

# A BILL

FOR AN ACT PROVIDING FOR THE NOMINATION OF OFFICERS, AND THE ELECTION OF DELEGATES TO CONVENTIONS OF POLITICAL PARTIES OR ORGANIZATIONS, BY A PRIMARY ELECTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That in the nomination of candidates for all township, county, district, and state offices, all political parties shall comply with the regulations hereinafter provided for a primary election.

Sec. 2. This primary election, shall consist of an election by all political parties, held on the first Friday in June of each year at the usual voting places of the several precincts, and conducted on the same plan as the regular election held in November, and said primary election day shall be and constitute a day of registration of electors for the next ensuing election in all election precincts where the requirements of the code in the matter of registration of voters are applicable, and shall be in addition to the days now provided by law for the registration of electors in such precincts; but nothing herein shall be construed to effect the date or time of the subsequent registration days now provided by law.

Sec. 3. The judges and clerks of said primary election shall be the same as for the regular election in November, and they shall take the same oath as is provided for the judges and clerks of the regular election held in November; and their duties and compensation shall be the same, and the expenses of said primary election shall be paid by the county in which the said primary election is held.

Sec. 4. The Australian ballot system as now used in this state, except as hereinafter provided, shall be used at said primary election in all precincts, and the polls shall be open from 1 P. M. until 7 P. M.

Sec. 5. All persons who will be entitled to vote in the precinct at the election to be held in the following November, shall be entitled to participate in the primary election (unless challenged, and if challenged then only in event that the challenge is determined in favor of the

4 voter) and shall be entitled forthwith, but not later, to receive a ballot of the political party  
 5 with which he then declares (under oath if his right thereto is challenged) that he affiliated,  
 6 and whose candidates he generally supported at the last general election, and with which  
 7 party he proposes to affiliate at the next election, and the elector voting at said primary elec-  
 8 tion shall be allowed to vote for candidates for nominations on the ticket of only one political  
 9 party, the nominees of which party he will vote for at the general election the following  
 10 November; provided, that a first voter shall not be required to declare his past political affli-  
 11 ation. The endorsement of the judges of election and the fac simile of the county auditor's  
 12 signature shall appear upon the ballots as provided by law for the ballots used at the Novem-  
 13 ber election. A judge of election shall instruct the voter that he is to vote for his choice for  
 14 each office, using only the ballot of the party with which he affiliates, and that he must return  
 15 the ballot folded, that it may be deposited in the ballot box.

Sec. 6. The names of candidates for nomination shall be given to the county auditor  
 2 at least ten days before said primary election day, when such candidates are to be voted for  
 3 only within one county, and the names of candidates for nomination shall be given to the  
 4 secretary of state at least twenty days before said primary election day, when such candi-  
 5 dates are to be voted for in the several counties comprising representative, senatorial,  
 6 judicial, and congressional districts, and the names of candidates for nomination shall be  
 7 given to the secretary of state at least thirty days before the said primary election day,  
 8 when such candidates are to be voted for in all the counties of the state of Iowa, in all of  
 9 which instances said candidate shall by affidavit state that he is a resident of the county,  
 10 district, or state in which he is and will be a bona fide candidate for nomination for said  
 11 office as follows:

12 I A.....B.....being duly sworn, say that I reside  
 13 at.....street.....(city or town) of.....  
 14 county of.....state of Iowa and am a qualified voter therein, and I am a.....  
 15 .....(name of party), that I am a candidate for nomination to the office of.....  
 16 .....to be made at the primary election of said party to be held on.....  
 17 .....and hereby request that my name be printed upon the official primary ballot as  
 18 provided by law, as a candidate of the.....party.  
 19 Subscribed and sworn (or affirmed) to before me.....  
 20 date.....

21

22 And it shall be the duty of the Secretary of State to certify to the auditors of the several  
23 counties of said districts of the state of Iowa, the names of such candidates at least ten days  
24 before the holding of said primary election. The candidates for nomination for each and every  
25 political party for the several offices shall be printed on separate and uniform ballots with the  
26 name of the political party printed at the head of said ballot, and no political party shall  
27 participate in any primary election except those having cast at least 2 per cent of the total  
28 vote cast at the last preceding general election.

Sec. 7. Poll books in the manner provided by law shall be furnished for the primary  
2 election board of each precinct and shall contain *blank* spaces for the names of the candidates of  
3 the several parties for the different offices to be written in, and blank spaces for the registra-  
4 tion by the clerks of the names of the electors voting at said primary election, and upon the  
5 pages provided for the registration of said voters there shall be ruled commencing at the left  
6 hand side of each page separate columns perpendicularly, and across each line upon which the  
7 name of a voter is to be registered and headed at the top of said page with the word "Republi-  
8 can," "Democratic," "Populist," "Prohibitionist," and "Socialist" to designate the several  
9 parties, the first mentioned to be placed in the first of said columns and so on in numerical  
10 order. It shall be the duty of the clerks of the primary election when registering the name  
11 of a voter to place a cross thus (X) in the column designating the party ticket which was  
12 given to said voter upon his application for a ticket, and upon the final canvass of votes by  
13 the said board of primary election the number of ballots of each party taken from the ballot  
14 box must correspond with the number of names and crosses in that party's column upon the  
15 poll books.

Sec. 8. Upon the completion of the matters prescribed in the last section and upon the  
2 closing of the polls, the clerks and judges shall immediately open the ballot boxes at each  
3 polling place and proceed to take therefrom the ballots. Said officers shall count the number  
4 of ballots cast by each party, at the same time bunching the tickets cast for each party,  
5 together in separate piles, and shall then fasten each pile separately by means of a brass clip,  
6 or may use any means that shall effectually fasten each pile together, at the top of each ticket.  
7 As soon as the clerks and judges shall have sorted and fastened together the ballots of each  
8 separate party, then they shall take the tally sheets provided in the poll books and shall count  
9 all the ballots for each party separately, until the count is completed, and shall certify to the  
10 number of votes cast for each candidate for each office upon the ticket of each party. They  
11 shall then place the counted ballots in the box, but in no case shall they separate them from

12 each other. After all have been counted and certified to by the clerks and judges they shall  
13 seal the returns for all parties in one envelope, on the outside of which shall be printed or  
14 written in perpendicular columns the names of the several political parties with the names of  
15 the candidates for the different offices under their respective party heading, and opposite each  
16 candidate's name shall be placed the number of votes cast for such candidate in said precinct,  
17 and at the bottom the total vote cast by each political party in said precinct, to be returned  
18 to the county auditor.

Sec. 9. Returns of the vote cast at said primary election shall be made to the county  
2 auditor, and a certification of the result of said vote shall be made by the county auditor to  
3 the chairmen of the county central committees of the several political parties participating in  
4 said primary election by 1:30 P. M. of the Saturday following the first Friday in June, and  
5 these returns shall be reviewed as to the result of the vote on their own party candidates by  
6 the county central committee in open convention hereafter provided for, and those candidates  
7 receiving the highest number of votes shall be declared the nominees of the party, and in case  
8 of a tie vote it shall be decided by lot drawn by the chairman of the county central commit-  
9 tee, or by the chairman of the convention. There shall be conventions of delegates of the  
10 different political parties held on Saturday following the first Friday in June as aforesaid, at  
11 an hour and place designated by the county central committee, the chairman and secretary  
12 acting for them, and said call shall be published in a newspaper in the county for at least ten  
13 days preceding the time of meeting.

Sec. 10. Delegates to the county convention shall be voted for in each voting precinct  
2 at the same time the primary election for the selection of party nominees is made, and these  
3 delegates selected shall attend the county convention of the party for which they are chosen,  
4 where they shall select delegates for the district and state conventions of their party and  
5 transact such other business as may come before them.

Sec. 11. The selection of delegates to the county convention shall be made in the follow-  
2 ing manner: The requisite number of delegates to which each precinct is entitled shall first  
3 be determined, and a like number of blank lines placed on each ballot. The names of candi-  
4 dates, delegates, and alternates shall all be printed or written upon the primary election offi-  
5 cial ballot. The voter while in the booth shall write or paste on the blank lines provided on  
6 the ballot the requisite number of names of persons of his choice to act as delegates, and the  
7 requisite number of persons for delegates receiving the highest number of votes cast shall  
8 constitute the delegates from such precinct to the county convention, and the requisite num-

9 ber receiving the next highest number of votes shall constitute the alternates. In case of a  
10 tie vote on any delegate or delegates, the matter shall be decided by lot to be cast then and  
11 there as the primary election board may determine.

Sec. 12. The delegates to the county convention, therein assembled, shall select delegates  
2 to the various district and state conventions, to the number to which they are entitled, in such  
3 manner as said county convention may determine. And the delegates selected to the several  
4 district and state conventions shall, when in attendance upon said conventions, make nomina-  
5 tions for the various district and state offices, and transact such other business as may legally  
6 come before them.

Sec. 13. Candidates for nomination to state offices shall pay into the hands of the secre-  
2 tary of state at the time of filing their affidavits of candidacy the sum of \$100, and candidates  
3 for nomination for district offices at such time a sum equivalent to \$10 for each county before  
4 whose electors they are candidates, and if to be voted for in only one county, \$10 to the  
5 county auditor thereof, a receipt for which shall be given them; and the county auditor shall  
6 place their names upon the primary election ballot of their party as hereinbefore provided;  
7 provided, however, that the candidates of no political party having cast at least 10 per cent.  
8 of the total vote cast at the preceding general election shall be placed on the official ballot  
9 to be voted in the November election following, by petition, but said candidates must stand  
10 for nomination at the primary election held in June.

Sec. 14. The secretary of state and county auditor shall number the affidavits, pro-  
2 vided for in section 6 of this act, and filed with them, in numerical order as received, and the  
3 names of candidates for the same office shall be placed on the ballot in the same numerical  
4 order. In case of fees paid to the secretary of state as aforesaid, he shall immediately after  
5 the last day for filing affidavits of candidacy, and at the time of certifying such candida-  
6 cies to the county auditors as provided for in section 6 of this act, divide the amounts of the  
7 fees of candidates paid to him equally between the counties before whose electors they are  
8 candidates for nomination, and issue warrants for said amounts to the state treasurer, who  
9 will remit and pay the same at once to the treasurers of said counties respectively.

Sec. 15. All acts and sections of the code in conflict herewith are hereby repealed.

Sec. 16. Nothing in this act shall be construed as amending or changing in any way the  
2 manner of certification of nominations to the county auditors and secretary of state, or of the  
3 placing of the names of said nominees on the official ballot for the November election.

Sec. 17. This act shall take effect and be force from and after its publication in the Iowa  
2 State Register, and the Des Moines Leader, newspapers published in Des Moines, Iowa.