

CHAPTER 1.

PRIMARY ELECTION FOR THE EXPRESSION OF CHOICE OF CANDIDATES FOR UNITED STATES SENATOR.

H. F. 1.

AN ACT to amend the law as it appears in chapter fifty-one (51) of the acts of the thirty-second general assembly relating to the holding of party primary elections for the expression of choice of candidates for senator in the congress of the United States.

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

SECTION 1. Vacancy nomination for United States senator—how filled. That the law as it appears in chapter fifty-one (51) of the acts of the thirty-second general assembly be and the same is hereby amended by adding after the period at the end of section twenty-four (24) of said chapter the following:

If the candidate of any party for the office of senator in the congress of the United States who has received the highest number of votes in his party at any primary election as a candidate for such office, die, resign or remove from the state of his residence, or for any other cause a vacancy in such candidacy shall occur after such primary election is held and before thirty days prior to the day of the general election in November next following, a new primary election shall be held by the members of such party on the day of such general election for the purpose of again nominating or expressing their choice for a candidate for said office in the manner herein provided, viz.:

(A) Any person desiring to be a candidate for said office shall have the qualifications required by law, and shall file nomination papers with the secretary of state in manner and form substantially as required by section ten (10) of chapter fifty-one (51) of the acts of the thirty-second general assembly, at least twenty (20) days prior to the day of the general election next following.

(B) Each candidate for said office who has filed nomination papers as required by sub-division (A) hereof shall be entitled to have his name printed on a primary election ballot which shall be prepared, arranged and printed by the secretary of state substantially in the following form:

PRIMARY ELECTION BALLOT.

.....Party of the State of Iowa.

Primary election to be held on the.....day of November, A. D....., for the purpose of placing in nomination a candidate of the party for the office of senator in the congress of the United States.

For United States Senator.

(Vote for one.)

- John Doe.
- Richard Roe.
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(C) Any member of the party holding a primary election under the provisions of this act desiring to vote for a candidate for the office of senator in

the congress of the United States shall make a written or printed request of the judges of election for a primary ballot in the following form:

"I request a primary election ballot for the purpose of voting at this primary election for a candidate of the.....party for the office of senator in the congress of the United States. I declare that I affiliate with and am in sympathy with the principles of the.....party; that it is my intention to support generally at this general election the nominees of such party; that I have not enrolled with nor participated in any primary election or convention of any other political party since the first day of the last preceding year."

Upon the presentation of such request it shall be the duty of the judges of election to deliver to the applicant, if a qualified elector, a primary election ballot unless challenged on the ground that he is not a member of such political party; and if challenged on said ground it shall not be delivered to him unless he make oath to the statement he has made in his request to be administered by one of the judges of election, and if he make said oath he shall be entitled to receive and vote said primary ballot; provided that no person shall receive a primary ballot who participated in the last preceding primary election of any other political party, as shown by his enrollment.

(D) The officers of the general election shall be the officers of the primary election hereby authorized, provided, however, that in precincts in which more than four hundred votes were cast at the last general election an additional clerk may be employed and paid as other clerks of the general election.

(E) The names of the members of the party voting at said primary election shall be recorded in separate poll books, and the clerks of election shall designate the party affiliation of each person receiving a senatorial primary ballot.

(F) The primary election provided for in this act shall be held in each voting precinct of the state at the same time and concurrent with the holding of the general election.

(G) The votes of any political party cast at such primary election for the nomination of a senator in the congress of the United States shall be canvassed, recorded and certified the same as those cast for state officers, and the candidate of any party for such office at the primary election herein provided for receiving the highest number of votes of his party in the state shall be the nominee of his party for such office and the secretary of state shall certify the result of such primary election to the next convening general assembly.

(II) The secretary of state shall distribute to each county auditor in the state, at least fifteen days prior to the general election, a sufficient number of primary election ballots and request statements, as herein provided for, for the use of the members of any party holding a primary election under the provisions of this act, and each county auditor shall distribute a sufficient number thereof to the judges of each election precinct at the same time and in the same manner as required by law for the distribution of the official ballots for the general election. The fac-simile signature of the secretary of state shall be placed upon each primary election ballot.

(I) The provisions of chapter fifty-one (51), acts of the thirty-second general assembly, shall apply to the primary election provided for in this act so far as applicable, except as herein otherwise provided.

SEC. 2. Applicable to existing vacancy. The provisions of this act shall apply to any vacancy now existing in the candidacy of any party for the office of senator in the congress of the United States as well as to any vacancy that may hereafter occur as set forth in section one (1) hereof.

SEC. 3. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader, Des Moines Capital and Des Moines Daily Tribune, newspapers published in the city of Des Moines, Iowa.

Approved September 10, A. D. 1908.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Daily Tribune, September 12, 1908, and in the Register and Leader, September 14, 1908.

W. C. HAYWARD,
Secretary of State.

CHAPTER 2.

PUBLICATION AND DISTRIBUTION OF THE ACTS AND JOURNALS OF THE EXTRA SESSION.

S. F. 3.

AN ACT providing for the publication and distribution of the acts and journals of the extraordinary session of the thirty-second general assembly.

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

SECTION 1. Acts—how published and distributed. That ten thousand copies of the acts of the extraordinary session of the thirty-second general assembly be printed and bound in pamphlet form, without covers, and that they be distributed in accordance with the provisions of sections forty-two (42) and forty-three (43) of the code. Any remaining copies shall be distributed free to parties making request therefor.

SEC. 2. Senate and house journals—how published and distributed. That two thousand copies of each of the completed senate and house journals of the extraordinary session of the thirty-second general assembly be printed, five hundred copies of which shall be bound in board and fifteen hundred copies bound in paper covers. Said journals shall be indexed and distributed as provided in sections one hundred thirty (130), one hundred thirty-one (131) and one hundred forty (140) of the code. The state binder shall be paid ten cents each for the copies bound in board and shall be paid for folding, stitching and binding the fifteen hundred copies in paper covers in accordance with the schedule of prices in sub-division three (3) of section one hundred forty-one (141) of the 1907 supplement to the code.

SEC. 3. Certain statutory provisions suspended from application. That the provisions of sections forty (40) and forty-two (42) of the code as to printing and binding acts of the general assembly, and the provisions of sections forty-three (43), forty-four (44) and forty-five (45) of the code as to the sale, and the accounting therefor, of said acts, and the provisions of section one hundred thirty (130) of the code relating to the printing and binding of the journals of the general assembly, be suspended from application in regard to the acts and journals of the extraordinary session of the thirty-second general assembly.

SEC. 4. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Tribune, newspapers published in Des Moines, Iowa.

Approved September 11, A. D. 1908.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Tribune, September 12, 1908.

W. C. HAYWARD,
Secretary of State.