



**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"New law bars convicted criminals from running, serving on NJ school boards," MyCentralJersey, August 8, 2017

RH/CL

P.L.2017, CHAPTER 219, *approved August 7, 2017*  
Assembly, No. 4206

1 **AN ACT** concerning criminal history background checks for school  
2 board candidates and amending P.L.1995, c.278.

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

6  
7 1. Section 6 of P.L.1995, c.278 (C.19:60-6) is amended to read  
8 as follows:

9 6. Accompanying the nominating petition and to be filed  
10 therewith, there shall be a certificate signed by the person endorsed  
11 in the petition stating that:

12 a. The person is qualified to be elected to the office for which  
13 the person is nominated, including a specific affirmation that the  
14 person is not disqualified as a voter pursuant to R.S.19:4-1 and that  
15 the person has not been convicted of a disqualifying crime pursuant  
16 to N.J.S.18A:12-1;

17 b. The person consents to stand as a candidate for election; and

18 c. If elected, the person agrees to accept and qualify into that  
19 office.

20 (cf: P.L.1995, c.278, s.6)

21  
22 2. This act shall take effect on July 1 of the first full school  
23 year next following the date of enactment.

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25

26

STATEMENT

27

28 This bill would require a candidate for election to the office of  
29 school board member to file with his nominating petition a specific  
30 affirmation that he has not been convicted of any of the  
31 disqualifying crimes listed pursuant to N.J.S.18A:12-1.

32 Under current law, a person is disqualified from membership on  
33 a board of education or a charter school board of trustees if the  
34 person has been convicted of certain crimes or offenses. A member  
35 must, within 30 days of election or appointment to the board,  
36 undergo a criminal background check for the purpose of ensuring  
37 that the member is not disqualified. In addition, the law requires a  
38 member of a board of education, before entering into the duties of  
39 the office, to take an oath that must include a specific declaration  
40 that the member is not disqualified from holding office due to a  
41 conviction of one of the disqualifying crimes or offenses. A

**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.

**A4206**

2

1 member who falsely swears or affirms that he is not disqualified  
2 due to a conviction is guilty of a crime of the fourth degree.

3

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7       \_\_\_\_\_

8       Requires candidates for election to school board to file with their  
9 nominating petitions specific affirmation that they have not been  
convicted of crimes that would disqualify them from office.

# ASSEMBLY, No. 4206

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED OCTOBER 6, 2016

**Sponsored by:**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**Assemblyman VINCENT PRIETO**

**District 32 (Bergen and Hudson)**

**Assemblyman JAY WEBBER**

**District 26 (Essex, Morris and Passaic)**

**Assemblyman JAMEL C. HOLLEY**

**District 20 (Union)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

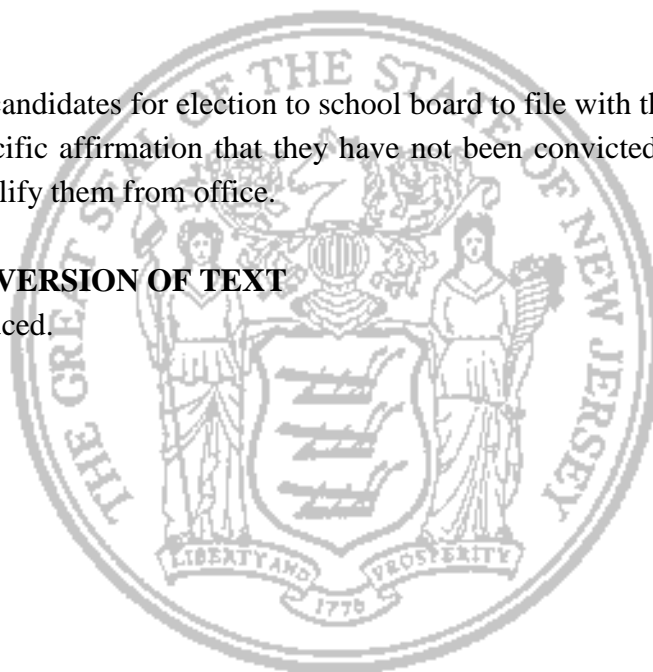
**Assemblyman Greenwald**

**SYNOPSIS**

Requires candidates for election to school board to file with their nominating petitions specific affirmation that they have not been convicted of crimes that would disqualify them from office.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/23/2017)

1 AN ACT concerning criminal history background checks for school  
2 board candidates and amending P.L.1995, c.278.

3

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

6

7 1. Section 6 of P.L.1995, c.278 (C.19:60-6) is amended to read  
8 as follows:

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10 therewith, there shall be a certificate signed by the person endorsed  
11 in the petition stating that:

12 a. The person is qualified to be elected to the office for which  
13 the person is nominated, including a specific affirmation that the  
14 person is not disqualified as a voter pursuant to R.S.19:4-1 and that  
15 the person has not been convicted of a disqualifying crime pursuant  
16 to N.J.S.18A:12-1;

17 b. The person consents to stand as a candidate for election; and

18 c. If elected, the person agrees to accept and qualify into that  
19 office.

20 (cf: P.L.1995, c.278, s.6)

21

22 2. This act shall take effect on July 1 of the first full school  
23 year next following the date of enactment.

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#### STATEMENT

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28 This bill would require a candidate for election to the office of  
29 school board member to file with his nominating petition a specific  
30 affirmation that he has not been convicted of any of the  
31 disqualifying crimes listed pursuant to N.J.S.18A:12-1.

32 Under current law, a person is disqualified from membership on  
33 a board of education or a charter school board of trustees if the  
34 person has been convicted of certain crimes or offenses. A member  
35 must, within 30 days of election or appointment to the board,  
36 undergo a criminal background check for the purpose of ensuring  
37 that the member is not disqualified. In addition, the law requires a  
38 member of a board of education, before entering into the duties of  
39 the office, to take an oath that must include a specific declaration  
40 that the member is not disqualified from holding office due to a  
41 conviction of one of the disqualifying crimes or offenses. A  
42 member who falsely swears or affirms that he is not disqualified  
43 due to a conviction is guilty of a crime of the fourth degree.

**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.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 4206

# STATE OF NEW JERSEY

DATED: DECEMBER 12, 2016

The Assembly Judiciary Committee reports favorably Assembly Bill No. 4206.

This bill would require a candidate for election to the office of school board member to file with his nominating petition a specific affirmation that he has not been convicted of any of the disqualifying crimes listed pursuant to N.J.S.18A:12-1.

Under current law, a person is disqualified from membership on a board of education or a charter school board of trustees if the person is disqualified as a voter pursuant to R.S.19:4-1 or has been convicted of certain crimes or offenses. A member must, within 30 days of election or appointment to the board, undergo a criminal background check for the purpose of ensuring that the member is not disqualified.

In addition, section 4 of P.L.1987, c.328 (C.18A:12-2.1) requires a member of a board of education, before entering into the duties of the office, to take an oath that must include a specific declaration that the member is not disqualified as a voter pursuant to R.S.19:4-1 or disqualified from holding office due to a conviction of one of the disqualifying crimes or offenses. Under the provisions of section 5 of P.L.1987, c.328 (C.18A:12-2.2), a member of a board of education who falsely affirms or declares that he is not disqualified as a voter pursuant to R.S.19:4-1, or that he is not disqualified from membership on the board due to conviction of a crime or offense listed in N.J.S.18A:12-1, is, in addition to immediate disqualification for office, guilty of a crime of the fourth degree.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4206**

**STATE OF NEW JERSEY**

DATED: MAY 8, 2017

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Assembly Bill No. 4206.

This bill would require a candidate for election to the office of school board member to file with his or her nominating petition a specific affirmation that he or she has not been convicted of any of the disqualifying crimes listed pursuant to N.J.S.18A:12-1.

Under current law, a person is disqualified from membership on a board of education or a charter school board of trustees if the person has been convicted of certain crimes or offenses. A member must, within 30 days of election or appointment to the board, undergo a criminal background check for the purpose of ensuring that the member is not disqualified. In addition, the law requires a member of a board of education, before entering into the duties of the office, to take an oath that must include a specific declaration that the member is not disqualified from holding office due to a conviction of one of the disqualifying crimes or offenses. A member who falsely swears or affirms that he or she is not disqualified due to a conviction is guilty of a crime of the fourth degree.

Assembly Bill No. 4206 is identical to Senate Bill No. 2676 of 2016-2017.



# SENATE, No. 2676

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED OCTOBER 13, 2016

**Sponsored by:**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris and Somerset)**

**SYNOPSIS**

Requires candidates for election to school board to file with their nominating petitions specific affirmation that they have not been convicted of crimes that would disqualify them from office.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/24/2017)

1 AN ACT concerning criminal history background checks for school  
2 board candidates and amending P.L.1995, c.278.

3

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

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7 1. Section 6 of P.L.1995, c.278 (C.19:60-6) is amended to read  
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13 the person is nominated, including a specific affirmation that the  
14 person is not disqualified as a voter pursuant to R.S.19:4-1 and that  
15 the person has not been convicted of a disqualifying crime pursuant  
16 to N.J.S.18A:12-1;

17 b. The person consents to stand as a candidate for election; and

18 c. If elected, the person agrees to accept and qualify into that  
19 office.

20 (cf: P.L.1995, c.278, s.6)

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22 2. This act shall take effect on July 1 of the first full school  
23 year next following the date of enactment.

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#### STATEMENT

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28 This bill would require a candidate for election to the office of  
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33 a board of education or a charter school board of trustees if the  
34 person has been convicted of certain crimes or offenses. A member  
35 must, within 30 days of election or appointment to the board,  
36 undergo a criminal background check for the purpose of ensuring  
37 that the member is not disqualified. In addition, the law requires a  
38 member of a board of education, before entering into the duties of  
39 the office, to take an oath that must include a specific declaration  
40 that the member is not disqualified from holding office due to a  
41 conviction of one of the disqualifying crimes or offenses. A  
42 member who falsely swears or affirms that he is not disqualified  
43 due to a conviction is guilty of a crime of the fourth degree.

**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.**

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

**SENATE, No. 2676**

**STATE OF NEW JERSEY**

DATED: MAY 8, 2017

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Bill No. 2676.

This bill would require a candidate for election to the office of school board member to file with his or her nominating petition a specific affirmation that he or she has not been convicted of any of the disqualifying crimes listed pursuant to N.J.S.18A:12-1.

Under current law, a person is disqualified from membership on a board of education or a charter school board of trustees if the person has been convicted of certain crimes or offenses. A member must, within 30 days of election or appointment to the board, undergo a criminal background check for the purpose of ensuring that the member is not disqualified. In addition, the law requires a member of a board of education, before entering into the duties of the office, to take an oath that must include a specific declaration that the member is not disqualified from holding office due to a conviction of one of the disqualifying crimes or offenses. A member who falsely swears or affirms that he or she is not disqualified due to a conviction is guilty of a crime of the fourth degree.

Senate Bill No. 2676 is identical to Assembly Bill No. 4206 of 2016-2017.

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## Governor Christie Takes Action On Pending Legislation

Monday, August 7, 2017

Tags: [Bill Action](#)

Trenton, NJ - Governor Chris Christie today announced that he has taken action on the following pending legislation:

### **BILL SIGNINGS:**

**S-169/A-4329 (Bateman/McKeon, Zwicker)** - Allows certain emergency squad volunteers holding municipal elective office to vote on emergency squad concerns

**S-452/A-838 (Sacco, Greenstein/Jimenez, Moriarty)** - Requires waiver of dealer obligation regarding necessary repairs impacting vehicle inspection to include description of known defects

**S-678/A-4967 (Rice/Watson, Tucker, Caputo)** - Requires local government units to certify compliance with certain federal hiring requirements when filing annual budgets

**S-726/A-4460 (Cruz-Perez, Oroho/Jones, Mosquera, Downey, Johnson)** – Extends full protection of Law Against Discrimination to persons having liability for service in Armed Forces of United States; guarantees equal employment opportunity in State contracting to all veterans

**S-996wGR/A-1378 (Rice, Van Drew, Turner/Muoio, Benson, Pintor Marin, Quijano, Schaer)** – Requires report on status of lead-safe program in DCA

**S-1219/A-936 (Holzapfel, Allen/Wolfe, McGuckin, Oliver, Giblin, Wimberly)** - Requires reporting of suspected abuse of institutionalized elderly to police and that facility employees receive notice of reporting requirement annually; designated as "Peggy's Law"

**S-1359/A-4096 (A.R. Bucco, Stack/A.M. Bucco, Vainieri Huttie, McKnight, Mazzeo)** - Guarantees full and equal access to all housing to disabled persons who retain their retired service or guide dog as a pet, and who also obtain a new service or guide dog

**S-1497/A-3225 (A.R. Bucco, Pennacchio/Dancer, Clifton, Munoz, A.M. Bucco)** - Designates Killed in Action flag as an official State flag; mandates it be displayed at certain public buildings

**SCS for S-1640, 1642, 1013/AS AS ACS for A-3152, 3154, 2426 (Van Drew, Holzapfel, Singer, Turner/Andrzejczak, McGuckin, Land, Wolfe, Vainieri Huttie, Taliaferro, Benson)** - Establishes requirements concerning necessary care of dogs, domestic companion animals, and service animals, and for tethering of dogs

**S-1660/A-770 (Van Drew, Cruz-Perez/Andrzejczak, Land, Houghtaling, DeAngelo, Johnson)** - Provides for voluntary contributions by taxpayers on gross income tax returns for maintenance of certain State memorials honoring war veterans

**S-1731/A-2368 (Gordon, Allen/Vainieri Huttie)** - Permits municipality to establish civil penalty for smoking in public places

**S-1739/A-2167 (Turner, Diegnan/Johnson, Vainieri Huttie, Wimberly)** - Establishes sexual assault training requirements for law enforcement officers

**S-1750/A-2729 (Madden, Cruz-Perez/A.M. Bucco, DeAngelo, Space, Mosquera, Wisniewski, DeCroce, Mukherji, Jones)** - Establishes special motorcycle license plates for veterans

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### More Information

[Letter Regarding S3074 \[pdf 45kB\]](#)

**S-1808/A-3342 (Van Drew, Diegnan/Karabinchak)** - Designates striped bass as NJ State Saltwater Fish; redesignates brook trout as NJ Freshwater Fish

**S-2153/A-3520 (Gordon/Eustace, Sumter, Wimberly, Vainieri Huttle, Johnson)** – Requires NJTA to study impact of constructing rail stations at certain park and ride facilities

**S-2369/A-4152 (Whelan, Van Drew, Connors/Andrzejczak, Mazzeo, Land, Burzichelli)** - Limits application of DEP shellfish habitat rules for certain dredging activities

**S-2457/A-3999 (Van Drew, Oroho/Houghtaling, Andrzejczak, Mazzeo, Space, Downey)** - Enables collection of voluntary contributions for Jersey Fresh Program through gross income tax returns

**S-2578/A-4239 (Cunningham, Pou, Gordon/Sumter, Jasey, Benson, Muoio, Downey, Mukherji)** - Revises New Jersey College Loans to Assist State Students Loan Program to require applicants first exhaust federal student loans, require income verification, and limit total student loan amounts

**S-2884/A-4484 (Whelan, Greenstein/Eustace, Quijano, Chiaravalloti, Caride)** - Declares that deed restrictions or agreements that prevent raising or constructing of a structure to certain flood elevation standards are unenforceable

**S-2892/A-5042 (Sweeney/Giblin)** - Exempts certain real estate brokers, broker-salespersons and salespersons from continuing education requirement

**S-3074/A-4586 (Lesniak, Turner/Johnson, Oliver, Holley, Chiaravalloti)** - Establishes gubernatorial veto power over Waterfront Commission of New York Harbor's meeting minutes; expands gubernatorial oversight powers over commission

**S-3244/A-4854 (Sweeney, Allen/Singleton, Burzichelli, Taliaferro)** - Designates portion of Interstate Highway Route 295 in West Deptford Township as "State Trooper Sean E. Cullen Memorial Highway"

**A-445/S-1661 (Mazzeo, Pinkin, DeAngelo, Chiaravalloti/Van Drew, A.R. Bucco)** - Provides for voluntary contributions by taxpayers on gross income tax returns for the NJ World War II Veterans' Memorial Fund

**A-1185/S-2771 (Mosquera, Holley, Moriarty, Quijano/Cruz-Perez, Van Drew)** - Requires State Comptroller to report findings of audit compliance reviews

**A-1199/S-1326 (Mosquera, Moriarty, Lagana, Zwicker, Downey/Turner, Oroho)** - Permits a victim or witness of any age to testify by closed circuit television under certain circumstances in prosecutions for domestic violence, sexual assault, and certain other crimes

**ACS for A-1690/SCS SCS for S-660, 2002 (Dancer, Singleton, Andrzejczak, Land, Benson, Moriarty, Houghtaling/Turner, Beach, Van Drew)** - Allows fire district elections to be moved to November; eliminates certain fire district budget referenda; and eliminates certain fire district capital purchase referenda

**A-1953/S-2448 (Coughlin, Lagana, Muoio, Benson, Houghtaling, Danielsen, Mukherji/Vitale, Whelan)** - Allows installment payments for senior and disabled property taxpayers to repay overpayments of homestead credits and homestead property tax reimbursements

**A-1955/SCS for S-1795 (Jones, Lampitt, Phoebus, Space/A.R. Bucco, Oroho)** - Provides for voluntary discharge of personal representatives overseeing administration of estates by application to the Surrogate's Court

**A-2176/S-156 (Taliaferro, Eustace, Benson, Mazzeo, Chiaravalloti/Madden, Ruiz)** - Criminalizes possession and sale of alpha-pyrrolidinopentophenone (alpha-PVP), commonly known as "flakka" or "flocka"

**A-3056/SCS for S-2360, 3030 (Taliaferro, Dancer, Houghtaling, Space, Andrzejczak, Webber/Allen, Greenstein, Bateman, Smith, Wimberly)** – Requires DEP to establish voluntary guidelines for K-12 schools and institutions of higher education to reduce, recover, and recycle food waste; extends "Food Bank Good Samaritan Act" immunity protections to public and nonpublic schools.

**A-3058/S-2366 (Space, Taliaferro, Dancer, Houghtaling, Andrzejczak/Oroho, Ruiz)** - Establishes Farm to School Coordinating Council

**A-3381 (McKnight, Holley, Vainieri Huttle, Houghtaling, Chiaravalloti, Quijano, Gordon)** – Authorizes municipal volunteer programs for free removal of snow from certain residential properties occupied by seniors or disabled persons.

**A-3386/S-2711 (Schaer, Vainieri Huttle, Chiaravalloti, Caride, Mukherji, Wimberly/Vitale, Rice)** - Provides protections for children under the age of 18 with developmental disabilities and individuals with developmental disabilities ages 18-21 receiving services from Division of Children's System of Care

**A-3437/S-1076 (DeAngelo, Gusciora, Land, Andrzejczak/Turner)** - Designates "Garden State" as State Slogan

**A-3896/S-2790 (Sumter, Mukherji, Pintor Marin/Scutari, Turner)** - Concerns sale of certain tires

**A-3908/S-3021 (Mazzeo, DeAngelo, Mukherji, Houghtaling, Quijano/Whelan, T. Kean)** - Establishes 9/11 Memorial Registry

**A-3911/S-2863 (Wisniewski, Vainieri Huttle, Mukherji/Cardinale, Pennacchio)** - Provides that motor vehicle registration expires on registrant's numerical calendar day of birth

**A-4164/S-2588 (Houghtaling, Downey, Holley, Muoio, Webber/Van Drew, Cruz-Perez)** - Requires State Auditor to annually report on unspent State account balances

**A-4206/S-2676 (Karabinchak, Prieto, Webber, Holley/Diegnan, A.R. Bucco)** - Requires candidates for election to school board to file with their nominating petitions specific affirmation that they have not been convicted of crimes that would disqualify them from office

**A-4230/S-3141 (Conaway, O'Scanlon, Mukherji, Pintor Marin/Codey)** - Requires health insurance carriers; SHBP, and SEHBP to inform covered persons about organ and tissue donation

**ACS for A-4432/SCS for S-2841 (Schaer, Lampitt, Benson, Singleton, Chiaravalloti, Wimberly/Cunningham)** - Provides increased tax credit amounts under Grow New Jersey Assistance Program for certain businesses that have collaborative research relationships with colleges or universities

**A-4542/S-2986 (Mazzeo, Johnson, Land, Andrzejczak, DeCroce/Van Drew)** - Designates portion of State Highway Route 55 as "State Trooper Frankie L. Williams Memorial Highway"

**A-4580/S-2989 (Taliaferro, Burzichelli, Quijano, Houghtaling/Lesniak, Oroho)** - Appropriates \$2,900,000 from "2009 Farmland Preservation Fund" for grants to certain nonprofit organizations for farmland preservation purposes

**A-4581/S-2987 (Houghtaling, Andrzejczak, Singleton, Downey/Cruz-Perez, Oroho)** - Appropriates \$22,385,743 to State Agriculture Development Committee for farmland preservation purposes

**A-4582/S-2990 (Andrzejczak, Mazzeo, Taliaferro, Zwicker, Houghtaling/Whelan, Van Drew)** - Appropriates \$32.5 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants

**A-4584/S-2988 (Zwicker, Taliaferro, Burzichelli, Houghtaling/Sweeney)** - Appropriates \$7,500,000 from constitutionally dedicated CBT revenues for planning incentive grants to municipalities for farmland preservation purposes

**A-4630/S-1938 (Jones/Cruz-Perez)** - Repeals law regulating charges assessed by a miller for grinding grain

**A-4673/S-3095 (Houghtaling, Downey/Van Drew)** - Concerns assessment of buildings or structures on real property located in certain counties following material depreciation thereof

**A-4713/S-3235 (Burzichelli, Prieto, Gusciora, DeAngelo, Benson/Kyrillos, Whelan)** - Designates building where NJEDA is located in memory of Caren Franzini to commemorate her outstanding service to State

**A-4895/S-3056 (Egan, Sumter, Pinkin/Cunningham)** - Eliminates UI exemption for interns employed by hospitals

#### **BILL VETOED:**

**S-2214/A-3847 (Turner, Cunningham/Lampitt, Mukherji, Johnson, Eustace) - CONDITIONAL** - Requires institutions of higher education and proprietary degree-granting institutions to improve transparency of tuition and fees

###

Press Contact:  
Brian Murray  
609-777-2600



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Office of the Governor  
PO Box 001  
Trenton, NJ 08625  
609-292-6000