

19:48-1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 19:48-1 et al (Exempts delegates to national party conventions from the list of offices for which write-in space must be provided in voting machines)

LAWS OF: 1984

CHAPTER: 39

Bill No: S1517

Sponsor(s): Rand

Date Introduced: April 30, 1984

Committee: Assembly: /////

Senate: /////

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Senate: April 30, 1984

Date of Approval: May 4, 1984

Following statements are attached if available:

Sponsor statement: Yes

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Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

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Reports: No

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CHAPTER 39 LAWS OF N. J. 1984  
APPROVED 5-4-84

SENATE, No. 1517

STATE OF NEW JERSEY

INTRODUCED APRIL 30, 1984

By Senator RAND

(Without Reference)

AN ACT concerning elections and amending R. S. 19:48-1 and  
R. S. 19:49-5.

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

1 1. R. S. 19:48-1 is amended to read as follows:

2 19:48-1. Any thoroughly tested and reliable voting machines  
3 may be adopted, rented, purchased or used, which shall be so  
4 constructed as to fulfill the following requirements:

5 (a) It shall secure to the voter secrecy in the act of voting;

6 (b) It shall provide facilities for such number of office columns,  
7 not less than 40 and not exceeding 60, as the purchasing authori-  
8 ties may specify and of as many political parties or organizations,  
9 not exceeding nine, as may make nominations, and for or against  
10 as many questions, not exceeding 30, as submitted;

11 (c) It shall, except at primary elections, permit the voter to  
12 vote for all the candidates of one party or in part for the candi-  
13 dates of one party or one or more parties;

14 (d) It shall permit the voter to vote for as many persons for  
15 an office as he is lawfully entitled to vote for, but no more;

16 (e) It shall prevent the voter from voting for the same person  
17 more than once for the same office;

18 (f) It shall permit the voter to vote for or against any question  
19 he may have the right to vote on, but no other;

20 (g) It shall for use in primary elections be so equipped that the  
21 election officials can lock out all rows except those of the voter's  
22 party by a single adjustment on the outside of the machine;

Matter printed in italics *thus* is new matter.

23 (h) It shall correctly register or record and accurately count  
 24 all votes cast for any and all persons, and for or against any and  
 25 all questions;

26 (i) It shall be provided with a "protective counter" or "protec-  
 27 tive device" whereby any operation of the machine before or after  
 28 the election will be detected;

29 (j) It shall be so equipped with such locks as shall prevent the  
 30 operation of the machine after the polls are closed;

31 (k) It shall be provided with a counter which shall show at all  
 32 times during an election how many persons have voted;

33 (l) It shall be provided with a mechanical model, illustrating  
 34 the manner of voting on the machine, suitable for the instruction  
 35 of voters;

36 (m) It must permit a voter to vote for any person for any  
 37 office, *except delegates and alternates to national party conven-*  
 38 *tions*, whether or not nominated as a candidate by any party or  
 39 organization by providing space for writing in such names or name.

40 All voting machines used in any election shall be provided with  
 41 a screen, hood or curtain, which shall be so made and adjusted as  
 42 to conceal the voter and his action while voting.

43 It shall also be provided with one device for each party for vot-  
 44 ing for all the presidential electors of that party by one operation,  
 45 and a ballot therefor containing only the words "presidential elec-  
 46 tors for," preceded by the name of that party and followed by the  
 47 names of the candidates thereof for the offices of President and  
 48 Vice-President and a registering device therefor which shall regis-  
 49 ter the vote cast for such electors when thus voted collectively.

1 2. R. S. 19:49-5 is amended to read as follows:

2 19:49-5. Ballots voted for any person whose name does not  
 3 appear on the machine as a nominated candidate for office are  
 4 herein referred to as irregular ballots. Such irregular ballot shall  
 5 be written or affixed in or upon the receptacle or device provided  
 6 on the machine for that purpose. No irregular ballot shall be voted  
 7 for any person for any office whose name appears on the machine  
 8 as a nominated candidate for that office *or for a delegate or alter-*  
 9 *nate to a national party convention*; any irregular ballot so voted  
 10 shall not be counted. An irregular ballot must be cast in its ap-  
 11 propriate place on the machine, or it shall be void and not counted.

1 3. This act shall take effect immediately.

## STATEMENT

The law presently requires that voting machines provide space for write-in votes for any office; however, it is not possible to provide enough space for write-in votes for the offices of delegates and alternates to national party conventions, therefore this bill exempts delegates and alternates to national party conventions from the list of offices for which write-in space must be provided on voting machines. Such persons are chosen under elaborate procedures by the political parties and write-in candidates would be contrary to the procedure established by political parties for their selection.

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