

Procedure for arrangement of names on ballots discussed. Secs. 5.60, 5.62, 5.64, 8.05, Stats. (Issued to Gail Procarione, December 14, 1978)

On behalf of the Elections Advisory Council, you have requested the opinion of the Board on the proper procedure for arranging names of candidates on the regular election ballots.

For arrangement of names on the spring and fall primary ballots, the statutes require the drawing of lots on the day following the deadline for filing nomination papers. ss. 5.60 (1)(b), 5.62 (3), 5.60 (1), 5.60 (3)(b), 5.62 (4), Stats.

For the general election ballot in November, the order of each party's nominees is dictated by the sequence in which the party's last gubernatorial candidate finished. s. 5.64 (3)(b), Stats. The names of independent candidates on that ballot are arranged in the order produced by the drawing of lots on the day following the deadline for filing nomination papers.

For the spring election ballots, the order of names is generally the same as that on the spring primary ballot, with the names of those losing at the primary deleted. There are two exceptions to this general rule: First, when a town or village nominates candidates by caucus rather than by primary, the names are arranged according to the number of votes received at the caucus by each nominee. s. 8.05 (1)(h), Stats. Second, if a write-in candidate at the primary succeeds in winning a place on the spring ballot, a drawing must take place after the primary to determine the ballot order of candidate names for that office for which the write-in candidate has won nomination. That is the only instance in which a post-primary drawing should take place. The candidates for all other offices on the spring ballot should appear in the order which was produced by the original drawing, on the day after the filing deadline.