

19:8-5.1

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2005 **CHAPTER:** 151

NJSA: 19:8-5.1 (Concerns certain notification and training regarding elections)

BILL NO: A36 (Substituted for S2396/2465)

SPONSOR(S): Stanley and others

DATE INTRODUCED: March 7, 2005

COMMITTEE: **ASSEMBLY:** State Government; Appropriations
SENATE:

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 20, 2005

SENATE: June 20, 2005

DATE OF APPROVAL: July 12, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

A36

[SPONSOR'S STATEMENT](#): (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** Yes [3-7-2005 \(State Gov't\)](#)
[6-9-2005 \(Approp.\)](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

[LEGISLATIVE FISCAL ESTIMATE](#): [Yes](#)

S2396/2465

[SPONSOR'S STATEMENT \(S2396\)](#): (Begins on page 4 of original bill) [Yes](#)

[SPONSOR'S STATEMENT \(S2465\)](#): (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

[LEGISLATIVE FISCAL ESTIMATE \(S2396\)](#): [Yes](#)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

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

IS 8/7/07

P.L. 2005, CHAPTER 151, *approved July 12, 2005*
Assembly, No. 36

1 **AN ACT** concerning certain notification and training regarding
2 elections, amending R.S.19:50-1 and R.S.19:50-2 and
3 supplementing Title 19 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. (New section) For seven days before the day of any election,
9 each county board of elections may cause to be displayed a sign
10 outside of each polling place identifying it as such, and identifying the
11 date and hours of polling.

12
13 2. R.S.19:50-1 is amended to read as follows:

14 19:50-1. a. **[Not less than 10 nor more than 21]** Within 30 days
15 before each election, the county board of elections shall cause new
16 members of the district boards who are to serve in election districts to
17 be instructed in the conduct of elections, and in their duties in
18 connection therewith. All district board members shall be required to
19 attend said instructional sessions for each election at least once every
20 two years. The county board of elections shall cause to be given to
21 each member of each district board who has received such instruction
22 and is fully qualified to properly conduct the election, a certificate to
23 that effect. For the purpose of giving such instruction the county
24 board of elections shall call such meeting or meetings of the district
25 boards as shall be necessary. The content of said meeting or meetings
26 shall be limited solely to the instruction of district board members;
27 lobbying or the advancement of political ends shall be prohibited. The
28 members of the district board of each election district shall attend such
29 meeting or meetings as shall be called for the purpose of receiving
30 such instruction concerning their duties as shall be necessary for the
31 proper conduct of the election. No member of any district board shall
32 serve in any election unless he shall have received such instruction as
33 herein provided and is fully qualified to perform the duties in
34 connection with the election, and has received a certificate to that
35 effect from the county board of elections; but this shall not prevent the
36 appointment of a person as a member of the district board to fill a
37 vacancy in an emergency, as now provided by law. In addition to the
38 foregoing, the county board of elections shall design, prepare and
39 distribute training manuals for district board members, pursuant to
40 guidelines established by the Attorney General. The county board of

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 elections shall also make the training manual available on its Internet
2 site and on the Internet site of the Division of Elections in the
3 Department of Law and Public Safety.

4 b. The Attorney General shall establish guidelines for the design of
5 training manuals for members of district boards of election, and shall
6 design, prepare and distribute training manuals for members of county
7 boards of election, and county clerks. The Attorney General shall also
8 make training manuals available on the Internet site of the Division of
9 Elections.

10 (cf: P.L.1987, c.151, s.3)

11
12 3. R.S.19:50-2 is amended to read as follows:

13 19:50-2. a. [Until voting machines have been in use in any county
14 or municipality for three] For the first four successive general
15 elections after the adoption of a new type of voting machine in a
16 county, the county board of elections or the superintendent of
17 elections [or the municipal clerk], as the case may be, having custody
18 of voting machines, shall designate suitable and adequate times and
19 places where voting machines containing sample ballots showing titles
20 of offices to be filled, and, so far as practicable, the names of
21 candidates to be voted for at the next election, shall be exhibited for
22 the purpose of giving instructions in the use of voting machines [to all
23 voters who apply for the same]. No voting machine to be assigned
24 for use in an election shall be used for such instruction after having
25 been prepared and sealed for the election. During public exhibition
26 of any voting machine for the instruction of voters previous to an
27 election, the counting mechanism thereof shall be concealed from view
28 and the doors may be temporarily opened only when authorized by
29 such county board of elections or such superintendent of elections or
30 such municipal clerk, as the case may be.

31 b. The county board of elections shall design, prepare and make
32 available to voters instructions on the proper operation of the voting
33 machine used in the county. The instructions may be conveyed on
34 cards, computer software, pamphlets, posters, video or such other
35 media as the county board deems appropriate, subject to the guidelines
36 set forth by the Attorney General. The instructions shall also be made
37 available on the official Internet site of the Division of Elections in the
38 Department of Law and Public Safety and the county board of
39 elections shall provide a link to such instructions on its official Internet
40 site. The Attorney General shall establish guidelines for the design of
41 instructions for the proper operation of voting machines used in this
42 State. The provisions of this subsection shall be in addition to any
43 other provision for voter instruction required by law.

44 (cf: P.L.1945, c.56, s.6)

45
46 4. (New section) a. Subject to guidelines established by the

1 Attorney General, each county board of elections shall provide public
2 notice, at appropriate times during the year, of certain dates relevant
3 to elections and voters, including but not limited to the dates of each
4 election and the deadlines for voter registration or application for
5 civilian or military absentee ballots. Such notices may be made by
6 card, poster, newspaper, newsletter, pamphlet, radio, television,
7 Internet or by any other means deemed appropriate by the board. The
8 provisions of this subsection are in addition to any other provision for
9 public notice required by law.

10 b. Each county board of elections and the Division of Elections in
11 the Department of Law and Public Safety shall maintain an official
12 Internet site containing information helpful for voters, including a link
13 to the voter's bill of rights established by law and posted on the official
14 Internet site of the State. The Internet site of the Division of Elections
15 that contains such information shall include links to the Internet site of
16 each county board and the Internet site of each county board shall
17 contain a link to the part of the division's site containing information
18 helpful to voters.

19 c. The Attorney General shall review the official Internet site of
20 each county board of elections to ensure that the information provided
21 thereon is consistent with the information provided on the official
22 Internet site of the Division of Elections.

23

24 5. This act shall take effect on January 1 following enactment.

25

26

27

STATEMENT

28

29 This bill requires the Attorney General and the county boards of
30 election to take various actions to facilitate election worker and voter
31 education and to provide information to the public on voting.

32 Specifically, the bill requires:

33 C the Attorney General to design, prepare and distribute training
34 manuals for county clerks and members of county boards of
35 election;

36 C county boards of election to design, prepare and distribute training
37 manuals for members of district boards of election (also known as
38 "poll workers"), subject to guidelines established by the Attorney
39 General;

40 C county boards of election to design and make available to voters
41 instructions on the proper operation of voting machines, subject to
42 guidelines established by the Attorney General;

43 C county boards of election to provide notice of certain information
44 to voters, such as the dates of each election and the deadlines for
45 voter registration or application for civilian or military absentee
46 ballots, subject to guidelines established by the Attorney General;

1 C the Division of Elections and county boards of election to maintain
2 official Internet sites containing information helpful to voters and
3 that are cross-linked to each other; and

4 C the Attorney General to review the Internet site of each county
5 board of elections to ensure that the information is consistent with
6 the information provided on the Internet site of the Division of
7 Elections.

8 The bill also provides that county boards may post signs outside of
9 polling places one week before the election that identify the polling
10 place as such, and the date and hours voters may cast ballots.

11

12

13

14

15 Requires Attorney General and county boards of elections to produce
16 certain elections training materials, and produce and display certain
17 information pertinent to voters.

ASSEMBLY, No. 36

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MARCH 7, 2005

Sponsored by:

Assemblyman CRAIG A. STANLEY

District 28 (Essex)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblyman DAVID R. MAYER

District 4 (Camden and Gloucester)

Co-Sponsored by:

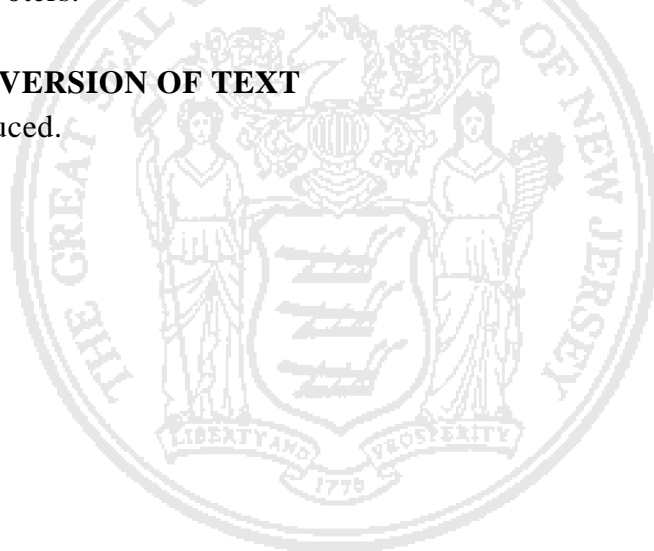
**Assemblyman Azzolina, Assemblywoman Greenstein, Assemblyman
Conaway, Senators Bryant, Kyrillos and T.Kean**

SYNOPSIS

Requires Attorney General and county boards of elections to produce certain elections training materials, and produce and display certain information pertinent to voters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2005)

1 AN ACT concerning certain notification and training regarding
2 elections, amending R.S.19:50-1 and R.S.19:50-2 and
3 supplementing Title 19 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. (New section) For seven days before the day of any election,
9 each county board of elections may cause to be displayed a sign
10 outside of each polling place identifying it as such, and identifying the
11 date and hours of polling.

12
13 2. R.S.19:50-1 is amended to read as follows:

14 19:50-1. **a.** [Not less than 10 nor more than 21] Within 30 days
15 before each election, the county board of elections shall cause new
16 members of the district boards who are to serve in election districts to
17 be instructed in the conduct of elections, and in their duties in
18 connection therewith. All district board members shall be required to
19 attend said instructional sessions for each election at least once every
20 two years. The county board of elections shall cause to be given to
21 each member of each district board who has received such instruction
22 and is fully qualified to properly conduct the election, a certificate to
23 that effect. For the purpose of giving such instruction the county
24 board of elections shall call such meeting or meetings of the district
25 boards as shall be necessary. The content of said meeting or meetings
26 shall be limited solely to the instruction of district board members;
27 lobbying or the advancement of political ends shall be prohibited. The
28 members of the district board of each election district shall attend such
29 meeting or meetings as shall be called for the purpose of receiving
30 such instruction concerning their duties as shall be necessary for the
31 proper conduct of the election. No member of any district board shall
32 serve in any election unless he shall have received such instruction as
33 herein provided and is fully qualified to perform the duties in
34 connection with the election, and has received a certificate to that
35 effect from the county board of elections; but this shall not prevent the
36 appointment of a person as a member of the district board to fill a
37 vacancy in an emergency, as now provided by law. In addition to the
38 foregoing, the county board of elections shall design, prepare and
39 distribute training manuals for district board members, pursuant to
40 guidelines established by the Attorney General. The county board of
41 elections shall also make the training manual available on its Internet
42 site and on the Internet site of the Division of Elections in the
43 Department of Law and Public Safety.

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 **b. The Attorney General shall establish guidelines for the design of**
2 **training manuals for members of district boards of election, and shall**
3 **design, prepare and distribute training manuals for members of county**
4 **boards of election, and county clerks. The Attorney General shall also**
5 **make training manuals available on the Internet site of the Division of**
6 **Elections.**

7 (cf: P.L.1987, c.151, s.3)

8
9 3. R.S.19:50-2 is amended to read as follows:

10 19:50-2. **a. [Until voting machines have been in use in any county**
11 **or municipality for three] For the first four successive general**
12 **elections after the adoption of a new type of voting machine in a**
13 **county, the county board of elections or the superintendent of**
14 **elections [or the municipal clerk], as the case may be, having custody**
15 **of voting machines, shall designate suitable and adequate times and**
16 **places where voting machines containing sample ballots showing titles**
17 **of offices to be filled, and, so far as practicable, the names of**
18 **candidates to be voted for at the next election, shall be exhibited for**
19 **the purpose of giving instructions in the use of voting machines [to all**
20 **voters who apply for the same]. No voting machine to be assigned**
21 **for use in an election shall be used for such instruction after having**
22 **been prepared and sealed for the election. During public exhibition**
23 **of any voting machine for the instruction of voters previous to an**
24 **election, the counting mechanism thereof shall be concealed from view**
25 **and the doors may be temporarily opened only when authorized by**
26 **such county board of elections or such superintendent of elections or**
27 **such municipal clerk, as the case may be.**

28 **b. The county board of elections shall design, prepare and make**
29 **available to voters instructions on the proper operation of the voting**
30 **machine used in the county. The instructions may be conveyed on**
31 **cards, computer software, pamphlets, posters, video or such other**
32 **media as the county board deems appropriate, subject to the guidelines**
33 **set forth by the Attorney General. The instructions shall also be made**
34 **available on the official Internet site of the Division of Elections in the**
35 **Department of Law and Public Safety and the county board of**
36 **elections shall provide a link to such instructions on its official Internet**
37 **site. The Attorney General shall establish guidelines for the design of**
38 **instructions for the proper operation of voting machines used in this**
39 **State. The provisions of this subsection shall be in addition to any**
40 **other provision for voter instruction required by law.**

41 (cf: P.L.1945, c.56, s.6)

42
43 4. (New section) a. Subject to guidelines established by the
44 Attorney General, each county board of elections shall provide public
45 notice, at appropriate times during the year, of certain dates relevant
46 to elections and voters, including but not limited to the dates of each

1 election and the deadlines for voter registration or application for
2 civilian or military absentee ballots. Such notices may be made by
3 card, poster, newspaper, newsletter, pamphlet, radio, television,
4 Internet or by any other means deemed appropriate by the board. The
5 provisions of this subsection are in addition to any other provision for
6 public notice required by law.

7 b. Each county board of elections and the Division of Elections in
8 the Department of Law and Public Safety shall maintain an official
9 Internet site containing information helpful for voters, including a link
10 to the voter's bill of rights established by law and posted on the official
11 Internet site of the State. The Internet site of the Division of Elections
12 that contains such information shall include links to the Internet site of
13 each county board and the Internet site of each county board shall
14 contain a link to the part of the division's site containing information
15 helpful to voters.

16 c. The Attorney General shall review the official Internet site of
17 each county board of elections to ensure that the information provided
18 thereon is consistent with the information provided on the official
19 Internet site of the Division of Elections.

20
21 5. This act shall take effect on January 1 following enactment.
22
23

24 STATEMENT
25

26 This bill requires the Attorney General and the county boards of
27 election to take various actions to facilitate election worker and voter
28 education and to provide information to the public on voting.

29 Specifically, the bill requires:

- 30 C the Attorney General to design, prepare and distribute training
31 manuals for county clerks and members of county boards of
32 election;
33 C county boards of election to design, prepare and distribute training
34 manuals for members of district boards of election (also known as
35 "poll workers"), subject to guidelines established by the Attorney
36 General;
37 C county boards of election to design and make available to voters
38 instructions on the proper operation of voting machines, subject to
39 guidelines established by the Attorney General;
40 C county boards of election to provide notice of certain information
41 to voters, such as the dates of each election and the deadlines for
42 voter registration or application for civilian or military absentee
43 ballots, subject to guidelines established by the Attorney General;
44 C the Division of Elections and county boards of election to maintain
45 official Internet sites containing information helpful to voters and
46 that are cross-linked to each other; and

1 c the Attorney General to review the Internet site of each county
2 board of elections to ensure that the information is consistent with
3 the information provided on the Internet site of the Division of
4 Elections.

5 The bill also provides that county boards may post signs outside of
6 polling places one week before the election that identify the polling
7 place as such, and the date and hours voters may cast ballots.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 36

STATE OF NEW JERSEY

DATED: MARCH 7, 2005

The Assembly State Government Committee reports favorably Assembly, No. 36.

This bill requires the Attorney General and the county boards of elections to take various actions to facilitate election worker and voter education and to provide information to the public on voting.

Specifically, the bill requires the Attorney General to design, prepare and distribute training manuals for county clerks and members of county boards of elections and to review the Internet site of each county board of elections to ensure that the information is consistent with the information provided on the Internet site of the Division of Elections. The bill requires county boards of election to design, prepare and distribute training manuals for members of district boards of elections (also known as "poll workers"), to design and make available to voters instructions on the proper operation of voting machines, and to provide notice of certain information to voters, such as the dates of each election and the deadlines for voter registration or application for civilian and military absentee ballots. The Division of Elections and county boards of elections are to maintain official Internet sites that contain information helpful to voters and are cross-linked to each other.

The bill allows county boards of elections to post signs outside of polling places one week before the election to identify the polling place and state the date and hours voters may cast ballots.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 36

STATE OF NEW JERSEY

DATED: JUNE 9, 2005

The Assembly Appropriations Committee reports favorably Assembly Bill No. 36.

Assembly Bill No. 36 requires the Attorney General and the county boards of elections to take various actions to facilitate election worker and voter education and to provide information to the public on voting.

Specifically, the bill requires the Attorney General to design, prepare and distribute training manuals for county clerks and members of county boards of elections and to review the Internet site of each county board of elections to ensure that the information is consistent with the information provided on the Internet site of the Division of Elections. The bill requires county boards of election to design, prepare and distribute training manuals for members of district boards of elections (also known as "poll workers"), to design and make available to voters instructions on the proper operation of voting machines, and to provide notice of certain information to voters, such as the dates of each election and the deadlines for voter registration or application for civilian and military absentee ballots. The Division of Elections and county boards of elections are to maintain official Internet sites that contain information helpful to voters and are cross-linked to each other.

The bill allows county boards of elections to post signs outside of polling places one week before the election to identify the polling place and state the date and hours voters may cast ballots.

FISCAL IMPACT:

The actual fiscal impact of this legislation cannot be determined. Certain activities required by this bill are already occurring in some counties. However, there is no statewide standardized format for training materials.

The State has already received federal funding for the "Help America Vote Act." Portions of the federal funding can be dedicated to the implementation of this bill.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 36
STATE OF NEW JERSEY
211th LEGISLATURE

DATED: MAY 17, 2005

SUMMARY

Synopsis: Requires Attorney General and county boards of elections to produce certain elections training materials, and produce and display certain information pertinent to voters.

Type of Impact: Increased Expenditure and Revenue, General Fund and County Funds.

Agencies Affected: Department of Law and Public Safety; Counties.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate-See Comments Below		
Local Cost	Indeterminate-See Comments Below		

- ! Requires the Attorney General and county boards of elections to produce certain elections training materials, and produce and display certain information pertinent to voters.
- ! New Jersey has received \$41.2 million in federal Help America Vote Act funding thus far, and is anticipated to receive an additional \$44 million in calendar year 2005. Of that funding, \$1 million is budgeted for training and public services generally.
- ! The activities required by the bill are permissible uses for federal funding the State has received pursuant to the Help America Vote Act.
- ! The cost of this legislation cannot be determined because certain activities required by the bill are already occurring and it is unclear what portion of federal funds would be dedicated to the implementation of this bill.

BILL DESCRIPTION

Assembly Bill No. 36 of 2005 requires the Attorney General and the county boards of elections to take various actions to facilitate election worker and voter education and to provide information to the public on voting.

Specifically, the bill requires:

- C the Attorney General to design, prepare and distribute training manuals for county clerks and members of county boards of elections;
- C county boards of elections to design, prepare and distribute training manuals for members

of district boards of elections (also known as "poll workers"), subject to guidelines established by the Attorney General;

- C county boards of elections to design and make available to voters instructions on the proper operation of voting machines, subject to guidelines established by the Attorney General;
- C county boards of elections to provide notice of certain information to voters, such as the dates of each election and the deadlines for voter registration or application for civilian or military absentee ballots, subject to guidelines established by the Attorney General;
- C the Division of Elections in the Department of Law and Public Safety and county boards of elections to maintain official Internet sites containing information helpful to voters and that are cross-linked to each other; and
- C the Attorney General to review the Internet site of each county board of elections to ensure that the information is consistent with the information provided on the Internet site of the Division of Elections.

The bill also provides that county boards may post a sign outside of each polling place one week before an election that identifies the polling place as such, and the date and hours voters may cast ballots.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services cannot determine the fiscal impact of this legislation. Certain activities required by this bill are already occurring in some counties, however, there is currently no standardized statewide format for training materials or voter information.

New Jersey has received \$41.2 million in federal Help America Vote Act funding thus far, and is anticipated to receive an additional \$44 million in calendar year 2005. The Office of Legislative Services notes that under the State plan prepared and submitted pursuant to the federal Help America Vote Act, it was estimated that voter education would cost \$3 million and training of election officials would cost \$1 million. Additionally, the Office of Legislative Services notes that \$1 million of Help America Vote Act funds is currently budgeted for training and public services generally. It is unclear what portion of these amounts would be dedicated to the implementation of this bill. The activities required by the bill are permissible uses for federal funding the State has received pursuant to the Help America Vote Act.

If the provisions of this bill require additional expenditures by the counties and State or federal funds are not available or provided to cover such costs, the bill may not be subject to a challenge under the State Constitution as an unfunded State mandate given that its enactment complies with federal law.

Section: *State Government*

Analyst: *Gina Marie Winters*
Associate Research Analyst

Approved: *David J. Rosen*
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

SENATE, No. 2396

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED MARCH 14, 2005

Sponsored by:

Senator WAYNE R. BRYANT

District 5 (Camden and Gloucester)

Senator NIA H. GILL

District 34 (Essex and Passaic)

SYNOPSIS

Requires Attorney General and county boards of elections to produce certain elections training materials, and produce and display certain information pertinent to voters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/20/2005)

S2396 BRYANT, GILL

2

1 AN ACT concerning certain notification and training regarding
2 elections, amending R.S.19:50-1 and R.S.19:50-2 and
3 supplementing Title 19 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. (New section) For seven days before the day of any election,
9 each county board of elections may cause to be displayed a sign
10 outside of each polling place identifying it as such, and identifying the
11 date and hours of polling.

12
13 2. R.S.19:50-1 is amended to read as follows:

14 19:50-1. **a.** [Not less than 10 nor more than 21] Within 30 days
15 before each election, the county board of elections shall cause new
16 members of the district boards who are to serve in election districts to
17 be instructed in the conduct of elections, and in their duties in
18 connection therewith. All district board members shall be required to
19 attend said instructional sessions for each election at least once every
20 two years. The county board of elections shall cause to be given to
21 each member of each district board who has received such instruction
22 and is fully qualified to properly conduct the election, a certificate to
23 that effect. For the purpose of giving such instruction the county
24 board of elections shall call such meeting or meetings of the district
25 boards as shall be necessary. The content of said meeting or meetings
26 shall be limited solely to the instruction of district board members;
27 lobbying or the advancement of political ends shall be prohibited. The
28 members of the district board of each election district shall attend such
29 meeting or meetings as shall be called for the purpose of receiving
30 such instruction concerning their duties as shall be necessary for the
31 proper conduct of the election. No member of any district board shall
32 serve in any election unless he shall have received such instruction as
33 herein provided and is fully qualified to perform the duties in
34 connection with the election, and has received a certificate to that
35 effect from the county board of elections; but this shall not prevent the
36 appointment of a person as a member of the district board to fill a
37 vacancy in an emergency, as now provided by law. In addition to the
38 foregoing, the county board of elections shall design, prepare and
39 distribute training manuals for district board members, pursuant to
40 guidelines established by the Attorney General. The county board of
41 elections shall also make the training manual available on its Internet
42 site and on the Internet site of the Division of Elections in the
43 Department of Law and Public Safety.

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 **b. The Attorney General shall establish guidelines for the design of**
2 **training manuals for members of district boards of election, and shall**
3 **design, prepare and distribute training manuals for members of county**
4 **boards of election, and county clerks. The Attorney General shall also**
5 **make training manuals available on the Internet site of the Division of**
6 **Elections.**

7 (cf: P.L.1987, c.151, s.3)

8
9 3. R.S.19:50-2 is amended to read as follows:

10 19:50-2. **a. [Until voting machines have been in use in any county**
11 **or municipality for three] For the first four successive general**
12 **elections after the adoption of a new type of voting machine in a**
13 **county, the county board of elections or the superintendent of**
14 **elections [or the municipal clerk], as the case may be, having custody**
15 **of voting machines, shall designate suitable and adequate times and**
16 **places where voting machines containing sample ballots showing titles**
17 **of offices to be filled, and, so far as practicable, the names of**
18 **candidates to be voted for at the next election, shall be exhibited for**
19 **the purpose of giving instructions in the use of voting machines [to all**
20 **voters who apply for the same]. No voting machine to be assigned**
21 **for use in an election shall be used for such instruction after having**
22 **been prepared and sealed for the election. During public exhibition**
23 **of any voting machine for the instruction of voters previous to an**
24 **election, the counting mechanism thereof shall be concealed from view**
25 **and the doors may be temporarily opened only when authorized by**
26 **such county board of elections or such superintendent of elections or**
27 **such municipal clerk, as the case may be.**

28 **b. The county board of elections shall design, prepare and make**
29 **available to voters instructions on the proper operation of the voting**
30 **machine used in the county. The instructions may be conveyed on**
31 **cards, computer software, pamphlets, posters, video or such other**
32 **media as the county board deems appropriate, subject to the guidelines**
33 **set forth by the Attorney General. The instructions shall also be made**
34 **available on the official Internet site of the Division of Elections in the**
35 **Department of Law and Public Safety and the county board of**
36 **elections shall provide a link to such instructions on its official Internet**
37 **site. The Attorney General shall establish guidelines for the design of**
38 **instructions for the proper operation of voting machines used in this**
39 **State. The provisions of this subsection shall be in addition to any**
40 **other provision for voter instruction required by law.**

41 (cf: P.L.1945, c.56, s.6)

42
43 4. (New section) a. Subject to guidelines established by the
44 Attorney General, each county board of elections shall provide public
45 notice, at appropriate times during the year, of certain dates relevant
46 to elections and voters, including but not limited to the dates of each

1 election and the deadlines for voter registration or application for
2 civilian or military absentee ballots. Such notices may be made by
3 card, poster, newspaper, newsletter, pamphlet, radio, television,
4 Internet or by any other means deemed appropriate by the board. The
5 provisions of this subsection are in addition to any other provision for
6 public notice required by law.

7 b. Each county board of elections and the Division of Elections in
8 the Department of Law and Public Safety shall maintain an official
9 Internet site containing information helpful for voters, including a link
10 to the voter's bill of rights established by law and posted on the official
11 Internet site of the State. The Internet site of the Division of Elections
12 that contains such information shall include links to the Internet site of
13 each county board and the Internet site of each county board shall
14 contain a link to the part of the division's site containing information
15 helpful to voters.

16 c. The Attorney General shall review the official Internet site of
17 each county board of elections to ensure that the information provided
18 thereon is consistent with the information provided on the official
19 Internet site of the Division of Elections.

20
21 5. This act shall take effect on January 1 following enactment.
22
23

24 STATEMENT
25

26 This bill requires the Attorney General and the county boards of
27 election to take various actions to facilitate election worker and voter
28 education and to provide information to the public on voting.

29 Specifically, the bill requires:

30 C the Attorney General to design, prepare and distribute training
31 manuals for county clerks and members of county boards of
32 election;

33 C county boards of election to design, prepare and distribute training
34 manuals for members of district boards of election (also known as
35 "poll workers"), subject to guidelines established by the Attorney
36 General;

37 C county boards of election to design and make available to voters
38 instructions on the proper operation of voting machines, subject to
39 guidelines established by the Attorney General;

40 C county boards of election to provide notice of certain information
41 to voters, such as the dates of each election and the deadlines for
42 voter registration or application for civilian or military absentee
43 ballots, subject to guidelines established by the Attorney General;

44 C the Division of Elections and county boards of election to maintain
45 official Internet sites containing information helpful to voters and
46 that are cross-linked to each other; and

S2396 BRYANT, GILL

5

1 C the Attorney General to review the Internet site of each county
2 board of elections to ensure that the information is consistent with
3 the information provided on the Internet site of the Division of
4 Elections.

5 The bill also provides that county boards may post signs outside of
6 polling places one week before the election that identify the polling
7 place as such, and the date and hours voters may cast ballots.

SENATE, No. 2465

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED MAY 5, 2005

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

Senator THOMAS H. KEAN, JR.

District 21 (Essex, Morris, Somerset and Union)

SYNOPSIS

Requires Attorney General and county boards of elections to conduct voter education.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning voter education, amending R.S.19:50-2 and
2 supplementing Title 19 of the Revised Statutes.

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

6
7 1. R.S.19:50-2 is amended to read as follows:

8 19:50-2. a. [Until voting machines have been in use in any county
9 or municipality for three] For the first four successive general
10 elections after the adoption of a new type of voting machine in a
11 county, the county board of elections or the superintendent of
12 elections [or the municipal clerk], as the case may be, having custody
13 of voting machines, shall [designate suitable and adequate times and
14 places where] exhibit to the public for the fourteen days preceding the
15 day of an election voting machines containing sample ballots showing
16 titles of offices to be filled, and, so far as practicable, the names of
17 candidates to be voted for at the next election, [shall be exhibited] for
18 the purpose of giving instructions in the use of voting machines [to all
19 voters who apply for the same]. The voting machines shall be
20 exhibited to the public in accordance with guidelines established by the
21 Attorney General pursuant to this subsection, in at least 12 locations
22 within the county in the case of a general election, and in six locations
23 within the county in the case of any other election. No voting machine
24 to be assigned for use in an election shall be used for such instruction
25 after having been prepared and sealed for the election. The Attorney
26 General may approve the use of a voting machine replica for the
27 purpose of the public exhibition required by this subsection, provided
28 the replica is substantially similar to the voting machines to be used for
29 polling on the day of the election. During public exhibition of any
30 voting machine for the instruction of voters previous to an election,
31 the counting mechanism thereof shall be concealed from view and the
32 doors may be temporarily opened only when authorized by such
33 county board of elections or such superintendent of elections [or such
34 municipal clerk], as the case may be. The Attorney General shall
35 promulgate regulations to effectuate the purposes of this section,
36 including but not limited to guidelines for (1) advertising the
37 exhibition, (2) the required aggregate number of hours of such
38 exhibition for each election, (3) locations suitable for such exhibition,
39 provided that the guidelines shall require each county to use at least
40 one senior center, one public school and one shopping facility as a
41 location for each such exhibition, (4) required minimum distances
42 between exhibition locations within a county, and (5) the instructional

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 materials that shall be made available to voters during the exhibition.

2 b. The county board of elections shall design and make available to
3 voters instructions on the proper operation of the voting machine used
4 in the county. The instructions may be conveyed on cards, computer
5 software, pamphlets, posters, video or such other media as the county
6 board deems appropriate, subject to the guidelines set forth by the
7 Attorney General. The instructions shall also be made available on the
8 Internet site of the county board of elections and the Division of
9 Elections.

10 (cf: P.L.1945, c.56, s.6)

11

12 2. (New section) a. The Attorney General, in conjunction with the
13 county boards of elections, shall conduct a public education campaign
14 before each election to encourage people to vote and to instruct them
15 on how to register to vote and to cast a ballot. The campaign shall
16 include, but need not be limited to the date of the election, the
17 deadlines and process for voter registration, the deadlines and process
18 for application for civilian or military absentee ballots, the location of
19 polling places, how to operate voting machines, when and how to cast
20 a provisional ballot or presidential ballot, how to apply to be a member
21 of a district board of elections, and advertisements and information
22 designed to encourage voting.

23 b. Each county board of elections and the Division of Elections
24 shall maintain an Internet site containing information helpful to voters,
25 including but not limited to the information described in subsection a.
26 of this section, and the dates of all elections in the current calendar
27 year.

28 c. The Attorney General shall review the Internet site of each
29 county board of elections to ensure that the information provided
30 thereon is consistent with the information provided on the Internet site
31 of the Division of Elections.

32 d. The Attorney General shall examine periodically voter education
33 practices in other states and emulate those practices it determines
34 would be most effective in increasing voter registration and
35 participation in this State. The Attorney General shall share the
36 findings with the county boards of elections.

37

38 3. (New section) All forms and notices required pursuant to this
39 title shall be made available upon request in a format accessible to
40 blind and visually impaired voters. In designing alternate format forms
41 and notices, the Attorney General and the county boards of elections
42 shall seek input from groups that represent blind and visually impaired
43 voters, and from other states that have experience in producing
44 elections forms and notices for blind and visually impaired voters. The
45 Attorney General and the county boards of elections shall advertise the
46 telephone number or other means by which a person may request an

1 alternate format form or notice.

2

3 4. (New section) The costs incurred by the State or a county or
4 municipality to comply with the provisions of this section shall be paid
5 out of federal funds received by the State pursuant to "Help America
6 Vote Act of 2002," Pub.L.107-252 (42 U.S.C. 15301 et seq.) or any
7 other federal law, to the extent such funds are available and payment
8 with such funds is practical and permitted. The Attorney General shall
9 determine the manner in which counties and municipalities are
10 reimbursed from federal funds for the incurred costs.

11

12 5. This act shall take effect on January 1 following enactment.

13

14

STATEMENT

15

16 This bill requires the Attorney General and the county boards of
17 elections to take various actions to educate voters. Specifically, the
18 bill:

19

20 C clarifies and expands requirements for the public exhibition of
21 voting machines.

22 C requires county boards of elections to design and make available to
23 voters instructions on the proper operation of voting machines,
24 subject to guidelines established by the Attorney General.

25 C requires the Attorney General, in conjunction with the county
26 boards of elections, to conduct a public education campaign before
27 each election to encourage people to vote and to instruct them on
28 how to register to vote and to cast a ballot. The campaign shall
29 include, but need not be limited to the date of the election, the
30 deadlines and process for voter registration, the deadlines and
31 process for application for civilian or military absentee ballots, the
32 location of polling places, how to operate voting machines, when
33 and how to cast a provisional ballot or presidential ballot, how to
34 apply to be a member of a district board of elections, and
35 advertisements and information designed to encourage voting.

36 C requires the Division of Elections and county boards of elections to
37 maintain Internet sites containing information helpful to voters,
38 including the information required to be part of the public education
39 campaign.

40 C requires the Attorney General to review the Internet site of each
41 county board of elections to ensure that the information is
42 consistent with the information provided on the Internet site of the
43 Division of Elections.

44 C requires the Attorney General to examine periodically voter
45 education practices in other states.

46 C provides that all elections forms and notices be made available upon
47 request in a format accessible to blind and visually impaired voters.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 2396 and 2465**

STATE OF NEW JERSEY

DATED: MAY 26, 2005

The Senate State Government Committee reports favorably a Senate Committee Substitute for Senate Bill Nos. 2396 and 2465.

This substitute requires the Attorney General and the county boards of elections to take various actions to facilitate election worker and voter education and to provide information to the public on voting.

Specifically, the substitute requires the Attorney General to design, prepare and distribute training manuals for county clerks and members of county boards of elections and to review the Internet site of each county board of elections to ensure that the information is consistent with the information provided on the Internet site of the Division of Elections. The substitute requires county boards of election to design, prepare and distribute training manuals for members of district boards of elections (also known as "poll workers"), to design and make available to voters instructions on the proper operation of voting machines, and to provide notice of certain information to voters, such as the dates of each election and the deadlines for voter registration or application for civilian and military absentee ballots. The Division of Elections and county boards of elections are to maintain official Internet sites that contain information helpful to voters and are cross-linked to each other.

The substitute allows county boards of elections to post signs outside of polling places one week before the election to identify the polling place and state the date and hours voters may cast ballots.

As reported, this bill is identical to Assembly, No. 36.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2396
STATE OF NEW JERSEY
211th LEGISLATURE

DATED: MAY 10, 2005

SUMMARY

Synopsis: Requires Attorney General and county boards of elections to produce certain elections training materials, and produce and display certain information pertinent to voters.

Type of Impact: Increased Expenditure and Revenue. General Fund and County Funds.

Agencies Affected: Department of Law and Public Safety; Counties

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate-See Comments Below		
Local Cost	Indeterminate-See Comments Below		

- ! Requires the Attorney General and county boards of elections to produce certain elections training materials, and produce and display certain information pertinent to voters.
- ! New Jersey has received \$41.2 million in federal Help America Vote Act funding thus far, and is anticipated to receive an additional \$44 million in calendar year 2005. Of that funding, \$1 million is budgeted for training and public services generally.
- ! The activities required by the bill are permissible uses for federal funding the State has received pursuant to Help America Vote Act.
- ! The cost of this legislation cannot be determined because certain activities required by the bill are already occurring and it is unclear what portion of federal funds would be dedicated to the implementation of this bill.

BILL DESCRIPTION

Senate Bill No. 2396 of 2005 requires the Attorney General and the county boards of elections to take various actions to facilitate election worker and voter education and to provide information to the public on voting.

Specifically, the bill requires:

- C the Attorney General to design, prepare and distribute training manuals for county clerks and members of county boards of elections;
- C county boards of elections to design, prepare and distribute training manuals for members

of district boards of elections (also known as "poll workers"), subject to guidelines established by the Attorney General;

- C county boards of elections to design and make available to voters instructions on the proper operation of voting machines, subject to guidelines established by the Attorney General;
- C county boards of elections to provide notice of certain information to voters, such as the dates of each election and the deadlines for voter registration or application for civilian or military absentee ballots, subject to guidelines established by the Attorney General;
- C the Division of Elections in the Department of Law and Public Safety and county boards of elections to maintain official Internet sites containing information helpful to voters and that are cross-linked to each other; and
- C the Attorney General to review the Internet site of each county board of elections to ensure that the information is consistent with the information provided on the Internet site of the Division of Elections.

The bill also provides that county boards may post a sign outside of each polling place one week before an election that identifies the polling place as such, and the date and hours voters may cast ballots.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services cannot determine the fiscal impact of this legislation. Certain activities required by this bill are already occurring in some counties, however, there is currently no standardized statewide format for training materials or voter information.

New Jersey has received \$41.1 million in federal Help America Vote Act funding thus far, and is anticipated to receive an additional \$44 million in calendar year 2005. The Office of Legislative Services notes that under the State plan prepared and submitted pursuant to the federal Help America Vote Act, it was estimated that voter education would cost \$3 million and training of election officials would cost \$1 million. Additionally, the Office of Legislative Services notes that \$1 million of the Help America Vote Act funds is currently budgeted for training and public services generally. It is unclear what portion of these amounts would be dedicated to the implementation of this bill. The activities required by the bill are permissible uses for federal funding the State has received pursuant to the Help America Vote Act.

If the provisions of this bill require additional expenditures by the counties and State or federal funds are not available or provided to cover such costs, the bill may not be subject to a challenge under the State Constitution as an unfunded State mandate given that its enactment complies with federal law.

Section: *State Government*

Analyst: *Gina Marie Winters*
Associate Research Analyst

Approved: *David J. Rosen*
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.