

1 **SEC. 6. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Register and the Des Moines Capital, both
 4 newspapers published in Des Moines, Iowa.

Approved March 25, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 26, 1919.

W. S. ALLEN, *Secretary of State.*

CHAPTER 86.

PRESIDENTIAL ELECTORS AND UNITED STATES SENATORS, ETC.

S. F. 21.

AN ACT to amend section ten hundred ninety-nine (1099), of the code, and sections eleven hundred and six (1106), eleven hundred and nineteen (1119), eleven hundred and twenty (1120), eleven hundred and fifty (1150), eleven hundred and fifty-one (1151), eleven hundred and fifty-seven (1157), ten hundred and eighty-seven-c (1087-c), and eleven hundred and seventy-three (1173), supplement to the code, 1913, and relating to the election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, and to the form of ballot, the method of voting and counting the vote of candidates.

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

1 **SECTION 1. Presidential electors—requirement.** That section 1099
 2 of the code is hereby amended by substituting for the word “may”
 3 the word “shall” in line nine thereof making the sentence read, “In
 4 case of electors for president and vice president of the United States,
 5 the names of the candidates for president and vice president shall be
 6 added to the party or political name.”

1 **SEC. 2. Official ballot—form of—ticket, etc.** That section 1106 of
 2 the supplement to the code, 1913, is hereby amended by striking out
 3 all of said section down to the words “When a constitutional amend-
 4 ment, etc.” occurring after the form of the ballot and by substituting
 5 therefor the following:

6 The names of all candidates to be voted for in such election precinct
 7 except electors of president and vice president of the United States
 8 shall be printed on one ballot, all nominations of any political party or
 9 group of petitioners being placed under the party name or title of such
 10 party or group, as designated by them in their certificates of nomina-
 11 tion or petitions, or if none be designated, then under some suitable
 12 title, and the ballot shall contain no other names; provided, however,
 13 that the candidates for electors of president and vice president of any
 14 political party or group of petitioners shall not be placed on the ballot
 15 but in the years in which they are elected the names of candidates for
 16 president and vice president respectively of such parties or group of
 17 petitioners shall be placed on the ballot similarly, as the names of
 18 candidates for United States senators are placed thereon under their
 19 respective party, petition or adopted titles for each political party or
 20 group of petitioners nominating a set of candidates for electors, and

21 upon the left-hand margin of each separate column of the ballot,
 22 immediately opposite the names of said candidates for president and
 23 vice-president, a single square shall be printed in front of a bracket
 24 inclosing the names of the said candidates for president and vice-
 25 president, and the votes for which candidates shall be counted and
 26 certified to by the election judges in the same manner as the votes for
 27 other candidates.

28 That at all general elections next preceding the expiration of the
 29 term of office of United States senator in the congress of the United
 30 States there shall be placed upon the official ballot in the proper place
 31 the names of candidates for all parties or group of petitioners for the
 32 office of United States senator that have been nominated by law and
 33 the votes for which candidates shall be counted and certified to by the
 34 election judges in the same manner as votes for other candidates.

35 Each list of candidates for the several parties and groups of peti-
 36 tioners shall be placed in a separate column on the ballot, in such order
 37 as the authorities charged with the printing of the ballots shall decide,
 38 except as otherwise provided, and be called a ticket. But the name of
 39 no candidate shall appear upon the ballot in more than one place for
 40 the same office, whether nominated by convention, primary, caucus or
 41 petition, except as hereinafter provided. Where two or more conven-
 42 tions, primaries or caucuses, or any two of them, may nominate the
 43 same candidate for any office, the name of such candidate shall be
 44 printed under the name of the party first filing nomination papers
 45 bearing such name, unless the candidate himself shall, in writing duly
 46 verified, request the officer with whom the nomination papers are filed
 47 to cause the name to be printed upon some other ticket, provided, that
 48 in any judicial district of the state in which the bar association, or a
 49 convention of attorneys of the district nominates or recommends candi-
 50 date or candidates for the office of district judge, and such candidates
 51 are also nominated or indorsed by any political party, in preparing the
 52 ballots for the general election, the names of such candidate or candi-
 53 dates shall be printed as candidate or candidates for each party by
 54 whom they are nominated, whether by primary, convention or peti-
 55 tion. Each of the columns containing the list of candidates, including
 56 the party name, shall be separated by a distance line. Said ballot
 57 shall be substantially in the following form:

58	<input type="radio"/> REPUBLICAN	<input type="radio"/> DEMOCRATIC	<input type="radio"/> PROHIBITION	<input type="radio"/> UNION LABOR
59	{ For President, A..... B..... of Ohio. For Vice President, C..... D..... of New York. For United States Senator,	{ For President, N..... O..... of Virginia. For Vice President, P..... Q..... of Indiana. For United States Senator,	{ For President, A..... B..... of Maine. For Vice President, C..... D..... of Illinois. For United States Senator,	{ For President, N..... O..... of Idaho. For Vice President, P..... Q..... of Ohio. For United States Senator,
60				
64	65	66	67	68
69	<input type="checkbox"/> E..... F.....	<input type="checkbox"/> R..... S.....	<input type="checkbox"/> E..... F.....	<input type="checkbox"/> R..... S.....
70	of County.	of County.	of County.	of County.
71	For Governor,	For Governor,	For Governor,	For Governor,
72	<input type="checkbox"/> G..... H.....	<input type="checkbox"/> T..... U.....	<input type="checkbox"/> G..... H.....	<input type="checkbox"/> T..... U.....
73	of County.	of County.	of County.	of County.

74 For Lieutenant For Lieutenant For Lieutenant For Lieutenant
 75 Governor, Governor, Governor, Governor,
 76 L..... J..... V..... W..... I..... J..... V..... W.....
 77 of County. of County. of County. of County.
 78 For Judge of For Judge of For Judge of For Judge of
 79 Supreme Court, Supreme Court, Supreme Court, Supreme Court,
 80 L..... M..... X..... Y..... L..... M..... X..... Y.....
 81 of County. of County. of County. of County.

1 SEC. 3. Abstract of votes—substitution. That section 1150 of the
 2 supplement to the code, 1913, is hereby amended by striking out “1.
 3 Presidential electors” in the third line and substituting therefor the
 4 following “1. president and vice president of the United States.”

1 SEC. 4. Same. That section 1151 of the supplement to the code,
 2 1913, is hereby amended by striking out the words “presidential elec-
 3 tors” in the third line thereof and substituting therefor “president and
 4 vice president of the United States.”

1 SEC. 5. Abstract of votes—substitution—disposition. That section
 2 1157 of the supplement to the code, 1913, is hereby amended by strik-
 3 ing out the words “presidential electors” in line six, and substituting
 4 therefor “president and vice president of the United States.”

1 SEC. 6. Repeal and substitute—presidential electors—votes and
 2 returns—certificate of election. That section 1173 of the supplement
 3 to the code, 1913, is hereby repealed and the following enacted as a
 4 substitute therefor: At the general election in the years of the presi-
 5 dential election, or at such other times as the congress of the United
 6 States may direct, there shall be elected by the electors of the state,
 7 one person from each congressional district into which the state is
 8 divided, as elector of president and vice president, and two from the
 9 state at large, no one of whom shall be a person holding the office of
 10 senator or representative in congress, or any office of trust or profit
 11 under the United States. Each elector of each congressional district
 12 and each elector at large nominated by any party or group of peti-
 13 tioners shall receive the combined vote of the electors of the state for
 14 the candidates for president and vice president of such party or group
 15 or petitioners, and a vote cast for the candidates for president and
 16 vice president of the United States shall be the votes of the voter for
 17 the electors of the respective party or group of petitioners. The
 18 canvass of the votes for candidates for president and vice president of
 19 the United States and the returns thereof shall be a canvass and return
 20 of the votes cast for the electors of the same party or group of peti-
 21 tioners respectively, and the certificate of such election made by the
 governor shall be in accord with such return.

1 SEC. 7. Ballot—marking—requirements. That section 1119 of the
 2 supplement to the code, 1913, be amended by substituting therefor
 3 the following: Upon retiring to the voting booth the voter shall mark
 4 his ballot. He may place a cross, if he desires, in the circle at the head
 5 of one ticket on the ballot and the voter may place a cross in the square
 6 opposite the name of any candidate for whom he desires to vote,
 7 whether he has put a cross in the circle or not.

8 If the voter does not wish to vote for all the candidates of his party
 9 to an office where more than one candidate is to be elected, the cross

10 in the circle at the top of his ticket shall not apply to said office, but
11 the voter must mark crosses in the squares opposite the names of the
12 candidates for whom he intends to vote. The voter may also insert
13 in writing in the proper place the name of any person for whom he
14 desires to vote, making a cross opposite thereto. The writing of such
15 name without making a cross opposite thereto, or the making of a
16 cross in a square opposite a blank without writing a name therein shall
17 not affect the validity of the vote.

1 **SEC. 8. Ballot—marking for candidate—rejection.** That section
2 1120 of the supplement to the code, 1913, be amended by substituting
3 therefor the following:

4 When a circle is marked the ballot shall be counted for all the candi-
5 dates upon the ticket beneath said circle, except those offices for which
6 some candidate has been voted for by marking a square. A cross
7 placed in a square shall be counted for the candidate before whose
8 name the square is so marked.

9 When a square in front of any candidate has been marked, a mark
10 in the circle shall not count for any candidate for that particular office.
11 When more candidates than the number to be elected to the same office
12 are voted for by marking the squares opposite their names the vote
13 shall not be counted for any candidate for that office. If less than the
14 whole number of candidates to be elected are voted for by marking
15 the squares opposite their names the vote shall be counted only for
16 those marked in the square and the mark in the circle shall not apply.
17 If for any reason it is impossible to determine the voter's choice for
18 any office, his ballot shall not be counted for such office, but a mark in
19 the circle of any ticket on the ballot shall not be held to make it
20 impossible to determine the voter's choice. Any ballot marked by the
21 voter in any other manner than as authorized in this chapter, and so
22 that such mark may be used for the purpose of identifying such ballot
23 shall be rejected.

1 **SEC. 9. Repeal and substitute—United States senators—nomina-**
2 **tion and election.** That section 1087-c of the supplement to the code,
3 1913, is hereby repealed and the following enacted as a substitute
4 therefor:

5 In the year preceding the expiration of the term of office of United
6 States senator, or in case of a vacancy in said office, candidates for the
7 different parties for United States senator shall be nominated as pro-
8 vided by law and the United States senator or senators as the case
9 may be shall be elected at the general election in the same manner as
state officers are elected.

Approved March 27, A. D. 1919.