

**STATE OF NEW JERSEY**  
**COUNCIL ON LOCAL MANDATES**

RE: COMPLAINT FILED BY THE  
COUNTY OF ATLANTIC (12-10)

**ORDER**  
**ENJOINING ENFORCEMENT**

Claimant Atlantic County having filed a complaint with the Council on Local Mandates (Council) challenging the November 16, 2010 Seal-Use Training Protocol order of the Director of the Division of Elections that “*Any individual whose job duties encompass access to the internal components of a voting machine is mandated to attend training*” as an unconstitutional unfunded mandate, and

Pursuant to Article VIII, Section II, paragraph 5 of the New Jersey State Constitution and N.J.S.A. 52:13H-16, the Council is enjoining enforcement of the order of the Director of the Division of Elections that “*Any individual whose job duties encompass access to the internal components of a voting machine is mandated to attend training*”, pending the Council’s considerations of whether the order constitutes an unfunded mandate, and

It is on this 7th day of January 2011, ordered by the Council as follows:

1. The Director of the Division of Elections is hereby enjoined from requiring any individual whose job duties encompass access to the internal components of a voting machine to attend training, pending the Council’s considerations of whether the order constitutes an unfunded mandate.

2. Prior to said hearing, the Director of the Division of Elections may require attendance at such training if the Director compensates each county for the expenses incurred by the county in order to send individuals to said training courses.

3. Nothing in this order shall be construed as prohibiting the Seal-Use Training from being held prior to the hearing by the Council; however, attendance at such training shall not be mandatory.

4. It is further ORDERED that the State Department shall file and serve its Answer on or before the 17th day of January, 2011; and

5. The hearing on whether to make enjoinderment of the Seal-Use Training Protocol order of the Director of the Division of Elections permanent will be held in the State House Annex at 1:00 p.m. on Monday, January 24, 2011.

A handwritten signature in black ink, appearing to read "Jack Tarditi". The signature is written in a cursive style with a large, looping initial "J".

Hon. Jack Tarditi, Chair

Council on Local Mandates