

VOTER REGISTRATION REFORM: A METHOD TO INCREASE NEW JERSEY VOTER PARTICIPATION

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I. Introduction

As one of our nation's forefathers noted:
cherish . . . the spirit of your people and keep alive their at-
tention. . . . If once they become inattentive to public affairs,
you and I, and Congress and Assemblies Judges and Govern-
ors, shall all become wolves.¹

Unfortunately, the spirit of the American people has dissipated and many Americans simply fail to vote. Indeed, since the mid-1960's, about twenty million eligible voters, many of whom had voted regularly, have stopped going to the polls.² The problem is best exemplified by comparing the five presidential elections between 1960 and 1980. During that twenty year span, the percentage of eligible Americans who voted decreased from 62.8 percent in 1960 to 53.9 percent in 1980.³ It must be emphasized, however, that dismal voter participation in general, primary and special elections is not confined to the federal arena. Such apathy greatly affects state and local elections as well.⁴

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¹ A. HADLEY, *THE EMPTY POLLING BOOTH*, (1978) (quoting Thomas Jefferson) [hereinafter cited as A. HADLEY].

² L.A. Daily L.J., at 1, col.1 (Oct. 8, 1984).

³ *Id.* The 1980 voter turnout was the lowest recorded in thirty-two years. *Id.* In the 1984 election, registration increased by a net total of 12.1 million persons. Still, only sixty-one percent of eligible Americans were registered and only fifty-four percent voted in the 1984 election. National Center for Policy Alternatives, *VOTER REGISTRATION AND THE STATES: EFFECTIVE POLICY APPROACHES TO INCREASING PARTICIPATION* (1986) [hereinafter cited as *VOTER REGISTRATION AND THE STATES*].

⁴ American Bar Ass'n, *The Disappearance of the American Voter: A Symposium on Declining Voter Participation* at 8 (1978) (comments by Curtis Gans, Director, Comm. for the Study of the American Electorate) [hereinafter cited as *The Disappearance of the American Voter*]. In New Jersey, for example, less than fifteen percent of the eligible

Political theorists have long been concerned with the question of how much nonvoting is unhealthy for a democracy.⁵ Some theorists warn that the lack of voter participation will threaten wise government and undermine the vitality of the political process.⁶ On the other hand, there are those who maintain that nonvoting is not a problem, but merely a form of passive consent.⁷ Despite these theoretical perceptions, in reality, statistics indicate that nearly half of the eligible Americans fail to exercise their right to vote.⁸

Paradoxically, voter turnout has continued to decline while impediments to voting have been liberalized.⁹ Indeed, within the last twenty-five years, the poll tax was outlawed,¹⁰ discrimination at pol-

voters cast their ballots for then Governor Brendan Byrne in his successful 1977 re-election bid. *Id.* In 1978, Senator Clifford Case was defeated with a primary turnout of less than twelve percent of the eligible vote. *Id.*

⁵ H.A. BONE & A. RANNAY, *POLITICS AND VOTERS* 42 (1963).

⁶ L.A. Daily L.J., at 8, col. 2 (Oct. 8, 1984) (statement by Curtis Gans).

⁷ Will, *In Defense of Nonvoting*, *NEWSWEEK* 96, 102 (Oct. 10, 1983). Mr. Will notes that:

The fundamental human right is to good government. The fundamental problem of democracy is to get people to consent to that, not just swell the flood of ballots. In democracy, legitimacy derives from consent, but nonvoting is a form of passive consent. It often is an expression not of alienation but contentment, or at least the belief that things will be more tolerable no matter who wins.

Id.

The late Senator Sam Ervin shared a similar sentiment:

I'm not going to shed any real or political or crocodile tears if people don't care enough to vote. I don't believe in making it easy for apathetic, lazy people. I'd be extremely happy if nobody in the United States voted except for the people who thought about the issues and made up their own minds and wanted to vote. No one else who votes is going to contribute anything but statistics, and I don't care that much for statistics.

A. HADLEY, *supra* note 1, at 105.

⁸ *The Disappearance of the American Voter*, *supra* note 4, at 8. The overall percentage of eligible Americans who actually vote is decreasing, while registration and the percentage of registered Americans who vote also continues to decline. *Id.* at 9.

⁹ *Id.*

¹⁰ U.S. CONST. amend. XXIV, § 1 provides:

The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

See also *Harmon v. Forsenius*, 380 U.S. 528 (1965); *Harper v. Virginia State Bd. of Elections*, 383 U.S. 663 (1966).

ling places on the basis of race or language was eliminated,¹¹ and Americans between the ages of eighteen and twenty-one were enfranchised.¹² Although the removal of each of these barriers has expanded the ranks of eligible voters, none has had the slightest impact on the growing disinterest of the American public in this country's elections.¹³

Voting, in and of itself, is not complex. An individual registers to vote, educates himself or herself about the issues, travels to the polls on election day, and casts his or her vote. The dilemma, however, lies in the fact that state election codes resemble a patchwork. Their bewildering array of minute provisions present obstacles that impede, rather than facilitate, voters' access to the polling booth.¹⁴ Other factors certainly contribute to low voter turnout, but they are multitudinous and not within the parameters of this article.¹⁵ Rather, this article will concentrate on the institutional disincentives which lead to voter registration problems.¹⁶

Legislators and political scholars have directly addressed the enigma of low voter turnout and have devised many possible reforms for both federal and state elections.¹⁷ From a practical per-

¹¹ The Voting Rights Act of 1965, 42 U.S.C. § 1971.

¹² U.S. CONST. amend. XXVI, § 1 provides:

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any state on account of age.

¹³ *The Disappearance of the American Voter*, *supra* note 4, at 9.

¹⁴ A. REITMAN & R. DAVIDSON, *THE ELECTION PROCESS: LAW OF PUBLIC ELECTIONS AND ELECTION CAMPAIGNS* 3 (1980) [hereinafter cited as REITMAN & DAVIDSON].

¹⁵ Reasons for nonvoting may be grouped into procedural, personal, motivational and registration problems. Procedural reasons include finding out they had failed to register or neglecting to get an absentee ballot when out of town. Personal problems encompassed hectic schedules, family emergencies and illness. Motivational problems center around lack of appeal regarding the candidates or issues, or plainly forgetting to vote. Registration problems include apathy and difficulties with the registration processes. This final category of problems is the subject of this article.

¹⁶ See Crewe, *Electoral Participation*, in *DEMOCRACY AT THE POLLS: A COMPARATIVE STUDY OF COMPETITIVE NATIONAL ELECTIONS* (1981) [hereinafter cited as Crewe].

¹⁷ At the federal level, the reforms include: universal registration, expanded mail registration, uniform poll closing, and twenty-four hour polls. On the state level, suggested reforms include: election day registration, agency-based registration, and educational campaigns.

spective,¹⁸ there are several particularly suitable alternatives which deserve attention. Generally, these reforms are directed at election day registration, agency registration, and education of the citizenry. These reforms have been successful in raising voter turnout in other world democracies.¹⁹ Perhaps such reforms can alleviate the low voter turnout problem in the world's leading democracy, the United States.

These reforms are not a panacea, however. Indeed, some commentators have opined that the effect of voter registration on voter participation is marginal.²⁰ Nevertheless, these commentators still feel that voter registration systems are important and, without a doubt, have room for improvement.²¹ New Jersey's system of registration is certainly no exception.

II. Voter Registration and New Jersey's System

If voters were to analyze the intricate network of laws which make up the electoral process, they would not only be overwhelmed, but amazed that the process works at all.²² Despite the growth of federal power in the electoral area, each state still possesses the authority to supervise the technical aspects of voting.²³ Generally, the individual state codes specify the numerous administrative details which must be followed when conducting an election.²⁴ Within this myriad of regulation looms *the citizen's obligation to register*.

Voter registration is the procedure by which the person

¹⁸ As Morris County Clerk, the author has been responsible for the registration of voters and operation of the election process in Morris County.

¹⁹ See Crewe, *supra* note 16, at 234. Mr. Crewe ranked twenty of the world's major democracies according to their voter participation rates. *Id.* Those democracies employing registration schemes similar to those advanced here include: West Germany — 86.9 percent mean turnout; Sweden — 84.9 percent; France — 79.3 percent; United Kingdom — 76.9 percent; and Canada — 76.4 percent. The United States ranks last with an average turnout of 58.5 percent since 1945. *Id.*

²⁰ *The Disappearance of the American Voter*, *supra* note 4, at 83 (comments of Richard Smolka, Professor, College of Public Affairs, American University).

²¹ *Id.*

²² REITMAN & DAVIDSON, *supra* note 14, at 31.

²³ *Id.*; see Voting Rights Act, 42 U.S.C. § 1973aa-1(d) (1970).

²⁴ These administrative details include canvassing; preserving election documents; giving newspaper notice of registration and election days; determining the validity of nominations by petition; drawing candidate's names for ballot positions; preparing sample ballots; and supervising and conducting election day procedures. See N.J. STAT. ANN. §§ 19:6-26 to -30 (West 1964).

seeking to vote is certified as a citizen of the United States, a resident of the state and a qualified voter from his or her registration address.²⁵ The act of registration rests solely with the voter, who must apply, and satisfactorily show, to the appropriate local election official that all legal requirements for registration and voting have been fulfilled.²⁶

Historically, there have been two kinds of registration systems prevalent in the United States—periodic and permanent.²⁷ Periodic registration requires that registration take place at regular intervals, such as every one, two, four, or ten years, or as otherwise designated by state law.²⁸ Under a permanent registration system, a voter registers once and remains registered, unless he or she dies, moves, is disqualified, or fails to vote during a prescribed period.²⁹ The degree of absolute permanency in such a system, however, is directly related to the frequency with which the registration rolls are “purged.”³⁰ All states, with the exception of North Dakota, now operate under permanent voter registration systems.³¹

Within a permanent registration system, registration may occur in advance, either personally or non-personally, or may be done on election day.³² Personal registration normally requires the potential voter to be registered “in person” before an election official at some time prior to the election.³³ Non-personal

²⁵ Smolka, *Voter Registration and Vote Fraud: A Brief Description of Methods; The Disappearance of the American Voter*, *supra* note 4, at 191, 192 app. [hereinafter cited as Smolka].

²⁶ *Id.*

²⁷ REITMAN & DAVIDSON, *supra* note 14, at 31.

²⁸ Smolka, *supra* note 25, at 192.

²⁹ *Id.* See, e.g., CAL. ELEC. CODE § 700 (West 1977); MINN. STAT. ANN. § 201.021 (West Supp. 1986); N.J. STAT. ANN. § 19:31-5 (West Supp. 1985); N.Y. ELEC. LAW § 2-17 (McKinney 1978).

³⁰ *Id.* Permanent voter registration lists must be “purged” at intervals to ensure that the names of those who have moved away, died, or who have otherwise become ineligible are removed from the registration lists. *Id.* Most “purge” laws prescribe that a voter’s registration is cancelled for failure to vote in at least one election during a specified period, usually four years. *Id.* New Jersey’s election law follows this statutory scheme. N.J. STAT. ANN. § 19:31-5. (West Supp. 1985).

³¹ North Dakota is the only state which does not require registration of any kind. See N.D. CENT. CODE § 40-21-10 (1983).

³² Smolka, *supra* note 25, at 193, 194.

³³ *Id.* Under personal registration schemes, voters can register at local government offices or supplemental registration sites in shopping centers, banks, schools or other public facilities. *Id.* Under common personal registration schemes, poten-

registration, in contrast, does not require the registrant to appear³⁴ and is frequently effected by mail.³⁵ Lastly, there is the personal election day registration system in which voters are not required to register prior to the election, but may register on election day.³⁶

These various systems of registration exist throughout the United States in one form or another. When highly detailed registration laws exist in a state, it is probably a reflection of the jurisdiction's experience with voter fraud and a legislative determination that stricter laws were, in fact, needed.³⁷ Despite the complexity or rigors of a particular state's statutory scheme, the duty and manner of registration in the first instance is left for the voter to remember and decipher.

III. Voter Registration in New Jersey

New Jersey's system of voter registration can be classified as

tial voters may be required to submit some form of identification to document his/her age or residential address. A naturalized citizen must provide some information about his/her naturalization. The voter must then sign the registration form which is then countersigned by the registrar. *Id.*

³⁴ *Id.* at 193. Non-personal registration differs from personal registration because the voter who offers to register is not subject to immediate challenge, cannot be questioned about any qualifications and is not required to submit proof of identity or address. *Id.* at 199. See also Smolka, *Registering Voters by Mail: The Maryland and New Jersey Experience* (1977). The registration form itself is usually not required to be countersigned by a witness or by an election official. Smolka, *supra* note 25, at 199.

³⁵ Smolka, *supra* note 25, at 193. Registration by mail occurs when the registration form has been completed and processed by the registrar. *Id.* at 199. After the receipt of the registration form, the voter is sent a non-forwardable voter notification form confirming the registration and providing the location of the polling place. *Id.* Ultimately, the voter will be required to furnish evidence that he or she actually resides at the address from which he or she registers. *Id.*

³⁶ Smolka, *supra* note 25, at 193. Three states, Maine, Minnesota and Wisconsin register voters on election day. See, e.g., ME. REV. STAT. ANN. tit. 21 § 632 (1974); MINN. STAT. ANN. § 201.061 (West 1975); WIS. STAT. ANN. § 6.29(2)(a) (1976). Generally, in election day registration, the potential voter would go to the polling precinct where his or her permanent residence is maintained. Certain forms of identification would be required or another registered voter from the same precinct could vouch for the unregistered voter. See Joan Anderson Growe, *Same-Day Registration: Minnesota*, in VOTER REGISTRATION AND THE STATES: EFFECTIVE POLICY APPROACHES TO INCREASING PARTICIPATION (1986).

³⁷ *The Disappearance of the American Voter*, *supra* note 4, at 83 (comments of Mr. Richard Smolka).

a permanent registration system³⁸ with both personal³⁹ and non-personal⁴⁰ methods being utilized. Under New Jersey election law, an eligible voter can register in person at the local district election office or other place designated for registration.⁴¹ Alternatively, any person entitled to vote may register by completing a registration form and mailing it to the local district election office.⁴² Both of these registration processes are publicized and accessible prior to election day to assure widespread registration.⁴³

Despite this relatively simple procedure, voter registration in New Jersey continues to be an enigma.⁴⁴ This dilemma most likely stems from the fact that the duty to register rests with the voter. The biggest factor contributing to this problem may not be in the laws governing registration at all, but rather in the growing public mistrust of American political leadership.⁴⁵ Whatever the root of the problem, there are several possible reforms for New Jersey's system of voter registration which are deserving of attention.

IV. Voter Registration Reforms

Voter registration reform has been suggested at both the federal and state level.⁴⁶ Federal election registration reform

³⁸ N.J. STAT. ANN. § 19:31-1 (West Supp. 1985).

³⁹ N.J. STAT. ANN. § 19:31-6 (West Supp. 1985).

⁴⁰ N.J. STAT. ANN. § 19:31-6.3 (West Supp. 1985).

⁴¹ N.J. STAT. ANN. § 19:31-6 (West Supp. 1985). Pursuant to N.J. STAT. ANN. § 19:31-2 (West Supp. 1985), the commissioner of registration is authorized to provide citizens with the opportunity to register at local government offices and various other registration sites including, high schools, shopping centers and fire houses.

⁴² N.J. STAT. ANN. § 19:31-6.3 (West Supp. 1985). Mail registration in New Jersey requires the completion of a registration form which must be witnessed by a person already registered to vote in New Jersey. *Id.*

⁴³ See N.J. STAT. ANN. § 19:31-2. (West Supp. 1985).

⁴⁴ New Jersey Human SERVE places the percentage of the eligible population registered to vote in New Jersey at 67.9. The national average is placed at 68.3%. Of the three states which allow election-day registration, Minnesota boasts the highest percentage of the eligible population registered (85.8), followed by Maine (83.5) and Wisconsin (82.9). See VOTER REGISTRATION AND THE STATES, *supra* note 3, at 16.

⁴⁵ *The Disappearance of the American Voter*, *supra* note 4, at 9 (comment of Curtis Gans).

⁴⁶ See *The Disappearance of the American Voter*, *supra* note 4, at 209 App. E (Resolution Approved by The American Bar Ass'n); NATIONAL MUNICIPAL LEAGUE, A MODEL ELECTION SYSTEM (1973).

and its legal significance, however, are beyond the scope of this article.⁴⁷ Rather, this article will concentrate on state registration reforms aimed at increasing voter participation in the Garden State. Specific reforms to be discussed herein include: election day registration, agency-based registration and education of the citizenry.

A. *Election Day Registration*

A proposed election day registration system has stirred controversy within the state of New Jersey for years.⁴⁸ Election day registration, in essence, does not require voters to register in advance of an election.⁴⁹ Under present New Jersey law, an individual can only become eligible to vote when he or she registers at least twenty-nine days prior to an election.⁵⁰

A recent New Jersey registration proposal would have provided residents with the option of registering on election day.⁵¹ The proposal was intended specifically to increase voter participation in New Jersey. Indeed, it is estimated that an election day registration system would result in an additional 330,000 citizens participating in the election.⁵²

Procedurally, the registration system requires that governmentally recognized forms of identification be accepted in order to register on election day.⁵³ This registration will be conducted in the offices of municipal clerks, thereby avoiding the potential

⁴⁷ Federal reforms, like universal registration, uniform poll closing and twenty-four hour polls, have been suggested. These reforms, however, would have to be enacted at the federal level. This would run counter to the Voting Rights Act mandate which gives the states the responsibility for the registration of voters. See 42 U.S.C. § 1973aa-1(d) (1970).

⁴⁸ In 1978, New Jersey nearly adopted an election day registration bill. S.276 passed the state senate on February 16, 1978 by a vote of 21-14. The bill came out of committee and was given a second reading, but was never adopted. See *The Disappearance of the American Voter*, *supra* note 4, at 96 n.38.

⁴⁹ Smolka, *supra* note 25, at 193.

⁵⁰ N.J. STAT. ANN. § 19:31-6. (West Supp. 1985).

⁵¹ S.2158, 201st Leg. 1st Sess. (1984); A.3017, 201st Leg. 1st Sess. (1984).

⁵² Political science research indicates that election day registration can potentially increase voter turnout in presidential elections by 6.1 percent. See New Jersey Office of Human Services, Questions & Answers: Election Day Registration (*reprinted from N.J. Rep.*, *reprinted in VOTER REGISTRATION AND THE STATES*, *supra* note 3, at 17) [hereinafter cited as Questions and Answers].

⁵³ S.2158, 201st Leg., 1st Sess. (1984).

of fraud, long lines and confusion at the polling places.⁵⁴ Moreover, the increased cost of holding election day registration⁵⁵ is a relatively small price to pay to encourage the participation of citizens in elections.⁵⁶

In fact, the effect of election day registration on citizen participation has been dramatic.⁵⁷ Between 1972—before election day registration was implemented in any state—and 1984, voter turnout increased by as much as 7.9 percent in those states opting for election day registration.⁵⁸ Moreover, the rates of participation in these states are much higher with election day registration.⁵⁹

Despite these valid assertions, critics claim that election day registration creates a vast opportunity for fraud.⁶⁰ Election day registration, it is argued, will prevent the states from protecting themselves against individuals who vote at multiple locations. By capitalizing on the increased mobility of our population, these “voters” can cast their ballots at several polling places without recognition. This registration will also prevent those working at the polls from assuring that a voter is indeed qualified before casting a ballot.⁶¹

While the potential for fraud does exist, those states already experienced with election day registration have implemented procedures to alleviate unfair practices⁶² and have, in fact, had

⁵⁴ Questions and Answers, *supra* note 52, at 17.

⁵⁵ The cost of operating an election day registration system in New Jersey has been estimated at \$225,000. *Id.*

⁵⁶ *Id.*

⁵⁷ VOTER REGISTRATION AND THE STATES, *supra* note 3, at 7. Those states with election day registration, Maine, Minnesota and Wisconsin, estimate that as many as twenty percent of all voters had registered on election day. *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.* In the 1984 elections, the Federal Election Commission found that Minnesota ranked first, Maine second, and Wisconsin fourth among states in participation. *Id.*

⁶⁰ Smolka, *supra* note 25, at 198.

⁶¹ Internal Memorandum of the U.S. Justice Department, CONG. REC. E2865 (May 10, 1977), reprinted in *The Disappearance of the American Voter*, *supra* note 4, at 198.

⁶² Affidavits and some type of government identification are usually required at registration. VOTER REGISTRATION AND THE STATES, *supra* note 3, at 7. If a voter's legitimacy is challenged at the polls, their ballots are only counted after their registration is investigated. After the election, postcards confirming registration may be mailed to the new registrants at their claimed residence. If the post card is not

little trouble with improper registration.⁶³ Nevertheless, even in the absence of fraud, its possible existence may cast a shadow on the entire system resulting in a loss of confidence by our already reluctant voters.

Election day registration in New Jersey will continue to loom as a possible election reform. Due to the change in the leadership of the Assembly after last year's elections, however, any drastic alteration in state voter registration laws akin to election day registration does not appear to be forthcoming.⁶⁴

B. *Agency-based Registrations*

An additional, less drastic reform aimed at increasing voter participation is a system of agency-based registration. Agency-based registration is one of the most effective and efficient ways to make voter registration more accessible to the citizenry.⁶⁵ Indeed, almost everyone regularly visits a public building containing a library, motor vehicle division office, tax office, unemployment office, or public health center.⁶⁶ Quite simply, each of these agencies can provide a convenient, quick, and cost-effective service to the public by giving them the chance to register or to update earlier registrations.⁶⁷ Thus, agency-based registration provides an institutional mechanism that can begin to address the problems and lack of voter registration.

Agency-based registration is a flexible and money saving method.⁶⁸ Some active systems of this type allow state employees to register voters at agency offices,⁶⁹ while more passive

returned, a county official will investigate further. The penalties for violation of the state election codes range from a \$250 fine and six months imprisonment to a \$10,000 fine and five years imprisonment. *Id.*

⁶³ VOTER REGISTRATION AND THE STATES, *supra* note 3, at 15. The information sheet, prepared by New Jersey Human SERVE, indicates that the State of Maine has had two convictions for voting fraud in the last ten years, Minnesota has had two known indictments during the past nine years, and Wisconsin experienced five duplicate registrations, which were referred to the local district attorney. *Id.*

⁶⁴ VOTER REGISTRATION AND THE STATES, *supra* note 3, at 106.

⁶⁵ *Id.* at 31.

⁶⁶ *Id.* One specific type of agency-based registration, involving the motor vehicle divisions, has proven particularly successful in those states with "motor-voter" registration. *Id.* at 43.

⁶⁷ VOTER REGISTRATION AND THE STATES, *supra* note 3, at 31.

⁶⁸ *Id.*

⁶⁹ *Id.*

schemes merely display information or distribute forms.⁷⁰ Compiled figures support the notion that agency-based registration would result in a significant increase in the number of voters.⁷¹ Indeed, a survey of first-time registrants in 1984 indicated that twenty-five percent had registered at a public agency.⁷² In New York, for example, 10,000 people were registered through public agencies in just two weeks.⁷³

Besides increased voter registration, agency-based registration possesses other positive traits. First, agency-based registration is a wider "net" with which to gather and register voters.⁷⁴ Second, registration in an agency system is easier because of its expanded availability.⁷⁵ Third, agency-based registration can help alleviate the present burden placed on state election officials by diffusing the registration process to all public agencies.⁷⁶

Agency-based registration is an especially viable alternative for New Jersey.⁷⁷ Since its inception in 1983, agency-based registration has been adopted by many states and continues to be a suggested reform in many others.

C. *Voter Outreach Programs and Education*

Another suggested change, the use of voter outreach and education programs, is not an election reform, per se. Rather, voter outreach and education is merely an aggressive, institutional approach, specifically aimed at reaching potential voters and educating children about the electoral process.⁷⁸ Although New Jersey's system of registration is amenable to these programs, more aggressive, innovative efforts must still be utilized to insure its success.

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.* at 43.

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ New Jersey's current system could easily accommodate expanded registration through public agencies. See N.J. STAT. ANN. § 19:31-2. (West Supp. 1985). Moreover, present proposals to revamp the Division of Motor Vehicles could enable a system of "motor-voter" registration to be created within the "new" Division of Motor Vehicles.

⁷⁸ VOTER REGISTRATION AND THE STATES, *supra* note 3, at 83.

Voter outreach can be accomplished in a number of relatively simple, yet creative approaches. One method is the establishment of widespread satellite registration sites at public high schools, motor vehicle bureaus, banks, convenience stores, mass transit systems, nursing homes, hospitals and public housing authorities.⁷⁹ An additional outreach program could oversee that change-of-address forms submitted to the postal service are forwarded to appropriate county or state election officials for proper recordkeeping.⁸⁰ Another outreach program, used with great success in California, is telephone registration through a toll free number (1-800-VOTE).⁸¹ Other outreach programs include utilizing volunteer deputy registrars to accept the registrations of all qualified applicants,⁸² mandatory county plans to reach unregistered voters,⁸³ and door-to-door canvassing to solicit registrants.⁸⁴

In addition to these voter outreach programs, there is an urgent need for voter education directed at our youngest citizens, those in grades K through 12.⁸⁵ Through educational programs incorporated into the school curriculum, students are provided with the opportunity to experience how campaigning influences the voter; to speak out for the candidate of their choice; to vote; and to realize the significance of the act of voting. Specific methods utilized in these education programs range from coloring books to mock elections.⁸⁶

Despite the existing framework for these outreach and edu-

⁷⁹ *Id.*

⁸⁰ This reform, based on H.R.1668, could help pull movers into the pool of registered voters and would be easy, as well as inexpensive, to implement. See H.R. 1668, 99 Leg., 1st Sess. (1985).

⁸¹ Seiler, *Voter Outreach: California*, in *VOTER REGISTRATION AND THE STATES*, *supra* note 3, at 87-89. Under California's telephone registration system, voters can call and request blank registration affidavits from their county election official. *Id.*

⁸² The following persons, or their designees, exemplify those who may be appointed deputy registrars: the librarian of any public library within the jurisdiction; the principal of any high school within the election jurisdiction; the president of any university within the election jurisdiction. See ILL. ANN. STAT. ch. 46, § 4-6.2 (Smith-Hurd Supp. 1986).

⁸³ CAL. ELEC. CODE § 304 (West 1977).

⁸⁴ Door-to-Door Registrars are paid 50 cents for each registration. See IDAHO CODE § 34-406 (1985).

⁸⁵ Correspondence received from the various Secretaries of State.

⁸⁶ Correspondence received from the Secretaries of State of Arizona and Illinois.

cation programs, New Jersey has lacked the creativity and aggressiveness to successfully implement them. With additional effective planning, these programs can be easily implemented in New Jersey and result in greater participation by our citizenry.

V. Conclusion

The 1984 national elections involved the largest voter registration effort in over two decades.⁸⁷ Indeed, registration increased by a net total of 12.1 million voters.⁸⁸ Yet, only sixty-one percent of Americans of voting age were registered and a mere fifty-four percent actually voted.⁸⁹

While politicians and political scientists continue to debate over the root of the low voter turnout problem, reforms are needed to eradicate the cumbersome, antiquated legal and administrative impediments which stand between the citizen and the ballot box. Whether this reform is by way of election day registration, agency-based registration or voter outreach and education programs, some method of registration reform is needed in New Jersey, as well as many other jurisdictions. Indeed, it may be said that the decline in voter registration and participation threatens the basic principles of our representative democracy.⁹⁰

⁸⁷ VOTER REGISTRATION AND THE STATES, *supra* note 3, at 3.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *The Disappearance of the American Voter*, *supra* note 4, at 216.