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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 8, 1989
Bergen County Freeholders Chambers
Hackensack, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Robert J. Martin, Chairman
Assemblywoman Marion Crecco, Vice Chairwoman

ALSO PRESENT:

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

* * * * *

Hearing Recorded and Transcribed by
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Trenton, New Jersey 08625

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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:

A-205 Naples	Permits disabled persons to receive absentee ballots on a continuing basis.
A-243 Felice	Eliminates evening voter registration.
A-385 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

A-1294 Riley/Marsella	Eliminates requirements that a person must re-register to vote if name is changed.
A-2221 Littell/Haytaian	Permits voting by mail in certain municipalities.
A-2408 Bush	Permits a person eligible to vote to register on election day.
A-2707 Schluter	Expands methods by which a voter may change from one political party to another or become a disaffiliated voter.
A-2923 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.
A-3533 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.
A-3575 Schluter/Kalik	Establishes new Title 19A, Elections, of the New Jersey Statutes to replace Title 19 of the Revised Statutes.
A-4165 Roberts	Coordinates holding of school elections, fire district elections and nonpartisan municipal elections.
S-596 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
 and, when appropriate, authentication, the county clerk or his
 13 designee is authorized to deliver to the authorized messenger a
 ballot to be delivered to the qualified voter. The Secretary of
 15 State shall cause to be prepared a standard authorized
 messenger application form, which may be included with the
 17 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
 be eligible to vote, without further request on the part of the
 23 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)
 kindly write to the undersigned at once making application for a
 military service ballot to be voted in said election to be
 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.
 Dated. (signature and title of county
 3 clerk)(address of county clerk)

5

7 NOTICE TO PERSONS DESIRING
 CIVILIAN ABSENTEE BALLOTS

9 If you are a qualified and registered voter of the State who ex
 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
 (date of election) ...but because of permanent and total
 13 disability, or because of illness or temporary physical disability,
 or because of the observance of a religious holiday pursuant to
 15 the tenets of your religion, or because of resident attendance at
 a school, college, or university, or because of the nature and
 17 hours of employment, will be unable to cast your ballot at the
 polling place in your district on said date, and you desire to
 19 vote in the.....(municipal, primary, general, or
 other).....election to be held on.....(date of
 21 election)...kindly complete the application form below and send
 to the under signed, or write or apply in person to the
 23 undersigned at once requesting that a civilian absentee ballot be
 forwarded to you. Such request must state your home address,
 25 and the address to which said ballot should be sent, and must be
 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
 ballot will be furnished or forwarded to any applicant unless
 29 request therefor is received not less than seven days prior to the
 election, and contains the foregoing information.

31 Voters who are permanently and totally disabled shall, after
 their initial request and without further action on their part, be
 33 forwarded an absentee ballot [application] by the county clerk
 for all future elections in which they are elig ible to vote.
 35 Application forms may be obtained by applying to the
 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
13 supplementary act)15 Such notices shall be separately published prior to the fortieth
day immediately preceding the holding of any election.17 Notices relating to any Statewide or countywide election shall
be published by the county clerk in at least two newspapers
19 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
21 which the election is to be held or if no newspaper be published
in said municipality, then in a newspaper published in the county
23 and circulating in such municipality, municipalities or district.
All such notices shall be display advertisements.25 3. Section 12 of P.L. 19 53, c. 211 (C. 19:57-12) is amended
to read as follows:27 12. Each county clerk, after processing the requests for
civilian absentee ballots and the applications for military
29 absentee ballots requiring approval under section 10 of this act
and furnishing the applicant with a civilian or military absentee
31 ballot in the manner prescribed by this act, shall forward such
requests, including those disapproved, to the county board of
33 elections. Each county clerk shall also keep a list of such
requests received by him showing the disposition of each request
35 and indicate on the list those persons whose requests have been
approved by reason of the persons' permanent and total physical
37 disability, which list shall be made available to the public and all
election officials charged with the duty of administering this act.

1 4. This act shall take effect immediately.

3

STATEMENT

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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.

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STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblyman FELICE

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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.

35 Nothing in the provisions of subtitle 2 of [the] Title[,
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**

15 This bill eliminates evening voter registration hours. Since
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**

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.

1

STATEMENT

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

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

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

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29

ELECTIONS

Vote Procedures and Ballots

31

Provides that a municipal clerk shall have until noon of the
33 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.

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

25 If a change in name is made pursuant to subsection b. of this
 27 section, the person shall be permitted to vote at that election
 29 and at each subsequent election under the person's name as
 31 changed. The commissioner shall be responsible for making the
 33 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
 35 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.

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
 such manner and form as the Secretary of State shall require.
 3 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
7 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
9 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
35 providing assistance)

37 _____
(Address of person
39 providing assistance)

I, ..., whose home address is

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

(Name of party)

(Signature of voter)

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

(Printed name of person
providing assistance)

(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
the voter shall write-in. When marked, the ballot shall be
placed in the inner envelope, which shall then be sealed, and the
voter shall then fill in the form of the certificate attached to
the 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 outer envelope, which
shall then be sealed.

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

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

 The 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 personally by the voter or bearer
designated by the voter to the board or the board's designee.
The ballot must be received by the board or the board's
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.

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

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

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

After such investigation the county board of elections shall
27 detach or separate the certificate from the inner envelope
containing the mail-in ballot, unless it has been rejected by it or
29 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.

13. All valid mail-in ballots received by the county boards
37 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
because it does not contain all of the names of the candidates or
3 all of the public questions to be voted for or upon in the mail-in
election district in the election in which it is to be counted, and
5 any mail-in ballot shall be counted in determining the result of
the election as to any office or public question, if the
7 designation of the office and the name of the candidate for
election to the office or the answer to the public question are
9 written thereon as to indicate the voter's choice, and
notwithstanding that the designation, name or question may be
11 or should have been printed or choice indicated upon the mail-in
ballot in the regular manner.

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

16. On the day of each election each county board of
19 elections shall open in the presence of the commissioner of
registration or his assistant or assistants the inner envelopes in
21 which the mail-in ballots returned to it, to be voted in the
election, are contained, except those containing ballots which
23 the board or the Superior Court has rejected. The board shall
remove the ballots from the inner envelopes and count and
25 canvass the votes cast on the mail-in ballots. A mail-in ballot
shall not be counted in any primary election for the general
27 election if the ballot of the political party marked for voting
thereon differs from the designation of the political party in the
29 primary election of which the ballot is intended to be voted as
marked on the envelope by the county board of elections.
31 Immediately after the canvass is completed, the respective
county boards of election shall certify the result of the canvass
33 to the county clerk or the municipal or district clerk or other
appropriate officer as the case may be showing the result of the
35 canvass by municipality and ward, and the votes so counted and
canvassed shall be counted in determining the results of the
37 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
3 falsely in any paper required under this act, or who, at any time,
5 tampers with any ballot or document used in an election or
7 interferes with the secrecy of the voting of any person shall be
9 guilty of a crime of the fourth degree, and upon conviction
11 thereof shall be subject, in addition to such other penalties as
13 are authorized by law, to disenfranchisement unless and until
15 pardoned or restored by law to the right of suffrage.

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

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

21 STATEMENT

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

35 ELECTIONS

37 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.

1 5. Not later than 25 days after each municipal, primary or
3 general election, the commissioner of registration in counties
5 having a superintendent of elections and the county board of
7 elections in all other counties shall investigate and verify the
9 registration of voters registered pursuant to this act at the most
11 recent municipal, primary or general election whose notification
13 is returned by the post office as undeliverable, in order to
15 determine the extent, if any, of violations of this act.

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

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

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

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

STATEMENT

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

5 The bill:

7 1. Requires an applicant to have a suitable identifying
9 document;

11 2. Makes same day registration applicable to municipal and
13 primary elections as well as to general elections;

15 3. Provides that registration shall take place at the office of
17 the municipal clerk;

19 4. Establishes a procedure whereby the municipal clerk shall
21 issue a temporary registration certificate to a qualified
23 applicant; and

25 5. Provides for investigation and verification of voters
27 registered pursuant to this act whose notification is returned by
29 the post office as undeliverable.

1

ELECTIONS**Vote Procedures and Ballots**

3

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

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
3 conform generally to the ballot to be used at the election in
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.

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

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.

Any person voting in the primary ballot box of any political
 7 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
2 one annual primary elapses in which the voter does not vote or
3 until he signs and files a declaration that he desires to vote in the
4 primary election of another political party or that he desires to
5 be disaffiliated from all political parties. at which time he shall
6 be deemed to be a member of such other political party or
7 disaffiliated from all political parties. The notice shall also state
8 the time and location where a person may obtain political party
9 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
18 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
20 party other than the party in which they voted previously.

21 Under current law, a voter who votes in the primary election of
22 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
24 election of another political party, at which time he shall be
25 deemed to be a member of such other political party. Such a
26 declaration must be made no later than the 50th day preceding a
27 primary election. No voter except a newly registered voter or a
28 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
30 primary election of a political party.

31 This bill provides that a voter who votes in a primary election
32 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
34 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
36 or that he desires to be disaffiliated from all political parties.
37 The bill also provides that a declaration of change in party
38 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
2 Tuesday in June and revising parts of the statutory law.

3

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

6 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
8 shall provide for the holding of an annual school election for the
9 regional district on the first Tuesday in [April] June.

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

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

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

18 18A:13-17. The regional board of education shall, at each
19 annual school election, submit to the voters of the regional
20 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
22 district for the ensuing school year and may submit thereat any
23 other question authorized by this law to be submitted at such an
24 election.

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

26 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
28 the annual election, within 2 days thereafter the board of
29 education of the regional district shall certify to the governing
30 body of each municipality, included within the regional district,
31 the item or items so rejected, and such governing bodies, after
32 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
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:

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
election, submit to the voters of the district, the amounts of
9 money fixed and determined in its budget, excluding therefrom
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
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
of the election, and the legal voters of the district shall
15 determine at such election, by a majority vote of those voting
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
for said purposes, in the district during the ensuing school year
19 [and the secretary of the board of education shall certify the
amounts so determined upon, if any, and the sums so stated for
21 interest and debt redemption charges, to the county board of
taxation of the county within 2 days following the date of the
23 election and the amount or amounts so certified shall be included
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:

18A:22-37. If the voters reject any of the items submitted at
29 the annual school election, the board of education shall deliver
the proposed school budget to the governing body of the
31 municipality, or of each of the municipalities included in the
district within 2 days thereafter. The governing body of the
33 municipality, or of each of the municipalities, included in the
district shall, after consultation with the board, and [by April 28]
35 within 10 days, determine the amount which, in the judgment of
said body or bodies, is necessary to be appropriated, for each
37 item appearing in such budget, to provide a thorough and
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
 3 State shall cause to be prepared a standard authorized
 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
 7 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 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)

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

15 7. The county clerk of the county, in the case of any
 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.

STATEMENT

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

Specifically, the bill permits military service voters to apply for a military service absentee ballot for all elections held during the calendar year in which the request is made by using a federal postcard application form or a regular application form. It also provides that overseas federal voters may use one federal postcard application form or regular application form to apply for an absentee ballot for all federal elections held during the calendar year in which the request is made. Further, the bill allows military service voters and overseas federal election 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 election for President or members of the United States Senate or House of Representatives. To qualify for a special write-in ballot, the applicant shall state that he is unable to vote by military service ballot, civilian absentee ballot or an overseas federal election ballot due to the requirements of military service or due to living in an isolated or remote area of the world. Lastly, the bill includes active service as a member of the maritime or merchant marine service of the United States as military service, thus allowing those members to qualify as military service voters.

ELECTIONS

Vote Procedures and Ballots

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.

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

B. Schuler, S. K. K.

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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CHAPTER 1

Definitions and Application

Section

- 19A:1-1. Words and Terms Defined.

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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.

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

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

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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.

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

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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.

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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.

4/15/11 10:00 AM 10:00 AM 10:00 AM

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 chosen 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 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

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Section

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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.

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ARTICLE 2 SAMPLE BALLOTS

Section

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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, $\frac{1}{4}$ of 1% of the number of registered voters of that district.

c. For the office of State Senate and General Assembly, $\frac{1}{4}$ of 1% of the number of registered voters of that district.

d. For any county-wide office, $\frac{1}{4}$ of 1% of the number of registered voters of that county.

e. For all other offices, $\frac{1}{4}$ 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. 261, 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. 280, 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

Source: C. 19:25-3 (1952, c.2, s. 1).

Source: C. 19:25-4 (1952, c. 2, s. 2).

ANY PRIMARY

19A:18-1. Return of Election Materials

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.

19A:19-2. Nomination of Candidates by Petition.

ARTICLE 2. FILLING VACANCIES

19A:19-3. House of Representatives and Legislature; Writs or Election.

19A:19-4. Nature of writs of election; signatures to.

19A:19-5. Designation of Election Day in Writ: Special Election and Primary Therefor; Vacancies in House of Representatives.

19A:19-6. Writs Delivered to Commission on Elections.

19A:19-7. Copies of Writs Delivered to Commission on Elections and County Boards.

19A:19-8. Newspaper Publication of Writs.

19A:19-9. Vacancy in House of Representatives Between Dates Preceding Primary and General Elections.

19A:19-10. Vacancy in House of Representatives Occurring 50 or More Days Before Primary or 70 or Fewer Days Before General Elections.

- 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.

ARTICLE 3. VOID NOMINATIONS OR ELECTIONS

- 19A:19-14. Office Forfeited by Non-filing of Statement or Filing of False Statement.
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A. NOMINATIONS

- 19A:19-16. Name not Printed on Ballot; Next Highest Name Printed.
- 19A:19-17. No Certificate of Election to Candidate Elected.
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- 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.

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- 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.

D. VACANCIES AND APPOINTMENTS

- 19A:19-25. Candidate Whose Nomination or Election Annulled Ineligible to Fill Vacancies; Exception.
- 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

Section

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

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 insuing 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 be 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 so 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.

YES
NO

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 count 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.19:38-8 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; Deposition -

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, firm 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 such 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 file 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 be 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
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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 ere 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.
- 19A:28B-9. Rules and Regulations for Expenditures; Purposes.
- 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. 19:45-8.1 (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 closet;

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; 1946, 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 main 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-2, 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

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- 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 primary 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 an 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 mechanical 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 said 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 to 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 Absense 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.1958-22 (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.

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- R.S. 19:2-3.
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- 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.
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- R.S. 19:12-1.
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- R.S. 19:14-1 to 19:14-8 inclusive.
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P.L. 1940, c.54 (C.19:31-11.1).

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P.L. 1953, c.211 (C.19:57-1 to C.19:57-4).

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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.

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		L.1955, c.133;	
		L.1974, c.30, s.7;	
		L.1975, c.15, s.2	

C. 19:31-6.1		L.1966, c.177, s.1....	19A:22-7
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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
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R.S. 19:31-10			19A:22-11
R.S. 19:31-11	...As am.	L.1940, c.135, s.4.... 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	19A:22-12
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	...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
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R.S. 19:31-17	...As am.	L.1947, c.168, s.21... L.1950, c.37	19A:22-20
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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
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R.S. 19:31-25			Repealed L.1941, c.164
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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	
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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
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...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
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R.S. 19:34-35			Not Enacted

R.S. 19:34-36		Repealed L.1973, c.83, s.26
R.S. 19:34-37		Repealed 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
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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
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R.S. 19:34-47 through R.S. 19:34-51.....		Not Enacted
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.1963, 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
C. 19:34-66	L.1975, c.190, s.3....	19A:28A-8
C. 19:34-67	L.1975, c.190, s.4....	19A:28A-9
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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. 19:38-2	...As am.	L.1939, c.343, s.23...	19A:27-2
R.S. 19:38-3	...As am.	L.1939, c.343, s.24...	19A:27-3
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			L.1939,
			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. 19L41-4.....			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
C. 19:44A-1	.....	L.1973, c.83, s.1.....	Not Enacted
C. 19:44A-2	.....	L.1973, c.83, s.2.....	19A:28-1
C. 19:44A-3	.....	L.1973, c.83, s.3.....	19A:1-1
	...As am.	L.1974, c.26, s.1	
C. 19:44A-4		L.1973, c.83, s.4.....	19A:28-2
C. 19:44A-5		L.1973, c.83, s.5.....	19A:6-19
C. 19:44A-6		L.1973, c.83, s.6.....	19A:6-20
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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
C. 19:44A-12	.....	L.1973, c.83, s.12....	19A:28-8
C. 19:44A-13	.....	L.1973, c.83, s.13....	19A:28-9
C. 19:44A-14	.....	L.1973, c.83, s.14....	19A:28-10
C. 19:44A-15	.....	L.1973, c.83, s.15....	19A:28-11
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
C. 19:44A-19	.....	L.1973, c.83, s.19....	19A:28-15
C. 19:44A-20	.....	L.1973, c.83, s.20....	19A:28-16
C. 19:44A-21	.....	L.1973, c.83, s.21....	19A:38-3
C. 19:44A-22	.....	L.1973, c.83, s.22....	19A:38-2
C. 19:44A-23	.....	L.1973, c.83, s.23....	19A:28-19
C. 19:44A-24	.....	L.1973, c.83, s.24....	Not Enacted
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
C. 19:44A-29		L.1974, c.26, s.4.....	19A:28B-3
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C. 19:44A-31		L.1974, c.26, s.6.....	19A:28B-5
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
C. 19:44A-35	.....	L.1974, c.26, s.10....	19A:28B-9

C. 19:44A-36	.....	L.1974, c.26, s.11....	19A:28B-10
C. 19:44A-37	.....	L.1974, c.26, s.12....	19A:28B-11
C. 19:44A-38	.....	L.1974, c.26, s.13....	19A:28B-12
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. 19:45-3			Not Enacted
R.S. 19:45-4			19A:29-3
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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
R.S.19:45-6.1	.....	L.1952, c.62.....	19A:29-6
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
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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.... L.1947, c.168, s.24	19A:32-4
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R.S. 19:48-8		L.1966, c.120.....	19A:32-8
R.S. 19:49-1			19A:33-1
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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
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C. 19:52-2.1		L.1944, c.213, s.1....	19A:35-3
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R.S. 19:52-3			19A:35-4
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R.S. 19:52-5			19A:35-5
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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
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C. 19:53A-6		L.1973, c.82, s.6....	19:35A-5
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	...As am.	L.1975, c.316, s.5	
C. 19:53A-8		L.1973, c.82, s.8....	19A:35-7
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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,
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through	L.1942, c.18, ss.1-16.		L.1945
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			Repealed
C. 19:55-1		L.1944, c.95, s.1....	L.1945
	...As am.	L.1944, c.95, s.1	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	.....	L.1944, c.208, s.3....	Expired
C. 19:55-28	.....	L.1944, c.208, s.4....	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 L.1953,
...As am.		L.1953, c.19, s.60	c.211, s.38
C. 19:56-19 through	.....	L.1948, c.1, ss.19-21.	Repealed L.1953
C. 19:56-21			c.211, s.38
C. 19:56-22	.....	L.1948, c.22.....	Repealed L.1953,
...As am.		L.1953, c.19, s.61	c.211, s.38
C. 19:56-23	.....	L.1948, c.1, s.23.....	Repealed L.1953,
...As am.		1953, c.19, s.62	c.211, s.38
C. 19:56-24 through	.....	L.1948, c.1, ss.24-27.	Repealed L.1953,
C. 19:56-27			c.211, s.38
C. 19:56-28 through	.....	L.1949, c.54, ss.1-4..	Repealed L.1953,
C. 19:56-31			c.211, s.38
C. 19:56-32	.....	L.1949, c.54, s.5.....	Repealed L.1953,
...As am.		L.1950, c.146, s.1	c.211, s.38
C. 19:56-33 through	.....	L.1949, c.54, s.5.....	Repealed L.1953,
C. 19:56-37			c.211, s.38
C. 19:56-38	.....	L.1949, c.54, s.11....	Repealed L.1953,
...As am.		L.1950, c.146, s.2	c.211, s.38
C. 19:56-39 through	.....	L.1949, c.54, ss.12-14	Repealed L.1953,
C. 19:56-41			c.211, s.38
C. 19:56-42	.....	L.1949, c.54, s.15....	Repealed L.1953,
		L.1950, c.146, s.3	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
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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	
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		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	

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C. 19:57-9		L.1953, c.211, s.9....	19A:36-7
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	...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	
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	...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	
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	...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
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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	
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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
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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
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		L.1977, c.47, s.15	
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C. 19:57-33		L.1953, c.211, s.33...	19A:36-30
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	...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
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	...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	
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	...As am.	L.1976, c.24, s.4	
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C. 19:58-7		L.1964, c.134, s.6....	L.1976,
	...As am.	L.1976, c.24, s.6	c.24, s.6
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	...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	
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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
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	...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
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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
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C. 19:59-1		L.1976, c.23, s.1.....	19A:37A-1
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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 clarification
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. 19:7-8.1	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 substantive 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 substituted 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 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 pm Elections full authority to prescribe forms of gisistration; 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 sections
	C. 19:31-18.1	
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 delivery 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
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)

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.
(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] second Tuesday in [April] May.
24 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)

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.

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)

10. N.J.S.40A:14-70 is amended to read as follows:

9 40A:14-70. Fire district designation; election of
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.

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
5 superintendent of elections or the county board of elections of
7 any county not having a superintendent of elections, may upon
9 application of the board of commissioners of any fire district,
11 loan or rent to said board, one or more voting machines owned by
13 the county [, for a period of time which does not conflict with
15 any State, county, municipal or school district election,] for the
17 purpose of conducting a fire district election as required by law.
19 The loan or rental of a voting machine or machines for this
21 purpose shall be upon such terms and conditions as may be
23 determined by the board of chosen freeholders of the county.

25 In any case in which voting machines are made available for
27 such purpose, the use thereof for any fire district election shall
29 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
21 board at least 20 days prior to the date of any election, after the
23 first election, the board of fire commissioners, by resolution, may
25 divide the fire district into 2 or more polling places.

27 The polls for any election shall be opened [between the hours of
29 2:00 and 9:00 P.M., but the board may designate a later closing
31 hour on the same day] during the same hours as the polls for
33 school elections held pursuant to Title 18A of the New Jersey
35 Statutes. The board shall furnish the necessary books for the
37 entries of the names and addresses of the voters.

(cf: N.J.S.40A:14-76)

31 14. Section 13 of P.L.1985, c.288 (C.40A:14-78.17) is amended
33 to read as follows:

35 13. A fire district may and, if any contracts, commitments or
37 payments are to be made prior to the adoption of the budget,
shall, by resolution [adopted prior to January 15], adopt a
temporary budget to make appropriations to provide for the
period between the beginning of the fiscal year and the adoption
of the budget.

39 The total of the appropriations so made shall not exceed [14%]
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.

17. (New section) Notwithstanding the provisions of any other
27 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
Title 18A of the New Jersey Statutes, fire district elections held
3 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

Coordinates holding of school elections, fire district elections and
29 nonpartisan municipal elections.

[FIRST REPRINT]

SENATE, No. 596

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

5 **BE IT ENACTED** by the Senate and General Assembly of the
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:
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
5 voting machine has been properly prepared for the election, it
shall be locked against voting and sealed[; and the]. The keys
7 thereof shall be delivered to such county board of elections or
such superintendent of elections or such municipal clerk, as the
9 case may be, together with a written report made by a custodian
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)

2. (New section) Each county board of elections, or
25 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
 3 use in the event that a voting machine at the district board
 malfunctions, or if sufficient replacement machines are not
 available, ¹[an] a sufficient¹ amount of emergency voting forms
 5 ¹[equal in number to the number of voters in the election
 district]¹;

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, ¹[an] a sufficient¹ amount of emergency voting forms
¹[equal in number to the number of voters in the election
 29 district]¹; 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
3 a county board of elections or a superintendent of elections to
conform to the above-mentioned provisions of section 2 of P.L. .
... , c. ... (C.) (now pending before the Legislature as
5 this bill) as resulted in the disenfranchisement or denial of the
ability to vote of that voter, the voter shall be permitted to
7 vote by emergency ballot.

4. This act shall take effect immediately, but if a regularly
9 scheduled election shall occur within 30 days after this effective
date, the act shall take effect on the day following that election.

11

13

ELECTIONS

Vote Procedures and Ballots

15

Establishes procedures for election officials to follow to prepare
17 voting machines for election day, directs election officials to
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: 1-55

10/11/1964 - 10/11/1964

ASSEMBLYMAN ROBERT J. MARTIN (Chairman): Good morning. I appreciate your coming out to the Assembly State Government Committee public hearing we are holding here in Bergen County. My name is Bob Martin. I am an Assemblyman from Morris County, and Chairman of the State Government Committee. To my left, two seats down, is Marion Crecco, who is an Assemblywoman from Bloomfield, Essex County. Don Margeson is the Committee's Aide. He is to my immediate left. And to my right are Glen Beebe and Al Harris, who are Committee Aides, Partisan Staff, for both the Republican and Democratic parties, respectively.

The purpose of this hearing deals with the following: Our Committee, which I think, at least at last count, had more bills before it than any other Assembly committee-- One of our responsibilities is to look at election laws in the State of New Jersey. Title 19, which most of the laws come under, has been criticized over a number of years, and there have been numerous proposals to make changes in the New Jersey election laws. They run the gambit from small matters to bills which actually want to have a complete revision of Title 19 in its entirety.

I decided that one of the things I thought was necessary, before we got into some specific changes in election law, was to hear from those who are in the process, who are involved with trying to register voters -- trying to see that more people participate -- and those who are involved in politics and elections -- to have them come before the Committee and talk specifically about how the present system is working and what changes, if any, need to be made. It is very difficult, as a Committee, when we look at bills that come before us sometimes, to see the big picture.

I have several bills that I have talked about, as far as changing election laws. Marion Crecco has proposed several changes to election laws, as have the other members of our

Committee. Bill Schluter, Skip Cimino, and Joe Charles have all proposed changes to the election laws.

We will have a second hearing this coming Monday in Camden County, where we will attempt to solicit further comments. I was talking to a reporter briefly earlier. I am not saying, "Speak now, or forever hold your piece." I don't contemplate necessarily that we will have a total revision of Title 19, but I think it will give us some perspective as far as dealing with some of the proposals. We have had persons, for example, who talked about instant registration. We have had bills that talk about changing some of the election dates. As I said, I am concerned that we at least hear from the people who are involved in the mechanics and the procedure, to find out what may be do-able practically, as well as philosophically. That is the purpose of today's hearing.

I do appreciate all of you who have an active interest. I would like to begin by having various witnesses speak about what their concerns are. I see from our list that there are several members of the Rainbow Coalition, both countywide and in New Jersey, so I will begin by calling Mr. Hamm, who is from the New Jersey Rainbow Coalition. Mr. Hamm?

I might mention that the testimony today is being recorded for the benefit of the Committee and for other interested parties who may wish to have this testimony at a subsequent date. Good morning, sir.

L A W R E N C E H A M M: Good morning, Mr. Chairman. Before I begin, might I respectfully request the possibility that the Committee would consider having at least one hearing in the evening, so that people who are working folk who can't take off, like me, can come down and speak before the Committee, because in the community there are a number of folk from various groups who are concerned about the issue of voter registration reform?

ASSEMBLYMAN MARTIN: I will take that under advisement. Part of our problem is to try to get our Committee members. As you can see, with five members who work, it is difficult to hold a Committee meeting at any time. If we can, we will try to arrange a third meeting. I gather you are not as concerned about the location, as you are about the time. Is that correct?

MR. HAMM: Right, right.

ASSEMBLYMAN MARTIN: Okay. Thank you.

MR. HAMM: I would like to thank you, Mr. Chairman, and all the members of the Committee, for this opportunity to talk today on voter registration reform. I am here on behalf of the New Jersey State Chapter of the National Rainbow Coalition, which has more than 1000 members throughout our State.

In our nation and State, voting, as we presently know it, has gone through an evolutionary process of development. Today, every adult citizen has the right to vote. But this was not always the case. At the time our republic was founded, only the wealthiest 10% of the population had the right to vote. By 1860, property qualifications as a condition for voting and holding public office were eliminated. Thus, voting rights were extended to white men who were not property holders.

After the Civil War, the Fourteenth and Fifteenth Constitutional Amendments were passed by Congress, which extended voting rights to African-Americans. However, poll taxes, literacy tests, grandfather clauses, and voter registration came into being at the end of Reconstruction. These and other measures were used to disenfranchise African-Americans of their newly won political rights.

With the adoption of the Nineteenth Amendment in 1920, women were guaranteed voting rights. One hundred years after the end of the Civil War, the Voting Rights Act of 1965 was passed by Congress. It outlawed discriminatory practices used to deny African-Americans and other citizens the right to vote.

Although major obstacles to voting have been removed, today's registration requirements operate in subtle, but potent ways, to restrict the access of citizens of all races to voting. Voting is a fundamental right. Voter registration requirements, in many instances, are restrictive, and thereby violate that right.

We profess to cherish our democratic process, and yet it is easier for the average citizen to play the Lottery than it is to register and vote.

It is imperative that we reform our systems and processes for registering voters. We must make registration easier and more accessible to the average citizen.

Registration reform becomes even more important when considering the fact that 59 million citizens, about one-third of the people eligible to vote in the United States, are not registered. In terms of voter participation--

ASSEMBLYMAN MARTIN: Do you know what that number is in New Jersey?

MR. HAMM: Pardon?

ASSEMBLYMAN MARTIN: Do you know what the number is in New Jersey?

MR. HAMM: Yes. It is about one-and-a-half to 1.7 million people.

ASSEMBLYMAN MARTIN: Which would be fractually-- Would that be--

MR. HAMM: Forty percent of the voting age population. In terms of voter participation, about one-half of the electorate participates in national elections, with smaller percentages participating in congressional, State, and local elections.

The U.S. ranks last in voter participation among the industrialized democracies of the world. Our democracy is facing a participatory crisis. Whatever the reasons for this -- voter alienation, apathy -- measures which hold the

potential for increasing registration and participation must be pursued.

Toward this end, the New Jersey State Chapter of the National Rainbow Coalition has initiated a statewide petition drive for voter registration reform. We have initiated this effort to make registration easier for all citizens in New Jersey.

It has been said that registration in our State is already easy. Mail-in forms make registration in New Jersey easier than it is in those states that do not provide this service. However, our system is still not the most accessible. There is still room for improvement.

Our petition drive began on January 15, the birthday of Dr. Martin Luther King, Jr. It calls for enactment into law five basis reforms: First, voter registration by all municipal, State and Federal agencies. This is known as agency-based registration. If implemented, persons would, for example, be given the opportunity to register when they went to city hall to pay their water bills, or to a Motor Vehicle agency to renew their driver's license, or to an unemployment office to file for compensation.

As a step towards achieving this goal, we support Assemblyman Joe Roberts' bill -- A-4167 -- being considered today by this Committee, which would enable citizens to register when applying for, or renewing a driver's license.

We also support A-4168, which would have voter registration forms inserted in tax booklets, and A-4169, offering voter registration in high volume State agencies, both of which are also sponsored by Assemblyman Roberts.

Governor Kean's executive order issued last week, which would make voter registration applications available at State agencies, was a positive first step toward this goal. However, it does not apply to municipal, county, and Federal agencies, and we do have some concerns about its implementation.

There is ample proof demonstrating the effectiveness of agency-based registration. In the State of Minnesota, which in 1987 enacted the reforms outlined in Assemblyman Roberts' bills, more than 250,000 new voters were registered in the first 18 months after their implementation.

Second, changing the cutoff date for registration and participation in an upcoming election from 29 days prior to an election to seven days. It is interesting to note that registration is cut off during that period when public interest is highest, and when the flow of information about the election is greatest. For instance, most of the gubernatorial debates took place after the May 9 voter registration deadline.

Third, permitting citizens to register and vote on the same day of an election. This is known as "same day on site registration." The New Jersey Rainbow Coalition supports Assemblywoman Stephanie Bush's bill -- A-2408 -- calling for same day registration. However, we would like to see the bill amended to include "on site" registration at the polling place, rather than only at the municipal clerk's office, being that this would be more convenient for the voter.

Minnesota, Wisconsin, Maine, Michigan, and North Dakota are other states that allow same day registration. Also, studies have been conducted which show that same day registration helps to increase voter participation.

Some concern has been expressed about the possibility of fraud. In those states where same day on site registration exists, there was no significant increase in voter fraud after it was implemented. And there is no evidence to indicate that voter fraud is higher in these states than those that do not have same day on site registration.

At first glance, our request to shorten the registration deadline and have same day on site registration may appear to be contradictory. However, most of those states that have election day registration also have cutoff dates.

The period between the cutoff date and election day is used by election officials to put registration books in order. The books are then reopened on election day.

Fourth, reform of current voter roll purging practices which result in the disenfranchisement of thousands of voters every year. If an examination of those purged from the rolls were undertaken, it would probably be found that poor working people, and minorities -- the very groups traditionally underrepresented in the electoral process -- are being purged in disproportionately large numbers.

Toward this end, a positive first step would be to immediately stop purging people for non-voting and disenfranchising them for having changed their address.

Fifth, establishment of a one-time, lifetime voter registration requirement. This is a long range goal. For instance, why not make the Social Security number the basis of registration? Every citizen of voting age has one. Computers could automatically register people already on file when they became 18 years old. Voting rolls would then be based on computerized lists of all citizens 18 and older. This is just one idea; perhaps there are others.

The measures we are calling for could be implemented if our systems of registration were upgraded technologically. In this computer era, much of the registration process in our State is still being done by hand. We believe that the upgrading of our registration systems required to implement these reforms could be done at a reasonable cost. Our country and our State can, and must, do more to get people registered.

I was amazed to discover that in other western democracies, it is the government's responsibility to make sure all citizens are registered. In Canada, officials, called enumerators, are sent door to door before each election to register all citizens. In England, each year in October, electoral registration forms are sent to every adult. Do we

place less value than these countries on citizen participation in the democratic process?

Supporters of our petition drive, besides some of those who will be present today, include: Mayor Sharpe James of Newark; Mayor Melvin Primus of Camden; Mayor Richard Taylor of Plainfield; Mayor James Usury of Atlantic City; Mayor Frank X. Graves of Paterson; Princeton Mayor Barbara Boggs Sigmund; Democratic gubernatorial nominee, Congressman James J. Florio; Assemblyman Alan J. Karcher; City Council President Glenn Cunningham of Jersey City; City Council President Wayne Alston of Passaic; Councilman Jose LaBoy of Vineland; Councilman Curtis Miller of Wildwood; and Councilman James Walker of Franklin Township. Reverend Benjamin F. Chavis, Jr., Executive Director of the Commission for Racial Justice, an agency of the United Church of Christ which has 1.7 million members, has also endorsed the voter reform measures we seek.

Along with our petition drive and the State legislation, we are calling for support for the National Voter Registration Act of 1989, H.R. 2190, sponsored by now Speaker, Congressman Thomas Foley, and Senate Bill No. 874, sponsored by Senator Wendell Ford. These bills, now pending in Congress, among other measures, call for mail-in registration, agency-based registration, and the elimination of purging for non-voting. We are also urging support for Senate Bill No. 982, sponsored by State Senator Wynona Lipman. This bill also calls for same day on site registration.

More than one-and-a-half million citizens, or 40% of the voting-age population in New Jersey, are unregistered. We believe that if the reforms we propose become a reality, hundreds of thousands of them will be added to the rolls.

In conclusion, this month will mark the 25th anniversary of the deaths of three civil rights workers -- Andrew Goodman, James Chaney, and Michael Schwerner. They were volunteers for a project known as, "Freedom Summer," which

sought to educate and register disenfranchised black voters in the South. Their racially motivated murder on June 21, 1964 shocked the nation, stirred its conscience, and gave added impetus to the struggle for voting rights legislation.

Let us pay tribute to their memory and sacrifice by taking down the last barriers to voter registration, so that all citizens may be empowered.

Thank you.

ASSEMBLYMAN MARTIN: Thank you, Mr. Hamm. I'll tell you what, why don't we take testimony from other members of the Rainbow Coalition, and then we may have some questions for either you, or for the other members?

Annie Allen-George?

A N N I E A L L E N - G E O R G E: Good morning. Unlike Larry Hamm, I do not have prepared testimony. In fact, I passed my notes around with the sign-in sheet. Is it up there somewhere?

ASSEMBLYMAN MARTIN: Well, I don't know if we can retrieve them. If we have them--

MS. ALLEN-GEORGE: It's in a plastic-- Here it is.
(witness walks to Committee table and retrieves her notes)

ASSEMBLYMAN MARTIN: Oh, okay.

MS. ALLEN-GEORGE: I was asked to speak specifically on Assembly Bill No. 2408, Stephanie Bush's bill for same day voter registration. I am Chairperson of the Bergen County Rainbow Coalition, and have done voter registration -- have participated in voter registration drives in Bergen County, specifically in Teaneck, Englewood, and Hackensack, for the last six years. There is a very large population of African-American, Hispanic, and very recent citizens from various countries in these three towns. It has been our experience--

Well, first of all, voter registration drives tend to coalesce with various election campaigns. And unfortunately,

the same people who do voter registration, are the people who campaign for various elected officials on all levels of government. It has been confusing not only to the activists and the workers who participate in these drives, but also to the people on the street whom we work with, who see the presence of local and national candidates, and who also see these voter registration drives taking place. The 29-day cutoff has-- There is such a thrust during those periods, where it is very confusing to people who are being registered, as well as to those who are doing the registrations.

It has been my experience-- For instance, in the November '88 campaign, on election day, we received eight calls from people who wanted to know where to go to the polls. When asked if they were registered, they were not registered, but were ready to go to the polls and vote. This is a very common occurrence that we have noticed in the last six years; that, on election day, people are motivated, people are ready to go out and vote. There is a very big presence in the street; there is a very big presence in the media, and on this day, when people who are not registered are ready to vote, they are, of course, prohibited from voting.

Basically, that is what we from Bergen County wanted to say. If we could pass this Assembly bill for same day registration, it would certainly increase the amount of participation from average citizens who are not aware of the 29-day cutoff for pre-registration, but who would certainly participate in the process if given the opportunity on election day.

Thank you.

ASSEMBLYMAN MARTIN: Thank you. Let me hear from Mr. Mohn, who is from the Hudson County Rainbow Coalition. Good morning, sir.

J A M E S M O H N: Thank you for allowing me to speak. My name is Jim Mohn. I live in Guttenberg, Hudson County. I am

in favor of all of the bills on the table, plus any more you can think of that might not be on the table--

ASSEMBLYMAN MARTIN: I don't think you mean that.

MR. MOHN: Anything that can release the bounds and the shackles that now exist preventing people from voting, I am in favor of.

I can say this much: You are probably not going to talk to too many people who have registered more voters than I have, unless they got paid for it. I didn't. I did it as sort of a hobby. I started registering voters in 1964, and I have been doing it ever since. I registered voters in my original hometown of Pittsburgh, Pennsylvania. They were all in poverty areas. I was the Chair of the Voter Registration Project in Manhattan for the Riverside Church, where we registered about 2000 voters in 1984 in Harlem and the Bronx. And over the last several years, I worked in Hudson County. I find that the problems are disgustingly similar when you get into poverty areas.

The kinds of problems you run into are, first of all, people in poverty areas move a lot. They move three or four times as much as you and I move. What that means is that they've got to continue to register over and over again. Secondly, as you might well imagine, people in poverty areas have a low motivation. They have not seen a lot of success out of registering or voting. Okay? So, they require a lot of encouragement to vote. So everything you do that puts a block in their way-- Like, once they move, they say, "Well, I guess what I have to do is take a day off and go downtown to city hall and register to vote." They are not familiar with all of the rules. All this comes to them as another real problem, in a system that they are not too sure works to their advantage in the first place.

I register people who say, "Well, here is my address," and it is a post office box. I say, "Whoa, whoa, no post

office boxes. But by the way, why are you giving me a post office box?" "Well, the mail gets all torn up in my area. People steal checks out of the boxes." You run into those kinds of problems everywhere; all the places I am telling you about, you run into the same kinds of problems.

On the other hand, as you get closer to election time, first of all, you have all of the news media talking about it. You have people on the streets starting to talk about it. Occasionally, you will find progressive employers who will give part of a day off so people can go ahead and vote. So, anything that you can do to get people to those polls and enable them to vote without blocks, I am in favor of. It is badly needed.

It's fun to go out and register voters in these places. If you haven't done it, give it a try. One of my first experiences in 1964, was to register a very elderly black woman. When she told me how old she was, it turned out she was 102. As I was figuring this out -- she had been raised in the South -- I recognized that I was registering a woman who was born a slave. As far as I could tell, this was the first time that she had ever registered to vote.

The list of people I get on the last day-- I took down some of them; you may have them. I registered on the last day that we were allowed to register, and I registered in the housing projects in Hoboken. And you know, housing projects are fairly good places, as far as registration is concerned, because frequently the people there are encouraged, and you will have maybe one or two people who will go up and down and go through all of the doors. But in spite of this, on the last day in those housing projects, I registered 31 voters. So, the closer you get to the time-- That appears to be the most important.

One other thing that I would like to say as a final statement: You have heard the story of, "The Tale of Two

Cities," and I would like to say that this is also true in voter registration. Where I live is a very attractive high-rise building. If you decided to buy an apartment in my building, you want to come up with a quarter of a million dollars, especially if it is facing Manhattan. The people who live there are successful and, for the most part, highly motivated. We have a health facility down on the lower floors, and in that health facility we have trained people to register voters. That health facility is open 12 hours a day, seven days a week. So, the people who live in my building, who moved there, can register 12 hours a day, seven days a week, and never go outside and get wet.

What we need to do is have something that would give the same kind of facilities to people in poverty areas where this does not exist. Thank you.

ASSEMBLYMAN MARTIN: Thank you. Are there any questions? I will open it to Mr. Harris and Mr. Beebe, if they have questions from their representatives, as well as Assemblywoman Crecco -- questions for the Rainbow Coalition. (no response)

I would like to call on Joan Steinacker, Superintendent of Elections, Bergen County. We will take her as Superintendent of Bergen; then we will take Essex and Passaic, so we will deal with some of the concerns of the Superintendents of Elections. I am just trying to follow some kind of logical sequence. Good morning, Joan.

J O A N S T E I N A C K E R: Good morning. Mr. Chairman, is your microphone on? Some of the people really can't hear you.

ASSEMBLYMAN MARTIN: Sometimes I think maybe they would be more happy if they couldn't hear me.

MS. STEINACKER: That's a possibility.

ASSEMBLYMAN MARTIN: I was just saying, we heard from the representatives of the Rainbow Coalition, so now we will take the three Superintendents of Elections who happen to be--

This is the way people signed up prior to today. We'll take Bergen County, Essex, and then Passaic, which is alphabetically. Good morning, Joan.

MS. STEINACKER: Good morning. First, I would like to thank the members of your Committee and yourself for paying attention. The election officials feel as though they are second-class citizens, because we see all these bills being generated on Title 19, and nobody talks to the people who do the work. So we are absolutely delighted, and I, for one, am pleased that you have come to Bergen County.

ASSEMBLYMAN MARTIN: Well, just like the representative from the Rainbow Coalition talked about an evening meeting, we do-- When we have Committee meetings in Trenton, I know it is difficult for everyone, including State and county employees, to participate, as well. So with some of the bills down there, all of the people who would like to talk about them -- private citizens or public employees -- do not get a chance to comment on them, simply because it is impossible for them to be there at that time.

MS. STEINACKER: Just as it is fairly impossible for Assemblypeople to understand the logistics of doing a job, because you don't do it.

Listening to the Rainbow Coalition-- I had originally planned on commenting on every bill on your schedule, and maybe I will do that very quickly. But I came across a letter I wrote that I think says everything. Election officials -- myself personally, and most of the election officials I know of -- are not, in fact, against encouraging people to vote, nor are we against pushing participation, and anything that makes it easier for us to generate the registrations. We are all for it.

Unfortunately, I have to get to the Rainbow Coalition, because I have been sitting back there trying to give answers as I heard the speeches. They are absolutely right, but they

have the cart before the horse. Until we computerize, and until we bring every county in the State into the high technology, what the Rainbow Coalition wants us to do is physically impossible. I would invite everyone at this meeting today to come downstairs and go through my office and look at the books -- the registration books -- that weigh anywhere between 16 and 25 pounds. Attempting to put those registrations in the books in time for election day requires more than 29 days, not 29 days.

So, we are all on the same track here. The problem we are having -- the election officials, and myself personally, because I shouldn't speak for them, and the Rainbow Coalition -- is, how do we accomplish this -- accomplish it in a logistical manner, efficiently and cost-effectively?

Cost-effective brings me up to something else. Obviously, I have not prepared a speech, but I usually speak off the top of my head. You have three first-class counties in the State of New Jersey. Bergen County happens to be the largest county in the State. We have 448,000 registered voters. However, I have a statutory cap on my budget that affects Essex County and Hudson County. We are not permitted to spend any more than \$1,250,000 per year, and that was last raised in 1981. We have spent four years attempting to get bills through. Where second-class, third-class, fourth-class counties can spend \$4 million, that's okay, but we can't.

So, whatever the voters or the Coalition needs us to do requires dollars. If the Legislature is not going to give the first-class county -- the largest county in the State -- the dollars to help, it will never be done.

We are almost there. There is a Senate bill now that has to be passed. The Assembly did their job -- thank you very much. The bill was passed there. We are waiting for the Senate bill.

Anyway, not to take up too much time, and make a political speech here, I came across a letter, and I think I want to get this in more than any of my comments on the bills. The letter was addressed to a Deputy Attorney General:

"Until Title 19 is redone by professionals working with the people to implement the statute, shortening the 29-day gap will not only overburden election officials, but will cost the taxpayers a tremendous amount of money to implement same day registration.

"In the 1988 general election, the strain on my office was unbelievable, and caused a budget overrun because 29 days was not enough." That was a \$200,000 budget overrun. "We had to hire a large number of temporary help at premium prices to assist us. These were inexperienced people who had to be taught on an emergency basis, and the errors generated by the situation caused many legal voters to lose their right to vote, and allowed many illegal residents to cast a ballot. If we hadn't had at least 29 days, pandemonium would have reigned on election day."

Same day registration will always come back. It has been here for about six, seven years that I know of, and I looked into it. I think there is a way it can be done now, while everybody is working on recodifying Title 19, and I don't mean piecemeal. I mean appointing a real committee to work with the New Jersey Organization of Election Officials to come up with a good plan, so we don't throw the baby out with the bath water.

How about insisting that same day registrants must vote absentee ballots only, said ballots not to be counted until at least one to two weeks after election? This would give the officials time to investigate the voters involved and the ability to detect fraud. Unfortunately, we do have fraud.

ASSEMBLYMAN MARTIN: I wasn't-- You want to count--

MS. STEINACKER: You weren't paying attention. I caught you.

ASSEMBLYMAN MARTIN: Well, no, I heard it, but did you say you wouldn't count them until a week or two weeks after the election?

MS. STEINACKER: This is a proposal.

ASSEMBLYMAN MARTIN: No, I understand that.

MS. STEINACKER: Okay. That would give us time--

ASSEMBLYMAN MARTIN: But as a candidate, I would probably commit suicide at that point. (laughter)

MS. STEINACKER: Sir, as a candidate with same day registration, you lose your right to challenge the voter. Have you thought about that?

ASSEMBLYMAN MARTIN: I've thought about it a lot. Go ahead.

MS. STEINACKER: This would give us time to investigate the voters involved and the ability to detect fraud. In that case, fraudulent votes would not be counted. Of course, the proper safeguards must be set up to protect the legal voter. What I am offering you is a Band-Aid, not a cure. It is just that we've got to do something to make voting easier. We've got to do something to make our jobs easier. What you really and truly ought to be doing is updating our system. You update our system, and it could be a whole lot easier for us to shorten the time span. I'm saying, "Look for a compromise here."

ASSEMBLYMAN MARTIN: But your compromise right now wouldn't be to reduce the time from 29 days to 14 days or seven days? You're saying that with your present books and non-computerization, that will lead to non-verification of the new registrants. Is that--

MS. STEINACKER: Not just that. It will lead to it being physically impossible to do the job. Physically, you cannot get those pages in those books in time, if you shorten

the time now -- if you shorten that 29 days, which is short enough.

ASSEMBLYMAN MARTIN: How many counties are computerized? Do you know?

MS. STEINACKER: Well, I am internally computerized now. I am working on new voting machines. I would say-- Karla, you've got some.

K A R L A S Q U I E R: (speaking from audience) Half.

MS. STEINACKER: Have computerized. First-class counties, look, if they get it-- Hudson is on its way to it. Again, it is very difficult. I am fortunate. I have a good County Executive, I have good Freeholders, and they are working with me to give me what I need. But even that is not going to do it, unless you get rid of the books.

ASSEMBLYMAN MARTIN: You talked about the board workers. Are they difficult to acquire right now?

MS. STEINACKER: Okay. The board workers come under the jurisdiction of the Board of Elections. Title 19 is a very complex title, and the Chairman of the Board of Elections is here. So you can address that to Ms. Feldner. They are responsible for hiring board workers, and for training board workers. Superintendents are responsible for clearing up the errors.

ASSEMBLYMAN MARTIN: How long does it take to process a new registrant normally?

MS. STEINACKER: Normally we get the VR form -- that's the by-mail form -- which is predominant these days, not the largest-- But if everything is all right, I would say a half hour getting the paperwork all done, and then trying-- Of course, you stockpile them, to do your filing into the books all at once. It takes two girls, I would say, about 10 to 15 minutes per page, to get them into the books, because you are putting two pages in, one in the yellow books, one in the white books.

ASSEMBLYMAN MARTIN: How many staff members do you have?

MS. STEINACKER: I have a total of 52 people. Of those, 10 work in the warehouse, because the Superintendent is also in charge of the voting machines.

ASSEMBLYMAN MARTIN: Do you pick up "seasonal" employees?

MS. STEINACKER: Yes. Any election where it-- It is kind of a gut feeling. I think almost every election official will say, "If you hire too many, it is going to be a slow election. You don't need them." So you kind of go for the gut feeling. You cover your back wherever you can in every election, yes. We have lots of overtime. We have seasonal, temporary-- I call it a "temporary agency," yes.

ASSEMBLYMAN MARTIN: Your budget is determined to employ these--

MS. STEINACKER: It's in the statute.

ASSEMBLYMAN MARTIN: It's in the statute, but it is reserved by the county, or is it--

MS. STEINACKER: Yes, it is paid by the county; mandated by the State.

ASSEMBLYMAN MARTIN: If you were to determine that you needed more employees to get the job done, what actions, if any, could you take?

MS. STEINACKER: Well, I had that happen to me in the presidential. I went up to my County Executive, and said, "Okay, I am over budget. Here is my projection, but I need people. Now, shall I call the election off?" They didn't think that was a good idea, so the county subsidized--

ASSEMBLYMAN MARTIN: I'm not sure you can crank up that authority, but--

MS. STEINACKER: The county subsidizes me, and I must say it is a problem for them, too, because if they tried to raise my budget on their own -- which they did -- Trenton sends

it back to them, and says: "No, we can't approve this, because it is above the statutory cap." What you've done, really-- That law has put the Freeholders and the County Executive into a position of subsidizing me illegally.

ASSEMBLYMAN MARTIN: Let's say on the last surge, on this 29-day factor-- I assume that in an election year, like the Coalition said, there is a heightened awareness as you get closer to the election, and the registrations come in -- the greatest number come in close to the end of the registration period. Is that a fair statement?

MS. STEINACKER: On the day before the deadline date in the presidential election last year, I got 12,000 registrations -- 12,000 that had to be processed in one day, one night; that had to be processed within that 29 days, and that was besides all the others we were getting in. Presidential is unusual.

ASSEMBLYMAN MARTIN: Sure, but in a four-year cycle, that is when you get your greatest amount of registrants.

MS. STEINACKER: Oh, sure, sure. It happens every four years, so--

ASSEMBLYMAN MARTIN: When is the sample ballot supposed to come in, do you know?

MS. STEINACKER: That is done by the County Clerk.

ASSEMBLYMAN MARTIN: I understand that, but I am just trying to--

MS. STEINACKER: I believe 12 days before the election they should be ready to be mailed.

ASSEMBLYMAN MARTIN: But their list-- That comes--

MS. STEINACKER: Okay. The way that works is, I supply the labels for the county. I supply the labels and the person who mails, for the County Clerk to supply the ballots to. So, yes, that comes from that list.

ASSEMBLYMAN MARTIN: Is that the first immediate deadline? At least theoretically, you would have to have it in

place, so that the new registrants could get their sample ballots.

MS. STEINACKER: That's right. Also, absentee ballots.

ASSEMBLYMAN MARTIN: So, you've got a two-week period.

MS. STEINACKER: You've got, really, not even a two-week period, because in a county as large as Bergen, I need 10 days to deliver voting machines. So we start delivering voting machines 10 days-- You've got all the different--

ASSEMBLYMAN MARTIN: I understand that. I am just trying to understand what needs to be done in this period. I think everyone is in agreement that if we could, we would reduce the time frame from 29 days. I am trying to figure out what the deadlines are with these registrants in that 29-day period. You are supposed to have a sample ballot. They can apply for an absentee ballot.

MS. STEINACKER: Right. That is probably your worst deadline.

ASSEMBLYMAN MARTIN: When does that work into the process?

MS. STEINACKER: I am not quite sure of the absentee ballot.

E I L E E N C. F E L D N E R: (speaking from audience)
Seven days before by mail.

MS. STEINACKER: Up to seven days before, but I don't think that is the question you're asking. You want to know when do they have to go out, so that they can get back on time--

ASSEMBLYMAN MARTIN: They can request it at any time?

MS. STEINACKER: --when they have to be printed.

MS. FELDNER: At any time.

ASSEMBLYMAN MARTIN: After they have registered?

MS. STEINACKER: Yes.

ASSEMBLYMAN MARTIN: Just tell me this, theoretically: Suppose someone registers in the last week before the deadline -- let's say the twenty-ninth day. Two

days later, or five days later, they make a determination that they will not be able to be present, for cause under the statute in New Jersey, and they request an absentee ballot. How does your office handle that matter, if they are number 6000 in the stack, and you haven't gotten to them yet?

MS. STEINACKER: Well, the law is quite specific. From the seventh day up until three o'clock on the day before election, they can come in, in person--

MS. FELDNER: (speaking from audience) That is not what he is asking. May I interrupt you?

MS. STEINACKER: Sure.

MS. FELDNER: That is not what he is asking. He is asking you--

MS. STEINACKER: How can they vote?

MS. FELDNER: Well, no. That person meant five days later. You've got 12,000 registrations sitting there. Four days later, one of those registrants requires an absentee ballot. The fact of the matter is, because it is physically impossible for you to get those 12,000 in the books, the person is going to be denied the absentee ballot--

MS. SQUIER: That's right.

MS. FELDNER: --because they won't be able to check them.

MS. STEINACKER: Is that the question you were asking?

ASSEMBLYMAN MARTIN: Yes. Since we are trying to record this, would you please put your name on the record? Why don't you come up?

MS. STEINACKER: No, it's just as well. (laughter)

MS. FELDNER: I'm sorry. I am Eileen Feldner. I am the Chairman of the Board of Elections.

MS. STEINACKER: We work together.

MS. FELDNER: Yes, we do.

ASSEMBLYMAN MARTIN: In Bergen County. Well, maybe you can help us out. I am just trying to understand--

MS. FELDNER: Yes, I understand what you're saying, because that happened this year.

ASSEMBLYMAN MARTIN: --what the obstacles are in this time frame.

MS. FELDNER: That is a big one and specific one, because--

ASSEMBLYMAN MARTIN: So, you're saying that person would-- Although he or she submitted a request as a practical matter in Bergen County in a presidential year, there is a good chance they just wouldn't get the absentee ballot returned to them?

MS. FELDNER: No. What would happen is-- Say that on the twenty-ninth day this person registers, and you have 12,000. Four days later, Sam Smith sends in an application, because sometimes they do them both together. When the clerk comes over to check if they are registered voters five days later, it has been physically impossible for you--

MS. STEINACKER: I thought that's what you-- However, there I am computerized, and it will be done if I have to pull-- I thought you were asking how does somebody vote if they didn't have time to send for an absentee ballot, okay.

ASSEMBLYMAN MARTIN: I am just wondering--

MS. STEINACKER: The pages would not be there; they definitely would not be there.

ASSEMBLYMAN MARTIN: Do they get their absentee ballot?

MS. STEINACKER: They will if I have them on my computer list, because that is the first thing we do -- enter them in so they are at least on the tape.

ASSEMBLYMAN MARTIN: Well, the 12,000 that you had last year-- How long did it take you to process those 12,000 names on your computer tape?

MS. FELDNER: It didn't take you four days; it was more.

MS. STEINACKER: It didn't take me four days. No, it could have taken me four days to process them on the computer, but none of the paperwork would have been done. What happens when we get-- You have to understand what we do when we get a registration: Number one, nine out of ten people do not read instructions. They never check off-- There are two items we never get. One is not that important -- date of birth. That's okay. We'll take that. The other is whether they are a citizen or not. So right there you've got a problem. We're zapping through them to make sure that they are filled out properly.

Now, out of those 12,000, I would say that at least 25% of them did not fill the form out properly. In my office, I get people on the phones trying to reach them, and we ask them the question over the phone. We were finished just about in time to get the books tied up to be delivered on those 12,000. No one was denied an absentee ballot, because the first thing we did was go on the computer. If it was not on the computer yet when the request came in, and they couldn't find it, we knew exactly where new ones were. It required a lot of looking, but no one was denied, because we looked all over.

ASSEMBLYMAN MARTIN: So, you supply the computer tape for the-- I mean, that is the process by which you would deal with absentee ballots. Is that--

MS. STEINACKER: The County Clerk is the one who deals with the absentee ballots. We deal with them peripherally.

ASSEMBLYMAN MARTIN: And also the sample ballots?

MS. STEINACKER: Yes.

ASSEMBLYMAN MARTIN: And he has to rely on your office for processing this and getting it in on time.

MS. STEINACKER: Yes.

ASSEMBLYMAN MARTIN: And if you were computerized completely, how short a time do you think you could operate in,

at least under present statute, to be able to fulfill your responsibilities?

MS. STEINACKER: Well, I am as computerized as it is possible to be under the statute. Again, I will go back to the books. If you did away with those registration books, it would shorten the time by at least half. That is the time.

ASSEMBLYMAN MARTIN: You talked before about the sample ballots. They are based upon your computerized tapes, as well?

MS. STEINACKER: Yes.

ASSEMBLYMAN MARTIN: They are handled by the Clerk's office, is that right?

MS. STEINACKER: The County Clerk prints them.

ASSEMBLYMAN MARTIN: Will those new registrants get a sample ballot? Are there times that they don't because of the amount -- the volume of the registrations?

MS. STEINACKER: There are times, because there is a time span there. The County Clerk has to have them printed and in the mail by 12 days before the election.

ASSEMBLYMAN MARTIN: What was your experience in Bergen County last year? Did some of them not get the sample ballots?

MS. STEINACKER: We keep that to as much of a minimum as possible. Some of them didn't get them, but then it wasn't always our fault. You might try talking to the post office, too. Some post offices held them up. But for our sake, some people did not get them, but there were not a lot of them, because we don't do those labels until the very last minute, when she -- the County Clerk -- has to have them out by law. Probably the day before that date is when we do the labels.

ASSEMBLYMAN MARTIN: When these come in, are you supposed to do any review of who these persons are? I mean, you get the registrations-- How many did you have this year in the month of April before the--

MS. STEINACKER: The primary?

ASSEMBLYMAN MARTIN: Yeah.

MS. STEINACKER: This was probably one of the slowest primaries we have ever had. I would say at most, about 500.

ASSEMBLYMAN MARTIN: Could you just estimate how many you anticipate prior to the general this year -- new registrants?

MS. STEINACKER: I would like to anticipate as many as I got in the presidential. That way I never get in trouble. I always gear up for the worst possible scene. But realistically, I think I will probably get maybe half of that. It will be busy, because gubernatorial seems to generate more enthusiasm than the general -- rather, even than the presidential.

ASSEMBLYMAN MARTIN: When they come in, are you supposed to do any review of the material, checking for fraud, or whatever?

MS. STEINACKER: We check for duplication, but, no, we do not-- When a person registers to vote-- I think the question you want to ask is, am I investigating them? No, I'm not, because the voter registration form is an affidavit. We are told -- it says so in the statute -- you treat this liberally. You do not question. We don't, here in Bergen County. We just make sure it is filled out properly. We do Xeroxing of the VR form onto the big sheet, and we send out an acknowledgement card. Now, the only kind of investigation that goes on is if that acknowledgement card comes back. If the post office has a slip on it that says, "This person does not reside here," then we will do an investigation, but not for any other reason.

ASSEMBLYMAN MARTIN: Does the acknowledgement card always get back in time before the election -- I mean for the investigation?

MS. STEINACKER: No, not always, but when it does we act on it, and we will put a challenge-- We don't take that voter off the list. We put a challenge on their page, "This is a possible fraudulent voter."

ASSEMBLYMAN MARTIN: With the witness signature-- There is some legislation in that talks about not requiring a witness.

MS. STEINACKER: That's wonderful. Don't say any more. We want it.

ASSEMBLYMAN MARTIN: To what extent, right now, is the witness signature used for the purposes of either one of your offices?

MS. STEINACKER: None at all.

MS. FELDNER: I have to tell you, we are mandated to have it filled in, but I will tell you, in my own experience-- You've got the League of Women Voters running a voter drive. What most of them do, which is fine -- a lot of candidates do it, too -- is fill out the witness part so that they won't get caught in the crush while they are sitting in a shopping mall. They are witnessing signatures of people they don't even know, and maybe the dates don't even match. So it really serves no purpose at all.

MS. STEINACKER: They generally do it after the fact, not before the fact. They do it after the fact.

ASSEMBLYMAN MARTIN: What you're saying is, from your experience, you are not sure what they are witnessing. They are witnessing that somebody signed as--

MS. STEINACKER: Exactly. Maybe John Smith signed for Mary Jones. No, that's too obvious. There's a problem there. (laughter) But, yes, it serves absolutely no purpose, none at all. If I really were to stay within the confines of the law, I would reject most of those VRs that come in, that say, "John Smith witnessed on October, 1 Mary Smith's signature," which was back in August. And I have had that happen. How could he

have witnessed her signature in August, when he is signing it in October? We have a lot of those. I do not reject them.

ASSEMBLYMAN MARTIN: Assemblywoman Crecco?

ASSEMBLYWOMAN CRECCO: I think it is very important to have a witness, though. Perhaps we better look at the way we are doing it, as opposed to not having it witnessed. It would be frightening to me to think that anyone could just send in a registration, with our not knowing if it were valid. It may not be.

MS. STEINACKER: Assemblywoman, the way we do it then, is to match signatures at the polling place. It has happened-- Let me tell you one incident I had here in Bergen County: I had a mother call me up the day before the election. Her 15-year-old son had registered at an outdoor registration, witnessed and everything. He lied about his age, got a sample ballot, and was all set to go in and vote. He would not have been stopped. So, what good did the witness do there? If the mother had not called me, I would have had no reason to stop that young man from voting. So the witness is only really saying, "I witnessed a signature," but that witness doesn't know whose signature.

ASSEMBLYWOMAN CRECCO: Are you telling me on the sheets that you check these after every election to see that the signatures look identical to the others?

MS. STEINACKER: Yes, ma'am, oh, yes. Right now--

ASSEMBLYWOMAN CRECCO: And they always are?

MS. STEINACKER: Yes. Right now, my staff is balloting. The board work is at the polling place.

MS. FELDNER: At the polls the signatures must be compared.

MS. STEINACKER: They are not experts. They do it first. When the books come back to my office, my staff goes page by page, according to the law again -- we are back to the books and Title 19 -- and checks the voting authority slip

which the voter gets as he or she goes into the machine. There is a signature on that, a signature on the book. My staff is going through every single page in the book, checking.

ASSEMBLYWOMAN CRECCO: Excuse me. You're saying on the slip and on the book on that particular day. I meant, are you checking the previous signatures to see if they comply?

MS. STEINACKER: Yes.

ASSEMBLYWOMAN CRECCO: Thank you.

ASSEMBLYMAN MARTIN: Are there proofs at all that someone is supposed to present? Obviously, you wouldn't be able to tell. It would only be the witnesses. The witness is not necessarily required to be able to see A, B, C, as far as that person goes? I don't know. I am only--

MS. STEINACKER: The witness is only required to witness a signature. The witness is not required to verify whether that person is who he says he is, nor am I, nor do I.

ASSEMBLYMAN MARTIN: Well, I think at most it would be to their best knowledge and belief. They have no reason to doubt.

MS. STEINACKER: Exactly. They have no reason not to believe that. But if you are doing this out in the shopping malls -- and believe me, I love voter registration by mail forms -- I am just saying that the witness can't possibly know that a John Smith is John Smith.

ASSEMBLYMAN MARTIN: If they come into city hall, do they have to produce--

MS. STEINACKER: No.

ASSEMBLYMAN MARTIN: --a Social Security number, or anything? There is nothing necessary?

MS. STEINACKER: No, no.

MS. FELDNER: The law puts the onus on the voter.

ASSEMBLYMAN MARTIN: And the way that you verify their residence is through--

MS. STEINACKER: The acknowledgement card.

ASSEMBLYMAN MARTIN: --the acknowledgement card, after you have received the mail-in ballot -- not ballot, but the mail-in registration.

MS. STEINACKER: The registration.

ASSEMBLYMAN MARTIN: Also, that process works with the sample ballot, too, doesn't it?

MS. STEINACKER: That's right, the same way we are alerted that someone may have moved; if the sample ballot is returned to us with a note from the post office.

ASSEMBLYMAN MARTIN: Are there any other mechanisms for cross checking that occur?

MS. STEINACKER: No, just signature and matching.

MS. FELDNER: May I get back to something?

ASSEMBLYMAN MARTIN: Sure.

MS. FELDNER: When you were talking about absentee ballots, and you said in the 29 days is there enough time then for the new registrants to receive an absentee ballot-- The answer is that that 29-day period for new registrants -- again, if they find that they cannot go to the polls -- is just about enough time. If they made the cutoff day 14 days -- and I am sure you would agree with me -- and you ended up with 12,000 registrations 14 days before the election, even if 600 of those needed an absentee ballot, it would be almost impossible for you to do that turnaround in order to verify that, yes, this person is entitled to an absentee ballot, and then get it sent to them.

That would be a logistics problem, that short. Sometimes we do run into that, particularly in the presidential, that they submit their request for an absentee ballot, along with their registration. Well, when they went over to check the books, obviously the name was not even processed yet, because of the numbers that the Superintendent's office had to deal with. So, the logistics for absentees now, would make it very difficult. Perhaps if you did want to

shorten the registration time and say seven days before, it would have to be with the understanding that that person could not have an absentee ballot. You know, they would either have to come and vote in person -- here, and request an absentee ballot.

ASSEMBLYMAN MARTIN: Let me ask you a question: Let's assume that some of these procedures -- safeguards, if you will -- cannot be adhered to if we reduce the time frame. The other place where you would expect there would-- A concern, obviously -- and it was mentioned even by the Rainbow Coalition-- What we are trying to do is, if we can shorten the time frame, fine, but we are also concerned about, you know, respect for the system, and that there will not be any fraud. That being the case, the place where you would anticipate and expect that you could really prevent that, would be at the polling booth through the process of the board workers and the challengers, which at least, again on the books, that procedure is there.

MS. FELDNER: But you might have to put something in there if you were going to shorten the registration about not being able to apply for an absentee, because of the logistics.

ASSEMBLYMAN MARTIN: Suppose, for example, those persons in the procedures -- that if we reduce the time frame you can't get the acknowledgements, you can't get the sample ballots mailed and returned as a way of sort of identifying potential fraud? Could all of those, or should all of those people be highlighted for potential challenges, or is that even possible on an election day? .

MS. STEINACKER: But, what good is that going to do? Let me explain something to you from the other side, not as an election official, but as a former candidate. Put a challenger at the polling place. That challenger has to know everybody by face. Otherwise, what are they challenging? I mean, you can challenge a voter, but unless you have reason to believe that

they are not who they say they are, what is the sense of the challenge?

ASSEMBLYMAN MARTIN: Let's say I am a challenger.

MS. STEINACKER: Okay.

ASSEMBLYMAN MARTIN: I don't know, but let's say I want to make a challenge. Is that person supposed to then-- Do they have an obligation to prove who they are and where they live?

MS. FELDNER: Yes, they do. If the person is challenged-- If, for some reason, one of the challengers-- In walks John Smith, and the challenger sitting there--

ASSEMBLYMAN MARTIN: We know that something was sent to his house and it came back that he doesn't live at such and such an address.

MS. FELDNER: Then Joan has a red -- too bad I didn't bring my booklet-- Joan has a red warning that goes right on the page -- all right? -- and there is also a list -- a preemptory list, listed in the front that says, "These people are on the challenge list." The board member, when he or she looks at the sheet, sees this red warning, "Do not allow this person to vote, unless they give you proof of residence." Our instructions to the board workers are: They must have a current -- a current -- Public Service bill made out to their name. They must have a current rent receipt, if they are renters. They must have a current charge bill at that address. We tell them not to accept a driver's license; not to accept a library card, because they could have lived there 90 days before, or six months. Again, if they produce these things, then they take a vote as to whether they feel that proof is adequate.

Now what we also run into, though, is, when John Smith comes in, the challenger knows that John Smith hasn't lived-- Generally, it is the son or daughter living with the family, and they know that the son or daughter moved away a year ago,

but they have come back to vote there because they have forgotten to register where they moved to. They don't want to not vote, so they come back to the residence.

Generally, what you find is that your challengers will say to a board worker, "Timmy Smith moved out of town a year ago. He hasn't lived at that residence. He now has an apartment in Hackensack, and here we are sitting in Haworth." All right? Then they will say to Timmy Smith, "Do you have proof? There is a challenge." The onus is then on Timmy to show him that, indeed, that is where he resides. Sometimes they are not allowed to vote; sometimes they are. It depends on what they prove and how they vote on it.

ASSEMBLYMAN MARTIN: It doesn't have to be just a challenge. The board workers, themselves, are supposedly obligated--

MS. FELDNER: They are automatic challengers, by law.

ASSEMBLYMAN MARTIN: Pardon me?

MS. FELDNER: They're automatic challengers, by law. They can challenge anyone they feel--

I don't want to jump around and confuse you, but I heard you ask the question, "Do you have difficulty getting board workers?" Almost universally, for the Boards of Elections, the answer is, "Yes." At a recent meeting of the New Jersey Election Officials, this was given great discussion, because of the number of people who are having great difficulty obtaining board workers: One, because of the number of people who have gone back to work; people who used to be our reserve for tapping. It simply isn't there any more. And two, our problem is, in getting board workers, that they are, indeed, alert and able to carry on the position.

What is happening, is that many times people who are elderly are taking the positions, and it is long, tiring, exhausting day.

ASSEMBLYMAN MARTIN: Some of the bills that are before the Assembly would divide the day up.

MS. FELDNER: Yes.

ASSEMBLYMAN MARTIN: Do you have a problem with that?

MS. FELDNER: I do not. I have to tell you, it would mean more logistics for us, as far as having to have double the lists, and they would only get half a day's pay. However, that might be a good alternative, because I think you would be able to tap more reserve out there. Some people say, "I can't be gone from 6:30 in the morning until, in some cases, 10 or 10:30 at night," which is something we were discussing before this meeting. Here in Bergen-- Understand, the polls close at eight, but they are really not finished or do not get to the Clerk's office many times until nine. Now, if they are way up in Mahwah or Franklin Lakes-- Getting cross-county here is unbelievable, if some of you have experienced it. So, they are not down here until 10 or 10:30. Then, by the time they jockey all the way home, they are crawling into bed about midnight. They call the next day, and say, "Never again. For \$75, do you know what you can do with this job?" That is what we run into.

ASSEMBLYMAN MARTIN: Well, they must be tired, because they shortchanged me 1100 votes in the election on Tuesday.

MS. FELDNER: Well, this was a very slow one. However, on the presidential election, you cannot say that to them. We had 24,000 absentee ballots right here.

ASSEMBLYMAN MARTIN: Do either one of you two ladies have a problem with the concept of motor-voter? That was talked about; the idea of registrations at the time people vote -- or, come in to register their motor vehicle.

MS. FELDNER: Not me.

MS. STEINACKER: Oh, none at all. That is almost done throughout the State anyway. Anyone who calls my office can get a supply of the mail in-- We have no problem with that.

ASSEMBLYMAN MARTIN: If there were more registration forms available for mail-in at new locations, that, in and of itself--

MS. FELDNER: Right.

MS. STEINACKER: Absolutely.

MS. FELDNER: Fine.

ASSEMBLYMAN MARTIN: --does not present any problems--

MS. STEINACKER: No, not at all.

ASSEMBLYMAN MARTIN: --other than the greater the numbers, the--

MS. FELDNER: No. That would be terrific, I think; absolutely. Making it more available for people.

MS. STEINACKER: That doesn't guarantee they are going to vote, though.

MS. FELDNER: Well--

ASSEMBLYMAN MARTIN: Have you seen any problems, per se, with mail-in registrations, as opposed to in-person registrations, I mean, as far as offices, fraud, any other problems, or whatever?

MS. FELDNER: No.

MS. STEINACKER: No, only the witness. When you do the in-person, of course, the staff member is the witness. The witness is the only thing that presents a problem. The biggest problem that we didn't address, was that that witness has to be a registered witness. So, if you take 12,000 mail-in forms, we've got to check 12,000 witnesses, to see if they are registered. If they are registered from out of the county, I have to tie up Karla Squier's phones, and she hasn't the time to answer, is this witness registered -- or Fred DeFuria's phones, from Passaic County, or he tries to get me. It's craziness. The witness is our biggest problem when we get it in volume. That's double work.

ASSEMBLYMAN MARTIN: Sometimes you can't read the witnesses' signatures.

MS. STEINACKER: Tell me about it. Sometimes we can't read the voters' handwriting.

MS. FELDNER: But, they can print them.

MS. STEINACKER: We are trying to overcome that, but I kid you not: With those 12,000, I will not verify that I checked every one of those witnesses. There was no time, especially the out-of-county witnesses.

May I go over all these bills very quickly? Then I think the other people have just as much to say as I do, and Eileen does.

ASSEMBLYMAN MARTIN: I wanted to have an opportunity to hear from Passaic County. May I take their testimony first?

MS. STEINACKER: Sure, okay.

ASSEMBLYMAN MARTIN: I would like to have an opportunity--

MS. STEINACKER: But I would like to leave you this letter with a possible compromise.

ASSEMBLYMAN MARTIN: Thank you.

MS. STEINACKER: It might not make sense, but--

ASSEMBLYMAN MARTIN: Thank you. Could the representatives from Essex and Passaic Counties -- Ms. Squier and Mr. DeFuria -- please come forward. Maybe you could come up as a duo here.

MS. SQUIER: Do it together? First- and second-class counties.

ASSEMBLYMAN MARTIN: Well, first-class people.

F R E D E R I C K D e F U R I A: Talk about a budget.

MS. SQUIER: Yeah.

ASSEMBLYMAN MARTIN: Some of my favorite counties are second-class counties, including Passaic.

MS. SQUIER: I am Karla Squier, the Superintendent of Elections for the County of Essex. I wish to say, whatever laws you pass, we are sworn to our positions, and we are sworn to uphold the laws of New Jersey and Title 19, whether we agree

with them or not. So, whatever laws you deem to pass, in your wisdom, we are there to uphold them, because we are sworn to uphold those laws, both in Essex, the county, and the nation.

MR. DeFURIA: Thank you, Karla.

MS. SQUIER: Who are you?

MR. DeFURIA: I am Fred DeFuria, Superintendent of Elections for Passaic County.

You know, it amazes me. When I say, "It amazes me," there are so many people who don't know the operation of an election office. For one thing, we are called the Board of Elections. We are not the Board of Elections. I am the Superintendent of Elections and the Commissioner of Registrations.

The Board of Elections is made up of two Republicans and two Democrats. They are an autonomous board. They have "X" amount of responsibilities as to what to do at a given election. The Clerk -- the County Clerk -- has a responsibility. A lot of people don't know that the County Clerk has a responsibility.

ASSEMBLYMAN MARTIN: A lot of people have no idea what the County Clerk does generally, let alone with elections.

MR. DeFURIA: I agree with you. The reason why I am saying that-- When I was appointed Superintendent of Elections in Passaic County, I was in office for four months, and I had two court cases. I lost both of them, not because I changed the procedure, or the process. I went along with a process that was incorrect. But in those two court cases, I learned more about Title 19 and the election laws than if I had been sitting there for 20 years.

There are so many things that come up that the public doesn't know. Millions of dollars were spent in the gubernatorial election -- in the primary -- telling people that as independents they could vote. An independent cannot vote in the primary. All that money was wasted, but we had the

aggravation of people calling us. "They just said on the radio, on TV, that as independents, we could vote." The only person who can vote is an undeclared person, who goes in and declares himself as a Democrat or a Republican. The public doesn't know. Approximately 50%--

ASSEMBLYMAN MARTIN: You don't believe everything you hear in an election campaign. (laughter)

MR. DeFURIA: I agree with you. Being an ex-politician, I know what you are talking about. But, 50%, or more, of the registered voters are the undeclared. Instead of going out for the undeclared, they wasted all that money and advertised for the independents. That is why I say a lot of people should know the process, but they don't know the process.

Not to get off, but getting back to the bills you have here-- Felice's bill eliminates evening voting registration. I agree with him, except for one night. One night we should be open. On the six nights that we were open, I got two registrations, and they were on the final night. So, I would agree to keeping it open for just one night -- the final night.

The situation of allowing people to register on election day-- To me, that would be chaos. I say, with the Coalition, if they want to register people to vote, they have approximately 330 days before any given election to get the people to register to vote. Believe me, if it weren't for the registration/election system in the State of New Jersey -- or in any other state -- the majority of people wouldn't be working; they wouldn't have a job, and they have a job.

We would like the people to register in the given 29 days prior to an election, because otherwise it would be chaotic, as Joan indicated.

ASSEMBLYMAN MARTIN: When you say chaos, are you referring to the time-consuming logistics, or that it would create voter fraud, or both?

MR. DeFURIA: It would be a combination of both. We do have investigators we send out to check the new registrations, if there is a question. But when you get 12,000 new registrations in 29 days before an election, it's one big job trying to coordinate, register, and get everything in order. It's a lot of work. Some people have the privilege of having "X" amount of personnel in their office. I only have 20 in my office, which is equivalent to another county in the State, where they have 52 people working in the office. I don't mean this for Joan's office. I am talking about equivalent in our class. It's not easy.

ASSEMBLYMAN MARTIN: When these registrations come in by mail, with the signature of the registrant, do you apply that then to each page of the books, because that is what you are going to use to ultimately verify that that person--

MR. DeFURIA: Right. We copy it with a copy machine, and then we make out a page and put that page in the book -- in the binder.

ASSEMBLYMAN MARTIN: Do they get in the books in time for the election?

MR. DeFURIA: Well, after many man-hours, yes. We have to.

ASSEMBLYMAN MARTIN: One way or another.

MR. DeFURIA: We have to have those books ready, as a rule, the Friday before election day. That is when they usually pick them up. Sometimes we have to wait until a Saturday, or a Monday. We have worked over holidays and what have you, so people could get the books ready.

MS. SQUIER: I would like to address myself to this registration. Not that everybody didn't have a lot of work, but we received 18,000 mail forms. If you would like to sit at a time clock to clock in each one of those 18,000 registrations-- It took a day to do that. You say, "Well, why did you go through that?" That is a permanent record. This is

a legal document. I had to go to court two years ago, to testify on a petition. The judge had to see every page of each one of those 120 persons who had signed that petition.

Now, if that time stamp hadn't been in there-- There were two that were too late, and the attorney against the petition picked it up. Those names were eliminated from the petition. Now, this was three-and-a-half years after the person had registered to vote.

So, each one of the things that we are obligated to do under the law means something; not today, not tomorrow, but it might mean something five years from now. When we got those 18,000 registrations, we started on a day from seven in the morning until ten at night, seven days a week. I have three copy machines. You can photostat 300 an hour -- two pages. I had to avail myself of the services of Union County, and then I got my head kicked in by some Essex County politicians who decided to use the plight of our office for their own personal gain. They said that I had put the pages in Union County, and there were all sorts of allegations -- a town that you are very familiar with, since you live in it.

ASSEMBLYMAN MARTIN: This 18,000-- Was this just before the presidential?

MS. SQUIER: That was the day -- the close of registration -- yes, sir. And you sit around with 18,000 pieces of paper that have to be clocked in first. And we do it a little differently. We do a convicted criminal check in our county, but we didn't have time to do it. We do it before we register the person to vote. And after the election-- So far, we have found over 300, where their pages were pulled. They did not vote, but their pages have now been pulled.

ASSEMBLYMAN MARTIN: You are obligated by law to make these checks?

MS. SQUIER: Yes, sir.

ASSEMBLYMAN MARTIN: But what you're saying is--

MS. SQUIER: We didn't have the time to do it.

ASSEMBLYMAN MARTIN: --your county, and some other counties, in a crunch prior to the election, don't always get through the entire check list of things to do.

MS. SQUIER: It is physically impossible to do it. One reason is that we have equipment which our main cards are filed in, and our books are filed in, and it is 25 years old. It is all done by hand. So, if you're looking at this shelf, and you need to go to the next shelf, you've got to get up. Everything is broken. They can't fix it, because the company went out of business.

As far as my department and the equipment we have, it is a crisis situation. I bring it up every since-- I have been the Commissioner since 1984. I make sure that I put it in the capital budget, so they can't say they didn't know, and it has been in my capital budget. They wanted to move us. They can't make up their minds. There are all sorts of reasons why we don't have it.

In order to get a motor fixed-- They can't do it any more. They've got to come; we have to pay to take it out. Our guys in Essex County have to go get it fixed. I mean, it's--

ASSEMBLYMAN MARTIN: Well, is that part of your budget, or is that part of the county's overall budget?

MS. SQUIER: The county pays for everything that we use. They are obligated to provide us with space. They pay for all of our capital equipment, and they pay for our budget. My budget, for the last three years, has been \$1.25 million. My employees have not had a raise since 1986. It doesn't give them the incentive to really care too much about how these things go. They do as little as they can possibly get away with. Not that they are doing anything wrong, but they take a longer time doing it, so that they can say to me, two weeks before an election, "It is not finished. We have to go on overtime." That is their little bit of a raise.

Through the Assembly, and through you, Assemblyman Martin, and your Committee, you have passed -- the Assembly has passed -- the bill. It is sitting in the Senate committee. This is a three-year period that I have been working on this. Our Freeholders would love to have the Assembly -- would love to have this raised, and have passed a resolution.

I do have a lawsuit against me, which is going to be heard in September. The Rainbow Coalition started suit in October, and we had a two-week trial. It ended up that we stayed the same. It was supposed to be in June, and now it has been put off until September. I am truly interested in Judge Yanoff -- in going before Judge Yanoff again, because he spent two days in my office in this two-week trial, and he saw that it can't be done.

ASSEMBLYMAN MARTIN: What can't be done?

MS. SQUIER: You can't get the pages in the books in a proper manner, if you don't have the 29 days. When you see this table four feet high with East Orange sheets, and you have to take a little key and grind it open -- open the book and put it in the buff book, and then put it in the white book, you get very, very tired. I wish the elected officials would understand how they eventually do get elected. We work very hard at trying to make it right; very, very hard. But sometimes at 10 o'clock at night, the alphabet goes Z, A, B, and you do file wrong, and this is where some of the problems come in.

ASSEMBLYMAN MARTIN: Are all the moneys because of the State allocation, or are there some responsibilities as far as capital that would be attributable to amounts that the county could either supplement, or is required to provide on its own? Like, the building itself is a county building. Do you have to apportion some of the State moneys for the facility? I am not clear on that.

MS. SQUIER: No, it is all done by the county. The statute reads that the county shall provide suitable space, working conditions, and the tools to proceed with the election. I do present a budget. I present a yearly budget to the Freeholders -- a line item budget, salaries, overtime, trucking, anything that I have to do, and I stay within the \$1.25 million, which has been that way for the last three years.

ASSEMBLYMAN MARTIN: What I am not clear about is, Bergen County said that the State had not given enough, under State statute, for them to do the job. Do I have--

MS. STEINACKER: Karla will explain.

MS. SQUIER: Okay. She is under the \$1.25 million also.

ASSEMBLYMAN MARTIN: I don't know whether it is the State's fault or the county's fault, or both.

MS. SQUIER: It's the statute's fault, sir.

ASSEMBLYMAN MARTIN: It's the statute's fault?

MS. SQUIER: For discriminating against first-class counties. It is just as pure and simple as that. Second, fifth-class counties, as much as the Freeholders-- If Fred goes to his Freeholders and says, "I need \$3 million," and can prove it, his Freeholders are free to spend the county money and give him the \$3 million. My Freeholders-- We would all go to jail, if the Freeholders allocated one penny more than \$1.25 million, and the three counties are Hudson, Essex, and Bergen. Everybody else, it's at the will of the department and the Freeholders.

ASSEMBLYMAN MARTIN: What you are testifying to today, is that you don't have enough money to have the resources, both with personnel and with the kind of equipment you need, to be able to get the job done.

MS. SQUIER: That is correct, sir.

ASSEMBLYMAN MARTIN: You mentioned before that you are supposed to do a criminal check, which you may or may not do.

There are other checks, are there not? Is there a citizen check that is supposed to be done?

MS. SQUIER: No. We believe the citizen when they check that they are either naturalized or native born. We look for the naturalization date on the form. Ninety-five percent of our registration is done by mail form, and it is a little more of a process than the books. The books are in the municipal clerk's office, and the municipal clerk's people take the time to fill out all the pages. There are a few more steps you have to go through when you register someone by the mail form.

ASSEMBLYMAN MARTIN: Are you in accord that if we were to expand the locations where the mail forms were available, that would not, in itself, present a problem for you?

MS. SQUIER: No, sir. I am for when you get your driver's license. I am for when you send out a tax form. I think that is a marvelous idea. I am for the agency registration.

Peter Shapiro, when he was the County Executive, had the agency registration. I do caution you, though, that whoever is sitting behind a desk should get full instructions, because what happened at one place in the City of Newark was, the gentleman who was supposed to transport them to my office had thrown them in a desk drawer, and I didn't get them. So, it should be made very plain and clear in the bill that this is a legal obligation of these agency people who are taking these registrations.

ASSEMBLYMAN MARTIN: Then you should probably have a person designated as the responsible agent--

MS. SQUIER: Yes, it's--

ASSEMBLYMAN MARTIN: --with some type of legal consequences for them.

MS. SQUIER: It's like when they do mail registrations, and they say, "Well, if you bring them in, I'll

give you 50 cents a registration," and the person diligently goes out and registers all these people to vote, and when he comes back, they say, "Well, we'll give you the money tomorrow." The person says, "Forget it." He takes them back, and they hit the nearest sewer, and we never do see them. That is another disadvantage.

If people would take hold of their own lives, like they pay all of the things-- If you can get to them directly-- I have suggested to PSE&G, "Put it in your PSE&G bill," or, "Put it in the telephone bill," but they said it would weigh two seconds more. One did it in January, and one did it in June. Everybody gets those bills. Everybody gets a State income tax from the State of New Jersey. Those are good, positive moves. But the people don't take care of them themselves.

ASSEMBLYMAN MARTIN: Do you two have the same thoughts with respect to the witnesses?

MR. DeFURIA: I was just going to say that I would like to comment on that. I definitely would like to eliminate it. The reason why I say that is, I was at the supermarket one day last year, and this woman was sitting at a table. She had her witness signature down on the application before the person even put their name down, which is illegal. What is the sense of having a witness signature on a registration form such as that? So, I am against it because it takes too much time. If they were to keep it within the county--

Say a person from Passaic County were to register in Passaic County, and they had a witness from Passaic County, it would not create a problem, because it wouldn't take us too long to check it out. But when you get a person from, say, Sussex County, or Warren County, for a person who is going to register and vote in Passaic County, then it creates a problem. We have to call Warren or Sussex and try to find out if this is a registered voter. But within our county it would

be okay. It would not create that much of a problem. It is out of the county--

ASSEMBLYMAN MARTIN: It doesn't always get done either, does it?

MS. SQUIER: No.

MR. DeFURIA: No. As a matter of fact, I had to eliminate it during the presidential election.

MS. SQUIER: We did, too.

MR. DeFURIA: It was too time-consuming.

MS. SQUIER: Even in-county, we just forgot about it.

MR. DeFURIA: It's too much time.

ASSEMBLYMAN MARTIN: So, somebody could have written Joe DiMaggio on there, and you wouldn't have--

MS. SQUIER: No, no. You see, you have a check on it. When it goes to the polling place, it has a dodger on it, which says to the board worker, "Do not allow this person to vote until you have compared the signature on the dodger with the signature in the book. Then turn the page over and have them write their signature again on the top.

So the board worker is checking to see that -- let's use John Jones again, or whoever -- this is really, in fact-- All you are interested in is if this is the person who is standing before you wanting to vote. And what we get -- as Joan Steinacker said -- and we do not accept them; they are rejects-- If you witness it not on the day that the voter has signed, it is a reject.

ASSEMBLYMAN MARTIN: Checked?

MS. SQUIER: Yes, and we reject it. We send them a letter saying, "Register properly."

MR. DeFURIA: May I comment on Assemblywoman Crecco's bill?

MS. SQUIER: Oh, yeah. I've got that, yes.

MR. DeFURIA: I certainly would not like to have that changed to June. It really would be chaos for us. First of all -- now I am being selfish -- we don't have the machines.

MS. SQUIER: Can't do it.

MR. DeFURIA: Secondly, to let my machine men go with the Board of Education, as well as with the primary election, and then-- It may be on the same day, because you are talking about the first Tuesday in June, and that is the same date as the primary, as a rule. It is the first Tuesday after the first Monday in June? Isn't that it?

MS. SQUIER: Yes.

MR. DeFURIA: So, it may be on the same day, and that would present a lot of problems for us.

ASSEMBLYWOMAN CRECCO: We are trying to have more voter participation, as opposed to maybe 9% of the voters coming out to make this big decision for us -- for all of the people.

MR. DeFURIA: Well, I can appreciate it, but I certainly wouldn't want it in June.

MS. SQUIER: I think there is another bill. I think Assemblyman Roberts has a bill, where he wants to enjoin municipal elections, fire elections, and school elections. Not all municipalities have municipal elections. There are seven states -- I have not researched this; maybe your staff would like to -- that have school board elections in November -- Ohio being one of them -- and have had for a long time. The problem with having it on primary day is that your machine is locked up. Do you want only the Democrats to vote for the school board election, or only the-- There is plenty of room on the ballot, except in a presidential, because of the delegates.

But if you put it on the November election ballot, statewide you would probably be saving \$4 million or \$5 million, because the school boards would be getting a free ride. Right now, they are paying many, many, many, many dollars, moving polling places so that the voters don't know where they are, and all these sorts of little games. But in November, you would use the same polling place; you would use

the same board workers, and they would be getting a free ride on the county. All they would have to do is submit their part of the ballot to the County Clerk in a timely manner, and it would be there. That is your biggest voter participation. You would have to then restructure. From the July 1 date, you would have to go back another six months, and they would have to restructure their budget. But you would certainly have the participation, and you would have the interest and the activity in the school boards. Here again, I am estimating a \$4 million to \$5 million savings statewide to boards of education, which could be better used by putting it toward educating the children.

ASSEMBLYWOMAN CRECCO: Are you saying we would be able to put it on the same ballot?

MS. SQUIER: Sure. Put it on the bottom. You would have plenty of room.

ASSEMBLYWOMAN CRECCO: Oh, all right. Someone had suggested that there wasn't enough room on the ballot.

MS. SQUIER: In November?

ASSEMBLYWOMAN CRECCO: On the ballot.

MS. SQUIER: November is your smallest ballot.

ASSEMBLYWOMAN CRECCO: That would be fine with me.

MS. SQUIER: You would have opposition from your school boards, of course.

ASSEMBLYWOMAN CRECCO: That's fine with me also.

MS. SQUIER: But the April elections are a royal pain. They take up all of our time. We do their work, and they get out -- as you say -- some of them, 2%, 3%, 4%. It's a special little election for a few people, and that is not what this country was built on.

ASSEMBLYWOMAN CRECCO: Yes, I agree.

MS. SQUIER: Your November election, if it were along the bottom of your ballot -- which it could be, because they only need two lines-- You would have plenty of room on the ballot for the questions and everything, and you would be saving us the headaches; you would be saving them the headaches.

ASSEMBLYMAN MARTIN: Let me just ask you one question that I had asked earlier. It has to do with the 29 days with two of our larger counties -- Passaic and Essex. As far as some of these processes by which you are supposed to have verification through the acknowledgement card, as well as the sample ballots -- that process whereby they would be returned if you didn't have the proper mailing address-- Procedurally, are you able to verify those procedures in the range of the 29 days?

MS. SQUIER: In the time frame we have now, we are just eking it out. You, as a candidate, or anyone as a candidate, has as much right as the voter does, in a different way. You, as a candidate, have challengers at the polls. If I don't get the sample ballots back and put together my challenge list-- I don't know if everybody does it, but the ballots that went out for the June election, that were received back, are the challenge list for that June election. I am current. The acknowledgement cards that went out -- the ones that came back, are on that current challenge list. Some people don't do it. We make the effort to do it. We have the money in the post office. We go down there. We have fights over it. In fact, I have a fight right now with the post office. I am willing to sue them, because there are 6700 ballots that they decided they were going to return to me the day before the primary, and I want an inspector to find out why those ballots weren't returned, because they were mailed in a timely fashion. They had plenty of time to get back.

ASSEMBLYMAN MARTIN: So, they were never received prior to the election?

MS. SQUIER: No. They are still in the post office.

ASSEMBLYMAN MARTIN: It's like campaign advertising that one receives--

MS. SQUIER: Right.

ASSEMBLYMAN MARTIN: --three days after the election.

MS. SQUIER: Exactly.

ASSEMBLYMAN MARTIN: Obviously then, that procedure, as far as those people -- as far as verification--

MS. SQUIER: Was moot.

ASSEMBLYMAN MARTIN: --was meaningless.

MS. SQUIER: Those 6700 people.

ASSEMBLYMAN MARTIN: Fred, how about in Passaic County? Are you able to use those verification processes?

MR. DeFURIA: Yes, I am. We have inspectors, where we go out. If there is a question of an individual, we send the inspector out to check.

ASSEMBLYMAN MARTIN: I'm talking about time-wise. Do you have enough time?

MR. DeFURIA: I have enough time, yes, I do. Only in the presidential election, it's rough, but in all of the other elections, with the 29-day situation, we do not have a problem. We have them working overtime and what have you, but we manage to get it done.

You know, there is one thing I want to bring up on the purge list. Someone stated something about the-- The Coalition stated something about eliminating the purge list. I will give you an example: I took over in Passaic County four years ago. We had 240,000 registered voters. Within that year, I computerized the whole office. Our list went from 240,000 registered voters down to 190,000 registered voters.

ASSEMBLYMAN MARTIN: So, you purged 50,000?

MR. DeFURIA: We purged 50,000 illegal voters, deceased or what have you. Now, what people don't realize is, every single ballot that goes out and comes back costs the county a dollar. I took a round figure of 40,000 at a dollar apiece, 40,000 in the primary, 40,000 in the general election, over a period of three years -- \$240,000 I saved the taxpayers of the county. It is important that we have the purge list, to eliminate the people we are sending sample ballots to, which are coming back, and which are costing us money.

ASSEMBLYMAN MARTIN: Your basis for purging is four years. What other indicators, if any, do you--

MR. DeFURIA: People who have moved out of town who are still registered in our binders, where we had not received notification on them.

ASSEMBLYMAN MARTIN: How do you get that list?

MR. DeFURIA: Well, one county will notify the other county if they move within the county. But a lot of times, people move out of the State, and won't register to vote, so they don't notify us. They are still on our books. We have deceased people. You know, one ex-Governor said he wanted to go to Jersey City, because if he died there he could still vote. You know, those things happen. (laughter)

ASSEMBLYMAN MARTIN: We've got enough problems, Fred.

MR. DeFURIA: But, that is what we are eliminating, really. It is a big savings to the county and to the taxpayers; it really is.

ASSEMBLYMAN MARTIN: Do you use any form of obituaries, or anything like that?

MR. DeFURIA: Oh yeah, sure. We have vital statistics. The municipal clerks send us a list.

MS. SQUIER: Yes, they have to, once a month.

MR. DeFURIA: That is where we get the information most of the time. Then I have men who check the obituaries also, as a double check, but that isn't an official removal.

MS. SQUIER: See, what you do-- You have a problem. The people who spoke before us spoke about Social Security numbers. If that could ever be worked into the system, and if ever there was a State computer -- like, the Secretary of State's Office has talked to the Governor's Office -- where whatever we put in, would be in statewide, then if your Social Security number came up twice, they would notify you, and ask, "Where does this person really live?" You have a problem with people moving.

I tried to talk the United States Post Office-- I have offered to deliver to every post office in Essex County, and every sub-station, transfer cards. And, when a family comes in, and says, "I would like to put in a change of address," they would automatically hand them transfer cards. The post office has refused to do this, because it is not in their rules and regulations.

If we had that -- if the registration forms were there at the post office-- You know that when you move, you are going to get some kind of mail. If they were in prominent places where people go, it would be absolutely a Utopia. I hope when I leave this office, I have left something behind that is better than when I found it. If we can get the rolls moving, and get the people so that they are aware of what they have to do, and when they have to do it, I think it would be a better place. It is not as convenient as a 7-Eleven.

ASSEMBLYMAN MARTIN: I want to thank you. There are two other people, and I would like them to have a chance to speak.

MS. SQUIER: May I just add one thing?

ASSEMBLYMAN MARTIN: Briefly.

MS. SQUIER: Yes. A-3533, Assemblywoman Cooper's bill, permits military service-- You don't have to register to vote when you are in the military. You just go to your commander, and they give you an absentee ballot. You do not need to be registered as long as you are in the military. That is sort of making it a little harder for those persons in military service.

ASSEMBLYMAN MARTIN: Thank you.

MS. SQUIER: Okay. Thank you, sir.

MR. DeFURIA: Thank you.

ASSEMBLYMAN MARTIN: I would like to hear from Mr. Russo, and Viola Laamanen, from Demarest.

MS. STEINACKER: Vi Laamanen is the Borough Clerk in Demarest, in Bergen County. She had to leave. It's tough a couple of days after an election. She asked you to please excuse her. She will write her thoughts to you.

ASSEMBLYMAN MARTIN: I would like to see them, from a municipal point of view. Mr. Russo?

ANTHONY RUSSO: I am Mr. Russo. How are you?

ASSEMBLYMAN MARTIN: I'm good.

MR. RUSSO: I am going to try to be brief. The young lady from--

MS. STEINACKER: She's gone; she just left.

MR. RUSSO: Okay. She spoke about witness signatures on registration forms. I recently -- well, two years ago -- contested an election--

ASSEMBLYMAN MARTIN: Mr. Russo, you are the Chief Clerk in Passaic County?

MR. RUSSO: Passaic County?

ASSEMBLYMAN MARTIN: Not here, but close by? (no response)

MR. RUSSO: Two years ago, in 1987, I contested an election in which I was involved. It was a council election in Hoboken's Third Ward, in Hudson County. I received eight votes short of being in a runoff. Because of irregularities we noticed during the campaign, we immediately contested that election. We, in fact, won that case. The election was contested, and I was placed into a special runoff, which was in September of 1987.

One of the significant factors in that case -- in that litigation -- was approximately 180 of what Judge Wefing termed, "illegal registrations." The witness' signature dates and potential voters' signature dates were all off. When the witness who had signed these registrations proceeded to take the stand, he disavowed any knowledge of actually knowing any of these people whom he was supposed to have witnessed.

Therefore, we only got the first 44 of those. Those 44 were then-- Their votes were excised by Judge Wefing, and we then became the runoff candidate.

But there was another area that I wanted to hit upon: I feel that a signature -- a witness signature on a registration is very, very important. Just a hypothetical case: We have very, very politically astute people in Hudson County. They are maneuverers. If I am a property owner and my friend is running for public office, and I have a few buildings around town, or in a specific area in a ward, and maybe I have some empty apartments. What is to prevent me from helping my friend by giving phantom names for registered voters?

Now, there is no check and balance. If there is no witness on that form, how do you come back and point a finger at someone? There are phantom voters in Hudson County all the time. I give you-- I will read to you just one editorial from The Jersey Journal: "The Phantom Frat Voters. One thing Hoboken doesn't need is another sleazy voter scandal, but that is what it looks like it will get as a result of six phantom voters in last year's main November elections." There was one woman who voted six times in three different elections. She voted under her maiden name and her marriage name; one by absentee ballot; one at the polls.

ASSEMBLYMAN MARTIN: How did she do the third one?

MR. RUSSO: Excuse me?

ASSEMBLYMAN MARTIN: She said she voted three times.

MR. RUSSO: She voted actually six times. It was three different elections. She voted twice each time.

Hudson County has a very, very big problem. You were talking about purging the books. There were Jersey Journal and Hudson Dispatch news articles referring to many dead people voting. These are facts. We have big problems in Hudson County. We don't need an easier way to fool the public, and to get more votes for sleazy candidates.

That is all I have to say.

ASSEMBLYMAN MARTIN: Thank you, Mr. Russo. Is there anyone else who wishes to be heard? (no response) I thank you very much. I do appreciate it.

We will have further testimony next Monday in Camden. I support most of the goals of the Rainbow Coalition. I am also concerned that if we do have procedures, we will have integrity in the system, and also logistically that we can do what we claim to do. Maybe out of this we can proceed, and at least make some progress.

Thank you.

(HEARING CONCLUDED)

APPENDIX

NEW JERSEY CHAPTER of the NATIONAL
RAINBOW COALITION
P.O. Box 22888, Newark
New Jersey 07101

The New Jersey Rainbow Coalition
Petition For
Voter Registration Reform

Whereas, the right to vote is a fundamental constitutional and democratic right, and the single most important means for a citizen to exercise control over his or her destiny, and

Whereas, current voter registration requirements in the state of New Jersey operate in ways to restrict many citizens from full access to voting, and

Whereas, reform of voter registration practices will help to increase voter participation,

Therefore, we the undersigned call for enactment into law in the state of New Jersey the following:

Voter registration by all municipal, state, and federal agencies, and by whatever other means that is feasible and possible which will give citizens easy and increased access to voting.

Changing the cutoff date for registration and participation in a upcoming election from 29 days prior to election day to 7 days. We believe this would be a positive first step toward the ideal goal of continuous registration up to election day.

Permitting citizens to register and vote on the same day of an election.

Reform of current voter roll purging practices which result in the disenfranchisement of thousands of voters every year.

Establishment of a one-time, lifetime voter registration requirement.

NAME	ADDRESS	CITY	STATE	COUNTY

P.O. Box 22888, Newark
New Jersey 07101

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. A few small black specks or dust particles are scattered across the surface of the paper.

Testimony: Joan Anderson Growe
Secretary of State, Minnesota
U.S. House Subcommittee on Elections, H.F. 3950
May 10, 1988

I am Joan Growe, the elected Secretary of State and Chief Elections Officer of the State of Minnesota. I am a past president of the National Association of Secretaries of State, and have served as a member of the Clearinghouse Advisory Panel to the Federal Election Commission. Before being elected Secretary of State, I served in the Minnesota House of Representatives.

I'm very pleased to have the opportunity to share with you some of Minnesota's experiences in the area of elections and express my support for Representative Conyer's legislation, HF 3950, the Universal Voter Registration Act of 1988.

Our goal in Minnesota has been to increase participation, to make the elections process accessible to everyone, and maintain safeguards in the system. I believe it is absolutely necessary for the entire election system to be based on the philosophy that elections are conducted for the benefit of the voters. The election system does not belong to candidates, political parties, or election administrators. Voting is not a fitness test for voters to see how many obstacles they can surmount. The entire election system must be designed to facilitate voter access and participation. With that philosophy as a basis, improvements can be made, each of which can have an incremental effect on participation.

Minnesota often leads the nation in voter turnout in presidential elections. In the 1984 presidential election, 69.5% of the Minnesotans of voting age went to the polls; in 1980, 71.90%; in 1976, 75.43% and in 1972, 69.68%.

Over the years, Minnesota has enacted a number of provisions that reinforce the goals and philosophy of increased voter participation. The first and probably most effective is postcard registration, which was adopted in 1973. Minnesota allows mail registration because it removes barriers to voter participation. It makes registration easier for all voters, but it is particularly effective in opening up the process for voters who lack transportation, who work during the hours that public offices are open, or who lack knowledge about government offices and procedures. Not all postcard voter registrations in Minnesota go through the mail. Our system encourages groups and individuals to register voters. As you might expect, candidates bring registration cards when they go door-to-door, and political parties doing telephone campaigns offer to send registration cards to potential voters who are not registered. But registration efforts are not limited to these traditional activists. Because

our statute requires election officials to provide a reasonable number of registration cards to any group or individual conducting a registration drive, the participants have been as diverse as our democracy. Corporations, labor unions, civic groups, churches, single-issue groups, have all been active in promoting voter registration.

In Minnesota we have had promotions such as "Register At Your Bank Week" and registration at public libraries. In 1984, cards were available from the Welcome Wagon, U.S. Post Offices, and at 7-Eleven convenience stores. It is impossible to know just how many people registered because of postcard registration who would not otherwise have registered, but clearly mail registration benefits the voters and makes the process easier for them. That is its' ultimate justification even without any numerical effect.

Let me turn to Minnesota's election day registration which was enacted in 1973. Our pre-registration closes twenty days before each election (to allow for processing of cards prior to election day) and reopens again on election day at the polling place. If a person has neglected to register because they have changed their address, have changed their name, or simply forgotten, they may present themselves at the polling place on election day and show an election judge the proper identification, register, and then vote. We allow six forms of identification with proof of residence:

1. A Minnesota driver's license with a current address;
2. A Minnesota state-issued identification card with a current address;
3. A form we call notice of ineffective registration which is mailed from the registration office;
4. A registration in the same precinct, but a different address, for the same person;
5. By having another registered voter in the same precinct vouch for the voter who is registering; that is, sign an oath stating that they personally know this person is a resident within the precinct. A person who registers by voucher is not allowed to vouch for someone else to register at the same election. The oath card is attached to the voter registration card until all administrative work is completed on the registration at the county level following the election; and lastly,
6. Students whose legal residence is their campus address may use a college-approved picture identification with campus address, or a picture I.D. in conjunction with a certified dormitory list. This form of identification was added in 1985 because most colleges do not provide identification that includes a campus address.

After the person registers, they are then allowed to vote as any other voter would vote. Each voter, whether they register on election day or are pre-registered, is required to sign an oath swearing to their qualifications to vote and that they are voting only in this precinct.

What happens after the election? By law, within 10 days after the election, the county auditor must mail a non-forwardable notice to 3% of election day registrants. (The other election registrants are mailed non-forwardable notices as soon as practicable.) If a notice is returned as non-deliverable, the auditor must attempt to determine the reason for return, and if the auditor does not obtain satisfactory proof of the individual's eligibility to vote, the auditor must notify the county attorney and the Secretary of State's Office. The county attorney is required by law to investigate. These procedures are the same for people who register on election day or by mail, before the election.

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 5 years imprisonment, and fine of not more than \$10,000, or both. We have had 6 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. There has been a real benefit to the citizens of Minnesota, with approximately 2,800,000 people using election day registration since 1973.

Let me briefly describe other provisions that have facilitated voter turnout in Minnesota:

- * Extended hours in auditor's office immediately before the election to facilitate absentee voting;
- * Certain elections to be conducted entirely by U.S. mail;
- * Enhancing instructions for registration and voting for persons with sensory limitations....use of braille, large print, cassette tape and TTY phone service;
- * Voter outreach programs that utilize private-public partnerships with business, civic and labor groups.

In 1987 Minnesota Legislature adopted several new provisions to improve voter registration and thereby improve voter participation.

- * Voter registration card attached to each driver's license application and Minnesota I.D. card;
- * 2 voter registration cards inserted in every state income-tax booklet that is mailed;
- * Voter registration conducted by all state agencies and agencies acting as state contractors for services.

Our office worked with the Minnesota Department of Public Safety to design the driver's license form and to set up procedures for the return of the completed cards. We worked with the Department of Revenue to design the tax booklet card, and used our office as the return address for the registrants to send their cards. Finally, we set up procedures for the state agencies, and conducted training of approximately 150 state employees to do voter registration.

Since the implementation of the 1987 law, 70,000 voter registrations have been processed. This breaks down to approximately:

- 21,500 through the driver's license applications;
- 47,500 from the tax-booklets; and
- 1,000 through state agencies.

We feel these new voter registration provisions are successful because we know that a person who is pre-registered is more apt to vote than a person who is not registered.

Many of the Minnesota provisions that I have talked about today are similar to the provisions in Representative Conyer's bill. I know that our laws vary from state to state and I know the customs and traditions also vary. I cannot speak for other states, but I can tell you that the changes that we have made in the past 15 years in Minnesota have made a difference.

I would be less than honest if I didn't tell you that change is difficult. Election administrators are accustomed to doing things one way. Even citizens get locked into a pattern. Yet we believe that going through the difficulties of change is well worth it, if the outcome provides more access for citizens to register and therefore makes it easier for them to vote.

In this country voting has become a spectator sport. People are not involving themselves in any aspect of the process. Elections are waged on television in 30-second spots. In the 1984 presidential elections only 53.7% of the voting age population cast a ballot! Landslide victories are won with only 31% of the eligible voters voting! We must turn this around and encourage more people to participate in the electoral process.

I want to commend Representative Conyer for the time and energy that he's put into this legislation, and I certainly commend this committee for taking the time to study and act on an issue which is really crucial to all of us.

Attachments:

Mail Registration Card

Driver's License Application/Voter Registration Card

Minnesota Election Statistics, 1950 to 1986

Information about Voter Registration for State Agencies.

READ THE DIRECTIONS ON THE REVERSE SIDE BEFORE COMPLETING THIS DRIVER LICENSE APPLICATION

	A	B	C
1. Have you ever had a convulsion (epilepsy), stroke, paralysis, diabetes, or any other type of impairment?			
2. Have you had a driver license or permit in any other state within the last 5 years? Where? Surrendered to? If not surrendered, reason.			
3. Is your license or privilege to operate a motor vehicle now under denial, cancellation, suspension or revocation in any state or jurisdiction? Where? Date? Reason.			
4. Do you wish to receive a Donor Document Application Form See #9 on Reverse Side.			
5. Do you wish a Medical Alert Identifier on your Driver License? (No medical information to be collected.)			

Office Use Only

W _____
R _____
R _____

Print Complete Name

Residence Address

A. FIRST MIDDLE LAST NAME

B. STREET NO. OR R.F.D. SOCIAL SECURITY NO.

CITY STATE ZIP CODE COUNTY

C. Date of Birth MONTH DAY YEAR

☐ Male
☐ Female

E. COLOR EYES HEIGHT WEIGHT EXAM OR DRIVER LICENSE NO.

PLACE AN "X" IN CORRECT SQUARE BELOW. (If answer is "Yes" to questions 1, 2, or 3, give details on reverse side.)

VISION CHECK

- ☐ I am wearing glasses.
- ☐ I am wearing contact lenses.
- ☐ I am wearing both glasses and contact lenses.

Do you wish a Medical Alert Identifier on your Driver License? (No medical information to be collected.)

Are you a member of the Minnesota State Patrol? (If yes, please provide your membership number.)

STOP

COMPLETE THE REGISTRATION CARD ONLY

Do you have moved or changed your name since the last time you registered or voted?

VOTER REGISTRATION CARD. Type or print in ink.

Name

Last

First

Middle

Township or City of Legal Residence

County

Complete Address of Legal Residence (include street or rural mail route address)

Date of Birth

Month

Day

Address of Your Last Registration or Check if NONE

Township Street Name or Route Box Number

Act. No.

City or Township

County

State

Zip

Previous Name (if changed since last registration)

Read instructions on back to determine whether you are qualified to register

I certify that I will be at least 18 years old on election day and that I am a citizen of the United States, reside at the address shown at and will have resided in Minnesota for 20 days immediately preceding election day, and that I am not under guardianship of the person, I have not been found by a court to be legally incompetent to vote, and have not been convicted of a felony without having my civil rights restored. I understand that giving false information to procure a registration is a felony punishable by not more than 5 years imprisonment and a fine of not more than \$10,000, or both.

Date

Legal Signature of Voter

OFFICE USE ONLY

W _____ P _____

S.D. No. _____

Testimony of Jesse Jackson, President, National Rainbow Coalition
Before the House Administration Subcommittee on Elections on the
Universal Voter Registration Act

Chairman Swift, and members of the House Administration Subcommittee on Elections, let me express my thanks to each of you for allowing me the opportunity to very briefly express my views on the pending voter registration reform legislation.

Before expressing my remarks let me take this opportunity to pay tribute to one of the leading proponents of voter registration reform in that nation today, Representative John Conyers from the state of Michigan. For over a decade Congressman Conyers has led the fight for voter registration reform by introducing and advocating legislation that would expand the right to vote to millions of voters who have been systematically locked out of the political process.

Throughout the course of this committee's deliberations, I am certain that you will hear a wide range of opinions and statistics on why voter registration reform laws should be reform. My comments are derived primarily from my 2 decades of conducting voter registration campaigns in cities and states in every region of the country. Through the efforts of the Rainbow Coalition and our Southern Crusades, we were able to register from 2 to 3 million new voters since 1984.

Today in Chicago, there is a campaign for Mayor - because of early cut-off and thousands purged before the point of stimulation for interest - they are disenfranchised - ironically this is the 2nd day of the March from Selma to Montgomery, 24 years later.

However the combined efforts of the Rainbow and countless partisan and non-partisan initiatives cannot compare to the millions of new voters that would be added to the books through the passage of H.R. 17 which is being offered by Congressman John Conyers. H.R. 17 offers a series of well thought out provisions that will establish national standards of voter registration procedures in every state for the first time in our nation's history. It will do more to expand the right to vote than any piece of legislation since the Voting Rights Act of 1965.

The dismal voter turnout of 50.8% in the November 1988 General Election clearly demonstrates beyond a shadow of a doubt the need for a comprehensive overhaul of our voter registration laws that will apply to every state. A 50.8% turnout is an embarrassment

not only within our nation but an embarrassment through the world. We rank dead last in voter turnout in western world. Elsewhere governments consider it a responsibility to register; here the government set up artificial barriers to private registration. I believe this is the fundamental question: Will this government join the rest of the industrialized democracies in insuring its citizen are able to vote for their leaders?

In order to support the proper remedies to this crisis in democracy, we first need to answer the questions: Who are the 75 million voters who did not participate in the last presidential election and why are they not voting? Of the 75 million nonvoters, 59 million were not registered at all, according to the U.S. Census Voting and Registration in the November 1988 Election Report. Of the 59 million unregistered voters, over 12 million are between the age of 18 and 24 - by far the largest group of non-voters in our nation.

These young people represent 12 million citizens who are left out of the political process, locked out of decision making, and power sharing. Consequently they lose respect for the political process and our lawmakers; and ultimately they lose respect for the law. This tragic cycle of exclusion is the result of the failure of our educational system to properly enfranchise our young people through institutionalized voter registration and educational programs. For over fifteen years I have challenged our schools to voluntarily take on this responsibility, by requiring all seniors to be registered to vote when they graduate. At graduation all seniors should receive a diploma in one hand symbolizing knowledge and wisdom, and a voter registration card in the other symbolizing power and responsibility.

H.R. 17 would allow voter registration to be conducted "at any federal, state county or municipal agency that serves the public directly." I would submit that this provision should apply to our public high schools, colleges and universities by allowing these institutions to become permanent voter registration centers.

Principals, counselors, administrators and student leaders can play a major role in conducting registration in conjunction with class registration in high school and class registration in post secondary education. This one act alone could add 4 to 6 million new youth voters in just a few years. A plan to implement student registration drives should be a part of every state voter registration plan as called for in H.R. 17.

The next largest group of unregistered are our citizens on the bottom of the economic ladder. There is a direct correlation

between income and voting. Basically those person with the highest income levels register and vote in much greater proportions than persons from lower income households. The people most dependent on government assistance, most effected by political decision making the lowest level of participation.

H.R. 17 would allow registration into those agencies that most recently service the low income community such as unemployment center, community health centers, and welfare agencies, thereby expanding agency based registration which has already been established in 19 states.

There are a number of reasons why many of the economically disadvantaged people do not vote. They are primarily unregistered because of barriers that still will exist which restrict their participation. They include inaccessible registrars, dual registration, and requiring registrants to travel several miles to register. Most damaging to both income and young voters is the purging of voters for change of address and non-voting. H.R. 17 would provide the mechanisms that would allow the changes of address forms submitted to the post office to be automatically sent to the Board of Election. Millions of voters will no longer have to lose their citizenship rights merely because they change their address.

Perhaps the most unjust tactic in use today is the purge for non-voting. In virtually every state registered voter can lose their right to vote for failure to have voted in the last two presidential elections. No other rights guaranteed to citizens are bound to the constant exercise of that right. We do not lose our right to free speech because we do speak out on every issue. By the same token we should not lose our right to vote because of our refusal to vote in any particular election. Or, if a wage earner refused to file taxes over the course of two presidential elections, we do not purge them of their responsibility to pay their unpaid taxes. Certainly the right to vote cannot be held in any lower regard than the responsibility to pay taxes. Purging for non-voting is fundamentally and morally wrong and should be removed as a barrier to voting.

There are other components of H.R. 17 which are important and should be preserved in any final version of the bill.

1. I strongly support the provision which calls for states to submit plans to the Federal Elections Commission for approval. This provision is necessary in order for timetables and goals to be set that would ensure full enforcement and comply with federal standards.

2. I strongly support the provision that would provide grants to states for use in modernizing their voter registration procedures. These funds will provide incentives to states to move quickly toward reform and will stimulate activity among grassroots organization.
3. I strongly support provisions that would require every state to implement door to door registration, post card registration, and simultaneous registration of voters when applying for drivers licenses.

The right to vote can no longer be treated as a temporary privilege, reserved for the wealthy, stable and consistent political participants. It must be universal and held with the same regard as other basic rights guaranteed in our society.

The most important component of this legislation is the provision which allows for same day on site voter registration. Analyst suggest that from 8 to 10 million new voters could be registered if allowed to vote on the same day of the election. Currently five states have this provision with virtually no records of massive fraud as was predicted at their inception.

Same day registration has emerged as the most controversial provision of this legislation. Even proponents of registration reform while expressing support in theory disregard it as unfeasible. But why not same day on site voter registration? What would it really do?

For one, it would open the door of political participation to millions and would remove the single great barriers to voting in our nation. For the first time in our nation's history breathe life into the one person one vote concept upon which our democratic society stands. I know, and certainly everyone on this committee should know that voter registration laws were originally developed after reconstruction when white males, land owners and southern economic power brokers became threatened by the prospect of newly freed African-American slaves now being able to participate in the political process. Voter registration would become the first bricks of a barrier that would include literacy test, poll taxes, and other Jim Crow laws designated to dilute African American voting strength.

Jim Crow voting laws were the law of the land until the 1960's when African-Americans rose up and marched in the streets of Selma and Birmingham for the vote. It took the deaths of James Chaney,

Andrew Goodman, Michael Schwerner, Viola Louizo, Jimmy Lee Jackson, Medgers Evers before the U.S. Congress was forced to pass the Voting Rights Act of 1965. This act which was recently renewed has provided the foundation for ensuring the rights of citizen to vote. Now in the administration of voter registration reforms we need national standards and guidelines to bring the whole nation in sync with the ideas of goals of the Voting Rights Act. Just as the Constitution was incomplete without the Bill of Rights, so too is the Voting Rights Act in complete without the Universal Voter Registration Act.

Today I challenge the members of this committee to make a political and moral judgement. I challenge you to rise above partisan politics and once and for all swing open the door of political participation for all citizen to enter. Universal voter registration is neither pro-Democratic nor anti-Republican. It is neither liberal or conservative, but rather represents the moral center. The moral center which is so basic and fundamental that it reflects only the best in our American tradition.

Just as Dave Duke of Louisiana was wrong when he asserted that full citizenship rights for African-Americans somehow threatens the rights of White citizens, so too are members of Congress wrong when they suggest same day registration would benefit Democrats over Republicans. Americans are Democratic or Republican by choice not by birth. The Democratic Party has already asserted its support for the concept of same day registration at its last national convention. It is my hope that the Republican members of this committee will follow the directive of its national chairman in moving toward expansion of your party as well. There can be no clearer signal to send to disenfranchised voters that to support efforts to increase their inclusion in the political process. If the Republican Party is serious about reaching out, it must do more than play the blues guitar. If you want to send a signal, bring bipartisan support to same day on site voter registration. The right to vote calls for bi-partisan support and I hope the members of this committee can debate and advance this legislation in that spirit.

Lastly, H.R. 17 would go furthest toward enfranchising the greatest number of voters and for this reason I offer it my enthusiastic support. Like the founding fathers, you have a choice - that choice over 200 years ago was whether to grant full citizenship to its African-American people or whether to relegate their status to a position that was higher than animals, but lower than humans. They choose the latter option and proclaimed African-American 3/5 of a person. A distinction that in later years can be remembered an immoral judgement. It was a decision

which has had lasting social, political and economic ramifications to this day.

Today you must make a judgement. This committee and ultimately the Congress can take the moral high ground and empower all the people, or the Congress can settle once again for the 3/5 option and continue to accept the disenfranchisement of over a third of our citizens from the political process.

What's right may never be politically expedient, what's politically expedient may never be right. You must keep hope alive for the 70 million people who are waiting for their full citizenship rights. I hope that you choose the higher ground.

Thank you.

MELVIN R. PRIMAS, JR.
MAYOR



CITY OF CAMDEN
OFFICE OF THE MAYOR

April 7, 1989

Mr. Larry Hamm
Executive Director
New Jersey Rainbow Coalition
Newark, New Jersey

Dear Mr. Hamm:

Voter registration in our country has long been a problem for the poor, minorities and urban residents. The approach to improve voter participation by on site registration is long overdue and we must help to make it happen.

The residents of New Jersey, especially those who are left out of the voting process, need this avenue to further ensure their constitutional right to register and vote.

I want you to add my name to the list of supporters for the on site registration legislation. This legislation is one of the most positive steps, since the voting rights act.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mel R. Primas, Jr.", written over a horizontal line.

Melvin R. Primas, Jr.

MRPJr:ls

April 5, 1989

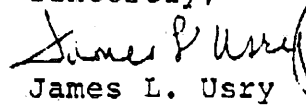
Mr. Lawrence Hamm ..
N. J. Rainbow Coalition
150 Halsey Street; Prudential Mall
Newark, New Jersey 07102

Dear Mr. Hamm,

I regret that I can not be with you this morning. Please know that I join my fellow mayor's in supporting the Coalition's effort to reform voter registration practices.

It is the constitutional right of all Americans of voting age to exercise his or her right to vote. Government should make every effort to assure that the right to vote is protected. The recommendations of the Coalition will be a major step toward the guarantee that all who want to vote are able to vote.

Sincerely,


James L. Usry
MAYOR

JLU/ss

Resolution of the City of Jersey City, N.J.

City Clerk File No. _____

Agenda No. _____



TITLE: **RESOLUTION SUPPORTING THE NEW JERSEY RAINBOW
COALITION PETITION FOR VOTER REGISTRATION
REFORM**

**COUNCIL OFFERED AND MOVED ADOPTION
OF THE FOLLOWING RESOLUTION:**

WHEREAS, the New Jersey Rainbow Coalition is sponsoring a voter registration drive to make the registration process more accessible to the average citizen; and

WHEREAS, the Rainbow Coalition is advocating that the following changes be enacted into law in the State of New Jersey:

voter registration by all municipal, state, and federal agencies, and by whatever other means that is feasible and possible which will give citizens easy and increased access to voting,

changing the cutoff date for registration and participation in an upcoming election from 29 days prior to election day to 7 days. We believe this would be a positive first step toward the ideal goal of continuous registration up to election day,

permitting citizens to register and vote on the same day of an election,

reform of current voter roll purging practices which result in the disenfranchisement of thousands of voters every year,

establishment of a one-time, lifetime voter registration requirement.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Jersey City wishes to extend its support to the New Jersey Rainbow Coalition in its efforts to change New Jersey voting procedures and make the registration process more accessible to the average citizen.

MTB/dw

NEW JERSEY CHAPTER OF THE NATIONAL
RAINBOW COALITION
P.O. Box 22888, Newark
New Jersey 07101

April 5, 1989

For Immediate Release:

For Further Information Contact:

Lawrence Hamm (201) 375-0965
(212) 683-5656 x131

N.J. Political Leaders To Endorse Same Day Registration
At Press Conference

The New Jersey Rainbow Coalition will hold a press conference Monday, April 10, 1989 10:30 AM in the mayor's chambers at City Hall, 920 Broad Street, Newark, New Jersey.

The press conference is being held to give political leaders from different areas of the state an opportunity to make public their endorsement of the coalition's petition drive for same-day voter registration.

Confirmed participants in the press conference include Mayor Sharpe James of Newark, Mayor Richard Taylor of Plainfield, Gwendolyn Faison, president of the Camden City Council, Wayne Alston, president of the Passaic City Council, Councilwoman Vera Ames of Paterson, and Rev. Benjamin F. Chavis Jr., executive director of the Commission for Racial Justice of the United Church of Christ.

Assemblyman Alan Karcher and Mayor Barbara Sigmund of Princeton, both candidates in the Democratic gubernatorial primary are expected to attend.

Other local elected officials, civic leaders, and activists will also be present.

According to Lawrence Hamm, the coalition's state chairman, the purpose of the drive is to, "get the state legislature to change current registration laws so that citizens can register and vote on the same day of an election."

Currently, state law mandates that voter registration for a primary or general election must be cut off 29 days prior to the date of the election. Persons who register after the cutoff date cannot vote in the upcoming election, however they are eligible for those that follow.

Besides same day registration, the petition calls for enactment into law other measures as well.

It requests that voter registration be conducted by all municipal, state, and federal agencies; that the cutoff date for registration be changed from 29 days prior to an election to 7 days; the reform of voter roll purging practices; and the establishment of a one-time, lifetime voter registration requirement.

"All of these measures seek to make the registration process more accessible to the average citizen," Hamm said.

The petition drive is being coordinated by locally based Rainbow groups. Organized along congressional district lines there are Rainbow activists in all fourteen districts and more than 1,000 members statewide.

NEW JERSEY CHAPTER of the NATIONAL
RAINBOW COALITION

P.O. Box 22888, Newark
New Jersey 07101

January 10, 1989

For Immediate Release

For Further Information Contact:

Lawrence Hamm (201) 375-0965

Nancy Winkler (201) 746-8773

Rainbow To Start Voter Reform Petition Drive On King's Birthday

The New Jersey State Chapter of the National Rainbow Coalition will initiate a statewide petition drive for same day voter registration on Monday, January 16, which is the state and federal holiday honoring Dr. Martin Luther King, Jr.

According to Lawrence Hamm, the coalition's state chairman, the purpose of the drive is to, "get the state legislature to change current registration laws so that citizens can register and vote on the same day of an election."

Currently, state law mandates that voter registration for a primary or general election must be cut off 29 days prior to the date of the election. Persons who register after the cutoff date cannot vote in the upcoming election, however they are eligible for those that follow.

"We are starting the petition drive on this particular holiday because Dr. King was a voting rights activist. We believe he would have supported this reform which will make registration less restrictive, increase voter participation and thereby strengthen the democratic process," Hamm said.

King was a major figure in the effort to get the voting Rights Act of 1965 passed by Congress. Signed into law by President Lyndon B Johnson, it outlawed discriminatory practices used to deny African-Americans the right to vote.

Besides same day registration, the petition calls for enactment into law other measures as well.

It requests that voter registration be conducted by all municipal, state, and federal agencies; that the cutoff date for registration be changed from 29 days prior to an election to 7 days; the reform of voter roll purging practices; and the establishment of a one-time, lifetime voter registration requirement.

"All of these measures seek to make the registration process more accessible to the average citizen," Hamm said.

The petition drive will be coordinated by locally based Rainbow groups. Organized along congressional district lines there are Rainbow activists in all fourteen districts and more than 1,000 members statewide.

"We want to make this a broad-based and non-partisan effort, We will seek the support of all groups and individuals who want to see increased citizen participation in the electoral process," he said.

Along with try petitioning effort tee coalition plans to conduct educational forums on this issue, visit elected officials to solicit their support, raise the petition's demands with gubernatorial candidates, and register new voters, he said.

In addition, the group will call for support for the Universal Voter Registration Act (HR 3950 and S 2061). This bill calls for mail-in registration, agency based registration, same day registration for all federal elections and would stop arbitrary purging and challenging procedures used in many states.

Minnesota, Wisconsin, Maine, and North Dakota are states that allow same day registration. Michigan allows it for primary elections.

Rev. Jesse Jackson is the president of the National Rainbow Coalition. The organization grew out of his 1984 presidential campaign and was founded in 1986. The New Jersey Chapter was chartered in 1987.

Universal, same day, agency-based registration was a plank in Jackson's platform during his 1988 presidential campaign. It was incorporated into the Democratic National Platform at the party's convention in Atlanta. Jackson continues to actively press for this reform.

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