

ELECTIONS

CHAPTER 133

S. B. No. 41—(Page and Thatcher)

ELECTORS, AID IN MARKING BALLOTS

An Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking their Ballots.

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

§ 1. AMENDMENT.] That Section 988 of the Compiled Laws of the State of North Dakota for the year of 1913, as amended and re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, be amended and re-enacted to read as follows:

§ 988. IN CASE OF DISABILITY OF ELECTOR.] Any elector, who declares to the judges of elections that he or she cannot read the English language, that by blindness or by other disabilities, he or she is unable to mark his or her ballot, shall, upon request, receive the assistance of any other person selected or designated by such elector, or by the assistance of both judges of election, in the marking of his or her ballot; and no one, assisting any voter in marking his or her ballot under this act, shall give information regarding the same. No elector other than one who is unable to read the English language or on account of some disability is unable to mark his or her ballot, shall divulge to any one within the polling place the name of any candidate for whom he or she intends to vote, or ask, or receive the assistance of any person within the polling place to mark his or her ballot.

Any person who solicits that he or she be chosen to assist any voter in marking his or her ballot, or who, being chosen, shall request the voter he is assisting to vote for or against any person, or any issue, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not to exceed sixty days, or by both such fine and imprisonment.

Approved March 17, 1943.

CHAPTER 134

H. B. No. 214—(Fleck, Schnell and Saumer)

ELECTION OF DELEGATES TO PARTY CONVENTIONS

An Act to amend and reenact Sections 8 and 9 of Chapter 135 of the Session Laws of 1935, as amended and reenacted by Chapter 145 of the Session Laws of 1939 relating to the election of delegates to state party conventions and members of county executive committees, and repealing all acts or parts of acts in conflict herewith.

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

§ 1. AMENDMENT.] That Section 8 of the Session Laws of North Dakota for 1935 as amended and reenacted by Chapter 143 of the Session Laws of North Dakota for 1939 be amended and reenacted to read as follows:

§ 8. ORGANIZATION: MEETING OF PRECINCT COMMITTEEMEN AND APPEARING BY PROXY, FILLING VACANCIES.] The precinct committeemen elected as herein provided, together with the nominees and hold-over members of the Legislative Assembly of each party, shall constitute the county committee of each party. They shall meet in the courthouse at the County seat of each county at two o'clock P. M. on the third Wednesday after such primary election and organize by selecting a chairman, a vice-chairman, a secretary and a treasurer, by adopting rules and modes of procedure not in conflict with law, and by selecting an executive committee consisting of from five to eleven persons chosen from the county committee, of which executive committee the chairman and secretary shall be members. Such county committee shall at the same time select one person who shall be a legal voter to act upon and be a member of the State Central Committee of such party in all counties consisting of one legislative district, and in counties having more than one legislative district, the precinct committeeman from each legislative district, meeting separately, shall select a legal voter from their respective legislative district to serve on such State central committee. When two or more counties are embraced in one legislative district, the county committee of each county shall meet as aforesaid and shall elect a committee of three of its members to meet with a similar committee from the county or counties comprising such legislative district, at the courthouse at the county seat of the senior county of such district at two o'clock P. M. on the fourth Wednesday following their election and proceed to elect a member of such State central committee from each legislative district. Each committee shall be entitled to cast the number of votes equal to the number of precinct committeemen elected in its county in such manner and for such candidate as shall be determined by the majority of such committee acting personally or by proxy. All proxies, must be from

the precinct, in which the committeeman or the committee woman was elected; and if the proxy authorizing such other committeeman or other committee-woman to vote instead of the elected precinct committee-man or committee-woman, the proxy must be delegated to some person from the same precinct in which said delegating and elected parties were elected. Each member of any committee shall be a legal voter and shall retain such position until his successor is chosen..

Members so elected as State central committeemen shall meet on the second Wednesday in August following the party primary election and such meeting of said State central committee-men shall be held at the State Capitol and shall convene at 10:00 o'clock A. M. Such meetings shall organize by selecting a chairman, vice-chairman, a secretary and a treasurer, and by adopting rules and modes of procedure. The officers so elected need not be members of such committee. If any member of such State central committee is unable to attend any meeting of such committee, he shall be authorized to give written proxy to another legal voter of his legislative district or county.

Vacancies shall be filled by a majority of the State Committee by appointment from the legislative district in which such vacancy exists. Vacancies in the office of precinct committee-men shall be filled by appointment from such precinct made by the county executive committee of such party. In counties having more than one legislative district, each legislative district is entitled to representation on the county executive committee apportioned on the ratio of the number of precinct committeemen, each legislative district may have, to the total number of precinct committeemen in the county, selected by the precinct committeemen from each legislative district, meeting separately.

Vacancies in the office of precinct committeemen, in counties having more than one legislative district, shall be filled by the members of the county executive committee, residing in the legislative district where the vacancies occur.

§ 2. AMENDMENT.] That Section 9 Chapter 135 of the Session Laws of North Dakota for 1935 be amended and re-enacted to read as follows:

§ 9. The precinct committeemen, at a county meeting held at two o'clock P. M. on the first Wednesday in May in each county at the county seat in each presidential election year shall meet and elect delegates to a State party convention to be held as herein provided. One delegate shall be elected for each 300 votes or major fraction thereof, cast in said county at the last preceding election for the presidential elector of such party receiving the highest vote in the State; provided that every county shall be entitled to at least

one delegate. All delegates shall be electors of their county. If any delegate shall be unable to attend such convention, he shall designate in writing an alternate to attend and represent and act for him. Said State party convention shall be held in each presidential year prior to the holding of the national party conventions. Such conventions shall be held at such place and at such time as shall be designated by the respective party state central committee. Such party conventions shall nominate the legal number of candidates for their respective parties for the offices of presidential electors and shall elect a National committeeman and a National Committeewoman, and the required number of delegates to the National party convention and a like number of alternates. The candidate or candidates for such nomination or election receiving the majority vote of the delegates elected to such convention shall be declared nominated or elected and the chairman and secretary of such convention shall issue certificates of nomination or election. If any delegate to such national convention shall be unable to attend, he shall designate in writing one of the alternates to attend and represent and act for him. The names of the candidates nominated for presidential electors shall be certified by the chairman and secretary of such convention to the Secretary of State to be placed upon the general election ballot as now provided by law. In counties having more than one legislative district, the precinct committeemen from each legislative district meeting separately, shall elect delegates to the State party convention; One delegate shall be elected for each 300 votes or major fraction thereof, cast in said legislative district at the last preceding presidential election, for the presidential elector of such party receiving the highest vote in the state; provided that each legislative district shall be entitled to at least one delegate.

REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 9, 1943.