

SENATE, No. 165

(P. L. 1922, p. 467.)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1928.

By Mr. DAVIS.

Referred to Committee on Elections.

AN ACT to amend an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, approved March fourteenth, one thousand nine hundred and twenty-two.

1 **BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1 1. Section thirty-one A of Article XXIII of the act of which this act is amend-
2 atory be and the same is hereby amended so that the same shall read as follows:

3 **Drawing for position on primary ballot.**

4 **31-A.** The position which the candidates, and bracketed groups of names of can-
5 didates for the primary for the general election shall have upon the primary election
6 ballots, in the case of candidates for nomination for members of the United States
7 Senate; Governor; members of the House of Representatives; members of the State
8 Senate; members of the General Assembly; choice for President; delegates and alter-
9 nates at large to the national conventions of political parties; district delegates and
10 alternates to conventions of political parties; candidates for party position; and
11 county offices or party positions which are to be voted for by the voters of the entire
12 county or a portion thereof greater than a single municipality including a congres-
13 sional district which is wholly within a single municipality, shall be determined by the
14 county clerks in their respective counties; and the position on the primary ballots in
15-16 the case of candidates for nomination for office or party position, wherein the candi-
17 dates for office or party position to be filled, are to be voted for by the voters of a mu-
18 nicipality only, or a subdivision thereof (excepting in the case of members of the

19 Home of Representatives) shall be determined by the municipal clerk in such municipi-
20 palities, in the following manner: The county clerk, or his deputy, or the municipal
21 clerk, or his deputy as the case may be, shall, at his office on the day following the last
22 day for filing petitions for the primary election at three o'clock in the afternoon, draw
23 from the box, as hereinafter described, each card separately without knowledge on his
24 part as to which card he is drawing. Any legal voter of the county or municipality as
25 the case may be, shall have the privilege of witnessing said drawing. The person mak-
26 ing the drawing shall make public announcement at the drawing of each name, the
27 order in which same is drawn, and the office for which the drawing is made. When
28 there is to be but one person nominated for the office, the names of the several candi-
29 dates who have filed petitions for such office shall be written upon cards (one name on a
30 card) of the same size, substance and thickness. The cards shall be deposited in a box
31 with an aperture in the cover of sufficient size to admit a man's hand. The box shall
32 be well shaken and turned over to thoroughly mix the cards, and the cards shall then
33 be withdrawn one at a time. The first name drawn shall have first place, the second
34 name drawn, second place, and so on; the order of the withdrawal of the cards from
35 the box determining the order of arrangement in which the names shall appear upon
36 the primary election ballot. Where there is more than one person to be nominated to
37 an office where petitions have designated that certain candidates shall be bracketed,
38 the position of such bracketed names on the ballot (each bracket to be treated as a
39 single name), together with individuals who have filed petitions for nominations for
40 such office, shall be determined as above described. Where there is more than one
41 person to be nominated for an office and there are more candidates who have filed pe-
42 titions than there are persons to be nominated, the order of the printing of such names
43 upon the primary election ballots shall be determined as above described. The county
44 clerk in certifying to the municipal clerk, the offices to be filled and the names of
45 candidates to be printed upon the primary election ballots, shall certify same in the
46 order as drawn in accordance with the above described procedure, and the municipal
47 clerk shall print such names upon the ballots as so certified and in addition, shall
48 print the names of such candidates as have filed petitions with him in the order as
49 determined as a result of the drawing as above described.

1 2. This act shall take effect immediately.