

## CHAPTER 94

## VOTING MACHINES

S. F. 425

AN ACT to amend chapter fifty-two (52), Code 1958, relating to voting machines.

*(See addenda on page 564.)*

## CHAPTER 95

## VOTING MACHINES

H. F. 678

AN ACT relating to voting machine procedure and to amend various sections of the Code relating thereto.

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

1 SECTION 1. Section fifty-two point nine (52.9), Code 1958, is  
 2 hereby amended by adding thereto the following:  
 3 "It shall be the duty of the county auditor or the city clerk or their  
 4 duly authorized agents not less than twelve (12) hours before the  
 5 opening of the polls on the morning of the election to examine and  
 6 test said machines. The chairman of each political party shall be  
 7 notified in writing of the time said machines shall be examined and  
 8 tested so that they may be present, or have a representative present.  
 9 Those present for the examination and testing shall sign a certificate  
 10 which shall read substantially as follows:

11 "The Undersigned Hereby Certify that, having duly qualified, we  
 12 were present and witnessed the testing and preparation of the follow-  
 13 ing voting machines; that we believe the same to be in proper condi-  
 14 tion for use in the election of ..... 19.....,  
 15 that each registering counter of the machine is set at 000; that the

16 public counter is set at 000; that the seal numbers and the protective  
17 counter numbers are as indicated below.

18 Signed.....  
19 Republican  
20 .....  
21 Democrat  
22 .....  
23 .....  
24 Voting machine custodian  
25 Dated..... 19.....

26 .....  
27 Machine Number Seal Number Protective Counter Number  
28 .....  
29 .....  
30 .....

31 "On those voting machines presently equipped with an after-  
32 election latch and on all machines placed in use after January 1, 1961,  
33 in this state, the after-election latch shall be fully used by the election  
34 officials."

1 SEC. 2. Section fifty-two point twenty-two (52.22), Code 1958, is  
2 hereby amended by striking from line five (5) thereof the words "for  
3 the period of thirty days" and inserting in lieu thereof the words  
4 "until thirty (30) days after the proclamation of the results of said  
5 election."

1 SEC. 3. Section forty-nine point twelve (49.12), Code 1958, is  
2 hereby amended by adding at the end of said section the following:  
3 "In any precinct using voting machines in which more than three  
4 (3) such machines are used, the board of supervisors is authorized  
5 to name one additional judge for said precinct for each such addi-  
6 tional machine, maintaining the bipartisan political balance herein-  
7 before referred to."

1 SEC. 4. Section fifty-two point twenty-one (52.21), Code 1958, is  
2 hereby amended by adding after the end of line seven (7) thereof  
3 the following: "Said judges shall use a voting machine return and  
4 tally sheet in substantially the following form:

## VOTING MACHINE RETURN AND TALLY SHEET

..... Election ..... 196...., County of .....

	President and Vice President	United States Senator	United States Representative	Governor	Lt. Governor	Etc.
<b>Republican Party</b>	<b>1A (name of candidate)</b>	<b>2A</b>	<b>3A</b>	<b>4A</b>	<b>5A</b>	<b>6A</b>
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Return Sheet Tot.						
<b>Democratic Party</b>	<b>1B (name of candidate)</b>	<b>2B</b>	<b>3B</b>	<b>4B</b>	<b>5B</b>	<b>6B</b>
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Return Sheet Tot.						
<b>Independents</b>	<b>1C (name of candidate)</b>	<b>2C</b>	<b>3C</b>	<b>4C</b>	<b>5C</b>	<b>6B*</b>
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
ETC.						
<b>Public Measures</b>	<b>1F For</b>	<b>2F Against</b>	<b>3F</b>	<b>4F</b>	<b>5F</b>	<b>6F</b>
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Machine No.						
Return Sheet Tot.						

\*According to enrolled Act.

5 "The reverse side of said return shall carry a certificate in sub-  
6 stantially the following form:

7 CERTIFICATE OF ELECTION OFFICIALS AND CANVASS  
8 STATE OF IOWA )

9 ) ss.  
10 COUNTY OF .....

11 We, the undersigned Judges and Clerks of Election for .....  
12 Precinct No. .... of the county of ..... and state of Iowa,  
13 do hereby certify that ..... voting machine ..... (was or were)  
14 used in the above mentioned precinct at the ..... Election held  
15 on the ..... day of ....., 19.....

16 "1. That before opening of the polls we compared the ballot labels  
17 on (the or each) machine with the sample ballots furnished, and  
18 found the names, numbers and letters thereon agreed.

19 "2. That we compared the number on the seal which sealed the  
20 curtain lever and the number on the protective counter and we found  
21 the same as follows:

22	MACHINE	CURTAIN LEVER SEAL	PROTECTIVE COUNTER
23	No.....	No.....	No.....
24	No.....	No.....	No.....
25	No.....	No.....	No.....
26	No.....	No.....	No.....
27	No.....	No.....	No.....

28 "3. That the public counter was set at 000 and that we opened the  
29 rear of (the or each) machine and examined every registering coun-  
30 ter and that each registered 000.

31 "4. That the following statement shows the number of the seal  
32 with which the curtain lever was sealed, the number on the public  
33 counter and the number on the protective counter after the poll was  
34 closed and the vote thereon canvassed and the machine locked:

35		CURTAIN	PROTECTIVE	PUBLIC
36	MACHINE	LEVER SEAL	COUNTER	COUNTER
37	No.....	No.....	No.....	No.....
38	No.....	No.....	No.....	No.....
39	No.....	No.....	No.....	No.....
40	No.....	No.....	No.....	No.....
41	No.....	No.....	No.....	No.....

42 "5. That we are Judges and Clerks of the ..... Election in and  
43 for ....., Precinct No. .... in the County of ..... and  
44 State of Iowa, on the ..... day of ....., 19....., and that  
45 we have canvassed all the votes registered on the voting machines for  
46 each candidate, and all irregular ballots written on the paper roll of  
47 each machine used in said precinct, and do hereby severally certify  
48 that the canvass thereof was duly and legally made, and the result of  
49 said canvass is correctly set forth in the within return-sheet state-  
50 ment, and that the said statement is true in all respects.

51 Dated this ..... day of ....., 19.....

52 .....  
53 .....  
54 .....  
55 .....  
56 .....  
57 .....  
58 JUDGES AND CLERKS OF ELECTION"

1 SEC. 5. Section fifty-two point twenty-three (52.23), Code 1958,  
 2 is hereby amended by striking all of said section following the word  
 3 "sign" in line four (4) thereof and inserting in lieu thereof the fol-  
 4 lowing: "the canvass forms referred to in section fifty-two point  
 5 twenty-one (52.21) of the Code, which canvass shall serve as a writ-  
 6 ten statement of election. Said canvass statement shall be in lieu of  
 7 the return required in section fifty point sixteen (50.16), Code 1958,  
 8 where permanent registration is in effect, except that the registration  
 9 books shall be preserved and returned with said certificate of election  
 10 officials and canvass."

1 SEC. 6. Chapter fifty-two (52), Code 1958, is hereby amended by  
 2 adding the following: "Constitutional amendments and public mea-  
 3 sures including bond issues may be voted on the voting machines in  
 4 the following manner:

5 "The entire amendment or public measure shall be printed and dis-  
 6 played prominently in at least two (2) places within the voting pre-  
 7 cinct and on the left hand side inside the curtain of each voting  
 8 machine, said printing to be in conformity with the provisions of  
 9 Chapter forty-nine (49), Code 1958. The amendment or public mea-  
 10 sure shall be summarized by the auditor or city clerk and in the  
 11 largest type possible printed on the inserts used in said voting ma-  
 12 chines. In the case of an amendment or measure to be voted upon in  
 13 more than one county, the summary shall be worded by the secretary  
 14 of state and said summary shall be used in each county.

15 "Any portion of sections forty-nine point forty-three (49.43),  
 16 forty-nine point forty-four (49.44), forty-nine point forty-five  
 17 (49.45), forty-nine point forty-six (49.46), forty-nine point forty-  
 18 seven (49.47), or forty-nine point forty-eight (49.48), Code 1958,  
 19 in conflict herewith is hereby declared inapplicable to those counties  
 20 which have adopted voting machines and follow the procedure of this  
 21 section."

Approved May 15, 1959.

## CHAPTER 96

### COMMUNITY SCHOOL DISTRICTS

#### H. F. 206

AN ACT relating to the powers of school districts and to amend certain sections of the Code relating thereto for the purpose of extending such powers to community districts.

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

1 SECTION 1. Section fifty-three point one (53.1), Code 1958, is  
 2 hereby amended by inserting in line five (5) after the word "any"  
 3 the following: "community or".

1 SEC. 2. Section fifty-three point three (53.3), Code 1958, is here-  
 2 by amended by inserting in line two (2) after the word "in" the fol-  
 3 lowing: "community or".