

19:31-7

LEGISLATIVE HISTORY CHECKLIST
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(Votor registration records--
eliminate in counties with
electronic recording)

NJSA: 19:31-7

LAWS OF: 1994

CHAPTER: 170

BILL NO: A874

SPONSOR(S): Lance

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** State Government

SENATE: State Government

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Second reprint enacted denoted by superscript
numbers

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SENATE: October 20, 1994

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FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

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REPORTS: No

HEARINGS: No

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[SECOND REPRINT]

ASSEMBLY, No. 874

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblyman LANCE

1 AN ACT concerning certain voter registration records, amending
2 ¹R.S.19:31-7,¹ R.S.19:31-23, R.S.19:31-24, and R.S.19:31-26,
3 and supplementing chapter 31 of Title 19 of the Revised
4 Statutes.

5

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

8 1. (New section) In those counties in which the ²[county
9 board of elections] commissioner of registration² employs
10 electronic data processing equipment to file and store
11 registration information for the voters registered in the county,
12 the commissioner ²[of registration]² may eliminate use of
13 original permanent registration binders, as provided for in
14 R.S.19:31-10, and use in their place the electronic data
15 processing equipment if:

16 a. the voter registration information for each voter that is
17 filed and stored in the electronic data processing equipment is
18 made identical with the voter registration information for each
19 voter that is required to be in the original permanent registration
20 binder pursuant to R.S.19:31-3;

21 b. the voting information for each voter that is required to be
22 entered in the original permanent registration binders after each
23 election, pursuant to R.S.19:31-23, is entered into the
24 appropriate voter registration records of each voter contained in
25 the electronic data processing equipment after each election; and

26 c. the commissioner maintains in a permanent and separate
27 file the original completed voter registration form of each voter,
28 and any new or amended forms filed by that voter.

29 ¹2. (New section) In those counties in which the ²[county
30 board of elections] commissioner of registration² employs data
31 processing equipment capable of creating or receiving, storing,
32 and printing a digitalized image of the signature of a person
33 registered to vote, the commissioner ²[of registration]² may
34 eliminate the use of the duplicate permanent registration binders
35 and may authorize and direct the use at the polls in place of such
36 a binder, as a signature copy register for the purposes of this
37 Title, Title 40 of the Revised Statutes, and N.J.S.18A:14-47, of a
38 polling record which identifies on each page the election at which
39 the record is used, which indicates for each registrant the name
40 and address of the registrant and identifies the municipality and
41 the particular election district therein from which the person is
42 registered, and which includes adjacent to the registrant's

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASG committee amendments adopted March 7, 1994.

² Senate floor amendments adopted October 20, 1994.

1 name and address an imprint of the digitalized image of the
2 registrant's signature and sufficient space, immediately to the
3 left or right of that imprint, for the registrant to sign the record,
4 which imprint and signature shall be used as the signature
5 comparison record as prescribed by this Title. The polling record
6 shall also include for each registrant sufficient space for the
7 notation of remarks as provided by R.S.19:15-23 and for the
8 recording of any challenge and the determination thereof by the
9 district board as provided by R.S.19:15-24, or by other elections
10 officials charged with the same duties as the district board in
11 connection with the conduct of an election. In the case of a
12 primary election, the polling record shall also indicate for each
13 registrant the political party, if any, of which the registrant is a
14 member for the purpose of voting at that primary election.

15 Polling records for each election shall be prepared by the
16 commissioner of registration not later than the 14th day
17 preceding the election. At each election, the delivery of the
18 polling records to the municipal clerk or secretary of the board of
19 education in a Type II school district, as appropriate, and to the
20 district boards or other elections officials charged with the same
21 duties as the district board in connection with the conduct of an
22 election, and the return of those records by the district boards or
23 such other elections officials to the commissioner of registration,
24 shall be made in the manner and in accordance with the schedule
25 prescribed by law for the delivery and return at that election of
26 the signature copy registers.

27 The commissioner of registration shall retain the polling
28 records for any election for a period of not less than six years
29 following that election.¹

30 ¹3. R.S.19:31-7 is amended to read as follows:

31 19:31-7. For the convenience of the voters the respective
32 municipal clerks or their duly authorized clerk or clerks in all
33 municipalities shall also be empowered to register applicants for
34 permanent registration up to and including the twenty-ninth day
35 preceding any election and after any such election in the manner
36 indicated above, subject to such rules and regulations as may be
37 prescribed by the commissioner, in counties having a
38 superintendent of elections, and the county board in all other
39 counties. Duly authorized clerk as used in this section shall mean
40 a clerk who resides within the municipality and has been approved
41 by the commissioner or the county board as the case may be. For
42 this purpose the commissioner shall forward to each municipal
43 clerk a sufficient supply of [the original and duplicate permanent]
44 registration forms. The commissioners shall keep a record of the
45 serial numbers of these forms and shall periodically make such
46 checks as are necessary to accurately determine if all such forms
47 are satisfactorily accounted for. Each municipal clerk shall
48 transmit daily to the commissioner all of the filled out
49 registration forms that he may have in his office at the time.¹

50 (cf: P.L.1974, c.30, s.9)

51 ¹[2.] ⁴¹ R.S.19:31-23 is amended to read as follows:

52 19:31-23. Following each election the commissioner shall
53 cause the record of voting as shown on the record of voting forms
54 in the signature copy registers ¹or, in counties in which polling

1 records are used in place of those signature copy registers
 2 pursuant to section 2 of P.L. , c. (C.) (now pending
 3 before the Legislature as this bill), as shown in the polling
 4 records,¹ to be
 5 (tered on the record of voting forms in the original permanent
 6 registration binders or to be entered into electronic data
 7 processing equipment used to file and store voter information for
 8 the voters registered in a county, pursuant to section 1 of P.L. ,
 9 c. (C.) (now pending before the Legislature as this bill).
 10 ¹An entry of any record of voting which shall have been made by
 11 means of electronic data processing equipment under that section
 12 1 shall be retained for a period of not less than six years
 13 following the election at which the vote so recorded was cast.¹

14 (cf: R.S.19:31-23)

15 ¹[3.] 5.¹ R.S.19:31-24 is amended to read as follows:

16 19:31-24. In the event of the loss or destruction of any or all
 17 of the original or duplicate permanent registration binders for
 18 any reason other than their elimination as permitted pursuant to
 19 ¹[section] sections¹ 1 ¹and 2, respectively,¹ of P.L. , c.
 20 (C.)(now pending before the Legislature as this bill), ¹or, in
 21 counties in which registration information has been filed and is
 22 stored by means of electronic data processing equipment in
 23 accordance with the provisions of that section 1 of P.L. , c. ,
 24 in the event of the loss or destruction of any or all of the original
 25 completed voter registration forms or any new or amended forms
 26 required under subsection c. of that section to be maintained in a
 27 permanent and separate file,¹ the commissioner shall promptly
 28 provide for a general registration at the regular polling places in
 29 the district or districts for which the binders have been lost or
 30 destroyed.

31 (cf: R.S.19:31-24)

32 ¹[4.] 6.¹ R.S.19:31-26 is amended to read as follows:

33 19:31-26. [The] Unless voter registration information is filed
 34 and stored in electronic data processing equipment ¹[as
 35 provided]¹ in ¹accordance with the provisions of subsection a. of¹
 36 section 1 of P.L. , c. (C.) (now pending before the
 37 Legislature as this bill), the commissioner shall make and
 38 maintain a card index file showing on separate cards the full
 39 name, address, municipality, ward and district, registration
 40 number and date of registration of each person registered
 41 permanently in his county. This file shall be arranged
 42 alphabetically according to names irrespective of municipality,
 43 ward, district, registration number, and date of registration.
 44 Reasonably sufficient space shall be reserved on each card for
 45 the notations to be made thereon as herein provided.

46 The commissioner shall cause to be made notation on these
 47 cards as to each registrant respectively whose registration forms
 48 have been transferred from one register to another or to the
 49 inactive, death or conviction files concurrently with such
 50 transfer. The card with such notations shall show the location of
 51 the registration forms of each registrant at all times. All
 52 changes of address of the registrant, including those within the
 53 same district, shall be noted on these cards concurrently with
 54 changes of address on the permanent registration forms.

55 (cf: R.S.19:31-26)

1 ¹[5.] 7.¹ This bill shall take effect immediately.

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6 Allows counties using electronic data processing equipment to
7 eliminate use of certain voter registration and signature
8 comparison records under certain circumstances.

1 for a general registration at the regular polling places in the
2 district or districts for which the binders haven been lost or
3 destroyed.

4 (cf: R.S.19:31-24)

5 4. R.S.19:31-26 is amended to read as follows:

6 19:31-26. [The] Unless voter registration information is filed
7 and stored in electronic data processing equipment as provided in
8 section 1 of P.L. , c. (C.) (now pending before the
9 Legislature as this bill), the commissioner shall make and
10 maintain a card index file showing on separate cards the full
11 name, address, municipality, ward and district, registration
12 number and date of registration of each person registered
13 permanently in his county. This file shall be arranged
14 alphabetically according to names irrespective of municipality,
15 ward, district, registration number, and date of registration.
16 Reasonably sufficient space shall be reserved on each card for
17 the notations to be made thereon as herein provided.

18 The commissioner shall cause to be made notation on these
19 cards as to each registrant respectively whose registration forms
20 have been transferred from one register to another or to the
21 inactive, death or conviction files concurrently with such
22 transfer. The card with such notations shall show the location of
23 the registration forms of each registrant at all times. All changes
24 of address of the registrant, including those within the same
25 district, shall be noted on these cards concurrently with changes
26 of address on the permanent registration forms.

27 (cf: R.S.19:31-26)

28 5. This bill shall take effect immediately.

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31 STATEMENT

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33 The purpose of this bill is to allow counties which use
34 electronic data processing equipment to file and store voter
35 registration information to eliminate the use of original
36 permanent registration binders under certain circumstances.

37 Under the bill, the original permanent registration binders,
38 which contain the official record of a person's voter registration,
39 may be eliminated if:

40 a. the voter registration information for each voter that is
41 filed and stored in the electronic data processing equipment is
42 made identical with the voter registration information for each
43 voter that is required to be in the original permanent registration
44 binder;

45 b. the voting information for each voter that is required to be
46 entered in the original permanent registration binders after each
47 election is entered into the appropriate voter registration records
48 of each voter contained in the electronic data processing
49 equipment after each election; and

50 c. the commissioner of registration maintains in a permanent
51 and separate file the original completed voter registration form
52 of each voter, and any new or amended forms filed by that voter.

53 The storage of voter registration information in this manner
54 also eliminates the need for the maintenance of this information

1 on card index files in those counties which use electronic data
2 processing equipment.

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7 Allows counties using electronic data processing equipment to
8 eliminate use of certain voter registration records under certain
9 circumstances.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 874

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 7, 1994

The Assembly State Government Committee reports favorably and with committee amendments Assembly Bill No. 874.

This bill would allow counties using electronic data processing equipment to file and store voter registration information to eliminate the use of original permanent registration binders under certain circumstances. Under the bill, the original permanent registration binders, which contain the official record of a person's voter registration, may be eliminated if:

(1) the voter registration information for each voter that is filed and stored in the electronic data processing equipment is made identical with the voter registration information for each voter that is required to be in the original permanent registration binder;

(2) the voting information for each voter that is required to be entered in the original permanent registration binders after each election is entered into the appropriate voter registration records of each voter contained in the electronic data processing equipment after each election; and

(3) the commissioner of registration maintains in a permanent and separate file the original completed voter registration form of each voter, and any new or amended forms filed by that voter.

The storage of voter registration information in this manner also eliminates the need for the maintenance of this information on card index files in those counties which use electronic data processing equipment in conformity with the requirements specified above.

In addition, this legislation permits the commissioner of registration, in counties having electronic equipment capable of producing, storing and printing a digitalized image of the signatures of persons registered to vote, to eliminate the duplicate permanent registration binders and to use in each election as a signature copy register, in place of those binders, a polling record that includes the name and address of the registrant, an imprint of the digitalized signature image, and space for the registrant to countersign the record at the polls for purposes of signature comparison. The polling records for any election would be required to be retained for at least six years.

This bill was pre-filed for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

COMMITTEE AMENDMENTS

The committee adopted amendments to this bill to (1) incorporate the provisions authorizing the use of digitalized signature imaging technology to replace the use at the polls of the

signature copy register, and (2) to clarify that the card index file of registered voters could be eliminated in counties which have computerized the recording of registration information even if that computerized record does not include, as required to permit the elimination of the permanent registration binders under the bill, registrants' voting history.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 874

STATE OF NEW JERSEY

DATED: SEPTEMBER 26, 1994

The Senate State Government Committee reports favorably Assembly Bill No. 874 [1R].

This bill would allow counties using electronic data processing equipment to file and store voter registration information to eliminate the use of original permanent registration binders under certain circumstances. Under the bill, the original permanent registration binders, which contain the official record of a person's voter registration, may be eliminated if:

(1) the voter registration information for each voter that is filed and stored in the electronic data processing equipment is made identical with the voter registration information for each voter that is required to be in the original permanent registration binder;

(2) the voting information for each voter that is required to be entered in the original permanent registration binders after each election is entered into the appropriate voter registration records of each voter contained in the electronic data processing equipment after each election; and

(3) the commissioner of registration maintains in a permanent and separate file the original completed voter registration form of each voter, and any new or amended forms filed by that voter.

The storage of voter registration information in this manner also eliminates the need for the maintenance of this information on card index files in those counties which use electronic data processing equipment in conformity with the requirements specified above.

In addition, this legislation permits the commissioner of registration, in counties having electronic equipment capable of producing, storing and printing a digitalized image of the signatures of persons registered to vote, to eliminate the duplicate permanent registration binders and to use in each election as a signature copy register, in place of those binders, a polling record that includes the name and address of the registrant, an imprint of the digitalized signature image, and space for the registrant to countersign the record at the polls for purposes of signature comparison. The polling records for any election would be required to be retained for at least six years.