

19:57-4

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2000 **CHAPTER:** 86

NJSA: 19:57-4 (Disabled voters – absentee ballots)

BILL NO: A1436 (Substituted for S654)

SPONSOR(S): Merkt and Gregg

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: State Government

SENATE: State Government

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: March 16, 2000

SENATE: June 26, 2000

DATE OF APPROVAL: August 14, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Original version enacted)

A1436

SPONSORS STATEMENT: (Begins on page 6 of original bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S654

SPONSORS STATEMENT: (Begins on page 5 of original bill) Yes
Bill and Sponsors Statement identical to A1436

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes
Identical to Assembly Statement for A1436

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government

Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

ASSEMBLY, No. 1436

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman RICK MERKT

District 25 (Morris)

Assemblyman GUY R. GREGG

District 24 (Sussex, Hunterdon and Morris)

Co-Sponsored by:

**Assemblywoman Greenstein, Assemblyman Greenwald, Assemblywoman
Murphy, Assemblyman Thompson and Senator Martin**

SYNOPSIS

Allows certain disabled voters to receive absentee ballots automatically in certain circumstances.

CURRENT VERSION OF TEXT

As Introduced.



(Sponsorship Updated As Of: 6/27/2000)

A1436 MERKT, GREGG

2

1 AN ACT concerning absentee ballots for certain disabled persons and
2 amending P.L.1953, c.211.

3

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

6

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

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

16 Any military service voter desiring to vote in any election or any
17 relative or friend of a military service voter who believes that such
18 voter will desire to vote in any election, may apply to the person
19 designated in section 6 of this act for a military service ballot to be
20 sent to such voter. A military service voter may use a federal postcard
21 application form to apply for a military service ballot. On any
22 application made by a military service voter the voter may request a
23 military service ballot for all subsequent elections held during the
24 calendar year in which the request is made; if such a request is made,
25 a military service ballot shall be sent in a timely manner to the voter
26 for all such elections.

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

30 In the event of sickness or confinement, the qualified voter may
31 apply in writing for and obtain an absentee ballot by authorized
32 messenger, who shall be so designated over the signature of the voter
33 and whose printed name and address shall appear on the application in
34 the space provided. The authorized messenger shall be a family
35 member or a registered voter of the county in which the application is
36 made and shall place his signature on the application in the space so
37 provided in the presence of the county clerk or his designee. The
38 county clerk or his designee shall authenticate the signature of the
39 authorized messenger, in the event such a messenger is other than a
40 family member, by comparing it with the signature of the said person
41 appearing on a State of New Jersey driver's license, or other
42 identification issued or recognized as official by the federal
43 government, the State, or any of its political subdivisions, which

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 identification carries the full address and signature of said person.
2 After the signature of the application and, when appropriate,
3 authentication, the county clerk or his designee is authorized to deliver
4 to the authorized messenger a ballot to be delivered to the qualified
5 voter. The [Secretary of State] Attorney General shall cause to be
6 prepared a standard authorized messenger application form, which may
7 be included with the standard civilian absentee ballot application
8 forms.

9 A voter who is permanently and totally disabled, and who states
10 the reason for such disability in a request for an absentee ballot, shall
11 be furnished an application for an absentee ballot by the county clerk
12 for all future elections in which the voter shall be eligible to vote,
13 without further request on the part of the voter. A voter who is
14 permanently and totally disabled shall have the option to indicate on
15 an application for an absentee ballot that the voter would like to
16 receive an absentee ballot for each election that takes place during the
17 remainder of the calendar year in which the application is completed
18 and submitted. A voter who exercises this option shall be furnished
19 with an absentee ballot for each election that takes place during the
20 remainder of the calendar year without further request by the voter.
21 (cf: P.L.1993, c.73, s.2)

22

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

25 7. The county clerk of the county, in the case of any Statewide
26 election, countywide election, or school election in a regional or other
27 school district comprising more than one municipality; the clerk of the
28 municipality, in the case of any municipal election or school election
29 in a school district comprising a single municipality; and the
30 commissioners or other governing or administrative body of the
31 district, in the case of any election to be held in any fire district, road
32 district, sewerage district, street lighting district, water supply district
33 or other special district, other than a municipality, created for specified
34 public purposes within one or more municipalities, shall publish or
35 cause to be published the following notices in substantially the
36 following forms:

37 NOTICE TO MILITARY SERVICE VOTERS AND
38 TO THEIR RELATIVES AND FRIENDS

39 If you are in the military service, or the spouse or dependent of a
40 person in military service or are a patient in a veterans' hospital or a
41 civilian attached to or serving with the Armed Forces of the United
42 States without the State of New Jersey, or the spouse or dependent of
43 and accompanying or residing with a civilian attached to or serving
44 with the Armed Forces of the United States, and desire to vote, or if
45 you are a relative or friend of any such person who, you believe, will
46 desire to vote in the (school, municipal,

1 primary, general or other) election to be held on
2 (date of election) kindly write to the undersigned at once making
3 application for a military service ballot to be voted in said election to
4 be forwarded to you, stating your name, age, serial number if you are
5 in military service, home address and the address at which you are
6 stationed or can be found, or if you desire the military service ballot
7 for a relative or friend then make application under oath for a military
8 service ballot to be forwarded to him, stating in your application that
9 he is over the age of 18 years and stating his name, serial number if he
10 is in military service, home address and the address at which he is
11 stationed or can be found.

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

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

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

22 Forms of application other than federal postcard application forms
23 can be obtained from the undersigned. Dated
24

25 (signature and title of county clerk)

26

27 (address of county clerk)

28 NOTICE TO PERSONS DESIRING CIVILIAN ABSENTEE
29 BALLOTS

30 If you are a qualified and registered voter of the State who expects
31 to be absent outside the State on(date of election) or a
32 qualified and registered voter who will be within the State on
33 (date of election) but because of permanent and
34 total disability, or because of illness or temporary physical disability,
35 or because of the observance of a religious holiday pursuant to the
36 tenets of your religion, or because of resident attendance at a school,
37 college, or university, or because of the nature and hours of
38 employment, will be unable to cast your ballot at the polling place in
39 your district on said date, and you desire to vote in the
40 (school, municipal, primary, general, or other)
41 election to be held on (date of election) kindly complete
42 the application form below and send to the undersigned, or write or
43 apply in person to the undersigned at once requesting that a civilian
44 absentee ballot be forwarded to you. Such request must state your
45 home address, and the address to which said ballot should be sent, and
46 must be signed with your signature, and state the reason why you will

1 not be able to vote at your usual polling place. No civilian absentee
2 ballot will be furnished or forwarded to any applicant unless request
3 therefor is received not less than seven days prior to the election, and
4 contains the foregoing information.

5 Voters who are permanently and totally disabled shall, after their
6 initial request and without further action on their part, be forwarded
7 an absentee ballot application by the county clerk for all future
8 elections in which they are eligible to vote. Permanently and totally
9 disabled voters also have the option of indicating on their absentee
10 ballot applications that they would prefer to receive absentee ballots
11 for each election that takes place during the remainder of this calendar
12 year. Permanently and totally disabled voters who exercise this option
13 will be furnished with absentee ballots for each election that takes
14 place during the remainder of this calendar year, without further action
15 on their part. Application forms may be obtained by applying to the
16 undersigned either in writing or by telephone, or the application form
17 provided below may be completed and forwarded to the undersigned.

18 Dated

19 (signature and title of county clerk)

20

21 (address of county clerk)

22

23 (Telephone No. of county clerk)

24 APPLICATION FORM FOR CIVILIAN

25 ABSENTEE BALLOT

26 (Form to be prepared by the [Secretary of State] Attorney General
27 pursuant to section 17 of P.L.1977, c.47 (C.19:57-4.1)).

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

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

39 (cf: P.L.1995, c.278, s.23)

40

41 3. This act shall take effect immediately.

1 STATEMENT

2

3 Under current law, permanently and totally disabled voters can,
4 after an initial request, be provided with an application for an absentee
5 ballot for all future elections. However, there are a number of
6 elections that take place each year, and disabled voters must fill out
7 separate applications in order to receive absentee ballots for each
8 election.

9 This bill simplifies the process for permanently and totally disabled
10 voters by providing them with the option of indicating on an
11 application for an absentee ballot that they would prefer to receive
12 absentee ballots for each election that takes place during the remainder
13 of the calendar year in which the application is completed and
14 submitted. Disabled voters who avail themselves of this option would
15 be sent absentee ballots for each election that takes place during the
16 remainder of the calendar year in which the application is completed
17 and submitted without further application.

18 The purpose of this bill is to simplify for permanently and totally
19 disabled voters the process of obtaining an absentee ballot, in order to
20 facilitate the exercise of their right to vote.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1436

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 2000

The Assembly State Government Committee reports favorably
Assembly Bill No. 1436

The purpose of this bill is to simplify for permanently and totally disabled voters the process of obtaining an absentee ballot, in order to facilitate their ability to vote.

Under current law, permanently and totally disabled voters can, after an initial request, be provided with an application for an absentee ballot for all future elections. However, many elections are held each year and disabled voters must fill out separate applications in order to receive an absentee ballot for each election.

This bill simplifies the process by giving permanently and totally disabled voters the option of indicating on an application for an absentee ballot they wish to receive an absentee ballot for each election that is held during the remainder of the calendar year in which the application is completed and submitted. Disabled voters who choose this option would receive such absentee ballots without needing to fill out additional applications.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1436

STATE OF NEW JERSEY

DATED: MAY 25, 2000

The Senate State Government Committee reports favorably Assembly, No. 1436.

The purpose of this bill is to simplify for permanently and totally disabled voters the process of obtaining an absentee ballot in order to facilitate their ability to vote.

Under current law, permanently and totally disabled voters can, after an initial request, be provided with an application for an absentee ballot for all future elections. However, many elections are held each year and disabled voters must fill out separate applications in order to receive an absentee ballot for each election.

This bill simplifies the process by giving permanently and totally disabled voters the option of indicating on an application for an absentee ballot that they wish to receive an absentee ballot for each election that is held during the remainder of the calendar year in which the application is completed and submitted. Disabled voters who choose this option would receive such absentee ballots without needing to fill out additional applications.

Assembly, No. 1436 is the same as Senate, No. 654.

P.L. 2000, CHAPTER 86, *approved August 14, 2000*
Assembly, No. 1436

1 **AN ACT** concerning absentee ballots for certain disabled persons and
2 amending P.L.1953, c.211.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 4 of P.L.1953, c.211 (C.19:57-4) is amended to read as
8 follows:

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

16 Any military service voter desiring to vote in any election or any
17 relative or friend of a military service voter who believes that such
18 voter will desire to vote in any election, may apply to the person
19 designated in section 6 of this act for a military service ballot to be
20 sent to such voter. A military service voter may use a federal postcard
21 application form to apply for a military service ballot. On any
22 application made by a military service voter the voter may request a
23 military service ballot for all subsequent elections held during the
24 calendar year in which the request is made; if such a request is made,
25 a military service ballot shall be sent in a timely manner to the voter
26 for all such elections.

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

30 In the event of sickness or confinement, the qualified voter may
31 apply in writing for and obtain an absentee ballot by authorized
32 messenger, who shall be so designated over the signature of the voter
33 and whose printed name and address shall appear on the application in
34 the space provided. The authorized messenger shall be a family
35 member or a registered voter of the county in which the application is
36 made and shall place his signature on the application in the space so
37 provided in the presence of the county clerk or his designee. The
38 county clerk or his designee shall authenticate the signature of the
39 authorized messenger, in the event such a messenger is other than a
40 family member, by comparing it with the signature of the said person
41 appearing on a State of New Jersey driver's license, or other

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 identification issued or recognized as official by the federal
2 government, the State, or any of its political subdivisions, which
3 identification carries the full address and signature of said person.
4 After the signature of the application and, when appropriate,
5 authentication, the county clerk or his designee is authorized to deliver
6 to the authorized messenger a ballot to be delivered to the qualified
7 voter. The [Secretary of State] Attorney General shall cause to be
8 prepared a standard authorized messenger application form, which may
9 be included with the standard civilian absentee ballot application
10 forms.

11 A voter who is permanently and totally disabled, and who states
12 the reason for such disability in a request for an absentee ballot, shall
13 be furnished an application for an absentee ballot by the county clerk
14 for all future elections in which the voter shall be eligible to vote,
15 without further request on the part of the voter. A voter who is
16 permanently and totally disabled shall have the option to indicate on
17 an application for an absentee ballot that the voter would like to
18 receive an absentee ballot for each election that takes place during the
19 remainder of the calendar year in which the application is completed
20 and submitted. A voter who exercises this option shall be furnished
21 with an absentee ballot for each election that takes place during the
22 remainder of the calendar year without further request by the voter.
23 (cf: P.L.1993, c.73, s.2)

24
25 2. Section 7 of P.L.1953, c.211 (C.19:57-7) is amended to read as
26 follows:

27 7. The county clerk of the county, in the case of any Statewide
28 election, countywide election, or school election in a regional or other
29 school district comprising more than one municipality; the clerk of the
30 municipality, in the case of any municipal election or school election
31 in a school district comprising a single municipality; and the
32 commissioners or other governing or administrative body of the
33 district, in the case of any election to be held in any fire district, road
34 district, sewerage district, street lighting district, water supply district
35 or other special district, other than a municipality, created for specified
36 public purposes within one or more municipalities, shall publish or
37 cause to be published the following notices in substantially the
38 following forms:

39 NOTICE TO MILITARY SERVICE VOTERS AND
40 TO THEIR RELATIVES AND FRIENDS

41 If you are in the military service, or the spouse or dependent of a
42 person in military service or are a patient in a veterans' hospital or a
43 civilian attached to or serving with the Armed Forces of the United
44 States without the State of New Jersey, or the spouse or dependent of
45 and accompanying or residing with a civilian attached to or serving
46 with the Armed Forces of the United States, and desire to vote, or if

1 you are a relative or friend of any such person who, you believe, will
 2 desire to vote in the (school, municipal,
 3 primary, general or other) election to be held on
 4 (date of election) kindly write to the undersigned at once making
 5 application for a military service ballot to be voted in said election to
 6 be forwarded to you, stating your name, age, serial number if you are
 7 in military service, home address and the address at which you are
 8 stationed or can be found, or if you desire the military service ballot
 9 for a relative or friend then make application under oath for a military
 10 service ballot to be forwarded to him, stating in your application that
 11 he is over the age of 18 years and stating his name, serial number if he
 12 is in military service, home address and the address at which he is
 13 stationed or can be found.

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

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

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

24 Forms of application other than federal postcard application forms
 25 can be obtained from the undersigned. Dated
 26

27 (signature and title of county clerk)

28

29 (address of county clerk)

30 NOTICE TO PERSONS DESIRING CIVILIAN ABSENTEE
 31 BALLOTS

32 If you are a qualified and registered voter of the State who expects
 33 to be absent outside the State on(date of election) or a
 34 qualified and registered voter who will be within the State on
 35 (date of election) but because of permanent and
 36 total disability, or because of illness or temporary physical disability,
 37 or because of the observance of a religious holiday pursuant to the
 38 tenets of your religion, or because of resident attendance at a school,
 39 college, or university, or because of the nature and hours of
 40 employment, will be unable to cast your ballot at the polling place in
 41 your district on said date, and you desire to vote in the
 42 (school, municipal, primary, general, or other)
 43 election to be held on (date of election) kindly complete
 44 the application form below and send to the undersigned, or write or
 45 apply in person to the undersigned at once requesting that a civilian
 46 absentee ballot be forwarded to you. Such request must state your

1 home address, and the address to which said ballot should be sent, and
2 must be signed with your signature, and state the reason why you will
3 not be able to vote at your usual polling place. No civilian absentee
4 ballot will be furnished or forwarded to any applicant unless request
5 therefor is received not less than seven days prior to the election, and
6 contains the foregoing information.

7 Voters who are permanently and totally disabled shall, after their
8 initial request and without further action on their part, be forwarded
9 an absentee ballot application by the county clerk for all future
10 elections in which they are eligible to vote. Permanently and totally
11 disabled voters also have the option of indicating on their absentee
12 ballot applications that they would prefer to receive absentee ballots
13 for each election that takes place during the remainder of this calendar
14 year. Permanently and totally disabled voters who exercise this option
15 will be furnished with absentee ballots for each election that takes
16 place during the remainder of this calendar year, without further action
17 on their part. Application forms may be obtained by applying to the
18 undersigned either in writing or by telephone, or the application form
19 provided below may be completed and forwarded to the undersigned.

20 Dated

21 (signature and title of county clerk)

22

23 (address of county clerk)

24

25 (Telephone No. of county clerk)

26 APPLICATION FORM FOR CIVILIAN

27 ABSENTEE BALLOT

28 (Form to be prepared by the [Secretary of State] Attorney General
29 pursuant to section 17 of P.L.1977, c.47 (C.19:57-4.1)).

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

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

41 (cf: P.L.1995, c.278, s.23)

42

43 3. This act shall take effect immediately.

STATEMENT

1

2

3 Under current law, permanently and totally disabled voters can,
4 after an initial request, be provided with an application for an absentee
5 ballot for all future elections. However, there are a number of
6 elections that take place each year, and disabled voters must fill out
7 separate applications in order to receive absentee ballots for each
8 election.

9 This bill simplifies the process for permanently and totally disabled
10 voters by providing them with the option of indicating on an
11 application for an absentee ballot that they would prefer to receive
12 absentee ballots for each election that takes place during the remainder
13 of the calendar year in which the application is completed and
14 submitted. Disabled voters who avail themselves of this option would
15 be sent absentee ballots for each election that takes place during the
16 remainder of the calendar year in which the application is completed
17 and submitted without further application.

18 The purpose of this bill is to simplify for permanently and totally
19 disabled voters the process of obtaining an absentee ballot, in order to
20 facilitate the exercise of their right to vote.

21

22

23

24

25 Allows certain disabled voters to receive absentee ballots
26 automatically in certain circumstances.

CHAPTER 86

AN ACT concerning absentee ballots for certain disabled persons and amending P.L.1953, c.211.

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

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

C.19:57-4 Applications for absentee ballots.

4. 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 person designated in section 6 of this act, 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 person designated in section 6 of this act for a military service ballot to be sent to such voter. A military service voter may use a federal postcard application form to apply for a military service ballot. On any application made by a military service voter the voter may request a military service ballot for all subsequent elections held during the calendar year in which the request is made; if such a request is made, a military service ballot shall be sent in a timely manner to the voter for all such elections.

Any civilian absentee voter who fails to apply within the seven-day time prescribed above may apply in person to the county clerk for an absentee ballot on any day up to 3 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, who shall be so designated over the signature of the voter and whose printed name and address shall appear on the application in the space provided. The authorized messenger shall be a family member or a 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. The county clerk or his designee shall authenticate the signature of the authorized messenger, in the event such a messenger is other than a family member, by comparing it with the signature of the said person appearing on a State of New Jersey driver's license, or other identification issued or recognized as official by the federal government, the State, or any of its political 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 designee is authorized to deliver to the authorized messenger a ballot to be delivered to the qualified voter. The Attorney General shall cause to be prepared a standard authorized messenger application form, which may be included with the standard civilian absentee ballot application forms.

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 clerk for all future elections in which the voter shall be eligible to vote, without further request on the part of the voter. A voter who is permanently and totally disabled shall have the option to indicate on an application for an absentee ballot that the voter would like to receive an absentee ballot for each election that takes place during the remainder of the calendar year in which the application is completed and submitted. A voter who exercises this option shall be furnished with an absentee ballot for each election that takes place during the remainder of the calendar year without further request by the voter.

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

C.19:57-7 Absentee ballots.

7. The county clerk of the county, in the case of any Statewide election, countywide election, or school election in a regional or other school district comprising more than one municipality; the clerk of the municipality, in the case of any municipal election or school election in a school district comprising a single municipality; 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 the following notices in substantially the following forms:

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

If you are in the military service, or the spouse or dependent of a person in military service or are a patient in a veterans' hospital or a civilian attached to or serving with the Armed 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 (school, municipal, primary, general or other) 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 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.

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

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

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

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

(signature and title of county clerk)

.....

(address of county clerk)

NOTICE TO PERSONS DESIRING CIVILIAN ABSENTEE BALLOTS

If you are a qualified and registered voter of the State who expects to be absent outside the State on(date of election) or a qualified and registered voter who will be within the State on (date of election) but because of permanent and total disability, or because of illness or temporary physical disability, or because of the observance of a religious holiday pursuant to the tenets of your religion, or because of resident attendance at a 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 (school, municipal, primary, general, or other) election to be held on (date of election) kindly complete the application form below and send to the undersigned, or write or apply in person to the undersigned at once requesting that a civilian absentee ballot be forwarded to you. Such request must state your home address, 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 be able to vote at your usual polling place. No civilian absentee ballot will be furnished or forwarded to any applicant unless request therefor is received not less than seven days prior to the election, and contains the foregoing information.

Voters who are permanently and totally disabled shall, after their initial request and without further action on their part, be forwarded an absentee ballot application by the county clerk for all future elections in which they are eligible to vote. Permanently and totally disabled voters also have the option of indicating on their absentee ballot applications that they would prefer to receive absentee ballots for each election that takes place during the remainder of this calendar year. Permanently and totally disabled voters who exercise this option will be furnished with absentee ballots for each election that takes place during the remainder of this calendar year,

without further action on their part. Application forms may be obtained by applying to the undersigned either in writing or by telephone, or the application form provided below may be completed and forwarded to the undersigned. Dated

(signature and title of county clerk)

.....

(address of county clerk)

.....

(Telephone No. of county clerk)

**APPLICATION FORM FOR CIVILIAN
ABSENTEE BALLOT**

(Form to be prepared by the Attorney General pursuant to section 17 of P.L.1977, c.47 (C.19:57-4.1)).

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

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

3. This act shall take effect immediately.

Approved August 14, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Laura Otterbourg
609-777-2600

RELEASE: August 14, 2000

Governor Whitman today signed the following pieces of legislation:

A-1436, sponsored by Assemblyman Richard A. Merkt (Morris) and Senator Robert J. Martin (R-Essex/Morris/Passaic), will allow permanently and totally disabled voters the option to receive absentee ballots for each election during a calendar year by filling out one application at the beginning of the year.

Current law requires disabled voters to apply for an absentee ballot in every election during the calendar year.

A-2270, sponsored by Assemblywoman Charlotte Vandervalk (R-Bergen) and Senator Jack Sinagra (R-Middlesex), clarifies enforcement authority of local health officers regarding the sale or distribution of tobacco products to minors. The bill states that a local health officer may issue a summons to a person who violates this prohibition. The municipality would retain penalties collected as a result of this enforcement.

S-717, sponsored by Senators C. Louis Bassano (Essex/Union) and Diane B. Allen (R-Burlington/Camden) and Assemblymembers Melvin Cottrell (R-Burlington/Monmouth/Ocean) and Joseph R. Malone, III. (R-Burlington/Monmouth/Ocean), renames the Governor's Council on the Prevention of Mental Retardation as the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities.

The bill also provides that an advocate for the mentally retarded and developmentally disabled shall be included among the Council's public members, and that the Council's 12-member Executive Committee shall include the Commissioner of Community Affairs as an ex-officio member and the Secretary of State as a non-voting, ex-officio member.

S-220, sponsored by Senators Wayne R. Bryant (D-Camden/Gloucester), William L. Gormley (R-Atlantic) and Assemblymembers David C. Russo (R-Bergen/Passaic) and Joan M. Quigley (D-Bergen/Hudson), provides that upon the resolution of a lawsuit, civil judgement, arbitration or workers' compensation case where a party is entitled to receive a settlement, judgement or award - a lien will be placed upon the net proceeds payable to the prevailing party if the party is found to owe child support. The fee shall have priority over all other levies and citations (unless a court orders otherwise) and except for levies to recover unpaid income taxes to the State.

The bill arose out of the concern that child support obligations may remain unsatisfied, while an obligor is in receipt of an influx of money from a lawsuit settlement, civil judgement, or other adjudicated means.

A-436, sponsored by Assembly Members Joel M. Weingarten (R-Essex/Union), Joseph Suliga (D-Union), Christopher "Kip" Bateman (R-Morris/ Somerset) and Guy R. Gregg (R-Sussex/Hunterdon/Morris) and Senators Anthony R. Bucco (R-Morris) and Walter J. Kavanaugh (R-Morris/ Somerset), requires insurers to provide certain notice concerning flood insurance.

This bill requires insurance companies that issue homeowners' insurance policies to provide existing and prospective policyholders with notice that a standard insurance policy does not cover property damaged by a flood. The Commissioner of Banking and Insurance may impose monetary penalties up to \$2,500 for the first violation and up to \$5,000 for any subsequent violation against any insurer that violates the bill's provisions.

A-622, sponsored by Assembly Members Carol J. Murphy (R-Essex/Morris/Passaic) and Alex DeCroce (R-Essex/Morris/Passaic), extends the period for a judge to issue a summons for illegally passing a school bus. Current law requires that a complaint for illegally passing 30 days of the offense. The new legislation would extend the time period to 90 days, thereby allowing more time for investigation to ensure that violators can be prosecuted. The bill also provides that any person who suppresses the identity of a driver who committed this offense would be subject to a fine of \$100.

Governor Whitman also today signed the following joint resolution:

SJR-13, sponsored by Senators John A. Lynch (D-Middlesex), Jack Sinagra (R-Middlesex) and Assemblyman Melvin Cottrell (R-Burlington/Monmouth/Ocean), designates December 12th of each year as "Foster Children's Day." The joint resolution is designed to recognize the unique needs and experiences of foster children and provide an opportunity for State and local government, private organizations and the general public to engage in charitable efforts to acknowledge that foster children are important and loved.