

AND THE WINNER IS... ELECTIONS & THE CHALLENGES OF THE CLERK



PRESENTED BY:

KEITH KAZMARK -

RMC/CMC/MMC - BOROUGH OF ELMWOOD PARK

MAYOR, BOROUGH OF WOODLAND PARK

IMMEDIATE PAST PRESIDENT, MCANJ

LET'S TAKE A POLL...

Whose favorite thing about being a
Municipal Clerk is Elections?



Whose least favorite thing about being a
Municipal Clerk is Elections?





ELECTION CHALLENGES...

- Petition Deadlines
- Voter Registration & Party Declaration Cards
- Election Integrity
- Electioneering, Poll Workers & Polling Sites
- Preparing for Emergencies
- Review and Suggestions



PETITION DEADLINES

Primary Election - NOMINATING PETITIONS

[N.J.S.A. 19:13-1, 19:13-3, 19:23.5 et seq.]

Nominating Petitions must be filed in the office of the Municipal Clerk by 4:00 p.m. on the 64th day next preceding the day of the holding of the Primary Election for the General Election.

Independent Candidate – General Election - NOMINATING PETITIONS

Petition must be filed with the County Clerk by 4:00 p.m. on Primary Election Day.

Non-Partisan Election - NOMINATING PETITIONS

[N.J.S.A. 40:45-1 et seq.] 10/31/04

File with the Municipal Clerk by 4:00 p.m., on the sixty-fourth (64th) day prior to the Municipal Election.



PETITION DEADLINES

School Board Election (April) - NOMINATING PETITIONS

[N.J.S.A. 19:60-1 et seq.]

Received by the School Board Secretary by 4:00 p.m. on the fiftieth (50th) day prior to the School Election.

School Board Election (November) - NOMINATING PETITIONS

[N.J.S.A. 19:60-1 et seq.]

Petitions for nomination for School Board Candidates are to be submitted to the County Clerk no later than 4:00 p.m. of the last Monday in July preceding the November School Election.



VOTER REGISTRATION & PARTY AFFILIATION CHANGES

WHO IS ELIGIBLE TO REGISTER TO VOTE: *[N.J.S.A. 19:31.5]*

1. A person who will be eighteen (18) years of age or older at the time of the next ensuing election.
2. A person who is a United States Citizen.
3. A person who is a resident of the State of New Jersey and of the County at least thirty (30) days before the election.

WHEN TO REGISTER: *[N.J.S.A. 19:31-6.1]*

1. The deadline to register is twenty-one (21) days before an election. Voters may register after the deadline, but registrant should be advised that he will not be eligible to vote in the election immediately forthcoming but will be eligible to vote in elections held thereafter.
2. Evening registration may be held prior to the close of registration from 4:00 p.m. to 9:00 p.m. on the twenty-first (21st) day prior to election. *[N.J.S.A. 19:31-2]*.
3. Schools are required to provide voter registration material to those students eligible to register.
P.L. 2009, C281.



VOTER REGISTRATION & PARTY AFFILIATION CHANGES

PARTY AFFILIATION DECLARATIONS: *[N.J.S.A. 19:23-45]*

1. Voters who have never voted in any Primary Election are "Undeclared Voters." Should they wish to vote in a Primary Election, they may declare their political party at the polls.
2. Voters who have voted at a primary election are considered "Declared Voters." They will be either a Democrat or a Republican. Should they wish to change their political affiliation to another political party or to declare themselves "Unaffiliated," they must file a declaration of Party Affiliation with the County Commissioner of Registration at least fifty-five (55) days prior to the Primary Election should they want to vote for that party in that Primary. If they affiliate themselves with a political party for a particular primary they may file a declaration at any time following that Election to return to "Unaffiliated."
3. Voters may indicate on their voter registration form their choice of political party affiliation.
4. The declaration of Party Affiliation form is the same form that is used to register to vote.



VOTER REGISTRATION & PARTY AFFILIATION CHANGES

- Review every form for completeness.
- Time Stamp every form.
- Copy (after time stamped) and have the Supt. Of Elections of Board of Elections use their time stamp to show receipt of delivery.
- Advise the voter to look out for a letter, card or sample ballot.

**New Jersey
Voter Registration Application**

Please print clearly in ink. All information is required unless marked optional.

1 Check boxes that apply: <input type="checkbox"/> New Registration <input type="checkbox"/> Name Change <input type="checkbox"/> Address Change <input type="checkbox"/> Political Party Affiliation or Non-affiliation Change		FOR OFFICIAL USE ONLY Date _____ Registration # _____ Office Time Stamp _____ By mail (if person) _____
2 Are you a U.S. Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, DO NOT complete this form. Will you be 18 years of age by the next election? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, DO NOT complete this form.		
3 Last Name _____ First Name _____ Middle Name or Initial _____ Suffix (Jr., Sr., etc.) _____		
4 Date of Birth: Month _____ Day _____ Year _____		
5 a) Driver's License Number or MVC Non-Driver ID Number _____ b) Social Security Number _____ <small>(If I never or often had I DO NOT have a NJ Driver's License, MVC Non-Driver ID or a Social Security Number)</small>		
6 Home Address (DO NOT use PO Box) Apt. _____ Municipality _____ County _____ State _____ Zip Code _____		
7 Mailing Address (if different from above) Apt. _____ Municipality _____ County _____ State _____ Zip Code _____		
8 Last Address Registered to Vote (DO NOT use PO Box) Apt. _____ Municipality _____ County _____ State _____ Zip Code _____		
9 Former Name (if Making Name Change) _____ Day Phone Number (Optional) _____		
10 Do you wish to declare a political party affiliation? <input type="checkbox"/> Yes, the party name is _____ (Optional) <input type="checkbox"/> No, I do not wish to be affiliated with any political party.		
11 Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male <small>Declaration - I swear or affirm that: • I am a U.S. Citizen • I am at least 18 years old on or before the next election • I am not in prison, probation or serving a sentence due to a conviction for an indictable offense under any federal or state law • I understand that any false or fraudulent registration may subject me to a fine of up to \$10,000, imprisonment up to 5 years, or both pursuant to N.J.S. 19-24.1</small>		
Signature: Sign or mark and date on lines below _____ Name _____ Date _____ If applicant is unable to complete this form, print the name and address of individual who completed this form: Name _____ Date _____ Address _____		

Important Instructions for sections 5, 6 and 10

5) Registrants who are submitting this form by mail and are registering to vote for the first time: If you do not have any of the information required by section 5, or the information you provide cannot be verified, you will be asked to provide a COPY of a current and valid photo ID, or a document with your name and current address on it to avoid having to provide identification at the polling place.

Note: ID Numbers are Confidential and will not be released by any governmental agency. Any person who uses such numbers illegally shall be subject to criminal penalties.

6) If you are homeless, you may complete section 6 by providing a contact point or the location where you spend most of your time.

10) You may declare a political affiliation or you may declare to be unaffiliated, regardless of any prior party affiliation. Completing section 10 is OPTIONAL, and will not affect the acceptance of your voter registration application.

Need More Information? Check boxes below if you would like to receive more information about:
☐ obtaining voting ☐ getting phone accessibility ☐ providing election materials in this alternative language
☐ becoming a poll worker ☐ getting if you have a disability, including visual impairment

For further information visit www.NJlections.org or call toll-free 1-877-NJ-VOTER (1-877-458-6837)

one 1-1-0



SIGNATURE ISSUES

<http://www.twcnews.com/nys/hudson-valley/news/2016/08/22/assemblyman-accused-of-petition-fraud.html>



SIGNATURE ISSUES

<http://www.foxnews.com/politics/2011/10/18/college-student-credited-with-uncovering-possible-election-fraud-in-indianas.html>



SIGNATURE ISSUES



<http://www.msnbc.com/rachel-maddow-show/gop-senate-candidate-colorado-acknowledges-wrongdoing>

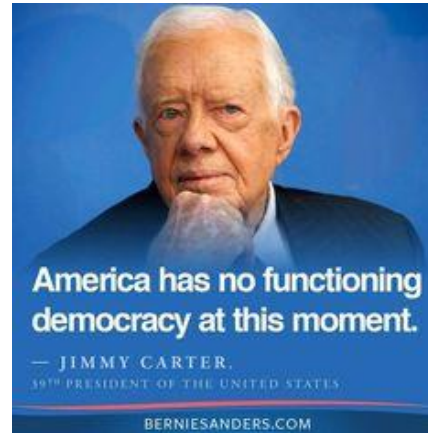


THE CLERK'S RESPONSIBILITY

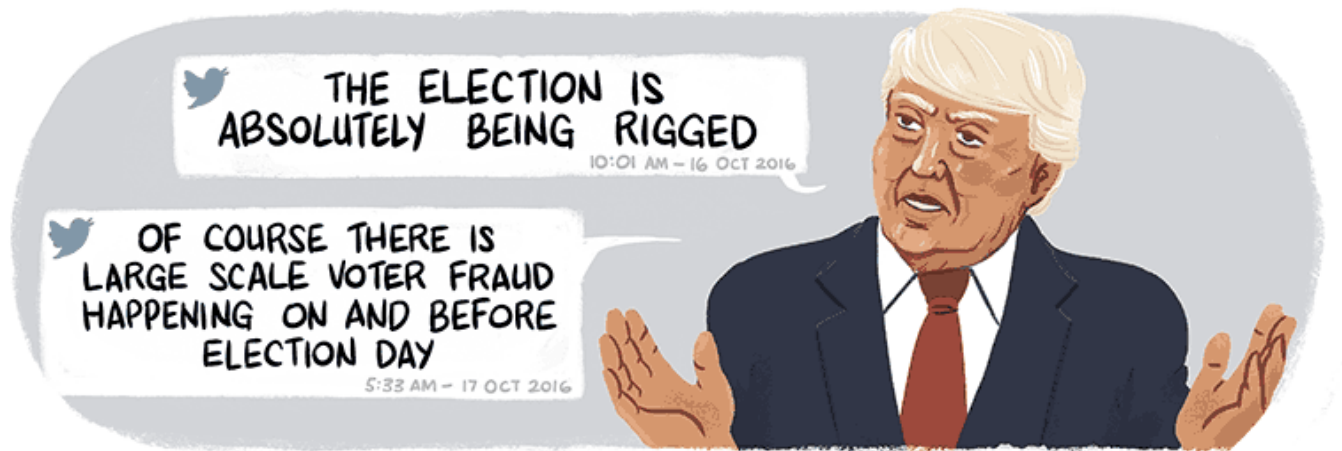
- Verify the Required Number of Signatures
- Ensure the Petition is Properly Signed by the Candidate(s)
- Review for Any Irregularities
- Notify the Candidate should the Petition need to be Amended (no signatures may be added)
- Accept Petition Challenges and Investigate
- Ensure Ballot Slogan is Incorporated



ELECTION INTEGRITY



ELECTION INTEGRITY



Donald J. Trump @realDonaldTrump · 7h

Of course there is large scale voter fraud happening on and before election day. Why do Republican leaders deny what is going on? So naive!

Retweets 11K Likes 26K



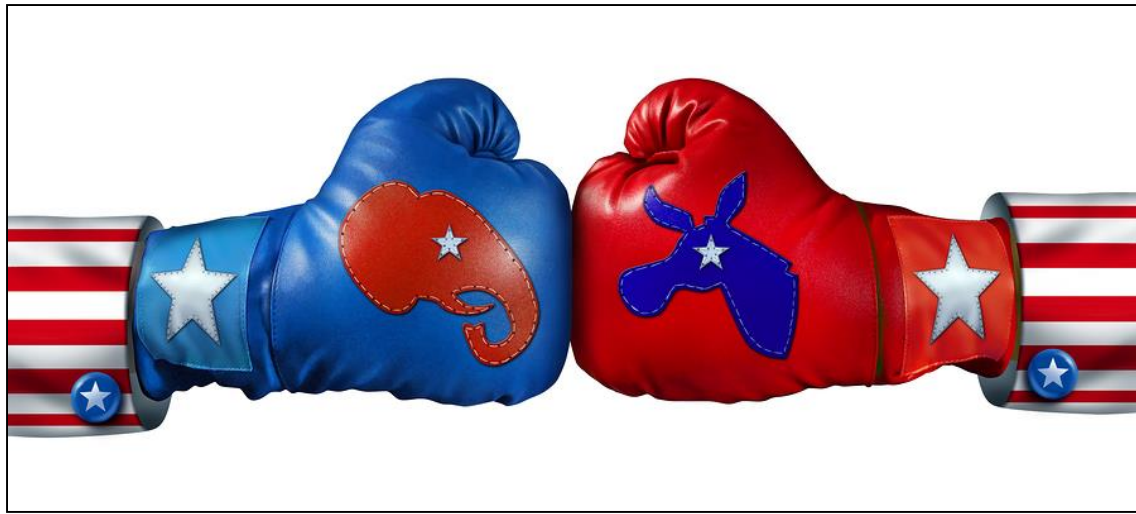
Donald J. Trump @realDonaldTrump

Following

I will be asking for a major investigation into VOTER FRAUD, including those registered to vote in two states, those who are illegal and....

RETWEETS 23,871 LIKES 112,523





**SO HOW DOES A
NATIONAL POLITICAL
MESSAGE IMPACT US AS
LOCAL MUNICIPAL CLERKS???**





"If you see this logo (says SmartMatic) on the voting machine you're using, request a paper ballot. They have to give you one by Federal law. These machines were manufactured by a George Soros company (Hillary's biggest donor). Even the FBI, Dept of Homeland Security and the CIA have stated the likelihood of these machines being hacked is high. They're trying to get them shut down prior to the election, but don't believe they'll be able to in time. They are currently in 16 states (below) - so SPREAD THE WORD and Voter Beware. Arizona, California, Colorado, Washington, D.C., Florida, Illinois, Louisiana, Michigan, Missouri, New Jersey, Nevada, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin."



Dear County Election Officials,

The Division of Elections has been made aware that many of you are receiving questions concerning Smartmatic's involvement in New Jersey elections. Please be aware that New Jersey does not use any Smartmatic voting equipment. Our three voting equipment vendors are Dominion, ES&S, and Avante. It is our understanding that Dominion Voting has sent its customers a fact sheet addressing these questions (see attached). Smartmatic has also posted a response on its website. Please use the link below to access the Smartmatic response.

<http://www.smartmatic.com/case-studies/article/facts-about-smartmatic/>

I hope this information will address any concerns your voters may have.

If you have any questions, please do not hesitate to contact me.

Thanks,

Robert Giles
Director
Division of Elections
NJ Department of State
PO Box 304
Trenton, NJ 08625



Facts about Smartmatic

Because transparency is at the core of what we do, it is important the facts about us are well known—our origins and our work powering elections around the world.

- **Smartmatic is 100% privately owned.** Smartmatic has no ties to political parties or groups in any country and abides by [a stringent code of ethics](#) that forbids the company to ever donate to any political campaigns of any kind.
- The company's headquarters were based in Florida for many years, but have since moved to London to service its global client base.
- **George Soros does not have and has never had any ownership stake in Smartmatic.**
- It is no secret that our Chairman Lord Mark Malloch-Brown is a member of a number of non-profit boards addressing global issues from poverty reduction to conflict resolution, including the Global Board of the Open Society Foundation. This is stated clearly in his official biography. [Lord Malloch-Brown is a highly respected global figure](#) whose credentials include former Deputy Secretary-General of the United Nations and former Vice-Chairman of the World Economic Forum. He also served in the British Cabinet, as Minister of State in the Foreign Office.
- **Smartmatic will not be deploying its technology in any U.S. county for the upcoming 2016 U.S. Presidential elections.**
- Our election technology has handled more than 3.7 billion votes over the past 12 years in election projects on five continents, without a single discrepancy.
- As a technology provider, Smartmatic is only responsible for, and concerned with, the technical aspects of the vote. Smartmatic does not comment on specific candidates or outcomes.
- Smartmatic's voting technology has never been compromised.

Those are basic facts about Smartmatic. You can learn more about our team, history and work at www.smartmatic.com/about





1201 18th Street, Suite 210
Denver, CO 80202

10.25.2016

Dominion Voting Systems Ownership: Fact Check

Recently there have been a number of inaccurate claims appearing on blogs and in social media alleging that Dominion Voting Systems (Dominion) is owned by, or somehow affiliated with, Smartmatic Corp. Other accounts allege that Mr. George Soros has an ownership interest in Dominion. These claims are false. The facts are these:

- Neither Smartmatic or Mr. Soros has any ownership interest whatsoever in Dominion, and they have had no ownership interest in the past. Dominion has no relationship whatsoever with Mr. Soros, his companies or his foundations.
- Dominion is entirely owned by its employees, who are U.S. and Canadian citizens. Any claim that external entities have any ownership interest in our company is simply false.
- The voting systems we manufacture, as well as the legacy systems we support such as those manufactured by the former Sequoia Voting Systems, are all subjected to rigorous review, analysis, testing and certification by election authorities at the state and federal level, including the federal Election Assistance Commission (EAC). Independent testing laboratories, with extensive expertise in secure software design, are selected to perform this analysis. At the local level, prior to election day, these systems are also subjected to public testing to ensure they operate correctly, are configured properly and will tabulate votes accurately.
- As a matter of company policy Dominion does not support political candidates, parties or partisan causes, and has strict procedures in place to ensure that the company is wholly impartial in all political matters.

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To all County Boards of Election and Superintendents of Elections:

The question has arisen whether a voter may choose to vote by provisional ballot at the voter's proper polling place where the voter is registered and is in the poll book. The answer is no. The Legislature has established how one votes in New Jersey and with the exception of mail-in ballots, emergency ballots, and where provisional ballots are required, all properly registered voters in the poll book are to vote by machine. A voter is only to vote by emergency ballot if the voting machine becomes inoperable. A voter is only to vote by provisional ballot at his/her proper polling place if 1) the voter claims to be registered in that election district and is not in the poll book; 2) the voter moved outside of his or her registered election district, but within the county, without informing the commissioner of registration; 3) the voter is in the poll book but is noted as having been sent a mail-in ballot; 4) the voter is in the poll book but is marked as "ID required" and the voter does not have the required ID. Other than these exceptions, a voter who is qualified to vote by machine does not have the option of choosing to vote by provisional ballot. The voter must vote in the voting machine at the voter's proper polling place.

As you know, voters who have recently moved may not always be certain as to the proper method and place to vote. As set forth at N.J.S.A. 19:53C-3, only where a voter has moved from one county to another after the close of the voter registration period (October 18, 2016) shall the voter be sent to vote in the previous county of residence. In all other instances where a voter has moved within the county, the voter shall vote at the polling place where they now reside and shall vote by provisional ballot in the district where they currently reside when they are not in the poll book unless the move was within the same election district, in which case the voter may vote by machine after affirmation of the voter's current residence.

Because a number of people have raised this issue, please make sure that your district board workers are aware of these restrictions. If you have any questions, please do not hesitate to contact us.

Todd Wigder, Assistant Attorney General
George Cohen, Deputy Attorney General



ELECTIONEERING

<http://www.localsyr.com/news/local-news/passive-electioneering-could-keep-you-from-voting/434123214>



ELECTIONEERING

[N.J.S.A. 19:34-5 to 19:34-15]

1. No person shall, during an election, with intent to hinder or delay same, or to hinder or delay any voter in the preparation of his ballot, remove or destroy any of the ballots or pencils placed in the booths or compartments for the purpose of enabling the voter to prepare his ballot.
2. No person shall tamper, deface or interfere with polling booth.
3. No person shall obstruct the entrance to any polling place.
4. No person shall obstruct or interfere with any voter.
5. No person shall loiter or do any electioneering within the polling place.
6. No person shall suggest or solicit any support for any candidate, party or public question WITHIN ONE HUNDRED FEET (100') OF THE OUTSIDE ENTRANCE TO ANY POLLING PLACE OR ROOM.
7. No person shall distribute or display any circular or printed matter.
8. Any person willfully violating any of the provisions of this section shall be guilty of a misdemeanor and shall be punished by fine not exceeding five hundred (\$500.00) dollars and imprisonment until such fine and the costs of the conviction are paid.

This shall not be construed to prohibit a minor from entering a polling place on the day of an election to vote in a simulated election at that polling place.



ELECTIONEERING

PERSONS ALLOWED IN POLLING PLACE:

1. Officers connected with the election;
2. Candidates;
3. Duly authorized challengers;
4. Voters present for the purpose of voting.
5. Persons connected with the operation of a simulated election for minors and minors present for the purpose of voting in a simulated election as permitted by *N.J.S.A. 19:34-6b*.



ELECTIONEERING



**SOME TIMES IT'S
NOT THAT EASY!**



WHO KNOWS THIS GUY???



Jon Runyan

Member

US House of Representatives

CD 3 - New Jersey

Elected: November 2010

Re-Elected: November 2012

In Office:

January 3, 2011 – January 3, 2015



WAR STORIES...

A few years ago, when Jon Runyan was on the ballot, voters wearing his football jersey came in to vote. We received calls from the District Board Workers and immediately called the Superintendent of Elections Office. We met on site and...

Was this considered electioneering???



WAR STORIES...

Candidates in a municipal race dropped off Dunkin' Donuts to the Poll Workers as the polls opened on Election Day.



Was this considered electioneering???



What if this
was added?



WAR STORIES...



In 2007, we had a multiple candidates running in the Primary Election. Three of them were sitting at a table and one was giving out Clark candy bars. Guess what, his last name was Clark...

Was this considered electioneering???



SUGGESTIONS...

- Provide a List of Election Day Laws & Procedures to your Police Department
- Send a Letter to the Candidates prior to the Election advising them of these Laws & Procedures.
- Remind Poll Workers of the Rules
- Mark the 100 foot areas prior to the opening of the polls.



DISTRICT BOARD WORKERS

MEMBERSHIP AS A POLL WORKER

1. The district boards of each election district shall consist of four (4) members, except that where electronic voting systems are in use any election district in which there are more than nine hundred (900) registered voters that district shall consist of six (6) members.
2. The members of any district board shall be equally apportioned between the two (2) political parties.

***Exception. If the county board is unable to fill all of the positions of the members of particular district board from among qualified members of those two (2) political parties, the County Board shall appoint to any such unfilled position a qualified person who is unaffiliated with any political party, but no such appointment of an unaffiliated person shall be made prior to March 25th of each year, and in no event shall more than two (2) such unaffiliated persons serve at the same time on any district board. 10/31/05; 9/14/07; 9/15/12
3. In an election district in which the primary language of ten percent (10%) or more of the registered voters is Spanish, the County Board of Elections shall appoint two (2) additional members who shall be of Hispanic origin and fluent in Spanish.
4. Any person selected as a member of a district board may be assigned by the County Board of Elections to any election district. The district board member need not live or vote in the district to which they are assigned.



DISTRICT BOARD WORKERS

RESPONSIBILITIES AND DUTIES OF DISTRICT BOARDS

1. Report to the polls at least 45 minutes before the polls open to the public.
2. Prepare the Polling Place for Voting.
3. Open the polls for the election at 6:00 a.m. and close them at 8:00 p.m. and keep them open during the whole day of election between these hours. (Except for April School Board Elections)
4. Verify Voters are registered.
5. Maintain order at the polls.
6. One member of the board is charged with the duty of obtaining and signing for the signature copy registers and other required material from the Municipal Clerk, and one member of the board is charged with the duty of returning these items to the municipal clerk at the close of polls.
7. The County Board of Elections shall provide Voting and Registration Instructions which shall be conspicuously displayed at each polling place on the day of election. Board members shall demonstrate the voting process, upon request.
8. An American Flag shall be displayed at the outside entrance to each polling place by the district boards during the hours of the election. The flag shall be furnished to the Municipal Clerk by the County Clerk [N.J.S.A. 19:8-5]
9. In some municipalities, it is the responsibility of the Municipal Clerk to keep, repair, store and deliver the polling booths, ballot boxes and other equipment in time for use by the district boards at the expense of the municipality.



POLLING SITE – WAR STORIES...

Can an immediate family members of a candidate serve as a poll worker when that family members appears on the ballot?



Should two poll workers, each from opposing parties, enter a polling booth with a voter who is seeking help?



POLLING SITE - WAR STORIES...

One Municipal Clerk reported that a Poll Worker was nursing her baby while working the machines. What is the appropriate action in this situation?



In my own town, we had a call from a Poll Worker that a fellow worker was wearing sandals and picking at his feet during down time in the June Primary. What would you do?



POLLING SITES – VOTING AUTHORITY SLIPS

On Primary Day, the machines count the total number of voters, both Democrat and Republican. The Voting Authority slips keep count of the D's and R's who vote. Does the Poll Worker have to provide a challenger or candidate the number of voters from the VAS?

The Poll Worker is only required to provide the number from the machines.



POLLING SITES – VOTING AUTHORITY SLIPS

In one Passaic County town, a challenger reported to the Municipal Clerk that one of the political parties was removing the Voting Authority Slips during the Primary Election so they could mark off who had already voted and then brought them back. Is this allowed?



POLLING SITES – CLOSING OF THE POLLS



POLLING SITES –

CLOSING OF THE POLLS

- Every voter on line by 8:00 pm, is permitted to stay on line until they cast their vote. Poll workers should cut off the line a precisely 8:00 pm so no additional voters can join the line.
- After the polls are closed, the poll workers are to print a results receipt from the machine and **announce** the vote totals to those assembled.
- Poll Workers, Challengers and Candidates are all qualified to be at the polling sites to gather results.



EMERGENCIES – RE-LOCATION OF POLLING SITES

- Borough Reverse 911 (Swift Reach) – 3 days
- Board of Education (Honeywell) Reverse 911
- Borough & BOE Websites
- Facebook
- Twitter
- Nixle
- Direct Mail – USPS Direct Business Mail
- Police Emergency Sign & Recreation Digital Sign



EMERGENCIES – RE-LOCATION OF POLLING SITES

- Signage at Normal Polling Sites
- Signage at Re-Located Polling Sites
- Flyers on Municipal Clerk Letterhead to Political Parties



Voting On Tuesday



HOW IS
THIS
STILL A
THING?

https://www.youtube.com/watch?v=e0bMfS-_pjM



QUESTIONS & ANSWERS

Let's hear from ***YOU!***



