

Executive

PART 6204

DESIGNATING AND INDEPENDENT NOMINATING PETITIONS

(Statutory authority: Election Law, §§ 3-102, 6-154)

Sec.

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Section 6204.1 Specification of objections to designating and independent nominating petitions.

(a) Any person filing general objections to any designating or independent nominating petition filed with the State Board of Elections who thereafter files specifications of his objections to any such petition with such board shall do so in accordance with the provisions of section 6-154 of the Election Law. All such specifications shall substantially comply with the following requirements:

(1) the volume number, page number, and line number of any signature objected to on any petition shall be set forth in detail. In addition, any portion of any petition or any signature line or witness statement objected to shall be specifically identified and reasons given for any such objection;

(2) the total number of signatures objected to shall be set forth and all objections relating to a single signature line should be grouped together; and

(3) symbols and/or abbreviations may be used to set forth objections, provided that a sheet explaining the meaning of any such symbols and/or abbreviations is attached to the specifications.

(b) No specifications of objections to any petition will be considered by the Board unless the objector filing the specifications personally delivers or mails by registered or certified mail a duplicate copy of the specification to each candidate for public office named on the petition. In the case of a petition containing candidates for party positions, service of the specifications shall be made on either the named candidates or the first person named on the petition's committee to fill vacancies. Service shall be made on or before the date of filing of any specifications with the board. Proof of service shall accompany the specifications or be received by the end of business two days following the filing of the specifications, whichever is later.

(c) Any notice and/or determination relating to a petition for which specifications of objections have been filed shall be transmitted by the board to the objector filing the specifications, provided that any such objector may designate an attorney or agent to receive any such notice and/or determination on his behalf. Any such designation shall be in writing and include the name, address and telephone number of any such attorney or agent, and any such attorney and/or agent shall be eligible to represent any such objector in any proceeding conducted by the board relating to the specifications.

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6204.2 New York City designating petitions; colors.

The following colors shall be used for designating petitions by candidates filing in New York City:

Democratic	Green
Republican	Cherry
Conservative	Granite
Liberal	Sky Blue
Right to Life	Goldenrod

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6204.3 Methods for determining ballot order by lot.

(a) Whenever a board of elections, or other elections officer prepares a primary ballot, or receives a written request from a candidate to determine ballot order of candidate names on a ballot, or the order of names and emblems of independent bodies on a ballot, or prepares a ballot for a primary election, they shall use one of the following methods:

(1) acquire a quantity of smooth-surfaced, numbered spheres and an automatic selection machine similar to those used for bingo games or for drawing state lottery numbers. Place all spheres in the automatic machine. The person(s) designated to conduct the drawing shall release one sphere. The number drawn will be noted on the candidate list, next to the name of the candidate. Once the drawing for that office is complete, the numbers on the candidate list will be reviewed, and the ballot order announced, with the lowest number representing the first position, the next lowest number representing the number two position, and so on.

(2) acquire a quantity of smooth-surfaced, numbered spheres, of the type available from any bingo supplier or as available for use by the public in helping to select lottery numbers. Place all spheres in a container with an opening narrow enough to prohibit the insertion of a hand, and wide enough to allow the release of no more than one sphere at a time. The person(s) designated to conduct the drawing shall release one sphere. The number drawn will be noted on the candidate list, next to the name of the candidate. Once the drawing for that office is complete, the numbers on the candidate list will be reviewed, and the ballot order announced, with the lowest number representing the first position, the next lowest number representing the number two position, and so on; or

(3) acquire a quantity of smooth-surfaced, numbered spheres, of the type available from any bingo supplier or as available for use by the public in helping to select lottery numbers. Place as many spheres, sequentially numbered, as there are candidates or independent bodies in the particular drawing, in a container with an opening narrow enough to prohibit the insertion of a hand, and wide enough to allow the release of no more than one sphere at a time. The person(s) designated to conduct the drawing shall release one sphere. The number drawn shall designate that candidate's position on the ballot, and will be so noted on a candidate list, next to the name of that candidate.

(b) Prior to the date of the drawing, the commissioners shall designate at least two persons who will conduct the drawing for all offices. Candidates or their designees may inspect the device or devices to be used for the drawings, at the date and time established by the board, and in the presence of the two commissioners or their designees.