

ELECTIONS

CHAPTER 172

S. B. No. 284
(Garaas, Nesvig)

OPENING AND CLOSING OF POLLS

AN ACT

To amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the opening and closing of polls.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 16-01-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-01-02. Opening and Closing of Polls.) The polls at all primary, general, and special elections shall be opened at nine o'clock a.m. or at such earlier hour, but not earlier than seven o'clock a.m., that may be designated for any precinct by resolution of the governing body of the city, village, or township in which such precinct is located. They shall remain open continuously until seven o'clock p.m., or such later hour not exceeding eight o'clock p.m. as may be designated for any precinct by resolution of the governing body of the city, village, or township in which the precinct is located. Twenty minutes prior to the hour of closing the polls, the inspector shall proclaim to the electors outside the number of minutes before the polls will be closed.

Approved March 11, 1961.

CHAPTER 173

H. B. No. 634

(Annear, Loftesnes, Davis)

USE OF STICKERS

AN ACT

To amend and reenact section 16-05-08 of the North Dakota Century Code, relating to use of stickers when a vacancy occurs after election ballots are printed and crossing out name of original nominee causing such vacancy.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 16-05-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-05-08. Vacancy Occurring on Ballot Before Election Day But After Ballots Are Printed—Stickers Used.) If a vacancy occurs before election day and after the printing of the ballots, and any person is nominated according to the provisions of this title to fill such vacancy, the officer whose duty it is to have the ballots printed and distributed shall have printed on a requisite number of stickers the name of such substitute candidate and no other name. Such officer shall mail by registered or certified letter, or send such stickers by other reliable method, to the judges of election in the various precincts affected by such vacancy. The judges of election whose duty it is to distribute the ballots shall affix such stickers in the proper place on each ballot before it is given to the elector and shall cross out or otherwise obliterate the name of the original nominee causing such vacancy.

Approved March 2, 1961.

CHAPTER 174

S. B. No. 198

(Kamrath, Erickson, Roen, Garaas)

VOTING PRECINCTS

AN ACT

To amend and reenact section 16-09-01 of the North Dakota Century Code, to grant to boards of county commissioners additional authority in redividing, combining, vacating and annexing of voting precincts.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 16-09-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-09-01. Board of County Commissioners May Divide County Into Precincts—Preservation of Boundaries—Number of Electors—May Redivide, Annex, Vacate or Combine Voting Precincts, When.) The board of county commissioners may divide the county into precincts and establish the boundaries of the same except where, pursuant to the provisions of title 40, Municipal Government, wards and precincts have been legally established. The entirety of civil townships, cities, or villages shall be preserved as precincts except when such preservation would be in conflict with the provisions of this chapter. In such case, the civil township, city, or village, except as provided in this chapter, shall be divided into two or more precincts, but in no case shall a precinct be composed of parts of two civil townships, or part of a township and of a city or village, except as provided in this chapter. No precinct in which voting machines are not used shall contain more than five hundred electors. It is further provided that the board of county commissioners may redivide the county into precincts, annex an existing precinct to another existing precinct, or combine two or more existing precincts one to another when

1. A petition signed by seventy percent of the electors residing within an existing precinct is presented requesting such existing precinct to be annexed to and become a part of another existing precinct;

2. In the board's discretion, prompted by inaccessibility of polling places, difficulty in obtaining election boards, or economic infeasibility, an existing precinct may be annexed to and become a part of another existing precinct; or

3. The board of county commissioners may combine in their entirety two or more adjoining civil townships into one

voting precinct with a common polling place for all elections other than township or school district elections or as otherwise provided by this chapter.

Approved March 1, 1961.

CHAPTER 175

S. B. No. 234

(Fiedler and Holand)

MEETING OF STATE'S ATTORNEYS AND COUNTY AUDITORS WITH INSPECTORS OF ELECTIONS

AN ACT

To create and enact section 16-10-17 of the North Dakota Century Code, relating to a meeting of all inspectors of elections with state's attorneys and county auditors.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1.) Section 16-10-17 of the North Dakota Century Code is hereby created and enacted to read as follows:

16-10-17. State's Attorneys and County Auditors to Meet with Inspectors.) In every even-numbered year and not more than twenty days nor less than ten days before each primary election, the state's attorney of each county shall direct all persons who will act as inspectors of elections to meet with him at the county seat. At such meeting the state's attorney shall inform and familiarize such persons with the laws governing elections and the duties of inspectors of elections. Each person who will act as inspector of elections attending the meeting provided for in this section shall be paid mileage at the rate provided in section 11-10-15 for each mile necessarily and actually traveled in attending such meeting. The mileage shall be paid from the county general fund.

Approved March 3, 1961.

CHAPTER 176

H. B. No. 810
(Powers)

PREPARATION OF BALLOT BY ELECTOR

AN ACT

To amend and reenact section 16-12-05 of the North Dakota Century Code, relating to the preparation of a ballot by an elector.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 16-12-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-12-05. Preparation of Ballot by Elector — Folding — Depositing.) Upon receipt of his ballot, the elector, forthwith and without leaving the polling place, shall retire alone to one of the booths or compartments provided, to prepare his ballot by placing a cross mark (X) or other mark which clearly shows the intention of the voter within the square opposite the name of each person for whom he wishes to vote, or in case of a ballot containing a constitutional amendment, an initiated or referred measure, or any other question to be submitted to a vote of the people, by placing a cross mark (X) or other mark within the square opposite the word or words expressing his wish. After preparing his ballot, the elector shall fold it so that the face of the ballot will be concealed and so that the endorsement stamped thereon may be seen. He then shall hand it to the judge, who, without opening the same or permitting it to be opened, or examined except to ascertain whether it is a single ballot, shall deposit it in the ballot box.

Approved March 6, 1961.

CHAPTER 177

S. B. No. 267

(George, Roen, Hernett, Erickson)

DELEGATES TO STATE CENTRAL COMMITTEE

AN ACT

To amend and reenact section 16-17-11 of the North Dakota Century Code, relating to selection of delegates to the state central committee; and to repeal section 16-17-12 of the North Dakota Century Code, relating to selection of delegates to state central committee when two or more counties are embraced in a legislative district.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 16-17-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-17-11. County Committee to Select Delegate for State Central Committee.) In a county consisting of one legislative district, the county committee, at the meeting provided for in section 16-17-10, shall select a legal voter to act upon and be a member of the state central committee of such party. In counties having more than one legislative district, the precinct committeemen from each legislative district, meeting separately, shall select a legal voter from their legislative district to serve on such state central committee. When two or more counties are embraced in one legislative district, each county shall be entitled to elect a member to the state central committee and such member shall be selected by the precinct committeemen from each county meeting separately.

§ 2. **Repeal.)** Section 16-17-12 of the North Dakota Century Code is hereby repealed.

Approved March 11, 1961.

CHAPTER 178

H. B. No. 872
(Winge, Frank, Bier, Fraase)

STATE CENTRAL COMMITTEE MEETINGS

AN ACT

To amend and reenact section 16-17-15 of the North Dakota Century Code, relating to state's central committee meetings.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 16-17-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-17-15. State Central Committee—Meetings—Organization—Vacancies.) Members elected as state central committeemen shall meet within thirty days after each general election at the call of the chairman. Such meeting shall be held at the state capitol and shall convene at ten o'clock a.m. Such committeemen shall organize by selecting a chairman, a vice-chairman, a secretary, and a treasurer and by adopting rules and modes of procedure. The officers elected need not be members of such committee. A vacancy on the state central committee shall be filled by a majority of the state central committee by appointment from the legislative district in which the vacancy exists.

Approved March 11, 1961.