

A BILL

FOR AN ACT TO AMEND THE LAW AS IT APPEARS IN SECTIONS TEN HUNDRED EIGHTY-SEVEN-a 1 (1087-a 1) TEN HUNDRED EIGHTY-SEVEN-a 5 (1087-a 5) TEN HUNDRED EIGHTY-SEVEN-a 6 (1087-a 6), TEN HUNDRED EIGHTY-SEVEN-a 12 (1087-a 12) TEN HUNDRED EIGHTY-SEVEN-a 21 (1087-a 21) TEN HUNDRED EIGHTY-SEVEN-a 22 (1087-a 22), TEN HUNDRED EIGHTY-SEVEN-a 25 (1087-a 25), TEN HUNDRED EIGHTY-SEVEN-a 27 (1087-a 27), OF THE SUPPLEMENT TO THE CODE, 1907, AND TO REPEAL THE LAW AS IT APPEARS IN SECTIONS TEN HUNDRED EIGHTY-SEVEN-a 13 (1087-a 13), TEN HUNDRED EIGHTY-SEVEN-a 15 (1087-a 15) AND TEN HUNDRED EIGHTY-SEVEN-a 18 (1087-a 18) OF THE SUPPLEMENT TO THE CODE, 1907, AND ENACT SUBSTITUTES THEREFOR, RELATING TO THE HOLDING OF PRIMARY ELECTIONS BY POLITICAL PARTIES.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the law as it appears in section ten hundred eighty-seven-a 1 (1087-a 1) of 2 the Supplement to the Code, 1907, be amended by striking out of said section all after the 3 period following the word "provided" in the fourteenth line thereof.

SEC. 2. That the law as it appears in section ten hundred eighty-seven-a 5 (1087-a 5) of 2 the Supplement to the Code, 1907, be amended by striking out of said section all after the 3 period following the word "same" in the seventh line of said section and inserting in lieu 4 thereof the following:

5 "The expenses of said primary election shall be audited by the Board of Supervisors of each 6 county and paid the same as the expenses of the general election. The compensation of the 7 judges and clerks of the primary election shall be the sum of two dollars each for all official 8 services rendered by any such judge or clerk at any such election."

SEC. 3. That the law as it appears in section ten hundred eighty-seven-a 6 (1087-a 6) of 2 the Supplement to the Code, 1907, be amended by striking out of said section the figures, characters, and letters in the seventh line thereof, as follows:

4 "1:00 p. m." and inserting in lieu thereof the following: "9:00 a. m."

SEC. 4. That the law as it appears in section ten hundred eighty-seven-a 12 (1087-a 12) of 2 the Supplement to the Code, 1907, be amended by striking out of said section all after the

3 period following the word "nomination" at the end of the eighth line of said section and in-
4 serting in lieu thereof the following:

5 "Such auditor shall forthwith upon receipt thereof prepare, in typewriting, proof sheets
6 of the primary election ballot for each political party entitled thereto with the names of all
7 candidates written thereon, under the proper title of office as they appear in the certificate
8 of the Secretary of State, the nomination papers and affidavits on file in his office, and mail to
9 each candidate entitled to have his name printed upon the primary ballot, to the postoffice ad-
10 dress of such candidate as given in his nomination paper, affidavit and as certified to him by
11 the Secretary of State, a copy of that portion of the proof sheets of the primary ballots pre-
12 pared by him relating to such candidate, and shall correct any errors or omissions brought to
13 his knowledge prior to the printing of the official ballots. Such auditor shall also forthwith
14 publish a proclamation of the time of holding the primary election, the hours during which
15 the polls will be open, the offices for which candidates are to be nominated and that the primary
16 election will be held in the regular polling places in each precinct. Said notice shall be pub-
17 lished once each week for two consecutive weeks prior to said primary election in one and not
18 to exceed two newspapers of general circulation in such county. One of such newspapers shall
19 represent the political party which cast the largest vote in such county at the last preceding
20 general election, and the other, if any such there be, that shall represent the political party
21 which cast the next largest vote in such county at said general election."

SEC. 5. That the law as it appears in section ten hundred eighty-seven-a 13 (1087-a 13) of
2 the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:

3 "The names of the candidates of each political party for nomination for the several offices
4 and blank spaces for delegates to the county convention and for party committeeman, shall
5 be printed in black ink on separate sheets of paper uniform in color, quality, texture and size,
6 with the names of the political party printed at the head of said ballots, which ballots shall be
7 prepared by the County Auditor in the same manner as for general election, except as herein-
8 after provided. On the first proof sheet prepared for printing, the names of candidates on all
9 the election primary ballots shall be arranged alphabetically according to surname for each office,
10 but such Auditor shall cause the ballots to be printed in lots of one hundred each and a
11 change to be made in the first arrangement of the names of the candidates on the proof
12 sheets prepared by him, in the printing of the ballots as to all candidates to be voted for by
13 the electors of any county, district or more than one County or State, in the following manner,
14 viz.: after the printing of each lot of one hundred ballots, the top name last appearing thereon
15 under each title of office shall be set at the bottom of list of candidates, when more than one,
16 under each title of office, and so alternate and rotate on each lot of one hundred ballots until
17 all are printed; and such Auditor shall so distribute the ballots for each election precinct in
18 his county that the name of each candidate on such ballot shall appear first under the title of

19 the office for which he is a candidate an equal number of times as nearly as practicable, taking
20 as a standard for such distribution the title of office first appearing on the primary ballot of
21 each party for which there is more than one candidate.”

SEC. 6. That the law as it appears in section ten hundred eighty-seven-a 15 (1087-a 15) of
2 the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:

3 “After the printing of the official ballots the County Auditor of each county shall change a
4 sufficient number thereof to supply each voting precinct in the county with six sample ballots
5 of each political party; such Auditor shall change the same by writing or stamping the words
6 ‘sample ballot’ in red ink near the top of each of such ballots and by signing his name or
7 stamping a fac-simile thereof and his title of office immediately thereunder. Such ballots so
8 changed for use as sample ballots shall not be voted, received, or counted at said primary elec-
9 tion. The County Auditor of each county shall distribute the same with the official ballots and
10 it shall be the duty of the judges of election to see that such sample ballots are posted in the
11 voting booths and about the polling place upon the day of the primary election and before
12 the opening of the polls.”

SEC. 7. That the law as it appears in section ten hundred eighty-seven-a 18 (1087-a 18) of
2 the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:

3 “Any candidate, whose name appears upon the official primary ballot of any voting pre-
4 cinct, may require the Board of Supervisors of the county in which such precinct is situated
5 to recount the ballots cast in any such precinct as to the office for which he was a candidate,
6 at the time fixed for canvassing the returns of the judges of election, by filing with the
7 County Auditor not later than the day before such meeting, a showing in writing, duly sworn
8 to by such candidate, that fraud was committed, or error or mistake was made, in counting or
9 returning the votes cast in any such precinct as to the office for which he was a candidate.
10 The showing must be specific and from it there must appear reasonable ground to believe that
11 a recount of the ballots would produce a result as to his candidacy different from the return
12 made by the judges. If such showing is made to the satisfaction of the board, it shall there-
13 upon recount the ballots cast in any such precinct for the office for which the contestant was a
14 candidate, and if the result reached by the board on the recount of the ballots as to such office
15 be different from that returned by the judges of election it shall be substituted therefor as
16 the true and correct return and so regarded in all subsequent proceedings. The action of the
17 board shall be final and no other contest of any kind shall be permitted. The term ‘candidate’
18 as used in this section shall include and apply to persons voted for for delegates and party
19 committeemen.”

SEC. 8. That the law as it appears in section ten hundred eighty-seven-a 21 (1087-a 21) of
2 the Supplement to the Code, 1907, be amended by adding after the period at the end of said
3 section the following:

4 "The published proceedings of the Board of Supervisors as a canvassing board shall only
5 contain a brief statement of the names of the candidates nominated by the electors of any
6 county or sub-division thereof under the title of the office for which they are nominated and a
7 statement of the title of the county offices, if any, for which no nomination was made by any
8 political party participating in the primary election for the failure of any one of its candidates
9 for any office to receive thirty-five per centum of all the votes cast by the party for such office."

SEC. 9. That the law as it appears in section ten hundred eighty-seven-a 22 (1087-a 22) of
2 the Supplement to the Code, 1907, be amended by adding after the period at the end of said
3 section the following:

4 "The candidate of any party for the office of Senator in the Congress of the United States
5 having received the highest number of votes of his party in the State, shall be the nominee of
6 his party for such office, and the Secretary of State shall certify the result of such primary
7 election to the next convening General Assembly."

SEC. 10. That the law as it appears in section ten hundred eighty-seven-a 25 (1087-a 25) of
2 the Supplement to the Code, 1907, be amended by striking out the word "third" after the word
3 "the" and before the word "Saturday" in the fifth line of said section and inserting in lieu
4 thereof the word "fourth"; and by inserting after the period following the word "conven-
5 tion" and before the word "one" in the nineteenth line of said section the following:

6 "The term of office of such delegates shall begin on the day following the final canvass of
7 the votes by the Board of Supervisors, and shall continue for two years and until their succes-
8 sors are elected"; and by striking out the words, "such returns are filed" following the word
9 "after" in the thirty-second line of said section and inserting in lieu thereof the words, "the
10 final canvass of the votes by the Board of Supervisors."

SEC. 11. That the law as it appears in section ten hundred eighty-seven-a 27 (1087-a 27) of
2 the Supplement to the Code, 1907, be amended by striking out the words, "third Thursday"
3 in the third line of said section and inserting in lieu thereof the words, "first Wednesday";
4 and by striking out of said section the words, "fifth Thursday following the primary elec-
5 tion" and inserting in lieu thereof the following: "The fifth Wednesday following the county
6 convention."