

County of Passaic

Board of County Commissioners



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Date: Mar 26, 2024 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE COUNTY OF PASSAIC TO APPLY FOR AND ACCEPT FUNDING FOR THE MAIL-IN VOTER EDUCATION PROGRAM FROM THE STATE OF NEW JERSEY, DEPARTMENT OF STATE, DIVISION OF ELECTIONS, PURSUANT TO N.J.S.A. 40:20-1

THIS RESOLUTION WAS REQUESTED BY:
 FINANCE

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	3/26/2024
Introduced Date	3/18/2024
Adopted Date	
Agenda Item	7.
CAF#	
Purchase Req. #	
Result	

Administration and Finance

COMMITTEE NAME

RESOLUTION AUTHORIZING THE COUNTY OF PASSAIC TO APPLY FOR AND ACCEPT FUNDING FOR THE MAIL-IN VOTER EDUCATION PROGRAM FROM THE STATE OF NEW JERSEY, DEPARTMENT OF STATE, DIVISION OF ELECTIONS, PURSUANT TO N.J.S.A. 40:20-1

WHEREAS, the County of Passaic (“County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic (“Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, P.L.2022, c.68 is an Act concerning mail-in ballots and amending Title 19 of the New Jersey Statutes, as follows:

1. *Removal from permanent vote by mail status after voter fails to vote by mail in four (4) consecutive years.* More specifically, pursuant to N.J.S.A. 19:63-3(a), as amended and supplemented by P.L.2022, c.68, beginning with the 2020 general election cycle, if a voter does not vote by mail in four (4) consecutive years, then the voter shall no longer be furnished with a mail-in ballot for future elections and the voter shall be notified in writing of the change.
2. *Potential change in where a mail-in ballot is sent.* Pursuant to N.J.S.A. 19:63-3(b)(1), as amended and supplemented by P.L.2022, c.68, in the case of a voter choosing to have their mail-in ballot sent to a secondary address, if the ballot is returned or marked undeliverable for two consecutive general elections, then future mail-in ballots shall be mailed to the voter’s address where they are registered to vote and the voter shall be notified in writing of the change.
3. P.L.2022, c.68 appropriates \$5 million in funding to counties to undertake a public education campaign to notify voters of the changes to mail-in ballot procedures set forth under the Act.

WHEREAS, in accordance with P.L.2022, c.68, the State of New Jersey, Department of State, Division of Elections has appropriated \$5 million from the State General Fund to provide funding to counties to implement the requirements of the Act; and

WHEREAS, pursuant to the Application Guidelines and N.J.S.A. 19:63-6.1, the County shall undertake a voter education campaign, through existing media such as television or newspapers, through online platforms, or by mail addressed to registered voters with vote by mail status, to inform voters about the potential of removal from permanent vote by mail status and the potential change in where a mail-in ballot is sent; and

WHEREAS, the State will distribute funding after execution of a Memorandum of Understanding (“MOU”), attached hereto and made part of this Resolution, which sets forth the State and County’s understanding and intention with respect to providing and receiving funding for the Mail-in Voter Education Program; and

WHEREAS, pursuant to the MOU, funding can be used for (1) publications and notices to voters informing them of the potential removal from permanent vote by mail status and the potential change in where a mail-in ballot is sent; (2) printing costs specific to the Mail-in Voter Education Program; (3) postage costs specific to the Mail-in Voter Education Program; (4) expenses directly related to compliance with N.J.S.A. 19:63-6.1; and (5) additional staff hours and overtime reasonably incurred by the county election office staff, apart from the cost of regular work hours; and

WHEREAS, funds must be expended prior to March 1, 2025 and all expenses are subject to audit by the State of New Jersey, Department of State, Division of Elections; and

WHEREAS, this matter was discussed by the Administration & Finance Committee and is being recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic hereby authorizes the County of Passaic to apply for and accept funding for the Mail-in Voter Education Program from the State of New Jersey, Department of State, Division of Elections, in the amount of three hundred nine thousand ninety dollars (\$309,090.00) to educate voters about the changes to mail-in ballot procedures set forth in P.L.2022, c.68.

LET IT BE FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to execute the attached Memorandum of Understanding on behalf of the County of Passaic, which commences retroactive to February 29, 2024 and expires on March 1, 2025, unless extended by agreement of the Parties.

LET IT BE FURTHER RESOLVED, that the Passaic County Clerk shall be responsible for undertaking a voter education campaign to inform Passaic County voters of the changes to mail-in ballot procedures outlined in P.L.2022, c.68.

LET IT BE FURTHER RESOLVED, that prior to March 1, 2025, the Passaic County Clerk shall provide a report to the State of New Jersey, Department of State, Division of Elections, demonstrating actual disbursement of all funds related to the Mail-in Voter Education Program.

LET IT BE FURTHER RESOLVED, that the Clerk of the Board, County Counsel, Chief Financial Officer, Passaic County Clerk, and Director of the Board are authorized to take any action necessary to carry out the purpose of this Resolution.

SF

March 26, 2024