of Public Works — Bureau of Motor Vehicle Services  
APPLICATION FOR: D.C. MOTOR VEHICLE OPERATOR'S PERMIT / VOTER REGISTRATION



SECTION 1. (Check the proper box for YOUR application)		
OPERATOR'S PERMIT	LEARNER'S PERMIT	NON-DRIVER IDENTIFICATION
New <input type="checkbox"/>	New <input type="checkbox"/>	New <input type="checkbox"/>
Renewal <input type="checkbox"/>	Renewal <input type="checkbox"/>	Renewal <input type="checkbox"/>
Duplicate <input type="checkbox"/>	Duplicate <input type="checkbox"/>	Duplicate <input type="checkbox"/>

FOR BMVS USE ONLY		
APPROVAL	DATE	EXAMINER
Written		
Vision		
Reaction		
Birth Certificate Out-of-State License		
SS No.		
Restrictions		
Classification		

I wish to be an Organ/Tissue Donor  
YES ☐ NO ☐

SECTION 2. (Fill in completely)											
PRINT IN INK	Full Name of Applicant		(Last Name)		(First Name)	(Middle Name)					
	Current Residence (Street Address)					Apt. No.					
	City and State					ZIP Code					
	DATE OF BIRTH	SEX	WEIGHT	HEIGHT	COLOR OF EYES	SOCIAL SECURITY NO.					
Mo.	Day	Yr.		Ft.	Ins.						

SECTION 3. (Change of Name Applicants ONLY)					
PRINT	Previously Recorded Name of Applicant		(Last Name)	(First Name)	(Middle Name)
	Court Record Number (If Applicable)				



SECTION 6. APPLICANT'S CERTIFICATE	
I certify by my signature, under penalties of perjury, that the information given in this application is true to the best of my knowledge and belief.	
(Signature of Applicant)	(Date)

DO YOU WISH TO REGISTER TO VOTE OR UPDATE YOUR VOTER REGISTRATION?	
YES <input type="checkbox"/>	NO <input type="checkbox"/>

If you checked YES, you must complete and sign the form below.

SECTION 7. VOTER REGISTRATION — This is a: (Check applicable box)		
<input type="checkbox"/> NEW REGISTRATION	<input type="checkbox"/> CHANGE OF PARTY	<input type="checkbox"/> CHANGE OF NAME
<input type="checkbox"/> CHANGE OF ADDRESS (Old Address) _____		

FOR BOEE USE ONLY	
Registration No. _____	
Date of Registration	Clerk

SECTION 8. PARTY AFFILIATION (Check ONE box)	
<input type="checkbox"/> DEMOCRAT	<b>— IMPORTANT NOTICE —</b> In order to vote in PRIMARY elections in the District of Columbia you must be affiliated with a political party authorized to conduct a primary - Democratic, Republican, or D.C. Statehood.
<input type="checkbox"/> REPUBLICAN	
<input type="checkbox"/> D.C. STATEHOOD	
<input type="checkbox"/> NO PARTY AFFILIATION (independent)	
<input type="checkbox"/> OTHER PARTY _____ (Name of other party)	

— WARNING —	
Any person who in the course of registering or attempting to register, makes false representations as to his/her qualifications for voting, shall upon conviction thereof be subject to a fine of not more than \$10,000 or imprisonment for not more than five years or both.	

SECTION 9. PRIOR REGISTRATION INFORMATION (If applicable)	
City and State where previously registered: _____	

PHONE NO. Home: _____
Office: _____

SECTION 10. REGISTRATION DECLARATION — Read and Sign below.	
I hereby swear or affirm THAT I am a citizen of the United States and a resident of the District of Columbia; THAT the residence address provided above is my fixed place of abode in the District; THAT I will be at least 18 years old on or before the day of the next election; THAT I am not now incarcerated for conviction of a crime which is a felony in the District of Columbia; THAT I am not mentally incompetent as adjudged by a court of competent jurisdiction; THAT I do not now claim voting residence or right to vote in any State or Territory of the United States.	
Date: _____	Signature: _____



Case Number

MINNESOTA

State of Minnesota  
COMBINED APPLICATION - PART I  
FOOD STAMPS, CASH ASSISTANCE AND MEDICAL ASSISTANCEDHS 2852(10-00)  
FZ-02852-00

Name

Address where you live

Street Address or RR #

City

County

State

Zip

Mailing Address (If different)

Street Address, RR #, Mailbox

City

County

State

Zip

Directions to your house

Phone number where you can be reached

Home:

Other:

Has anyone in the household ever received public assistance or commodities  
this month or anytime in the past?Yes ☐ No ☐

If yes, When?

Where?

What?

If you are not registered to vote where you live now, would you like to register here today?

NOTE: You do not have to answer this question.

Yes ☐ No ☐

## MEMBER INFORMATION

List yourself as person #1. List spouse as person #2. List all of the other persons in your home  
even if you are not applying for them. If anyone is pregnant, list "unborn child" and the due date.

1st	Name		Social Security Number	Date of Birth Mo:Day:Yr.	Sex	Relationship to you
	First	MI				
1.						self
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

• Do you need help now because of an eviction, foreclosure,  
utility shutoff or some other emergency? Yes ☐ No ☐• How much does your household pay for  
shelter and utilities? \$ \_\_\_\_\_• Did anyone in your household quit a job in the last  
60 days? Yes ☐ No ☐

• Did all of your household income recently stop?

If yes, when? \_\_\_\_\_ Yes ☐ No ☐• How much income (i.e. money or checks) did  
your household get so far this month? \$ \_\_\_\_\_• How much more income will your household  
get this month? \$ \_\_\_\_\_• How much does your household have in  
cash, checking or savings? \$ \_\_\_\_\_• Is anyone in your household permanently disabled  
or blind? Yes ☐ No ☐

If yes, who? \_\_\_\_\_

• Is anyone in your household pregnant? Yes ☐ No ☐• Is anyone in your household a migrant or seasonal  
farmworker? Yes ☐ No ☐

## REGISTRATION FOR EMPLOYMENT and TRAINING

I understand that by signing this application everyone in my home,  
who is approved to receive assistance with me, is automatically  
registered for EMPLOYMENT and TRAINING. I understand that  
taking part in EMPLOYMENT and TRAINING may be required to  
receive Cash Assistance or Food Stamps.I declare that this application has been examined by  
me and to the best of my knowledge and belief is a  
true and correct statement of every material point.  
PLEASE READ RIGHTS AND RESPONSIBILITIES ON THE BACK OF  
THIS FORM BEFORE SIGNING:

Signature of Applicant or Authorized Representative

Date

Agency Signature

Date



