

February 26, 1965.

Governmental Affairs.

House File 541

By RASMUSSEN.

Passed House, Date *3/9 "do pass" 3/23*
deficiency calendar 4/15

Passed Senate, Date.....

Vote: Ayes *87* Nays *25*

Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act relating to primary elections, vacancies, precinct caucuses and county and state conventions.

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

1 Section 1. Section forty-three point seven (43.7), Code 1962,
2 is hereby amended by striking all of lines four (4) and five (5)
3 and inserting in lieu thereof the words "the first (1st) Tuesday
4 after the first (1st) Monday in September in each even numbered
5 year."

1 Sec. 2. Section forty-three point fourteen (43.14), Code 1962,
2 is hereby amended by striking from line twelve (12) the word "June"
3 and inserting in lieu thereof the word "September".

1 Sec. 3. Section forty-three point eighteen (43.18), Code 1962,
2 is hereby amended by striking from line thirteen (13) the word
3 "June" and inserting in lieu thereof the word "September".

1 Sec. 4. Section forty-three point twenty-six (43.26), Code
2 1962, as amended by section five (5) of chapter seventy-eight (78),
3 Acts of the Sixtieth General Assembly, is hereby amended by strik-
4 ing from line eleven (11) the word "June" and inserting in lieu
5 thereof the word "September".

1 Sec. 5. Section forty-three point forty-nine (43.49), Code
2 1962, is hereby amended by striking from line two (2) the words
3 "second Tuesday" and inserting in lieu thereof the word "Friday".

1 Sec. 6. Section forty-three point fifty-six (43.56), Code

2 1962, is hereby amended by striking from line nine (9) the word
3 "Monday" and inserting in lieu thereof the word "Wednesday".

1 Sec. 7. Section forty-three point sixty-three (43.63), Code
2 1962, is hereby amended by striking from line two (2) the words
3 "Monday after the June" and inserting in lieu thereof the words
4 "Wednesday after the September".

1 Sec. 8. Section forty-three point seventy-three (43.73), Code
2 1962, is hereby amended by striking from line one (1) the word
3 "fifty-five" and inserting in lieu thereof the word "forty-five
4 (45)".

1 Sec. 9. Section forty-three point eighty-one (43.81), Code
2 1962, is hereby amended as follows:

3 1. By striking from lines four (4) and five (5) the words "
4 and before the holding of the county, district, or state con-
5 vention,".

6 2. By inserting in line eight (8) after the word "question"
7 the following:
8 "if the convention has not previously been held. If the county
9 or state convention having jurisdiction has been held prior to the
10 vacancy, the vacancy shall be filled by the party central committee
11 for the county or state as the case may be".

1 Sec. 10. Section forty-three point eighty-nine (43.89), Code
2 1962, is hereby repealed.

1 Sec. 11. Section forty-three point ninety (43.90), Code 1962,
2 as amended by section seven (7) of chapter seventy-eight (78),
3 Acts of the Sixtieth General Assembly, is hereby amended by striking
4 from line one (1) the word "Said" and inserting in lieu thereof
5 the word "The".

1 Sec. 12. Section forty-three point ninety-three (43.93), Code
2 1962, as amended by section ten (10) of chapter seventy-eight (78),
3 Acts of the Sixtieth General Assembly, is hereby amended by insert-
4 ing in line seven (7) after the word "convention," the words "if
5 such convention is to be held following the primary election,".

1 Sec. 13. Section forty-three point ninety-five (43.95), Code
2 1962, is hereby amended by striking from line nine (9) the word
3 ", and" and inserting in lieu thereof the following:

4 ". If the convention is being held after the primary election,
5 the chairman shall also present".

1 Sec. 14. Section forty-three point ninety-seven (43.97), Code
2 1962, as amended by subsections two (2) and three (3) of chapter
3 two hundred ninety-six (296), Acts of the Fifty-ninth General
4 Assembly, is hereby amended as follows:

5 1. By inserting in line eight (8) of subsection one (1) of
6 such section after the word "therefor" the following:

7 "if such convention is held following the primary election. If
8 the county convention was held preceding the primary election, the
9 delegates to the last preceding county convention shall be recon-
10 vened within five (5) days following the certification of the
11 official election results for the purpose of making such nomina-
12 tions as may be required by this subsection".

13 2. By inserting in line four (4) of subsection two (2) of such
14 section after the word "convention" the words "if such convention
15 is held following the primary election".

16 3. By inserting in line three (3) of subsection three (3) of
17 such section after the word "election" the words "if such conven-
18 tion is held following the primary election".

1 Sec. 15. Section forty-three point ninety-eight (43.98), Code
2 1962, is hereby repealed and the following enacted in lieu thereof:

3 "The county convention, if the convention is held following the
4 primary, may make nominations for any office for which no nomina-
5 tions exist due to no candidate filing nomination papers for such
6 offices or due to the failure of any candidate to receive the
7 number of votes required for nomination by section forty-three
8 point sixty-six (43.66) of the Code. If the county convention was
9 held preceding the primary election, the party county central com-
10 mittee may make such nominations or may reconvene the delegates of
11 the last preceding county convention for such purpose."

1 Sec. 16. Section forty-three point ninety-nine (43.99), Code
2 1962, is hereby amended by striking lines six (6) and seven (7)
3 and inserting in lieu thereof the following:

4 "begin on the day following the final canvass of the votes by
5 the board of supervisors and shall continue".

1 Sec. 17. Section forty-three point one hundred (43.100), Code
2 1962, is hereby amended by inserting in line four (4) after the
3 word "same" the words "if such convention is held following the
4 primary election, otherwise the committee shall organize on the
5 second (2nd) Thursday following the election".

1 Sec. 18. Section forty-three point one hundred one (43.101),
2 Code 1962, as amended by section six (6) of chapter three (3),
3 Acts of the Sixtieth General Assembly in Extraordinary Session,
4 is hereby amended by adding the following subsection:

5 "When a vacancy exists due to a candidate nominated in the
6 primary election withdrawing from the nomination prior to forty
7 (40) days preceding the general election."

1 Sec. 19. Section forty-three point one hundred six (43.106),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 "A district convention of a party may be held to nominate
5 candidates for any office for which no nominations exist due to
6 no candidates filing nomination papers for such offices, due to
7 no candidate receiving the number of votes required for nomination
8 by section forty-three point sixty-six (43.66) of the Code, or
9 to place a name on the ballot as authorized under subsection one
10 (1) of section twenty-three (23) of this Act."

1 Sec. 20. Section forty-three point one hundred seven (43.107),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 "Each political party shall hold a state convention but such
5 convention shall be held not later than fifteen (15) days follow-
6 ing the primary election. The state central committee of each
7 political party shall designate the time and place of the state
8 convention."

1 Sec. 21. Section forty-three point one hundred nine (43.109),
2 Code 1962, is hereby amended as follows:

3 1. By inserting in line six (6) of subsection one (1) of such
4 section after the word "therefor" the following:

5 "if such convention is held following the primary election. If
6 the state convention was held preceding the primary election, the
7 delegates to the last preceding state convention shall be recon-
8 vened within five (5) days following the certification of the
9 official election results for the purpose of making such nomina-
10 tions as may be required by this subsection".

11 2. By inserting in line two (2) of subsection two (2) of such
12 section after the word "election" the words "if such convention
13 is held following the primary election".

14 3. By inserting in line five (5) of subsection three (3) of
15 such section after the word "papers" the words "if such convention
16 is held following the primary election".

1 Sec. 22. Section forty-three point one hundred ten (43.110),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The state convention of a party, if the convention is held
5 following the primary election, may make nominations for any
6 offices for which no nominations exist due to no candidates filing
7 nomination papers for such offices or due to the failure of any
8 candidate to receive the number of votes required for nomination
9 by section forty-three point sixty-six (43.66) of the Code. If
10 the state convention was held preceding the primary election, the
11 party state central committee may make such nominations or may
12 reconvene the delegates of the last preceding state convention for
13 such purpose."

1 Sec. 23. Chapter forty-three (43), Code 1962, as amended by
2 chapter seventy-eight (78), Acts of the Sixtieth General Assembly,
3 is hereby amended by adding the following new sections:

4 1. "When any primary candidate dies or resigns between the
5 date for filing nomination papers and the holding of the primary
6 election, the appropriate county or state central committee or
7 district convention may place one (1) additional name on the
8 ballot."

9 2. "Candidates nominated in primary elections may withdraw

10 their names from the nominations any time prior to forty (40) days
11 preceding the general election and the appropriate county or state
12 central committee or district convention shall designate a person
13 to fill such vacancy. Vacancies shall be filled by the appropriate
14 central committee within five (5) days following the day of such
15 withdrawal.”

1 Sec. 24. Section fifty-three point thirty-nine (53.39), Code
2 1962, is hereby amended as follows:

3 1. By striking from line fifteen (15) the word “forty” and in-
4 serting in lieu thereof the word “thirty (30)”.

5 2. By striking from line eighteen (18) the word “forty” and
6 inserting in lieu thereof the word “thirty (30)”.

1 Sec. 25. Section fifty-three point forty (53.40), Code 1962,
2 is hereby amended as follows:

3 1. By striking from line eleven (11) the word “seventy” and
4 inserting in lieu thereof the word “fifty-five (55)”.

5 2. By striking from line thirty-seven (37) the word “fortieth”
6 and inserting in lieu thereof the word “thirtieth (30th)”.

1 Sec. 26. Section fifty-three point forty-two (53.42), Code
2 1962, is hereby amended by striking from line seven (7) the word
3 “forty” and inserting in lieu thereof the word “thirty (30)”.

1 Sec. 27. Section fifty-three point forty-five (53.45), Code
2 1962, is hereby amended by striking from line nine (9) the word
3 “January” and inserting in lieu thereof the word “March”.

1 Sec. 28. Chapter seventy-eight (78), section one (1), Acts of
2 the Sixtieth General Assembly, is hereby amended by striking from
3 lines two (2) and three (3) the words “held not later than the
4 second Monday in May of each election year”.

1 Sec. 29. Chapter seventy-eight (78), section three (3), Acts
2 of the Sixtieth General Assembly, is hereby amended by inserting
3 in line three (3) after the word "convention." the following:
4 "Such conventions shall be held no later than ten (10) days
5 following the primary election and shall be held on the same day
6 throughout the state."

EXPLANATION OF HOUSE FILE 541

This bill changes the date of the primary election from June to September and contains amendments necessary to reconcile resulting conflicts due to the change. The bill permits party conventions to be held preceding the primary elections and provides for county conventions to be held on the same date throughout the state with county convention date and the date of the state convention established by the state central committee. The county, district, or state convention and the county or state central committee are given additional authority to nominate candidates or place names on the ballot. A county or state convention can be reconvened for making nominations in certain instances if the respective convention was held preceding the primary election.

1 Amend House File 541 as follows:

- 2 1. By inserting before section one (1) the following new
3 sections:
4 "Section 1. Section forty-three point one (43.1), Code 1962,
5 is hereby amended by striking all of such section after the word
6 'by' in line three (3) and inserting in lieu thereof the following:
7 'the members of various political parties for the purpose of
8 placing in nomination candidates for public office.'
9 "Sec. 2. Section forty-three point four (43.4), Code 1962, as
10 amended by section four (4) of chapter seventy-eight (78), Acts
11 of the Sixtieth General Assembly, is hereby repealed."
12 2. By inserting after section three (3) the following new
13 section:
14 "Section forty-three point twenty-one (43.21), Code 1962, is
15 hereby amended by striking from lines three (3) and four (4) the
16 words 'including the office of party committeeman.'"
17 3. By striking from section four (4) lines three (3), four (4),
18 and five (5) and inserting in lieu thereof the following:
19 "Acts of the Sixtieth General Assembly, is hereby amended as
20 follows:
21 1. By striking from line eleven (11) the word 'June' and in-
22 serting in lieu thereof the word 'September'.
23 2. By striking lines fifty-two (52) through fifty-nine (59)."
24 4. By inserting after section six (6) the following new
25 section:
26 "Section forty-three point fifty-nine (43.59), Code 1962, as
27 amended by section six (6) of chapter seventy-eight (78), Acts of
28 the Sixtieth General Assembly, is hereby repealed."
29 5. By striking section twelve (12) and inserting in lieu
30 thereof the following:
31 "Section forty-three point ninety-two (43.92), Code 1962, as
32 amended by section nine (9) of chapter seventy-eight (78), Acts of
33 the Sixtieth General Assembly, and section forty-three point ninety-
34 three (43.93), Code 1962, as amended by section ten (10) of chapter
35 seventy-eight (78), Acts of the Sixtieth General Assembly, are
36 hereby repealed."
37 6. By inserting in line four (4) of section fifteen (15) after
38 the word "primary" the word "election".
39 7. By striking section sixteen (16) and inserting in lieu
40 thereof the following:
41 "Section forty-three point ninety-nine (43.99), Code 1962, is
42 hereby amended by striking from line four (4) the words 'said
43 primary election' and inserting in lieu thereof the words 'the
44 precinct caucuses'.
45 8. By striking section seventeen (17) and inserting in lieu
46 thereof the following:
47 "Section forty-three point one hundred (43.100), Code 1962, is
48 hereby amended by striking from lines two (2) and three (3) the
49 words 'elected in the primary election'.
50 9. By striking from lines four (4) and five (5) of section
51 twenty (20) the words "but such convention shall be held not" and
52 inserting in lieu thereof the words "either preceding or following
53 the primary election but such convention shall be held no"
54 10. By striking from section twenty-eight (28) lines two (2),
55 three (3), and four (4) and inserting in lieu thereof the following:
56 "the Sixtieth General Assembly, is hereby amended as follows:
57 1. By inserting in line one (1) after the word 'parties' the
58 words 'and party committeemen'.
59 2. By striking from lines two (2) and three (3) the words
60 'held not later than the second Monday in May of each election
61 year'.
62 11. By inserting after section twenty-eight (28) the following
63 new section:
64 "Chapter seventy-eight (78), section two (2), Acts of the
65 Sixtieth General Assembly, is hereby amended by inserting in line
66 three (3) after the word 'elected' the words 'as party committeemen
67 and'.
68 12. By striking from section twenty-nine (29) lines two (2)
69 through six (6) and inserting in lieu thereof the following:
70 "of the Sixtieth General Assembly, is hereby amended as follows:
71 1. By inserting in line two (2) after the word 'delegates' the
72 words 'and committeemen'.
73 2. By inserting in line three (3) after the word "convention."
74 the following:
75 'Such conventions shall be held either preceding or following
76 the primary election but no later than ten (10) days following the
77 primary election and shall be held on the same day throughout the
78 state.'
79 13. By renumbering the sections in conformity with this amend-
80 ment.

HOUSE FILE 541

- 1 Amend House File 541 as follows:
2 1. By inserting after section eight (8) the following new
3 section:
4 "Section forty-three point seventy-five (43.75), Code 1962,
5 is hereby amended by striking from lines two (2) and three (3)
6 the words 'or election of delegates or party committeemen,'" *adopted 4/19*
7 2. By striking from line two (2) of section fourteen (14) the
8 word "subsections" and inserting in lieu thereof the word
9 "sections".
10 3. By striking from lines four (4), five (5), and six (6) of
11 section fifteen (15) the words "nominations exist due to no candi-
12 date filing nomination papers for such offices" and inserting in
13 lieu thereof the words "nomination exists due to the failure of
14 a candidate to file nomination papers for such office".
15 4. By striking lines five (5), six (6), and seven (7) of
16 section nineteen (19) and inserting in lieu thereof the words
17 "candidates for any office for which no nomination exists due to
18 the failure of a candidate to file nomination papers for such
19 office, due to the failure of any candidate to receive the number
20 of votes required for nomination".
21 5. By striking lines six (6) and seven (7) of section twenty-
22 two (22) and inserting in lieu thereof the words "office for
23 which no nomination exists due to the failure of a candidate to
24 file nomination papers for such office or due to the failure of
25 any".
26 6. By renumbering the sections in conformity with this amend-
27 ment.

Filed
April 14, 1965.

RASMUSSEN of Polk.

April 21, 1965.

House File 541

By RASMUSSEN.

(As Amended and Passed by the House.)

Passed House, Date 4/19 Passed Senate, Date 4/23
Vote: Ayes 87 Nays 35 Vote: Ayes 45 Nays 7

Approved May 10, 1965

passed House as amended 7/27 (97-15)

passed on file 7/31 substituted for SF 545-1/2

A BILL FOR

An Act relating to primary elections, vacancies, precinct caucuses and county and state conventions.

passed Senate as amended 7/28 (50-4)
Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section forty-three point one (43.1), Code 1962,
2 is hereby amended by striking all of such section after the word
3 "by" in line three (3) and inserting in lieu thereof the following:
4 "the members of various political parties for the purpose of
5 placing in nomination candidates for public office."

1 Sec. 2. Section forty-three point four (43.4), Code 1962, as
2 amended by section four (4) of chapter seventy-eight (78), Acts
3 of the Sixtieth General Assembly, is hereby repealed.

1 Sec. 3. Section forty-three point seven (43.7), Code 1962,
2 is hereby amended by striking all of lines four (4) and five (5)
3 and inserting in lieu thereof the words "the first (1st) Tuesday
4 after the first (1st) Monday in September in each even numbered
5 year."

1 Sec. 4. Section forty-three point fourteen (43.14), Code 1962,
2 is hereby amended by striking from line twelve (12) the word "June"
3 and inserting in lieu thereof the word "September".

1 Sec. 5. Section forty-three point eighteen (43.18), Code 1962,
2 is hereby amended by striking from line thirteen (13) the word
3 "June" and inserting in lieu thereof the word "September".

1 Sec. 6. Section forty-three point twenty-one (43.21), Code

2 1962, is hereby amended by striking from lines three (3) and four
3 (4) the words “, including the office of party committeeman,”.

1 Sec. 7. Section forty-three point twenty-six (43.26), Code
2 1962, as amended by section five (5) of chapter seventy-eight (78),
3 Acts of the Sixtieth General Assembly, is hereby amended as
4 follows:

5 1. By striking from line eleven (11) the word “June” and in-
6 serting in lieu thereof the word “September”.

7 2. By striking lines fifty-two (52) through fifty-nine (59).

1 Sec. 8. Section forty-three point forty-nine (43.49), Code
2 1962, is hereby amended by striking from line two (2) the words
3 “second Tuesday” and inserting in lieu thereof the word “Friday”.

1 Sec. 9. Section forty-three point fifty-six (43.56), Code
2 1962, is hereby amended by striking from line nine (9) the word
3 “Monday” and inserting in lieu thereof the word “Wednesday”.

1 Sec. 10. Section forty-three point fifty-nine (43.59), Code
2 1962, as amended by section six (6) of chapter seventy-eight (78),
3 Acts of the Sixtieth General Assembly, is hereby repealed.

1 Sec. 11. Section forty-three point sixty-three (43.63), Code
2 1962, is hereby amended by striking from line two (2) the words
3 “Monday after the June” and inserting in lieu thereof the words
4 “Wednesday after the September”.

1 Sec. 12. Section forty-three point seventy-three (43.73), Code
2 1962, is hereby amended by striking from line one (1) the word
3 “fifty-five” and inserting in lieu thereof the word “forty-five
4 (45)”.

1 Sec. 13. Section forty-three point seventy-five (43.75), Code
2 1962, is hereby amended by striking from lines two (2) and three
3 (3) the words “or election of delegates or party committeemen,”.

1 Sec. 14. Section forty-three point eighty-one (43.81), Code
2 1962, is hereby amended as follows:

3 1. By striking from lines four (4) and five (5) the words “,
4 and before the holding of the county, district, or state con-
5 vention,”.

6 2. By inserting in line eight (8) after the word “question”
7 the following:

8 “if the convention has not previously been held. If the county
9 or state convention having jurisdiction has been held prior to the
10 vacancy, the vacancy shall be filled by the party central committee
11 for the county or state as the case may be”.

1 Sec. 15. Section forty-three point eighty-nine (43.89), Code
2 1962, is hereby repealed.

1 Sec. 16. Section forty-three point ninety (43.90), Code 1962,
2 as amended by section seven (7) of chapter seventy-eight (78),
3 Acts of the Sixtieth General Assembly, is hereby amended by striking
4 from line one (1) the word “Said” and inserting in lieu thereof
5 the word “The”.

1 Sec. 17. Section forty-three point ninety-two (43.92), Code
2 1962, as amended by section nine (9) of chapter seventy-eight
3 (78), Acts of the Sixtieth General Assembly, and section forty-
4 three point ninety-three (43.93), Code 1962, as amended by section
5 ten (10) of chapter seventy-eight (78), Acts of the Sixtieth General
6 Assembly, are hereby repealed.

1 Sec. 18. Section forty-three point ninety-five (43.95), Code
2 1962, is hereby amended by striking from line nine (9) the word
3 “, and” and inserting in lieu thereof the following:

4 “. If the convention is being held after the primary election,
5 the chairman shall also present”.

1 Sec. 19. Section forty-three point ninety-seven (43.97), Code
2 1962, as amended by sections two (2) and three (3) of chapter
3 two hundred ninety-six (296), Acts of the Fifty-ninth General
4 Assembly, is hereby amended as follows:

5 1. By inserting in line eight (8) of subsection one (1) of
6 such section after the word "therefor" the following:

7 "if such convention is held following the primary election. If
8 the county convention was held preceding the primary election, the
9 delegates to the last preceding county convention shall be recon-
10 vened within five (5) days following the certification of the
11 official election results for the purpose of making such nomina-
12 tions as may be required by this subsection".

13 2. By inserting in line four (4) of subsection two (2) of such
14 section after the word "convention" the words "if such convention
15 is held following the primary election".

16 3. By inserting in line three (3) of subsection three (3) of
17 such section after the word "election" the words "if such conven-
18 tion is held following the primary election".

1 Sec. 20. Section forty-three point ninety-eight (43.98), Code
2 1962, is hereby repealed and the following enacted in lieu thereof:

3 "The county convention, if the convention is held following the
4 primary election, may make nominations for any offices for which no
5 tion exists due to the failure of a candidate to file nomination papers
6 for such office or due to the failure of any candidate to receive the
7 number of votes required for nomination by section forty-three
8 point sixty-six (43.66) of the Code. If the county convention was
9 held preceding the primary election, the party county central com-
10 mittee may make such nominations or may reconvene the delegates of
11 the last preceding county convention for such purpose."

1 Sec. 21. Section forty-three point ninety-nine (43.99), Code
2 1962, is hereby amended by striking from line four (4) the words
3 "said primary election" and inserting in lieu thereof the words
4 "the precinct caucuses".

1 Sec. 22. Section forty-three point one hundred (43.100), Code
2 1962, is hereby amended by striking from lines two (2) and three
3 (3) the words "elected in the primary election".

1 Sec. 23. Section forty-three point one hundred one (43.101),
2 Code 1962, as amended by section six (6) of chapter three (3),
3 Acts of the Sixtieth General Assembly in Extraordinary Session,
4 is hereby amended by adding the following subsection:

5 "When a vacancy exists due to a candidate nominated in the
6 primary election withdrawing from the nomination prior to forty
7 (40) days preceding the general election."

1 Sec. 24. Section forty-three point one hundred six (43.106),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 "A district convention of a party may be held to nominate
5 candidates for any office for which no nomination exists due to the
6 failure of a candidate to file nomination papers for such office, due
7 to the failure of any candidate to receive the number of votes re-
8 quired for nomination
9 by section forty-three point sixty-six (43.66) of the Code, or
10 to place a name on the ballot as authorized under subsection one
11 (1) of section twenty-eight (28) of this Act."

1 Sec. 25. Section forty-three point one hundred seven (43.107),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 "Each political party shall hold a state convention either pre-

5 ceding or following the primary election but such convention shall
6 be held no later than fifteen (15) days follow-
7 ing the primary election. The state central committee of each
8 political party shall designate the time and place of the state
9 convention.”

1 Sec. 26. Section forty-three point one hundred nine (43.109),
2 Code 1962, is hereby amended as follows:

3 1. By inserting in line six (6) of subsection one (1) of such
4 section after the word “therefor” the following:
5 “if such convention is held following the primary election. If
6 the state convention was held preceding the primary election, the
7 delegates to the last preceding state convention shall be recon-
8 vened within five (5) days following the certification of the
9 official election results for the purpose of making such nomina-
10 tions as may be required by this subsection”.

11 2. By inserting in line two (2) of subsection two (2) of such
12 section after the word “election” the words “if such convention
13 is held following the primary election”.

14 3. By inserting in line five (5) of subsection three (3) of
15 such section after the word “papers” the words “if such convention
16 is held following the primary election”.

1 Sec. 27. Section forty-three point one hundred ten (43.110),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 “The state convention of a party, if the convention is held
5 following the primary election, may make nominations for any
6 office for which no nomination exists due to the failure of a candi-
7 date to file nomination papers for such office or due to the failure
8 of any

9 candidate to receive the number of votes required for nomination
10 by section forty-three point sixty-six (43.66) of the Code. If
11 the state convention was held preceding the primary election, the
12 party state central committee may make such nominations or may
13 reconvene the delegates of the last preceding state convention for
14 such purpose.”

1 Sec. 28. Chapter forty-three (43), Code 1962, as amended by
2 chapter seventy-eight (78), Acts of the Sixtieth General Assembly,
3 is hereby amended by adding the following new sections:

4 1. “When any primary candidate dies or resigns between the
5 date for filing nomination papers and the holding of the primary
6 election, the appropriate county or state central committee or
7 district convention may place one (1) additional name on the
8 ballot.”

9 2. “Candidates nominated in primary elections may withdraw
10 their names from the nominations any time prior to forty (40) days
11 preceding the general election and the appropriate county or state
12 central committee or district convention shall designate a person
13 to fill such vacancy. Vacancies shall be filled by the appropriate
14 central committee within five (5) days following the day of such
15 withdrawal.”

1 Sec. 29. Section fifty-three point thirty-nine (53.39), Code
2 1962, is hereby amended as follows:

3 1. By striking from line fifteen (15) the word “forty” and in-
4 serting in lieu thereof the word “thirty (30)”.

5 2. By striking from line eighteen (18) the word “forty” and
6 inserting in lieu thereof the word “thirty (30)”.

1 Sec. 30. Section fifty-three point forty (53.40), Code 1962,
2 is hereby amended as follows:

3 1. By striking from line eleven (11) the word "seventy" and
4 inserting in lieu thereof the word "fifty-five (55)".

5 2. By striking from line thirty-seven (37) the word "fortieth"
6 and inserting in lieu thereof the word "thirtieth (30th)".

1 Sec. 31. Section fifty-three point forty-two (53.42), Code
2 1962, is hereby amended by striking from line seven (7) the word
3 "forty" and inserting in lieu thereof the word "thirty (30)".

1 Sec. 32. Section fifty-three point forty-five (53.45), Code
2 1962, is hereby amended by striking from line nine (9) the word
3 "January" and inserting in lieu thereof the word "March".

1 Sec. 33. Chapter seventy-eight (78), section one (1), Acts of
2 the Sixtieth General Assembly, is hereby amended as follows:

3 1. By inserting in line one (1) after the word "parties" the
4 words "and party committeemen".

5 2. By striking from lines two (2) and three (3) the words
6 "held not later than the second Monday in May of each election
7 year".

1 Sec. 34. Chapter seventy-eight (78), section two (2), Acts of the
2 Sixtieth General Assembly, is hereby amended by inserting in line
3 three (3) after the word "elected" the words "as party committeemen
4 and".

1 Sec. 35. Chapter seventy-eight (78), section three (3), Acts
2 of the Sixtieth General Assembly, is hereby amended as follows:

3 1. By inserting in line two (2) after the word "delegates" the
4 words "and committeemen".

5 2. By inserting in line three (3) after the word "convention."
6 the following:

7 "Such conventions shall be held either preceding or following
8 the primary election but no later than ten (10) days following the

9 primary election and shall be held on the same day throughout the
10 state."

EXPLANATION OF HOUSE FILE 541

This bill changes the date of the primary election from June to September and contains amendments necessary to reconcile resulting conflicts due to the change. The bill permits party conventions to be held preceding the primary elections and provides for county conventions to be held on the same date throughout the state with the county convention date and the date of the state convention established by the state central committee. The county, district, or state convention and the county or state central committee are given additional authority to nominate candidates or place names on the ballot. A county or state convention can be reconvened for making nominations in certain instances if the respective convention was held preceding the primary election.

HOUSE FILE 541

- 1 Amend the Senate amendment to House File 541, by adding the
- 2 following new sentence to section thirty-six (36):
- 3 "1. A list of the names and addresses of each person to
- 4 whom a ballot was delivered or who was allowed to vote in each
- 5 precinct caucus shall be prepared by the caucus chairman and
- 6 secretary who shall certify such list to the county auditor at
- 7 the same time as the names of those elected as delegates and
- 8 party committeemen are so certified."

Filed *ad. 7/27 (76-30)*
April 26, 1965. *senate concurred 7/28* MALEY of Polk.

- 1 Amend House File 541 as follows:
- 2 1. Amend section 1 by inserting in line 5 after the word
- 3 "office" the words "and the selection of party committeemen".
- 4 2. By striking section 2.
- 5 3. By striking section 6.
- 6 4. Amend section 7 by striking subsection 2.
- 7 5. By striking section 10.
- 8 6. Amend section 13, line 3, by striking the words "or party
- 9 committeemen,".
- 10 7. By striking section 17.
- 11 8. By striking section 21.
- 12 9. By striking section 22.
- 13 10. Amend section 33 by striking subsection 1.
- 14 11. By striking section 34.
- 15 12. Amend section 35 by striking subsection 1.

Filed *lost 7/23 (34-25)*
April 22, 1965. By REPERT.

- 1 Amend House File 541 as follows:
- 2 1. By striking section 2.
- 3 2. By striking section 6.
- 4 3. By striking subsection 2, section 7.
- 5 4. By striking section 10.
- 6 5. By striking section 13.
- 7 6. By striking section 17.
- 8 7. By striking section 21.
- 9 8. By striking section 22 and inserting in lieu
- 10 thereof the following:
- 11 "Section forty-three point one hundred (43.100),
- 12 Code 1962, is hereby amended by striking lines one (1)
- 13 through four (4) and inserting in lieu thereof the
- 14 following:
- 15 "The county central committee shall elect its
- 16 officers on the day of the county convention immediately
- 17 following said convention."
- 18 9. By striking subsection 1, section 33.
- 19 10. By striking section 34.
- 20 11. By striking subsection 1, section 35.
- 21 12. By renumbering the section in conformity with
- 22 this amendment.

Filed *withdrawn 7/23*
April 22, 1965. By RIGLER.

- 1 Amend House File 541 as follows:
2 1. By adding to section 33 the following new
3 subsection:
4 "By inserting in line six (6) after the word 'caucuses.' the
5 following:
6 "The county chairman shall file with the county auditor the
7 meeting place of each precinct caucus at least seven (7) days
8 prior to the date of holding such caucus."
9 2. By striking line two (2) through four (4) of section
10 thirty-four (34) and inserting in lieu thereof the following:
11 "Sixtieth General Assembly, is hereby amended by striking
12 all of line three (3) and inserting in lieu thereof the words
13 'county central committee and the county auditor the names of
14 those elected as party committeemen and delegates to'".

Filed
April 22, 1965. *Adopted 4/23 House concurred 4/27* By O'MALLEY.

- 1 Amend House File 541, section 24, line 11, by striking the
2 word and figure "twenty-three (23)" and inserting in lieu
3 thereof the word and figure "twenty-eight (28)".

Filed
April 22, 1965. *Adopted 4/23 House concurred 4/27* By FROMMELT.

HOUSE FILE 541

- 1 Amend House File 541 by adding the following new section:
2 Sec. 36. Any person voting at a precinct caucus must
3 be an eligible voter and resident of the precinct.

Filed and adopted
April 23, 1965. *House concurred as amended 4/27* By REPERT.

HOUSE FILE 541

- 1 Amend House File 541, section 20, by striking in lines
2 5 and 6 the words "due to the failure of a candidate to file
3 nomination papers for such office or".

Filed and adopted
April 23, 1965. *House concurred 4/27* By BRILES.

HOUSE FILE 541

- 1 Amend House File 541 by adding the following new section:
2 "The date, time, and place of each precinct caucus of
3 a political party shall be published at least twice in at
4 least one newspaper of general circulation in the precinct.
5 Such publication shall be made not more than thirty (30)
6 days and not less than five (5) days before the date of the
7 caucus. Such publication shall also state in substance that
8 each voter affiliated with the specified political party
9 may attend the precinct caucus. Publication in a news item
10 or advertisement in such newspaper shall constitute pub-
11 lication for the purposes of this section. The cost of such
12 publication, if any, shall be paid by the political party."

Filed and adopted
April 23, 1965. *House concurred 4/27* By STANLEY and McNALLY.