

19:23-14

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 211
NJSA: 19:23-14 (Deadline for nominating petitions for certain elections)
BILL NO: A2601

SPONSOR(S): Bagger

DATE INTRODUCED: June 15, 2000

COMMITTEE: **ASSEMBLY:** State Government

SENATE: State Government

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** November 20, 2000

SENATE: June 28, 2001

DATE OF APPROVAL: August 15, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

A2601

SPONSORS STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

ASSEMBLY, No. 2601

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JUNE 15, 2000

Sponsored by:

Assemblyman RICHARD H. BAGGER

District 22 (Middlesex, Morris, Somerset and Union)

SYNOPSIS

Changes deadline for filing certain nominating petitions for party offices and public offices filled at general election from 54th to 57th day preceding primary; requires double spacing on referenda petitions.

CURRENT VERSION OF TEXT

As introduced.



A2601 BAGGER

2

1 AN ACT concerning petitions used in certain elections, amending
2 R.S.19:23-14, R.S.19:24-4 and 19:25-3, and supplementing chapter
3 5 of Title 1 of the Revised Statutes.

4

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

7

8 1. R.S.19:23-14 is amended to read as follows:

9 19:23-14. Petitions addressed to the Secretary of State, the county
10 clerks, or the municipal clerks shall be filed with such officers,
11 respectively, before 4:00 p.m. of the **[54th]** 57th day next preceding
12 the day of the holding of the primary election for the general election.

13 Not later than the close of business of the 48th day preceding the
14 primary election for the general election, the municipal clerk shall
15 certify to the county clerk the full and correct names and addresses of
16 all candidates for nomination for public and party office and the name
17 of the political party of which such persons are candidates together
18 with their slogan and designation. The county clerk shall transmit this
19 information to the Election Law Enforcement Commission in the form
20 and manner prescribed by the commission and shall notify the
21 commission immediately upon the withdrawal of a petition of
22 nomination.

23 (cf: P.L.1985, c.92, s.18)

24

25 2. R.S.19:24-4 is amended to read as follows:

26 19:24-4. Not less than 100 members of each such political party
27 may file with the Secretary of State at least **[54]** 57 days prior to the
28 primary election for the general election in any year of a national
29 convention a petition requesting that the name of a person therein
30 indorsed shall be printed on the primary ticket of such political party
31 as candidate for the position of delegate-at-large or alternate-at-large,
32 to be chosen by the party voters throughout the State to the national
33 convention of that party, or as a delegate or alternate to be chosen to
34 that convention by the voters of any congressional district.

35 The signers to the petition for any delegate-at-large or
36 alternate-at-large shall be legal voters resident in the State; and the
37 signers for any delegate or alternate from any Congressional district
38 shall be voters of such district.

39 The Secretary of State shall not later than the 48th day preceding
40 the primary election for the general election certify to each county
41 clerk and county board such nominations for delegates and
42 alternates-at-large and the nominations for delegate or alternate for

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

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1 any Congressional district.
2 (cf: P.L.1985, c.92, s.22)

3

4 3. R.S.19:25-3 is amended to read as follows:

5 19:25-3. Not less than one thousand voters of any political party
6 may file a petition with the Secretary of State on or before the [54th]
7 57th day before a primary election in any year in which a President of
8 the United States is to be chosen, requesting that the name of the
9 person indorsed therein as a candidate of such party for the office of
10 President of the United States shall be printed upon the official
11 primary ballot of that party for the then ensuing election for delegates
12 and alternates to the national convention of such party.

13 The petition shall be prepared and filed in the form and manner
14 herein required for the indorsement of candidates to be voted for at the
15 primary election for the general election, except that the candidate
16 shall not be permitted to have a designation or slogan following his
17 name, and that it shall not be necessary to have the consent of such
18 candidate for President indorsed on the petition.

19 (cf: P.L.1985, c.92, s.23)

20

21 4. (New section) a. Whenever a petition is circulated within a
22 county, municipality, school district, or special district for the purpose
23 of gathering the signatures of registered voters in order to place a
24 referendum question on the ballot in any election, each page of the
25 petition shall be arranged to contain, in addition to such other content
26 relative thereto required by law, double spacing between the signature
27 lines of the petition so that each signer thereof is afforded sufficient
28 space to provide his or her printed name, address and signature.

29 b. Upon the enactment of this act, the Attorney General shall notify
30 in writing each county and municipal clerk and the secretary of the
31 board of education of each school district in the State of the provisions
32 of subsection a. of this section and thereafter shall repeat such
33 notification as periodically as the Attorney General deems necessary.
34

35 5. This act shall take effect immediately, but subsection a. of
36 section 4 shall be inoperative until January 1 following enactment.

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38

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STATEMENT

40

41 This bill pushes back the deadline established in current law for
42 filing certain nominating petitions for party offices and public offices
43 filled on the day of the primary election to the general election. The
44 deadline would change from the 54th day to the 57th day prior to the
45 day of the general election and would affect: 1) petitions of candidates
46 seeking the nomination of a political party at the primary election; 2)

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1 petitions nominating candidates for party positions at the primary
2 election; and 3) petitions seeking to have the name of a person seeking
3 nomination to the office of President of the United States by a political
4 party appear on the ballot with the names of the delegates and
5 alternates to the national convention of the party.

6 The bill does not change the deadline by which candidates seeking
7 direct nomination by petition must be filed. That date remains the day
8 of the primary election for the general election.

9 The legislation also requires that whenever a petition is circulated
10 within a county, municipality, school district, or special district for
11 signatures to place a referendum question on the ballot at any election,
12 each page of the petition shall contain double spacing between the
13 signature lines of the petition so that each signer has sufficient space
14 to provide a printed name, address and signature. The Attorney
15 General is directed to notify in writing each county and municipal clerk
16 and the secretary of the board of education of each school district of
17 this provision periodically as the Attorney General deems necessary.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2601

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 25, 2000

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 2601.

This bill pushes back the deadline established in current law for filing certain nominating petitions for party offices and public offices filled on the day of the primary election for the general election.

The deadline would change from the 54th day to the 57th day prior to the day of the general election. The change affects: 1) petitions of candidates seeking the nomination of a political party at the primary; 2) petitions nominating candidates for party positions at the primary; and 3) petitions to have the name of a person seeking nomination to the office of President of the United States by a political party appear on the ballot with the names of the delegates and alternates to the national convention of the party.

The bill does not change the deadline by which candidates seeking direct nomination by petition must be filed. That date remains the day of the primary election for the general election.

The legislation also requires that whenever a petition is circulated within a county, municipality, school district, or special district to place a referendum question on the ballot at any election, each page thereof shall contain double spacing between its signature lines so that each signer has sufficient space to provide a printed name and address and a signature. The bill directs the Attorney General to notify in writing each county and municipal clerk and the secretary of the board of education of each school district of this spacing requirement and to repeat the notification periodically, as the Attorney General deems necessary.

The committee amended the bill to replace the references in it to the Secretary of State with the Attorney General to conform current law to the fact that most of the elections-related functions once administered by the Secretary of State have been transferred to the Attorney General, pursuant to Governor Whitman's Reorganization Plan No.004-1998, which became effective May 29, 1998.

[First Reprint]

ASSEMBLY, No. 2601

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 15, 2000

Sponsored by:

Assemblyman RICHARD H. BAGGER

District 22 (Middlesex, Morris, Somerset and Union)

Co-Sponsored by:

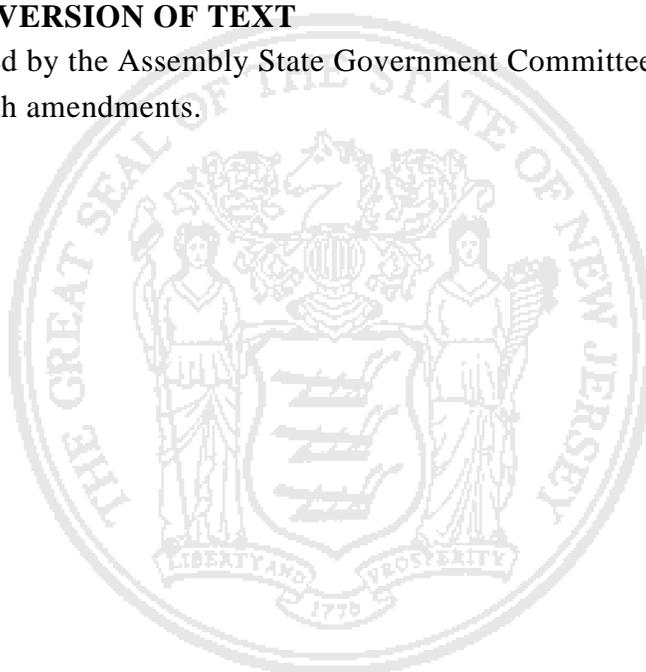
Assemblyman Corodemus

SYNOPSIS

Changes deadline for filing certain nominating petitions for party offices and public offices filled at general election from 54th to 57th day preceding primary; requires double spacing on referenda petitions.

CURRENT VERSION OF TEXT

As reported by the Assembly State Government Committee on September 25, 2000, with amendments.



(Sponsorship Updated As Of: 11/21/2000)

A2601 [1R] BAGGER

2

1 AN ACT concerning petitions used in certain elections, amending
2 R.S.19:23-14, R.S.19:24-4 and 19:25-3, and supplementing chapter
3 5 of Title 1 of the Revised Statutes.

4

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

7

8 1. R.S.19:23-14 is amended to read as follows:

9 19:23-14. Petitions addressed to the ¹[Secretary of State]
10 Attorney General¹, the county clerks, or the municipal clerks shall be
11 filed with such officers, respectively, before 4:00 p.m. of the [54th]
12 57th day next preceding the day of the holding of the primary election
13 for the general election.

14 Not later than the close of business of the 48th day preceding the
15 primary election for the general election, the municipal clerk shall
16 certify to the county clerk the full and correct names and addresses of
17 all candidates for nomination for public and party office and the name
18 of the political party of which such persons are candidates together
19 with their slogan and designation. The county clerk shall transmit this
20 information to the Election Law Enforcement Commission in the form
21 and manner prescribed by the commission and shall notify the
22 commission immediately upon the withdrawal of a petition of
23 nomination.

24 (cf: P.L.1985, c.92, s.18)

25

26 2. R.S.19:24-4 is amended to read as follows:

27 19:24-4. Not less than 100 members of each such political party
28 may file with the ¹[Secretary of State] Attorney General¹ at least
29 [54] 57 days prior to the primary election for the general election in
30 any year of a national convention a petition requesting that the name
31 of a person therein indorsed shall be printed on the primary ticket of
32 such political party as candidate for the position of delegate-at-large
33 or alternate-at-large, to be chosen by the party voters throughout the
34 State to the national convention of that party, or as a delegate or
35 alternate to be chosen to that convention by the voters of any
36 congressional district.

37 The signers to the petition for any delegate-at-large or
38 alternate-at-large shall be legal voters resident in the State; and the
39 signers for any delegate or alternate from any Congressional district
40 shall be voters of such district.

41 The ¹[Secretary of State] Attorney General¹ shall not later than the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASG committee amendments adopted September 25, 2000.

1 48th day preceding the primary election for the general election certify
2 to each county clerk and county board such nominations for delegates
3 and alternates-at-large and the nominations for delegate or alternate
4 for any Congressional district.

5 (cf: P.L.1985, c.92, s.22)

6

7 3. R.S.19:25-3 is amended to read as follows:

8 19:25-3. Not less than one thousand voters of any political party
9 may file a petition with the ¹[Secretary of State] Attorney General¹
10 on or before the [54th] 57th day before a primary election in any year
11 in which a President of the United States is to be chosen, requesting
12 that the name of the person indorsed therein as a candidate of such
13 party for the office of President of the United States shall be printed
14 upon the official primary ballot of that party for the then ensuing
15 election for delegates and alternates to the national convention of such
16 party.

17 The petition shall be prepared and filed in the form and manner
18 herein required for the indorsement of candidates to be voted for at the
19 primary election for the general election, except that the candidate
20 shall not be permitted to have a designation or slogan following his
21 name, and that it shall not be necessary to have the consent of such
22 candidate for President indorsed on the petition.

23 (cf: P.L.1985, c.92, s.23)

24

25 4. (New section) a. Whenever a petition is circulated within a
26 county, municipality, school district, or special district for the purpose
27 of gathering the signatures of registered voters in order to place a
28 referendum question on the ballot in any election, each page of the
29 petition shall be arranged to contain, in addition to such other content
30 relative thereto required by law, double spacing between the signature
31 lines of the petition so that each signer thereof is afforded sufficient
32 space to provide his or her printed name, address and signature.

33 b. Upon the enactment of this act, the Attorney General shall notify
34 in writing each county and municipal clerk and the secretary of the
35 board of education of each school district in the State of the provisions
36 of subsection a. of this section and thereafter shall repeat such
37 notification as periodically as the Attorney General deems necessary.

38

39 5. This act shall take effect immediately, but subsection a. of
40 section 4 shall be inoperative until January 1 following enactment.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2601

STATE OF NEW JERSEY

DATED: MARCH 15, 2001

The Senate State Government Committee reports favorably Assembly Bill No. 2601 (1R).

This bill changes the date established in current law for filing nominating petitions for political party and public offices for a primary election from the 54th to the 57th day prior to the day of the primary election.

The legislation also requires that whenever a petition is circulated within a county, municipality, school district, or special district for signatures to place a referendum question on the ballot at any election, each page of the petition shall contain double spacing between the signature lines of the petition so that each signer has sufficient space to provide a printed name, address and signature. The Attorney General is directed to notify in writing each county and municipal clerk and the secretary of the board of education of each school district of this provision periodically as the Attorney General deems necessary.

Assembly Bill No. 2601 (1R) is the same as Senate Bill No. 1222 (1R).

P.L. 2001, CHAPTER 211, *approved August 15, 2001*
Assembly, No. 2601 (*First Reprint*)

1 **AN ACT** concerning petitions used in certain elections, amending
2 R.S.19:23-14, R.S.19:24-4 and 19:25-3, and supplementing chapter
3 5 of Title 1 of the Revised Statutes.

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

7
8 1. R.S.19:23-14 is amended to read as follows:

9 19:23-14. Petitions addressed to the ¹[Secretary of State]
10 Attorney General¹, the county clerks, or the municipal clerks shall be
11 filed with such officers, respectively, before 4:00 p.m. of the [54th]
12 57th day next preceding the day of the holding of the primary election
13 for the general election.

14 Not later than the close of business of the 48th day preceding the
15 primary election for the general election, the municipal clerk shall
16 certify to the county clerk the full and correct names and addresses of
17 all candidates for nomination for public and party office and the name
18 of the political party of which such persons are candidates together
19 with their slogan and designation. The county clerk shall transmit this
20 information to the Election Law Enforcement Commission in the form
21 and manner prescribed by the commission and shall notify the
22 commission immediately upon the withdrawal of a petition of
23 nomination.

24 (cf: P.L.1985, c.92, s.18)

25

26 2. R.S.19:24-4 is amended to read as follows:

27 19:24-4. Not less than 100 members of each such political party
28 may file with the ¹[Secretary of State] Attorney General¹ at least
29 [54] 57 days prior to the primary election for the general election in
30 any year of a national convention a petition requesting that the name
31 of a person therein indorsed shall be printed on the primary ticket of
32 such political party as candidate for the position of delegate-at-large
33 or alternate-at-large, to be chosen by the party voters throughout the
34 State to the national convention of that party, or as a delegate or
35 alternate to be chosen to that convention by the voters of any
36 congressional district.

37 The signers to the petition for any delegate-at-large or
38 alternate-at-large shall be legal voters resident in the State; and the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASG committee amendments adopted September 25, 2000.

1 signers for any delegate or alternate from any Congressional district
2 shall be voters of such district.

3 The ¹[Secretary of State] Attorney General¹ shall not later than the
4 48th day preceding the primary election for the general election certify
5 to each county clerk and county board such nominations for delegates
6 and alternates-at-large and the nominations for delegate or alternate
7 for any Congressional district.

8 (cf: P.L.1985, c.92, s.22)

9

10 3. R.S.19:25-3 is amended to read as follows:

11 19:25-3. Not less than one thousand voters of any political party
12 may file a petition with the ¹[Secretary of State] Attorney General¹
13 on or before the [~~54th~~] 57th day before a primary election in any year
14 in which a President of the United States is to be chosen, requesting
15 that the name of the person indorsed therein as a candidate of such
16 party for the office of President of the United States shall be printed
17 upon the official primary ballot of that party for the then ensuing
18 election for delegates and alternates to the national convention of such
19 party.

20 The petition shall be prepared and filed in the form and manner
21 herein required for the indorsement of candidates to be voted for at the
22 primary election for the general election, except that the candidate
23 shall not be permitted to have a designation or slogan following his
24 name, and that it shall not be necessary to have the consent of such
25 candidate for President indorsed on the petition.

26 (cf: P.L.1985, c.92, s.23)

27

28 4. (New section) a. Whenever a petition is circulated within a
29 county, municipality, school district, or special district for the purpose
30 of gathering the signatures of registered voters in order to place a
31 referendum question on the ballot in any election, each page of the
32 petition shall be arranged to contain, in addition to such other content
33 relative thereto required by law, double spacing between the signature
34 lines of the petition so that each signer thereof is afforded sufficient
35 space to provide his or her printed name, address and signature.

36 b. Upon the enactment of this act, the Attorney General shall notify
37 in writing each county and municipal clerk and the secretary of the
38 board of education of each school district in the State of the provisions
39 of subsection a. of this section and thereafter shall repeat such
40 notification as periodically as the Attorney General deems necessary.

41

42 5. This act shall take effect immediately, but subsection a. of
43 section 4 shall be inoperative until January 1 following enactment.

1

2

3 Changes deadline for filing certain nominating petitions for party
4 offices and public offices filled at general election from 54th to 57th
5 day preceding primary; requires double spacing on referenda petitions.

CHAPTER 211

AN ACT concerning petitions used in certain elections, amending R.S.19:23-14, R.S.19:24-4 and 19:25-3, and supplementing chapter 5 of Title 1 of the Revised Statutes.

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

1. R.S.19:23-14 is amended to read as follows:

Certification by municipal clerk.

19:23-14. Petitions addressed to the Attorney General, the county clerks, or the municipal clerks shall be filed with such officers, respectively, before 4:00 p.m. of the 57th day next preceding the day of the holding of the primary election for the general election.

Not later than the close of business of the 48th day preceding the primary election for the general election, the municipal clerk shall certify to the county clerk the full and correct names and addresses of all candidates for nomination for public and party office and the name of the political party of which such persons are candidates together with their slogan and designation. The county clerk shall transmit this information to the Election Law Enforcement Commission in the form and manner prescribed by the commission and shall notify the commission immediately upon the withdrawal of a petition of nomination.

2. R.S.19:24-4 is amended to read as follows:

National convention delegates.

19:24-4. Not less than 100 members of each such political party may file with the Attorney General at least 57 days prior to the primary election for the general election in any year of a national convention a petition requesting that the name of a person therein indorsed shall be printed on the primary ticket 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, or as a delegate or alternate to be chosen to that convention by the voters of any congressional district.

The signers to the petition for 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.

The Attorney General shall not later than the 48th day preceding the primary election for the general election certify to each county clerk and county board such nominations for delegates and alternates-at-large and the nominations for delegate or alternate for any Congressional district.

3. R.S.19:25-3 is amended to read as follows:

Presidential candidates.

19:25-3. Not less than one thousand voters of any political party may file a petition with the Attorney General on or before the 57th 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 indorsed 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 indorsement of candidates to be voted for at the primary election for the general election, except that the candidate shall not be permitted to have a designation or slogan following his name, and that it shall not be necessary to have the consent of such candidate for President indorsed on the petition.

C.1:5-3 Format of petition for referendum.

4. a. Whenever a petition is circulated within a county, municipality, school district, or special district for the purpose of gathering the signatures of registered voters in order to place a referendum question on the ballot in any election, each page of the petition shall be arranged to contain, in addition to such other content relative thereto required by law, double spacing

between the signature lines of the petition so that each signer thereof is afforded sufficient space to provide his or her printed name, address and signature.

b. Upon the enactment of this act, the Attorney General shall notify in writing each county and municipal clerk and the secretary of the board of education of each school district in the State of the provisions of subsection a. of this section and thereafter shall repeat such notification as periodically as the Attorney General deems necessary.

5. This act shall take effect immediately, but subsection a. of section 4 shall be inoperative until January 1 following enactment.

Approved August 15, 2001.

Office of the Governor

PO BOX 004
TRENTON, NJ 08625

NEWS RELEASE

CONTACT: Rae Hutton
609-777-2600

RELEASE: Aug 16, 2001

Acting Governor Donald T. DiFrancesco signed the following legislation:

S-1310, sponsored by Senators Robert Martin (R-Essex/Morris/Passaic) and James Cafiero (R-Cape May/Atlantic/Cumberland) and Assembly members Carol Murphy (R-Essex/Morris/Passaic) and Richard Merkt (R-Morris), changes the post-retirement State Health Benefits Program eligibility requirements from the current threshold of 25 or more years of service credit in a single state or locally-administered retirement system to 25 or more years of nonconcurring service credit in one or more state or locally-administered retirement systems.

S-2428, sponsored by Senator Gerald Cardinale (R-Bergen) and Assemblywoman Clare Farragher (R-Monmouth), repeals the existing "New Jersey Insurance Producer Licensing Act" and replaces it with a new regulatory system designed to create uniform laws governing the licensure of both resident and nonresident insurance producers. The bill defines key terms and establishes uniform examination and licensing requirements. The bill provides for reciprocity among states for nonresident licensees

A-3261, sponsored by Senators Gerald Cardinale (R-Bergen) and John Adler (D-Camden) and Assembly members Kip Bateman (R-Morris/Somerset) and Peter Biondi (R-Morris/Somerset), The Uniform Principal & Income Act enhances a trustee's ability to satisfy fiduciary duties to the two types of beneficiaries of a trust whose interests often are in conflict: remainder beneficiaries, who benefit from a trust's principal, and income beneficiaries, who benefit from a trust's income distribution. The bill provides a trustee with the discretion to allocate trust assets either to principal or income, in conformity with rules established by the bill and with the "Prudent Investor Act".

A-2601, sponsored by Assemblyman Richard Bagger (R-Middlesex/Morris/Somerset/ Union), pushes back the deadline established in current law for filing certain nominating petitions for party offices and public offices from the 54th day to the 57th day prior to the day of the general election and would affect: a) petitions of candidates seeking the nomination of a political party at the primary election; b) petitions nominating candidates for party positions at the primary election; c) petitions seeking to have the name of a person seeking nomination to the office of President of the United States by a political party appear on the ballot with the names of the delegates and alternates to the national convention of the party.