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N.J. political leaders vow to revamp century-old scheme favoring party bosses

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10–13 minutes

With a unique and controversial part of New Jersey politics — the primary ballot system known as [the “county line”](#) — facing a legal reckoning, top state lawmakers signaled Tuesday evening they’re open to making changes to the century-old setup that critics say favors party bosses.

In a rare but carefully worded joint statement, the leading members of the state Legislature from both political parties said addressing the laws dictating the Garden State’s long-debated primary ballots — the only of their kind in the nation — should be a legislative matter and promised to launch a bipartisan public discussion about reworking them.

It came a day after a federal judge held [a lengthy hearing](#) as he gets set to rule in a high-profile lawsuit seeking to immediately abolish the line, a cornerstone of a political ecosystem in New Jersey often criticized for being machine-driven.

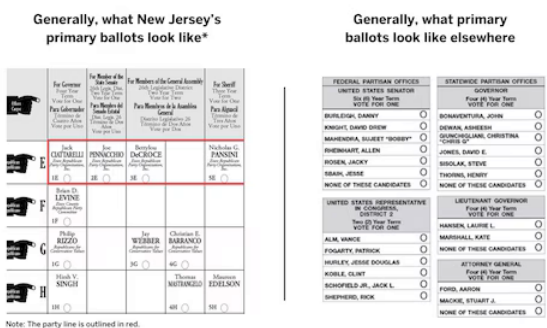
“We are committed to beginning a public process on ballot design in New Jersey, including a thorough and thoughtful review of other

states, as well as a process that involves input from the public,” said state Senate President [Nick Scutari](#), D-Union; state Assembly Speaker [Craig Coughlin](#), D-Middlesex; Senate Minority Leader [Anthony Bucco](#), R-Morris; and Assembly Minority Leader [John DiMaio](#), R-Warren.

Under the current system — used in 19 of New Jersey’s 21 counties — candidates endorsed by the county party are bracketed together in a line on primary ballots, with opponents listed to the side. Research shows candidates that receive the line [are greatly favored to win](#) their party’s nomination in the primary. In other states, primary candidates are grouped together simply by the offices they are seeking, known as “office block” ballots.

The legislative leaders did not say what kind of changes they’d seek or when that would happen, nor did they directly mention the county line in their comments.

But the statement is the latest indication the line may soon meet its end, one way or another, at least in its current form.



NJ v other state primary ballots

It comes amid a lawsuit filed by U.S. Rep. [Andy Kim](#) that aims to throw out the setup as he runs in a heated Democratic U.S.

Senate primary against First Lady [Tammy Murphy](#).

Kim claims the line violates the U.S. Constitution and gives an

unfair advantage to Murphy, the wife of Gov. [Phil Murphy](#), as they face off in the June 4 primary for the Democratic nomination to take over for indicted Democratic Sen. [Robert Menendez](#). The line is [considered critical](#) to Tammy Murphy, a first-time candidate endorsed by many of the state's top Democrats, including county leaders in large, vote-rich counties who hold great sway over who receives the preferential ballot placement.

As the topic gained more attention — especially among progressive Democrats — during the Senate primary, support for the line has crumbled in recent weeks. Prominent politicians have [called for it to end](#), and in a major development Sunday, state Attorney General Matthew Platkin, a longtime Murphy ally, signaled in [a letter](#) to the judge overseeing Kim's case that he won't defend the system because he considers it unconstitutional.

That puts Platkin at odds with Gov. Murphy, who [appointed him](#). Mahen Gunaratna, Murphy's communications director, responded that the governor "has consistently and accurately noted that the bracketing of candidates is permitted by duly enacted laws that have been on the books for decades."

U.S. District Court Judge Zahid Quraishi has not said when he will rule in the case, though a decision could happen in the coming weeks. Kim has asked Quraishi to force county clerks, beginning with this primary, to switch to the "office block" ballots used in 49 other states.

But a legislative source told NJ Advance Media lawmakers will discuss a new design regardless of the judge's ruling. In their statement, the leaders noted the issue should lie with the Legislature, the governing body in Trenton that crafts the state's

laws.

“We have listened to the public debate surrounding ballot design in New Jersey, read the letter from the Attorney General of March 17th, and have seen reports of the hearing in the United States District Court on Monday, March 18th,” the leaders said. “We have previously understood New Jersey’s ballot design law to be one that has withstood scrutiny from the New Jersey Supreme Court and has been in place for at least 80 years.

“As many involved in the legal process have pointed out, there is longstanding precedent that the Legislature has the authority to determine the law regarding ballot design and the appropriate discretion used by county clerks,” they added. “Accordingly, the proper authority to consider modifications is the Legislature.

“As leaders, we have a demonstrated record of working in a bipartisan way on issues regarding voting rights and the transparency of counting ballots, and we are prepared to work in a bipartisan manner to ensure public trust in a transparent and democratic process in New Jersey.”

Critics are skeptical. They say New Jersey should simply join other states by installing the “office block design” but argue legislative leaders have incentive to mold a new process because of the influence power-brokers stand to lose if the line disappeared.

Jeff Tittel, a long time environmental activist, said lawmakers have had decades to alter the ballot and are acting only because the judge may soon rule it invalid.

“It’s a subterfuge to get around the court,” Tittel said. “What they’re saying is they want to redo the ballot. That’s not the same as getting rid of the line. This is not about reform, this is about giving

themselves cover, and keeping up the status quo.

“Meet your new boss, same as your old boss,” he added. “The politicians that created the system and benefitted from it are not going to fix it.”

Though a number of lawmakers have [called for an end](#) to the line, many have long benefited from it and are closely tied to party establishments. All four legislative leaders behind Tuesday’s statement have run on the line. Scutari is chairman of the Union County Democratic Party. Coughlin is an ally of Kevin McCabe, the party chair in Middlesex County, and his law firm is among those representing defendants in Kim’s lawsuit, though he is not one of the attorneys on the case.

Uyen “Winn” Khuong, executive director of advocacy group Action Together New Jersey, [wrote on social media](#): “I do not trust our state legislature on the issue of ballot reform.”

Some critics noted this comes not long after legislative leaders faced backlash for attempting to fast-track a bill that would overhaul New Jersey’s public-records law, before canceling planned votes on it and [vowing amendments](#).

Others pointed out that lawmakers’ call for publicly discussing ballot changes in depth would likely allow the line to remain for this primary if the judge doesn’t eliminate it.

“Once again, the only problem with this approach is it requires just once more for old time’s sake,” Micah Rasmussen, director of the Rebovich Institute for New Jersey Politics, [wrote on social media](#). “All while that’s the one people aren’t willing to be force fed in the first place.”

In a similar fashion, state Democratic Party Chairman LeRoy Jones recently [suggested the state should require “ballot uniformity”](#) across all counties but stopped short of outright calling for the demolition of the line. Jones instead said the Legislature should spend the rest of the year working on the plan in a “careful, thoughtful manner” before installing it next year.

Scutari [told Politico New Jersey](#) last month he is against removing the line.

“It’s been a system that’s worked democratically, small d, for many, many years,” the Senate president said. “It’s a system that helped me along on the way. I wasn’t always part of it. I think it’s benefited people of New Jersey greatly, and it’s not a closed system because people can run off that line — and have — and can win.”

There have been arguments about the line for years. A 1989 [U.S. Supreme Court decision](#) said political parties may exercise their right to select “a standard bearer who best represents the party’s ideologies and preferences” and identify them on the ballot as “bracketed candidates.”

A group of progressive advocates and failed candidates [then challenged the system in a lawsuit in 2020](#), but Kim launched his suit to move the process along.

Opponents say the line is arcane and confusing, helps party leaders tip elections, deters newcomers from running for office, and discriminates against women candidates and candidates of color.

Supporters say the setup helps voters clearly see whom a party supports and helps ensure stronger candidates.

For their part, several county clerks [argue](#) it's too late to change the system in time for the June primary and the switch could cause logistical havoc.

Political experts say eliminating the party line would not only upend the U.S. Senate race but dilute the outsized power county parties hold in New Jersey politics and pave the way for more competitive primaries.

Former state Assembly John Wisniewski, also a former state Democratic Party chairman, said those parties would continue to have big influence on elections because of their money and resources.

“But it means it will more likely level the playing field for challengers,” Wisniewski said.

Critics caution it could also lead more money to flow into politics and push parties more away from the center.

If a judge doesn't toss the system entirely, legislative leaders would need to secure enough support in the Legislature to pass a revamped design. The governor would then need to approve the overhaul for it to become law.

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