

19:14-13 and 19:14-14

LEGISLATIVE HISTORY CHECKLIST

WJSA 19:14-13 and 19:14-14; Repeals 19:14-15 (Ballots--Public questions - order of printing)

LAWS OF 1979 CHAPTER 191

Bill No. S1298

Sponsor(s) Rodgers and others

Date Introduced August 14, 1978

Committee: Assembly

Senate County and Municipal Government

Amended during passage according to Governor's recommendations Yes ~~xxx~~ Amendments during passage denoted by asterisks Date of Passage: Assembly Oct. 5, 1978 Re-enacted May 21, 1979

Senate Sept. 25, 1978 Re-enacted May 10, 1979

Date of approval Sept. 13, 1979

Following statements are attached if available:

Sponsor statement Yes ~~xxx~~ (Below)
Committee Statement: Assembly Yes ~~xxx~~ No
Senate Yes ~~xxx~~
Fiscal Note Yes ~~xxx~~ No
Veto message Yes ~~xxx~~
Message on signing Yes ~~xxx~~ No

Following were printed:

Reports Yes ~~xxx~~ No
Hearings Yes ~~xxx~~ No

Sponsor's statement:

This bill prescribes the order in which public questions shall be printed on sample and official ballots.

EJ 9/1/78

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1978
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SENATE, No. 1298

STATE OF NEW JERSEY

INTRODUCED AUGUST 14, 1978

By Senators RODGERS, SHEIL, ORECHIO, J. RUSSO, SKEVIN, YATES, HERBERT, SCARDINO, FRIEDLAND, DORSEY, MUSTO, FELDMAN, PERSKIE, GRAVES, BEDELL, GREGORIO, ZANE, A. RUSSO, CAFIERO, FORAN, LIPMAN, WEISS, DWYER, GREENBERG, HIRKALA, MARESSA and MERLINO

Referred to Committee on County and Municipal Government

AN ACT prescribing the form of ballots containing public questions
amending R. S. 19:14-13 and 19:14-14, repealing R. S. 19:14-15 **[, and supplementing Title 19 of the Revised Statutes]**.

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

1 **[1. Notwithstanding the provisions of ***[R. S. 19:14-15]*** *any*
2 *other law to the contrary**, sample and official ballots which contain
3 questions or propositions to be submitted to the people of this State,
4 or counties or municipalities shall be printed in the following order:
5 a. Municipal propositions or questions;
6 b. County propositions or questions;
7 c. Statewide propositions or questions.])**

1 **[*2.]** *1.* R. S. 19:14-13 is amended to read as follows:
2 19:14-13. Arrangement of public questions. ****[The county clerk**
3 shall draw lots to determine the order in which public questions,
4 other than Statewide propositions, shall be printed upon the ballot
5 for general election in substantially the same manner as the draw-
6 ing is made for the arrangement of candidates' names upon the
7 ballot.]**

8 All public questions to be voted upon by the voters of the entire
9 State shall be placed **[first]** ***[last]*, shall be printed in compliance
10 with **[section 19:14-15 of this title]** *the provisions of this amend-*
11 *atory and supplementary act]*** *first*** and shall be *printed***
12 in the order as certified by the Secretary of State. **[All public**
13 questions to be voted for by the voters of a county shall be next in

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

14 order and as drawn by the county clerk, and all public questions to
 15 be voted for by the voters of a municipality shall be last and in the
 16 order as drawn by the county clerk, and such public questions shall
 17 be printed upon the ballot in that order] ****[All public questions to**
 18 *be voted for by the voters of a municipality, and all questions to be*
 19 *voted for by the voters of a county shall be printed upon the ballot*
 20 *in the order provided for in this amendatory and supplementary*
 21 *act, and as drawn by the county clerk.]** **All public questions to*
 22 *be voted for by the voters of a municipality shall be placed second*
 23 *and shall be printed in the order as determined by the drawing of*
 24 *lots by the county clerk. All public questions to be voted for by the*
 25 *voters of a county shall be placed last and shall be printed in the*
 26 *order as determined by the drawing of lots by the county clerk. The*
 27 *county clerk shall draw lots in substantially the same manner as the*
 28 *drawing is made for the arrangement of candidates' names upon*
 29 *the ballot.***

1 ****[3.]** **2.**** R. S. 19:14-14 is amended to read as follows:
 2 19:14-14. Public questions at foot of ballot; instructions to
 3 voters. Immediately below the six-point diagram rule to be printed
 4 in place of the last two-point hair line rule across the entire ballot,
 5-6 from one four-point rule to the other, shall be printed as near to
 7 the center of the ballot as possible the following words: "Public
 8 Questions to be voted upon". Below these words and above the
 9 first public question, beginning one and one-half inches to the right
 10 of the four-point rule at the left of the ballot and extending to not
 11 more than one and one-half inches from the four-point rule at the
 12 right of the ballot, shall be printed in one line, if possible, the
 13 following instructions: "To vote upon the Public Questions printed
 14 below, if in favor thereof mark a cross \times or plus $+$ in the square
 15 at the left of the word 'Yes', and if opposed thereto, mark a cross
 16 \times or plus $+$ in the square at the left of the word 'No'," under-
 17 scored with a two-point diagram rule. Below and flush with the
 18 left end of said two-point diagram rule shall be printed two
 19 separate squares, one under the other, three-eighths of an inch in
 20 size formed by two-point diagram rules. Immediately to the right of
 21 the upper square shall be printed the word "Yes", and immediately
 22 to the right of the lower square shall be printed the word "No".
 23 To the right of the words "Yes" and "No" shall be printed a
 24 bracket embracing these words and to the right of the bracket
 25 shall be printed across the ballot, to not nearer than one and
 26 one-half inches from the four-point diagram rule at the right of
 27 the ballot, each public question to be voted upon [except as pro-

28 vided by section 19:14–15 of this title as to Statewide proposi-
 29 tions to be printed elsewhere on the ballot]. Below each such
 30 public question shall be printed two-point diagram rule beginning
 31 one and one-half inches to the right of the four-point rule at the
 32 left of the ballot and extending to not nearer than one and one-half
 33 inches from the four-point rule at the right of the ballot. In place
 34 of the last two-point diagram rule there shall be printed a four-
 35 point diagram rule extending across the entire ballot not less than
 36 a half inch from the lower edge of the paper and terminating at the
 37 lower ends of the four-point diagram rules at either side of the
 38 ballot.

1 **[4.]** **3.** R. S. 19:14–15 is repealed.*

1 *[2.]* **[*5.]* **4.** This act shall take effect immediately.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1298
with Senate committee amendments

—◆—
STATE OF NEW JERSEY
—◆—

DATED: SEPTEMBER 18, 1978

Senate No. 1298 would provide that, notwithstanding the provisions of R. S. 19:14-15, questions or propositions to be printed on the ballot shall be in the following order:

1. Municipal questions or propositions;
2. County questions or propositions; and,
3. Statewide questions or propositions.

This would in essence reverse the order required under present law. R. S. 19:14-15 requires that Statewide questions or propositions be printed first at the head of the ballot. R. S. 19:14-15 requires that county questions or propositions precede municipal questions or propositions on the ballot.

The committee amendments are technical in nature, and would amend certain existing statutes in order to avoid conflicts with the provisions of this bill.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

May 3, 1979

SENATE BILL NO. 1298 (OCR)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I return Senate Bill No. 1298, with my objections, for reconsideration.

Senate Bill No. 1298 would revise the order in which public questions are to be placed on voting ballots. Currently statewide questions are placed at the top of sample and official ballots and county and municipal questions are placed in that order at the foot of the ballot. Senate Bill No. 1298 would place all public questions at the foot of the ballot in the following order: municipal questions, county questions, statewide questions.

I believe that the order of questions on voting ballots should reflect the relative impact of the questions on the voters and should attempt to obtain some uniformity. Statewide questions, affecting all the voters of the State, have the greatest impact. Municipal questions are often of great immediate concern, especially in a State like New Jersey with such strong local control. Following these criteria, I believe that propositions to be voted for by all the voters in the State should be placed first, propositions to be voted for by the voters of a municipality should be placed second, and propositions to be voted for by the voters of a county should be placed last on voting ballots.

Accordingly, I respectfully recommend the following changes in Senate Bill No. 1298:

Page 1, Title, line 3: Delete ", and supplementing Title 19 of the Revised Statutes".

Page 1, Section 1, lines 1-7: Delete entirely.

Page 1, Section 2, line 1: Delete "2.", insert "1."

Page 1, Section 2, lines 2-7: After "Arrangement of public questions", delete entirely.

Page 1, Section 2, line 9: Delete "last", insert "first".

Page 1, Section 2, lines 9-11: Delete "shall be printed in compliance with the provisions of this amendatory and supplementary act".

Page 1, Section 2, line 11: After "shall be", insert "printed".

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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Page 2, Section 2, lines 17-21: Delete entirely, insert:

"All public questions to be voted for by the voters of a municipality shall be placed second and shall be printed in the order as determined by the drawing of lots by the county clerk. All public questions to be voted for by the voters of a county shall be placed last and shall be printed in the order as determined by the drawing of lots by the county clerk. The county clerk shall draw lots in substantially the same manner as the drawing is made for the arrangement of candidates' names upon the ballot."

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ Robert E. Mulcahy, III

CHIEF OF STAFF, SECRETARY