

Reported Recommending.....
Ind. Postponed.....
Passed House.....
Failed to Pass House.....
Passed Senate.....
Failed to Pass Senate.....

February 25, 1939.
Elections.

House File 548.
By KEENEY, KNOWLTON, DANCER,
LATCHAW, and HOEGH.

A BILL FOR

An Act to provide for a nonpartisan election of the superintendent of public instruction and to amend section five hundred twenty-nine (529), Code, 1935, relating to offices affected by the primary election.

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

1 Section 1. Notwithstanding any more general or special
2 laws to the contrary, the superintendent of public instruction
3 of the state of Iowa shall hereafter be nominated regardless of
4 political affiliation in the manner following: not more than
5 sixty days nor less than forty days prior to the date for hold-
6 ing the primary election in this state for the office of super-
7 intendent of public instruction, all candidates for the office
8 of superintendent of public instruction shall file with the
9 secretary of state the statement of such candidate which shall
10 be substantially in the form prescribed in section five hundred
11 forty-four (544), Code, 1935, except that it shall not contain
12 any reference to a political party.

1 Sec. 2. Not more than sixty days nor less than forty days
2 prior to the date of holding the primary election in this state,
3 there shall be filed on behalf of a candidate for the office of

4 superintendent of public instruction nomination papers which
5 shall contain the signatures of at least two (2%) per cent of the
6 votes cast for the office of governor as shown by the last gen-
7 eral election.

1 Sec. 3. Upon the official ballot of each party voting at
2 a primary election, the names of the candidates for the office
3 of superintendent of public instruction shall be placed in the
4 right-hand corner of said ballot. The names of the aforesaid
5 candidates shall be placed upon the ballot in substantially the
6 following form:

7 NONPARTISAN BALLOT

8 Office of Superintendent of Public Instruction

9 (Vote for one)

- 10
- 11
- 12

13 In all other respects, the ballot to be used in such pri-
14 mary shall be the same as authorized by the primary election
15 laws of this state. In printing the nonpartisan ballot the
16 form shall be set up by the printer with the names of the can-
17 didates in the order in which they are placed on the ballot by
18 the county auditor in the manner prescribed in section five hun-
19 dred fifty-six (556), Code, 1935.

1 Sec. 4. The general laws of this state relating to the
2 assistance of voters marking said ballots and the canvassing of
3 the same, declaring the result, and certifying said result to

4 the proper officials shall apply; that is, the general primary
5 laws of the state except in so far as the same have been modi-
6 fied and changed by the provisions of this act shall govern and
7 control.

1 Sec. 5. After said primary election, held as aforesaid,
2 the official whose duty it is to prepare the official ballot
3 for the general election shall place upon the same a nonparti-
4 san ballot in substantially the same manner and form as pre-
5 scribed in section three (3) of this act. The nonpartisan bal-
6 lot shall include the names of the two persons receiving the
7 highest number of votes for the office of superintendent of
8 public instruction in the preceding primary election.

1 Sec. 6. Vacancies occurring as to either of the two per-
2 sons receiving the highest number of votes for the office of
3 superintendent of public instruction in the preceding primary
4 election shall be filled by the person who received the third
5 highest number of votes in the primary election.

1 Sec. 7. The candidate receiving the highest number of
2 votes for the office of superintendent of public instruction
3 in the general election shall be declared duly elected to such
4 office. In all other respects the general laws in force of
5 this state respecting the holding, conducting and declaring re-
6 sults of any such general election shall apply to such non-
7 partisan election in so far as the same are applicable and not
8 inconsistent with the provisions of this act.

1 Sec. 8. Section five hundred twenty-nine (529), Code, 1935,

2 is hereby amended by inserting after the comma following the
3 word "courts" in line five (5) of said section the words "and
4 the office of superintendent of public instruction,".