

19:23-22.4 FT AL.

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LEGISLATIVE HISTORY CHECKLIST

NJSA 19:23-22.4; 19:31-11; 19:31-6.3 to 6.8

Laws of 1974 Chapter 51

Bill No. S 1231

Sponsor(s) Merlino

Date Introduced June 13

Committee: Assembly --

Senate Revenue, Finance & Appropriations

Amended during passage ~~Yes~~ No

Date of passage: Assembly June 24

Senate June 13

Date of approval June 25

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly ~~Yes~~ No

Senate Yes No

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

10/4/76
JAN 1977

SENATE, No. 1231

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1974

By Senator MERLINO

Referred to Committee on Revenue, Finance and Appropriations

AN ACT concerning elections, amending sections 19:31-2 and 19:31-11 of the Revised Statutes, amending and supplementing P. L. 1974, c. 30, and making an appropriation therefor.

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

1 1. Section 2 of P. L. 1965, c. 29 (C. 19:23-22.4) is amended to
2 read as follows:

3 2. In *all* counties [having a population of 700,000 or more
4 inhabitants and in counties having a population of not less than
5 300,000 or more than 450,000 inhabitants and in counties having a
6 population of not less than 150,000 or more than 200,000 inhabi-
7 tants,] the county clerk shall cause to be printed a sufficient number
8 of official primary ballots and official primary sample ballots of
9 each political party, in proper form for the mailing of such sample
10 ballots at the times and in the manner and number as required by
11 the provisions of Title 19 of the Revised Statutes, and shall furnish
12 such official primary sample ballots to the proper officer or officers
13 on the earliest possible date preceding the primary election.

14 *In the counties described by this section, for each election district*
15 *within the county in which the primary language of 10% or more*
16 *of the registered voters is Spanish, the county clerk shall simi-*
17 *larly cause to be printed bilingually in English and Spanish a*
18 *sufficient number of official primary sample ballots of each political*
19 *party, and shall similarly furnish such official primary sample*
20 *ballots to the proper officer or officers.*

1 2. For 1974, the plans providing for evening and mobile regis-
2 tration for the general election required by R. S. 19:31-2 shall be
3 submitted to the Secretary of State on or before September 1, 1974
4 and not on or before June 15, 1974.

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

1 3. R. S. 19:31-11 is amended to read as follows:

2 19:31-11.a. In all counties within the State, change of residence
3 notices shall be made by a written request, signed by the registrant,
4 ~~forwarded to the commissioner by mail, and actually received by~~
5 him, or by calling in person at the office of the commissioner or the
6 municipal clerk. The commissioner shall provide change of resi-
7 dence notices in card form for the use of any registered voter
8 moving to another address within the same election district or to
9 another election district within the same county. Copies of these
10 notices shall also be available at the office of the municipal clerk in
11 each municipality. Each municipal clerk shall transmit daily to
12 the commissioner all the filled out change of residence notices that
13 he may have in his office at the time. These notices shall be printed
14 upon cards, shall contain a blank form showing where the applicant
15 last resided and the address and exact location to which he has
16 moved and shall have a line for his signature. Upon receipt of
17 such change of residence notice the commissioner shall cause the
18 signature to be compared with the permanent registration forms
19 of the applicant and, if such signature appears to be of and by
20 one and the same legal voter, the commissioner shall cause the
21 entry of the change of residence to be made on the permanent
22 registration forms and the registrant shall thereupon be qualified
23 to vote in the election district to which he shall have so moved.
24 If the commissioner is not satisfied as to the signature on the
25 request for a change of residence, a notice shall be sent by mail
26 with postage prepaid to the registrant at his new address directing
27 him to appear at a time to be fixed in the notice not less than
28 10 days from the date thereof at the office of the commissioner to
29 answer such questions as may be deemed necessary to determine
30 the applicant's place of residence and eligibility to vote. If such
31 registrant fails to appear at the time and place as directed, or if
32 the notice is returned as not delivered or if it is not returned as
33 undelivered, the registration forms of the applicant shall be
34 placed in the inactive file until such time as he establishes to the
35 satisfaction of the commissioner the accuracy of the signature on
36 such change of residence notice; provided, however, that such
37 application for change of residence shall be filed with the com-
38 missioner or municipal clerk, as the case may be, on or before
39 the twenty-ninth day preceding any election. All applications for
40 change of residence postmarked on or before the **[thirtieth]**
41 *twenty-ninth* day preceding any election shall be deemed timely.

42 b. In any county any voter who shall move within the same
 43 county after the time above prescribed for filing an application for
 44 change of residence without having made application for change of
 45 residence, shall be permitted to vote in the district from which he
 46 has moved, upon signing an affidavit which shall set forth (1) the
 47 date upon which he moved, (2) the address from which he moved,
 48 (3) the address to which he moved, and such affidavit shall consti-
 49 tute a transfer to the said new residence for any subsequent
 50 election. The county clerk shall furnish to the election board of each
 51 district form affidavits for this purpose and the said district boards
 52 shall turn over all signed affidavits to the commissioner; provided,
 53 however, if the voter has moved from one residence to another
 54 within the same election district at any time during the year he or
 55 she shall be permitted to vote in such election district only at the
 56 next election subsequent to the date of such change of residence
 57 within the district upon signing the affidavit herein set forth.

1 4. Section 15 of P. L. 1974, c. 30 (C. 19:31-6.3) is amended to
 2 read as follows:

3 15. Any person entitled to register to vote may register as a
 4 voter in the election district in which he resides at any time prior
 5 to the twenty-ninth day preceding any primary or general election
 6 by completing a registration **[card]** form described in section 16
 7 of this act, having his signature or mark witnessed by a person
 8 **[previously]** registered to vote in **[the county in which he resides]**
 9 *New Jersey* and submitting the **[card]** form to the commissioner
 10 of registration of the county wherein he resides. Any registration
 11 **[card]** form shall be mailed to the commissioner to which it is
 12 addressed or delivered to such office. A registration **[card]** form
 13 postmarked on the **[thirtieth]** *twenty-ninth* day preceding any
 14 primary or general election shall be deemed timely.

1 5. Section 16 of P. L. 1974, c. 30 (C. 19:31-6.4) is amended to
 2 read as follows:

3 16.a. The Secretary of State shall cause to be prepared and shall
 4 provide to each county commissioner of registration registration
 5 **[cards]** forms of size and weight suitable for mailing, which shall
 6 require the information required by R. S. 19:31-3 in substantially
 7 the following form:

VOTER REGISTRATION [CARD] FORM

(Please print or type)

8 (1) Name:
Last First Middle

9 (2) Birth Date:
Month Day Year

10 (3) Residence:
Street Address Apt. No.

11
Municipality County Zip

12 (4) I have resided at the above address since:
Mo. Day Year

13 (5) Where did you last register to vote?
14
Street Address Apt. No.

15
Municipality County State Zip

16 (6) I am a native born/naturalized (strike one) citizen.
17 I was naturalized on
Month Day Year

18 in
Municipality State

19 (7) By the time of the next general election, I will be at least 18
20 years of age, I will be a citizen of the United States, and I will
21 have resided in this State at least 30 days and in the county of
22 at least 30 days. To the best of my
23 knowledge and belief, all the foregoing statements made by me are
24 true and correct. I understand that any false or fraudulent regis-
25 tration or attempted registration may subject me to a fine of up
26 to \$1,000.00 or imprisonment of up to 5 years, or both pursuant to
27 R. S. 19:34-1.

28
Signature or mark Date

29 (8) I, being a registered voter in
30 county [which is the same county as the county in which the person
31 registering to vote by this card resides,] in the State of New Jer-
32 sey, witnessed the above signature or mark.

33
Signature Date

34
Name (Please print)

35
Street Address

36
Municipality County Zip

37 (9) If the voter is unable to sign his or her name, the voter shall
 38 make his or her mark, which mark shall be witnessed. The signa-
 39 ture, name and residence of the registered voter [residing in the
 40 same county] of the State of New Jersey who filled out this card
 41 are:

42
 Signature Date
 43
 Name (Please print)
 44
 Street Address
 45
 Municipality County Zip

46 b. The reverse side of the registration [card] form shall bear
 47 the address of the commissioner of registration to whom such
 48 [card] form is supplied, and a United States postal permit the
 49 charges upon which shall be paid by the State.

50 c. The Secretary of State shall cause to be prepared registration
 51 [cards] forms of the size, weight and form described in subsection
 52 a. of this section in both the English and Spanish language and
 53 shall provide such [cards] forms to each commissioner of regis-
 54 tration of any county in which there is at least one election district
 55 in which bilingual sample ballots must be provided pursuant to
 56 R. S. 19:14-21, R. S. 19:49-4 or section 2 of P. L. 1965, c. 29
 57 (C. 19:23-22.4).

58 d. The commissioner of registration shall furnish such registra-
 59 tion [card] form upon request to any person or organization in
 60 such reasonable quantities such person or organization shall re-
 61 quest.

62 e. Each such registration [card] form shall have annexed thereto
 63 instructions specifying the manner and method of registration and
 64 stating the qualifications for an eligible voter.

1 6. Section 17 of P. L. 1974, c. 30 (C. 19:31-6.5) is amended to
 2 read as follows:

3 17. a. Upon receipt of any completed registration [card] form,
 4 the commissioner of registration in counties having a superintend-
 5 ent of elections, and the members of the county board in all other
 6 counties, shall review it, and if it is found to be in order, shall:

7 (1) Send to the registrant written notification that such regis-
 8 trant is duly registered to vote. On the face of such notification in
 9 the upper left-hand corner shall be printed the words: "Do Not
 10 Forward. Return Postage Guaranteed. If not delivered in 2 days,
 11 return to the 'Superintendent of Elections'" in counties having
 12 a superintendent of elections and to the "Commissioner of Regis-
 13 tration" in all other counties.

14 (2) Paste *or tape* the completed registration [card] form on to
 15 an original permanent registration form, and shall paste *or tape*
 16 a [photocopy] copy of such completed registration [card] form
 17 on to a duplicate permanent registration form, both of which [or
 18 shall transpose the data and paste the signature from such com-
 19 pleted registration card on to a duplicate permanent registration
 20 form. The original and duplicate permanent registration forms]
 21 shall be filed as provided in R. S. 19:31-10.

22 (3) In the case of a registrant currently registered in another
 23 county of this State, notify the commissioner of registration of such
 24 other county to delete such registrant's name from the list of per-
 25 sons registered in such other county.

26 b. The commissioner in counties having a superintendent of
 27 elections, and the members of the county board in all other coun-
 28 ties, shall notify a registrant of the reasons for any refusal to
 29 approve his registration.

30 c. If the registration [card] form has been signed by someone
 31 other than the registrant, any additional information required on
 32 the original and duplicate permanent registration form shall be
 33 obtained by the district board or the [county clerk] commissioner
 34 of registration at the first election at which the registrant shall
 35 appear or apply to vote.

1 7. Section 20 of P. L. 1974, c. 30 (C. 19:31-6.8) is amended to
 2 read as follows:

3 20. The Secretary of State shall *each year* reimburse the counties
 4 \$0.50 per new registrant, whether the registration was by mail or
 5 in person.

1 8. There is appropriated to the Department of State the sum
 2 of \$124,000.00 for the fiscal year ending June 30, 1975 for the
 3 purpose of carrying out the provisions of P. L. 1974, c. 30.

1 9. This act shall take effect immediately.

STATEMENT

This bill amends the Voter Registration Act adopted on May 28, 1974 (Senate Bill No. 890) so as to provide bilingual sample ballots for primary elections in paper ballot counties, makes certain other changes needed to effectuate better the purpose of that act and appropriates \$124,000.00.

SENATE REVENUE, FINANCE AND
APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1231

STATE OF NEW JERSEY

DATED: JUNE 13, 1974

The purpose of this bill is to provide \$124,000.00 to the Department of State to pay for the printing and postage for mail registration according to the provisions of P. L. 1974, c. 30.

In addition the bill makes several administrative changes in the law. Bilingual sample ballots would have to be provided for primary elections in all counties, according to the 10% Spanish-speaking rule; the mail registration "card" is changed to a "form"; the witness to a mailed registration form would have to list his address and be a registered voter in New Jersey—though not necessarily in the particular county.