

**ASSEMBLY BILL NO. 1944
(Second Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 1944 (Second Reprint) with my recommendations for reconsideration.

This bill would require the Motor Vehicle Commission ("MVC") to automatically register individuals to vote, or automatically update their voter registration, when they apply for a driver's permit, driver's license, non-driver identification card, or renewal of any license or identification card, unless the applicant affirmatively declines the automatic voter registration.

New Jersey affords eligible individuals with a multitude of opportunities to register to vote, including through MVC, county and municipal offices, social service agencies, libraries, and on-line resources. Within the last year, my Administration enhanced voter registration opportunities required by the federal Motor Voter Act by overhauling MVC's voter registration process and converting it to an automated process that utilizes electronic signature pads to provide every applicant for a license or identification card, or renewal thereof, with the ability to register to vote. This process, which cost the State approximately \$1 million, further advanced New Jersey's commitment to ensuring that eligible individuals are provided with convenient registration opportunities. As a result of these efforts, approximately 92% of eligible individuals in New Jersey are now registered to vote.

In light of the foregoing, the need for additional legislation is questionable at best - particularly legislation that raises as many concerns as this bill. Contrary to current

law, which allows individuals to "opt-in", this bill would register individuals simply by virtue of engaging in a transaction with MVC, unless they specifically decline to register through some mechanism that the bill does not specify. Moreover, this automatic registration process fails to adequately protect the voter rolls to ensure that only eligible individuals are registered. On the contrary, the bill not only will almost certainly register ineligible voters, but also contains language that would effectively absolve from punishment individuals who unlawfully vote. This bill should be called "The Voter Fraud Enhancement and Permission Act".

I am also advised that this bill would cost more than \$1 million to initially implement, and more than \$400,000 to maintain annually. This expense seems particularly imprudent considering MVC just spent almost \$1 million on a new automated system that this bill would now render obsolete.

This is the second time within the last year that the Legislature has passed a bill that would fundamentally alter MVC's voter registration process at a significant cost and without providing appropriate safeguards. I rejected that flawed approach when it was part of the so-called "Democracy Act" last session. Nothing has changed since that time that would cause me to revisit that position. If anything, the fact that approximately 92% of eligible residents are now registered to vote following MVC's implementation of its automated electronic signature pad system supports the conclusion that this bill is unnecessary and fiscally irresponsible.

Although I do not agree with the approach taken by the Legislature, I continue to fully support efforts to increase voter registration. Accordingly, I recommend that the law be

amended to ensure that eligible individuals are statutorily provided with the full panoply of voter registration opportunities provided by MVC in accordance with the Motor Voter Act. I am also recommending changes to ensure that MVC's automated system provides greater protection for victims of domestic violence and stalking by notifying them that they may register to vote or update their voter registration information without disclosing their street address, and directs them to the appropriate agency to do so. Collectively, these changes will guarantee that MVC customers have the ability to effectively and efficiently register to vote and update their voter registration information through an intuitive, electronic process that provides appropriate safeguards.

Accordingly, I herewith return Assembly Bill No. 1944 (Second Reprint) and recommend that it be amended as follows:

<u>Page 2, Title, Lines 1-2:</u>	Delete "and supplementing"
<u>Page 2, Section 1, Line 9:</u>	After "23." insert "a."
<u>Page 2, Section 1, Lines 10-11:</u>	Delete in their entirety and insert "each in-person applicant for a driver's license or non-driver identification card, including any new application, renewal, or change of address, appearing before an"
<u>Page 2, Section 1, Line 14:</u>	Delete "decline the automatic"
<u>Page 2, Section 1, Lines 15-16:</u>	Delete in their entirety and insert "register to vote or update the applicant's voter registration information on an electronic signature pad system. b. The New Jersey Motor Vehicle Commission shall include on the electronic signature pad system a notification to applicants who are subject to section 1 of P.L.1994, c.148 (C.19:31-3.2) that they may register to vote or update their voter registration information without disclosing their

street address, and direct such applicants to the appropriate agency in order to do so.

c. Applicants who choose to register to vote or update their voter registration information on the electronic signature pad system shall be:

(1) Required to answer a question regarding their current citizenship status and age in accordance with R.S.19:31-5;

(2) Required to swear or affirm the voter eligibility requirements set forth in R.S.19:31-5 in substantially the following form:

I swear or affirm that:

I am a U.S. Citizen;

I reside and the residential address provided for this license/ID transaction;

I am at least 17 years old, and understand that I may not vote until reaching the age of 18;

I will have resided in the State and county at least 30 days before the next election;

I am not on parole, probation, or serving a sentence due to a conviction for an indictable offense under any federal or state laws; and

I understand that any false or fraudulent registration may subject me to a fine of up to \$15,000, imprisonment up to 5 years, or both pursuant to R.S. 19:34-1.

(3) Provided the option to declare a political party affiliation; and

(4) Provided a space for the applicant's signature on the electronic signature pad.

The New Jersey Motor Vehicle Commission shall electronically transmit all required voter registration information, including signatures, to the Secretary of State within five business days of receipt.

d. All New Jersey Motor Vehicle Commission offices shall maintain a reasonable supply of New Jersey voter registration applications created pursuant to Section 16 of P.L.1974, c.30 (C.19:31-6.4) that can be used if the electronic

signature pads are temporarily unavailable. Completed voter registration applications shall be forwarded from each New Jersey Motor Vehicle Commission office to the Secretary of State within five business days of receipt."

- Page 2, Section 2, Line 24: Delete "provide for" and insert "formulate a means of permitting"
- Page 2, Section 2, Line 25: Delete in its entirety
- Page 2, Section 2, Line 26: Delete "automatically" and insert "apply at the same time for a driver's license or non-driver identification card, including any new application, renewal, or change of address, and to"
- Page 2, Section 2, Line 26: After "vote" insert "or update his or her voter registration information pursuant to section 23 of P.L.1994, c.182 (C.39:3-10m),"
- Page 2, Section 2, Line 32: After "application" insert "or update"
- Page 2, Section 2, Line 32: Delete "mark the"
- Page 2, Section 2, Line 33: Delete "lower right hand corner of the"
- Page 2, Section 2, Line 33: Delete "with"
- Page 2, Section 2, Line 34: Delete "physical or electronic document" and insert "record"
- Page 2, Section 2, Lines 35-36: Delete "no later than the 10th day following the date of acceptance" and insert "within five business days of receipt"
- Page 3, Section 2, Lines 2-3: Delete "no later than the 10th day following its" and insert "within five business days of"
- Page 3, Section 2, Line 5: Delete "automatic voter" and insert "opportunity to update his or her voter registration information pursuant to section 23 of P.L.1994, c.182 (C.39:3-10m)"
- Page 3, Section 2, Line 6: Delete in its entirety
- Page 3, Section 2, Line 7: Delete "before the Legislature as this bill)"

Page 3, Section 2, Line 8: Delete "A change of address"
Page 3, Section 2, Lines 9-13: Delete in their entirety
Page 3, Section 3, Lines 16-48: Delete in their entirety
Page 4, Section 3, Lines 1-32: Delete in their entirety
Page 4, Section 4, Line 34: Delete "4." and insert "3."

[seal]

Respectfully,
/s/ Chris Christie
Governor

Attest:

/s/ Thomas P. Scrivo
Chief Counsel to the Governor