

Senate Study Bill 167

Conference Committee Text

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1 1 Section 1. Section 46.21, unnumbered paragraph 1, Code
1 2 1995, is amended to read as follows:
1 3 At least sixty-nine days before each judicial election, the
1 4 state commissioner of elections shall certify to the county
1 5 commissioner of elections of each county a list of the judges
1 6 of the supreme court, court of appeals, and district court
1 7 including district associate judges, and clerks of the
1 8 district court to be voted on in each county at that election.
1 9 The county commissioner of elections shall place the names
1 10 upon the ballot in the order in which they appear in the
1 11 certificate, unless only one county is voting thereon.

~~The~~

1 12

~~state commissioner of elections shall rotate the names in the~~

1 13

~~certificate by county, or the county commissioner of elections~~

1 14

~~shall rotate them upon the ballot by precinct if only one~~

1 15

~~county is voting thereon.~~

The names of all judges and clerks

1 16 to be voted on shall be placed upon one ballot, which shall be
1 17 in substantially the following form:

1 18 Sec. 2. Section [49.31](#), subsection 2, Code 1995, is amended
1 19 by striking the subsection and inserting in lieu thereof the
1 20 following:

1 21 2. The commissioner shall determine, by lot, the arrange-
1 22 ment of candidates' names on the election ballot. The same
1 23 ballot arrangement shall be used for each election precinct as
1 24 applicable.

1 25 Sec. 3. Section [49.31](#), subsection 6, Code 1995, is amended
1 26 by striking the subsection.

1 27 Sec. 4. Section [49.53](#), unnumbered paragraph 1, Code 1995,
1 28 is amended to read as follows:

1 29 The commissioner shall not less than four nor more than
1 30 twenty days before the day of each election, except those for
1 31 which different publication requirements are prescribed by
1 32 law, publish notice of the election. The notice shall contain
1 33 a facsimile of the portion of the ballot

~~containing the first~~

1 34

~~rotation~~

as prescribed by section 49.31, subsection 2, and

1 35 shall show the names of all candidates or nominees and the

2 1 office each seeks, and all public questions, to be voted upon
2 2 at the election. The sample ballot published as a part of the
2 3 notice may at the discretion of the commissioner be reduced in
2 4 size relative to the actual ballot but such reduction shall
2 5 not cause upper case letters appearing on the published sample
2 6 ballot to be less than five thirty-sixths of an inch high in
2 7 candidates' names or in summaries of public measures. The
2 8 notice shall also state the date of the election, the hours
2 9 the polls will be open, the location of each polling place at
2 10 which voting is to occur in the election, the location of the
2 11 polling places designated as early ballot pick-up sites, and
2 12 the names of the precincts voting at each polling place, but
2 13 the statement need not set forth any fact which is apparent
2 14 from the portion of the ballot appearing as a part of the same
2 15 notice. The notice shall include the full text of all public
2 16 measures to be voted upon at the election.

2 17 Sec. 5. Section [49.57](#), subsection 5, Code 1995, is amended
2 18 to read as follows:

2 19 5. On the outside of the ballot, so as to appear when
2 20 folded, shall be printed the words "Official ballot",

— a

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2 21

— designation of the ballot rotation, if any,
— the date of the

2 22 election, and a facsimile of the signature of the commissioner
2 23 who has caused the ballot to be printed pursuant to section
2 24 49.51.

2 25

EXPLANATION

2 26 This bill strikes the requirement that names of candidates
2 27 are rotated on election ballots. The candidates' position on
2 28 the ballot will be determined by lot.

2 29 LSB 2256SC 76

2 30 tj/jw/5