

ASSEMBLY, No. 1685

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

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District 24 (Sussex, Hunterdon and Morris)

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District 24 (Sussex, Hunterdon and Morris)

SYNOPSIS

Requires voter registration forms be made available when applying for hunting, fishing, or trapping license.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning voter registration, amending P.L.1994, c.182,
2 and supplementing chapter 3 of Title 23 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. Section 26 of P.L.1994, c.182 (C.19:31-6.11) is amended to
8 read as follows:

9 26. a. As used in this section, "voter registration agency" means:

10 Any agency or office serving as a food stamp issuer, pursuant to
11 P.L.1988, c.79 (C.44:8-153 et seq.) and the "Food Stamp Act of
12 1977," Pub.L.95-113 (7 U.S.C. s.2011 et seq.);

13 Any agency or office providing or administering assistance under
14 the "New Jersey Medical Assistance and Health Services Program,"
15 pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) and 42 U.S.C.
16 s.1395 et seq.;

17 Any agency or office distributing food pursuant to the special
18 supplemental food program for women, infants and children (WIC),
19 established pursuant to P.L.1987, c.261 (C.26:1A-36.1 et seq.) and
20 Pub.L.95-267 (42 U.S.C. s.1786);

21 Any agency or office administering assistance under the Work
22 First New Jersey program established pursuant to P.L.1997, c.38
23 (C.44:10-55 et seq.);

24 Any public office of the Division of Developmental Disabilities,
25 established pursuant to section 2 of P.L.1985, c.145 (C.30:6D-24),
26 in the Department of Human Services;

27 Any public office of the Office of Disability Services,
28 established pursuant to section 3 of P.L.1999, c.91 (C.30:6E-3), in
29 the Department of Human Services;

30 Any recruitment office of the Armed Forces of the United States,
31 subject to any agreement between this State and the Secretary of
32 Defense of the United States for the joint development and
33 implementation, as provided under subsection (c) of section 7 of
34 Pub.L.103-31 (42 U.S.C. s. 1973gg-6), of procedures for applying
35 at those offices to register to vote;

36 Any office of the Division of Vocational Rehabilitation Services
37 of the New Jersey Department of Labor;

38 Any office of the Commission for the Blind and Visually
39 Impaired of the New Jersey Department of Human Services;

40 Any county welfare agency or county board of social services
41 established pursuant to the provisions of chapter 1 or chapter 4 of
42 Title 44 of the Revised Statutes;

43 Any agency or office providing hunting, fishing, or trapping
44 licenses under the Division of Fish and Wildlife in the Department

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 of Environmental Protection, established pursuant to P.L.1999,
2 c.282 (C.23:2B-15.1);

3 The office of the commissioner of registration in the several
4 counties of this State; and

5 Any office of the municipal clerk in the several municipalities of
6 this State.

7 b. With each voter registration form and instructions provided
8 to the chief administrative officer at each voter registration agency
9 under subsections e. and f. of section 16 of P.L.1974, c.30 (C.19:31-
10 6.4), the **【Secretary of State】** Attorney General shall provide at the
11 same time a declination form that includes:

12 (1) the question: "If you are not registered to vote where you
13 live now, would you like to apply to register to vote here today?";

14 (2) the statement: "Applying to register or declining to register
15 to vote will not affect the amount of assistance that you will be
16 provided by this agency.";

17 (3) boxes for the applicant to check to indicate whether the
18 applicant would or would not like to register to vote, together with
19 the statement "IF YOU DO NOT CHECK EITHER BOX, YOU
20 WILL BE CONSIDERED TO HAVE DECIDED NOT TO
21 REGISTER TO VOTE AT THIS TIME.";

22 (4) the statement: "If you would like help in filling out the voter
23 registration application form, we will help you. The decision to
24 seek or accept help is yours. You may fill out the application form
25 in private.";

26 (5) the statement: "If you believe that someone has interfered
27 with your right to register or to decline to register to vote, your right
28 to privacy in deciding whether to register or in applying to register
29 to vote, or your right to choose your own political party or other
30 political preference, you may file a complaint with the **【Secretary of**
31 **State】** Attorney General." (insert address and current telephone
32 number); and

33 (6) the statement: IF YOU DECLINE TO REGISTER TO
34 VOTE AT THIS TIME, YOUR DECISION WILL REMAIN
35 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER
36 REGISTRATION PURPOSES. IF YOU DO REGISTER TO
37 VOTE, THE WAY IN WHICH YOU DO SO WILL REMAIN
38 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER
39 REGISTRATION PURPOSES.

40 c. The **【Secretary of State】** Attorney General shall cause to be
41 prepared declination forms in the form provided for by subsection
42 b. of this section in both the English and Spanish languages and
43 shall provide such forms to the chief administrative officer of each
44 voter registration agency which has an office in any county in
45 which there is at least one election district in which bilingual
46 sample ballots must be provided pursuant to R.S.19:14-21,
47 R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

1 d. The **【Secretary of State】** Attorney General shall adopt,
2 pursuant to consultation with the chief administrative officers at
3 voter registration agencies, regulations for the prompt return of the
4 completed voter registration forms, but in no case shall the forms be
5 returned later than the fifth day following the date on which the
6 completed forms are received by the voter registration agencies.

7 e. All registration forms received by the **【Secretary of State】**
8 Attorney General in the mail or forwarded to the **【Secretary of**
9 **State】** Attorney General by employees or agents of the voter
10 registration agencies shall be forwarded to the commissioner of
11 registration in the county of the registrant.

12 f. Each completed declination form received by a voter
13 registration agency shall be kept confidential for a period of at least
14 two years. The **【Secretary of State】** Attorney General shall
15 determine, pursuant to consultation with the chief administrative
16 officers at voter registration agencies, which office or agency shall
17 retain the declination forms.

18 (cf: P.L.1999, c.91, s.10)

19
20 2. (New section) The director of the Division of Fish and
21 Wildlife shall:

22 a. cause copies of the voter registration forms and instructions
23 provided for under subsections e. and f. of section 16 of P.L.1974,
24 c.30 (C.19:31-6.4) and the declination form provided for in
25 subsection b. of section 26 of P.L.1994, c.182 (C.19:31-6.11) to be
26 distributed at each agency or office to each person appearing in
27 person thereat to apply for a hunting, fishing, or trapping license.
28 An employee of the agency or office shall inquire of every such
29 person whether the person, if not already registered to vote from the
30 place of his or her present residence, wishes to be so registered and
31 shall inform the person that whether or not the applicant chooses to
32 register will not affect the person's eligibility for a license. The
33 employee shall subsequently review the forms to determine whether
34 or not the person wishes to register to vote. If the person does not
35 wish to register, the employee shall provide the person with any
36 assistance necessary to complete the declination form and then
37 inform the person that the form shall be forwarded by the employee
38 to the Attorney General. If the person wishes to register, the
39 employee shall provide the person with any assistance necessary in
40 completing the voter registration form; shall inform the applicant
41 that the applicant may leave the completed form with the employee
42 or mail it personally to the Attorney General; and if the applicant
43 chooses to leave the form, shall accept the completed form, stamp
44 or otherwise mark the lower right hand corner of the document with
45 the date on which it was so received, and forward it to the Attorney
46 General. The employee shall provide to each applicant who does
47 not decline to register to vote the same degree of assistance with

- 1 regard to the completion of the voter registration form as is
2 provided by the office with regard to the completion of applications
3 for licenses, unless the applicant refuses such assistance;
- 4 b. provide for the continuous supply of the forms and
5 instructions specified in subsection a. of this section to every
6 agency or office providing hunting, fishing, or trapping licenses
7 pursuant to P.L. , c. (C.) (pending before the Legislature as this
8 bill);
- 9 c. provide the forms and instructions specified in subsection a.
10 of this section in both the English and Spanish languages to the
11 offices which are located in any county in which bilingual sample
12 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or
13 section 2 of P.L.1965, c.29 (C.19:23-22.4);
- 14 d. provide for the collection of completed voter registration
15 forms by any employee of the office for the transmittal of the forms
16 to the Attorney General;
- 17 e. inform each employee of the agency or office who assists in
18 registering a person to vote that that employee shall not:
- 19 (1) seek to influence an applicant's political preference or party
20 registration;
- 21 (2) display any such political preference or party allegiance;
- 22 (3) make any statement to an applicant or take any action the
23 purpose or effect of which is to discourage the applicant from
24 registering to vote; or
- 25 (4) make any statement to an applicant or take any action the
26 purpose or effect of which is to lead the applicant to believe that a
27 decision to register or not to register has any bearing on the
28 availability of hunting, fishing, or trapping licenses; and
- 29 f. make certain that no information relating to a declination to
30 register to vote by an individual in connection with any type of
31 application for a license made by that individual at any office is
32 used for any purpose other than voter registration.

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34 3. This act shall take effect immediately.

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STATEMENT

39 This bill requires that voter registration forms are to be made
40 available at any agency or office providing hunting, fishing, or
41 trapping licenses under the New Jersey Division of Fish and
42 Wildlife in the Department of Environmental Protection.