

**ASSEMBLY BILL NO. 3091
(First Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3091 (First Reprint) with my recommendations for reconsideration.

This bill would establish an absolute ban on the issuance of marriage and civil union licenses ("marriage licenses") for people under age 18. New Jersey law currently permits the issuance of these licenses to 16 and 17 year-olds with parental consent and to persons below age 16 with both parental consent and judicial approval.

I agree that protecting the well-being, dignity, and freedom of minors is vital, but the severe bar this bill creates is not necessary to address the concerns voiced by the bill's proponents and does not comport with the sensibilities and, in some cases, the religious customs, of the people of this State.

All 50 states have established minimum ages for the issuance of marriage licenses and all 50 states have statutory exceptions. New Jersey should not depart from that norm. However, to ensure that the well-being of minors seeking to get married in our State is secured, I am recommending that this bill be amended so that a marriage license no longer be issued for a person under the age of 16.

I also would require judicial approval for the issuance of a marriage license to persons who are age 16 and 17. Judges of the Superior Court have long been charged with reviewing marriage license applications for minors under the age of 16. I have confidence that the same ethical, moral, and common sense values will be used in considering applications for marriage licenses for minors age 16 and 17.

An exclusion without exceptions would violate the cultures and traditions of some communities in New Jersey based on religious traditions. Judicial oversight would permit consideration of these factors in the 16 and 17 year old timeframe.

Finally, it is disingenuous to hold that a 16 year old may never consent to marriage, although New Jersey law permits the very same 16 year old to consent to sex or obtain an abortion without so much as parental knowledge, let alone consent. That inconsistency in logic undercuts the alleged logic of an outright ban.

Accordingly, I herewith return Assembly Bill No. 3091 (First Reprint) and recommend that it be amended as follows:

<u>Page 2, Section 1, Lines 7-20:</u>	Delete in their entirety
<u>Page 2, Section 2, Line 22:</u>	Delete "2." and insert "1."
<u>Page 3, Section 3, Line 30:</u>	Delete "3." and insert "2."
<u>Page 3, Section 3, Line 32:</u>	After "years" insert " unless the issuance of such license is to a minor having attained the age of at least 16, and the issuance of such license is approved in writing by a judge of the Superior Court, Chancery Division, Family Part and filed with the licensing officer. The licensing officer shall transmit to the State registrar all orders and approvals subject to the same penalty as in the case of marriage or civil union certificates or licenses"
<u>Page 3, Section 4, Line 47:</u>	Delete "4." and insert "3."
<u>Page 4, Section 4, Line 6:</u>	After "age" insert " as provided in R.S. 37:1-6"

Page 4, Section 5, Line 10:

[seal]

Delete "5." and insert "4."

Respectfully,

/s/ Chris Christie

Governor

Attest:

/s/ Gregory L. Acquaviva

Chief Counsel to the Governor