

19:14-8

LEGISLATIVE HISTORY CHECKLIST
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(County executive)

NJSA: 19:14-8

LAWS OF: 1995 **CHAPTER:** 191

BILL NO: A1620

SPONSOR(S): Rice & Codey

DATE INTRODUCED: December 1, 1994

COMMITTEE: ASSEMBLY State Government

SENATE: State Government

AMENDED DURING PASSAGE: Yes Amendments during passage
First reprint enacted denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: June 26, 1995

SENATE: June 12, 1995

DATE OF APPROVAL: August 2, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]

SENATE, No. 1620

STATE OF NEW JERSEY

INTRODUCED DECEMBER 1, 1994

By Senators RICE and CODEY

1 AN ACT concerning the placement of candidates for county
2 executive on general election and primary election ballots and
3 amending R.S.19:14-8 ¹, R.S.19:14-10¹ and R.S.19:23-24.
4

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

7 1. R.S.19:14-8 is amended to read as follows:

8 19:14-8. In the columns of each of the political parties which
9 made nominations at the next preceding primary election and in
10 the personal choice column, within the space between the
11 two-point hair line rules, there shall be printed the title of each
12 office to be filled at such election, except as hereinafter
13 provided.

14 [In counties having twelve or less freeholders, such] Such titles
15 of office shall be arranged in the following order: electors of
16 President and Vice-President of the United States; member of
17 the United States Senate; Governor; member of the House of
18 Representatives; member of the State Senate; members of the
19 General Assembly; county executive, in counties that have
20 adopted the county executive plan of the "Optional County
21 Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.); sheriff;
22 county clerk; surrogate; register of deeds and mortgages; county
23 supervisor; members of the board of chosen freeholders; coroners;
24 mayor and members of municipal governing bodies, and any other
25 titles of office. [In counties having more than twelve
26 freeholders, such titles of office shall be arranged in the
27 following order: electors of President and Vice-President of the
28 United States; member of the United States Senate; Governor;
29 member of the House of Representatives; member of the State
30 Senate; members of the General Assembly; sheriff; county clerk;
31 surrogate; register of deeds and mortgages; coroners; county
32 supervisor; members of the board of chosen freeholders; mayor
33 and members of municipal governing bodies, and any other titles
34 of office.] Above each of such titles of office, except the one at
35 the top, shall be printed a two-point diagram rule in place of the
36 two-point hair line rule. Below the titles of such offices shall be
37 printed the names of the candidates for the offices.

38 The arrangement of the names of candidates for any office for
39 which more than one are to be elected shall be determined in the
40 manner hereinafter provided, as in the case of candidates
41 nominated by petition.

42 When no nomination for an office has been made the words "No

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSG committee amendments adopted January 23, 1995.

1 Nomination Made" in type large enough to fill the entire space or
2 spaces below the title of office shall be printed upon the ballot.

3 Immediately to the left of the name of each candidate, at the
4 extreme left of each column, including the personal choice
5 column, shall be printed a square, one-quarter of an inch in size,
6 formed by two-point diagram rules. In the personal choice
7 column no names of candidates shall be printed.

8 To the right of the title of each office in the party columns and
9 the personal choice column shall be printed the words
10 "Vote for ," inserting in words the number of persons to be
11 elected to such office.

12 (cf: P.L.1951, c.315, s.1)

13 12. R.S.19:14-10 is amended to read as follows:

14 In the column or columns designated as nominations by
15 petition, within the space between the two-point hair line rules,
16 there shall be printed the title of each office for which
17 nominations by petition have been made.

18 [In counties having twelve or less freeholders, such] Such titles
19 of office shall be arranged in the following order: electors of
20 President and Vice-President of the United States; member of
21 the United States Senate; Governor; member of the House of
22 Representatives; member of the State Senate; members of the
23 General Assembly; county executive, in counties that have
24 adopted the county executive plan of the "Optional County
25 Charter Law." P.L.1972, c.154 (C.40:41A-1 et seq.); sheriff;
26 county clerk; surrogate; register of deeds and mortgages; county
27 supervisor; members of the board of chosen freeholders; coroners;
28 mayor and members of municipal governing bodies, and any other
29 titles of office. [In counties having more than twelve
30 freeholders, such titles of office shall be arranged in the
31 following order; electors of President and Vice-President of the
32 United States; member of the United States Senate; Governor;
33 member of the House of Representatives; member of the State
34 Senate; members of the General Assembly; sheriff; county clerk;
35 surrogate; register of deeds and mortgages; coroners; county
36 supervisor; members of the board of chosen freeholders; mayor
37 and members of municipal governing bodies, and any other titles
38 of office.]

39 Above each of the titles of office, except the one on the top,
40 shall be printed a two-point diagram rule in place of the
41 two-point hair line rule. Below the titles of each of the offices
42 shall be printed the names of each of the candidates for each of
43 such offices followed by the designation or designations
44 mentioned in the petitions filed.

45 Immediately to the left of the name of each candidate, at the
46 extreme left of the column, shall be printed a square,
47 one-quarter of an inch in size formed by two-point diagram rules.

48 The names of candidates for any office for which more than
49 one are to be elected shall be arranged in groups as presented in
50 the several certificates of nominations or petitions, which groups
51 shall be separated from other groups and candidates by two
52 two-point hair line rules.

53 To the right of the title of each office shall be printed the
54 words "Vote for " inserting in words the number of candidates to

1 be elected to such office.¹

2 (cf: P.L.1951,c.315,s.2)

3 ¹[2.] 3.¹ R.S.19:23-24 is amended to read as follows:

4 19:23-24. The position which the candidates and bracketed
5 groups of names of candidates for the primary for the general
6 election shall have upon the primary election ballots, in the case
7 of candidates for nomination for members of the United States
8 Senate, Governor, members of the House of Representatives,
9 members of the State Senate, members of the General Assembly,
10 choice for President, delegates and alternates-at-large to the
11 national conventions of political parties, district delegates and
12 alternates to conventions of political parties, candidates for
13 party positions, and county offices or party positions which are to
14 be voted for by the voters of the entire county or a portion
15 thereof greater than a single municipality, including a
16 congressional district which is wholly within a single
17 municipality, shall be determined by the county clerks in their
18 respective counties; and, excepting in counties where R.S.19:49-2
19 applies, the position on the primary ballots in the case of
20 candidates for nomination for office or party position wherein the
21 candidates for office or party position to be filled are to be voted
22 for by the voters of a municipality only, or a subdivision thereof
23 (excepting in the case of members of the House of
24 Representatives) shall be determined by the municipal clerk in
25 such municipalities, in the following manner: The county clerk,
26 or his deputy, or the municipal clerk or his deputy, as the case
27 may be, shall at his office on the 47th day prior to the primary
28 election at three o'clock in the afternoon draw from the box, as
29 hereinafter described, each card separately without knowledge on
30 his part as to which card he is drawing. Any legal voter of the
31 county or municipality, as the case may be, shall have the
32 privilege of witnessing such drawing. The person making the
33 drawing shall make public announcement at the drawing of each
34 name, the order in which same is drawn, and the office for which
35 the drawing is made. When there is to be but one person
36 nominated for the office, the names of the several candidates
37 who have filed petitions for such office shall be written upon
38 cards (one name on a card) of the same size, substance and
39 thickness. The cards shall be deposited in a box with an aperture
40 in the cover of sufficient size to admit a man's hand. The box
41 shall be well shaken and turned over to thoroughly mix the cards,
42 and the cards shall then be withdrawn one at a time. The first
43 name drawn shall have first place, the second name drawn,
44 second place, and so on; the order of the withdrawal of the cards
45 from the box determining the order of arrangement in which the
46 names shall appear upon the primary election ballot. Where there
47 is more than one person to be nominated to an office where
48 petitions have designated that certain candidates shall be
49 bracketed, the position of such bracketed names on the ballot
50 (each bracket to be treated as a single name), together with
51 individuals who have filed petitions for nomination for such
52 office, shall be determined as above described. Where there is
53 more than one person to be nominated for an office and there are
54 more candidates who have filed petitions than there are persons

1 to be nominated, the order of the printing of such names upon the
2 primary election ballots shall be determined as above described.

3 The county clerk in certifying to the municipal clerk the
4 offices to be filled and the names of candidates to be printed
5 upon the primary election ballots, shall certify them in the order
6 as drawn in accordance with the above described procedure, and
7 the municipal clerk shall print the names upon the ballots as so
8 certified and in addition shall print the names of such candidates
9 as have filed petitions with him in the order as determined as a
10 result of the drawing as above described. Candidates for the
11 office of the county executive in counties that have adopted the
12 county executive plan of the "Optional County Charter Law,"
13 P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede the candidates
14 for other county offices for which there are candidates on the
15 primary election ballot.

16 (cf: P.L.1985, c.92, s.21)

17 ¹[3.] 4.¹ This act shall take effect immediately and shall first
18 apply to the primary or general election occurring not less than
19 90 days after the effective date of this act.

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24 Establishes placement of candidates for office of county
25 executive on general election and primary ballots.

1 Where there is more than one person to be nominated to an office
2 where petitions have designated that certain candidates shall be
3 bracketed, the position of such bracketed names on the ballot
4 (each bracket to be treated as a single name), together with
5 individuals who have filed petitions for nomination for such
6 office, shall be determined as above described. Where there is
7 more than one person to be nominated for an office and there are
8 more candidates who have filed petitions than there are persons
9 to be nominated, the order of the printing of such names upon the
10 primary election ballots shall be determined as above described.

11 The county clerk in certifying to the municipal clerk the
12 offices to be filled and the names of candidates to be printed
13 upon the primary election ballots, shall certify them in the order
14 as drawn in accordance with the above described procedure, and
15 the municipal clerk shall print the names upon the ballots as so
16 certified and in addition shall print the names of such candidates
17 as have filed petitions with him in the order as determined as a
18 result of the drawing as above described. Candidates for the
19 office of the county executive in counties that have adopted the
20 county executive plan of the "Optional County Charter Law,"
21 P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede the candidates
22 for other county offices for which there are candidates on the
23 primary election ballot.

24 (cf: P.L.1985, c.92, s.21)

25 3. This act shall take effect immediately and shall first apply
26 to the primary or general election occurring not less than 90 days
27 after the effective date of this act.

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STATEMENT

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32 This bill requires that, on both general election ballots and
33 primary election ballots, candidates for the office of the county
34 executive in counties that have adopted the county executive
35 plan of the "Optional County Charter Law," P.L.1972, c.154
36 (C.40:41A-1 et seq.) must appear before candidates for any other
37 county office. Under current law, with respect to general
38 election ballots, the candidates for the office of the county
39 executive appear at the end of the list of county offices for
40 which there are candidates for election; and with respect to
41 primary election ballots, the placement of candidates for the
42 office of the county executive is determined by the county clerk
43 as the result of a random drawing to establish the placement on
44 the ballot of all candidates for all other offices.

45 The bill also makes a technical amendment to R.S.19:14-8 to
46 reflect current law that provides that county freeholder boards
47 may not consist of more than nine members.

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52 Establishes placement of candidates for office of county
53 executive on general election and primary ballots.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 1620

STATE OF NEW JERSEY

DATED: JUNE 19, 1995

The Assembly State Government Committee reports favorably Senate, No. 1620 (1R).

This bill requires that, on both general election ballots and primary election ballots, candidates for the office of the county executive in counties that have adopted the county executive plan of the "Optional County Charter Law." P.L.1972, c.154 (C.40:41A-1 et seq.) must be placed before candidates for any other county office.

Under current law, with respect to general election ballots, the candidates for the office of the county executive appear at the end of the list of county offices for which there are candidates for election. For the primary election ballots, the placement of candidates for the office of the county executive is determined by the county clerk as the result of a random drawing to establish the placement on the ballot of all candidates for all other offices.

The bill also makes a technical amendment to R.S.19:14-8 and R.S.19:14-10 to reflect current law that provides that county freeholder boards may not consist of more than nine members.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1620

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 23, 1995

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 1620.

This bill requires that, on both general election ballots and primary election ballots, candidates for the office of the county executive in counties that have adopted the county executive plan of the "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.) must be placed before candidates for any other county office.

Under current law, with respect to general election ballots, the candidates for the office of the county executive appear at the end of the list of county offices for which there are candidates for election. For the primary election ballots, the placement of candidates for the office of the county executive is determined by the county clerk as the result of a random drawing to establish the placement on the ballot of all candidates for all other offices.

The bill also makes a technical amendment to R.S.19:14-8 to reflect current law that provides that county freeholder boards may not consist of more than nine members.

COMMITTEE AMENDMENTS

The committee amended the bill to provide that candidates for the office of county executive be placed before candidates for any other county office on that part of the general election ballot designated for candidates nominated by petition.