

ELECTIONS

CHAPTER 171

S. B. No. 232—(Judiciary Committee)

REGULATING BALLOTS, PETITIONS, NOMINATIONS, ETC.

AN ACT

Amending and reenacting the following sections of the North Dakota Revised Code of 1943: 16-0804 as amended and reenacted by section 1 of chapter 18 of the Special Session Laws of North Dakota for the year 1944; 16-1805 as amended and reenacted by section 2 of chapter 16 of the Special Session Laws of North Dakota for the year 1944; 16-1811 as amended and reenacted by section 1 of chapter 17 of the Special Session Laws of North Dakota for the year 1944; 16-1813 as amended and reenacted by section 1 and 2 of chapter 17 of the Special Session Laws of North Dakota for the year 1944; 16-1814 as amended and reenacted by section 2 of chapter 17 of the Special Session Laws of North Dakota for the year 1944; 16-0404, 16-0405 and 16-0406 as amended and reenacted by section 1 of chapter 19 of the Special Session Laws of North Dakota for the year 1944; 16-0503 as amended and reenacted by section 1 of chapter 20 of the Special Session Laws of North Dakota for the year 1944; 16-0504 as amended and reenacted by section 2 of chapter 20 of the Special Session Laws of North Dakota for the year 1944; 16-0402 and 16-0403 as amended and reenacted by section 1 of chapter 21 of the Special Session Laws of North Dakota for the year 1944; 16-0505 as amended and reenacted by section 1 of chapter 22 of the Special Session Laws of North Dakota for the year 1944; 16-0107 as amended and reenacted by section 1 of chapter 23 of the Special Session Laws of North Dakota for the year 1944; 16-0402 as amended and reenacted by section 1 of chapter 24 of the Special Session Laws of North Dakota for the year 1944; 16-0807 as amended and reenacted by section 1 of chapter 25 of the Special Session Laws of North Dakota for the year 1944; 16-1703 as amended and reenacted by section 2 of chapter 26 of the Special Session Laws of North Dakota for the year 1944; relating to elections and declaring an emergency.

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

§ 1. AMENDMENT.] That section 16-0804 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 18 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0804. BALLOTS FURNISHED AUDITOR, WHEN.] It shall be the duty of the secretary of state, county auditor, or any other officer by law required to prepare any general or

primary election ballots, to prepare and have printed and delivered to the county auditor at least twenty days prior to the holding of any general or primary election, a sufficient number of absent voter ballots provided for by law for the use of all voters likely to be absent from such county on the day of such election.

§ 2. AMENDMENT.] That section 16-1805 of the North Dakota Revised Code of 1943 as amended and reenacted by section 2 of chapter 16 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-1805. APPLICATION FOR BALLOTS. MADE WHEN.] At any time within thirty days next preceding such election, any voter expecting to be absent on the day of election from the county in which his voting precinct is situated, or who by reason of physical disability, or who is in the military or naval service or the merchant marines of the United States of America and, is unable to attend at the polling place in his precinct to vote at such election, may make application to the county auditor of such county for an official absent voters ballot to be voted at such election.

§ 3. AMENDMENT.] That section 16-1811 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 17 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-1811. ABSENT VOTER BALLOT: HOW SENT.] It shall be the duty of each county auditor, as soon as possible after the printing of the ballots for any primary or general election to send such absent voter ballot to such elector in the manner provided in section 16-1809 of the North Dakota Revised Code of 1943.

§ 4. AMENDMENT.] That section 16-1813 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 and 2 of chapter 17 of the Special Session Laws of 1944 is hereby amended and reenacted to read as follows:

16-1813. MARKING AND RETURN OF BALLOTS.] The affidavit provided for in section 16-1809 may be made by such elector before his immediate commissioned commanding officer, or any commissioned officer, noncommissioned officer not below the rank of sergeant, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the administrator of the war shipping administration is authorized to administer and attest such oaths as are required

by the laws of this state. Such affidavit need not have any venue. A person in the military or naval service shall mark the ballot in the presence of such officer, and no other person, in the manner provided in section 16-1810 and shall be returned to the county auditor in accordance with the provisions of section 16-1810.

§ 5. AMENDMENT.] That section 16-1814 of the North Dakota Revised Code of 1943 as amended and reenacted by section 2 of chapter 17 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-1814. CANVASSING OF ABSENT VOTERS' BALLOTS OF SOLDIERS AND SAILORS.] The county auditor, upon receipt of an envelope containing an absent voters' ballot of a person engaged in the military or naval service of the United States shall proceed in the manner as provided in section 16-1815. If any such envelope is received by the county auditor too late to be forwarded to the proper voting precinct in time to be canvassed, the same shall be retained by him and canvassed by the canvassing board of the county of such auditor at any time prior to the meeting of the state canvassing board or any adjourned meeting of said board where the same has been received by such auditor in time to canvass and transmit the results to the state canvassing board. In all other respects such absent voter ballots of electors engaged in the military service or merchant marine of the United States shall be treated in the same manner as now provided for the absent voter ballots.

§ 6. AMENDMENT.] That section 16-0404 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 19 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0404. COUNTY AND LEGISLATIVE DISTRICT CANDIDATES' PETITIONS; FILING; CONTENTS.] Every candidate for a county or district office shall not more than forty days nor less than thirty days and before four o'clock P. M. of the thirtieth day prior to any primary election present to the county auditor a petition giving his name, post office address, the title of the office to which he aspires, and if such office is under party designation, then the petition shall state the party represented by the candidate. Such petition shall contain the names of not less than two percent and not more than five percent of the total vote cast for said office at the last general election if the office be under no party designation, and if under party designation, then the same percentage shall be

applied to the total vote cast for the candidate of the party represented for the same position at the last general election. If no candidate was elected or votes cast for an office at the last general election, a petition shall be deemed sufficient if it has the number of signers equal to the number of the foregoing percentage requirements applied to the total average vote cast for the offices of sheriff, superintendent of schools and county auditor at the last general election in such county or district as the case may be, such average to be arrived at by dividing the total vote cast for said offices in such county or district as the case may be by three. Each name on a petition shall be that of a qualified voter and if the office is under party designation, then such name shall be subscribed under the proper party heading. Each signer of a nomination paper shall sign but one such paper for the same office; he shall add his residence with the street number, if any, and the date of signing.

§ 7. AMENDMENT.] That section 16-0405 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 19 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0405. COUNTY AUDITOR TO PLACE APPLICANT'S NAME ON BALLOT; WHEN; FILING FEE FOR.] Upon the receipt of the petition provided for in section 16-0404 by the county auditor and the payment to him of the filing fee of three dollars, excepting candidates for county commissioner, district assessors, surveyors, coroner, county constables, and county justices of the peace, who shall pay no filing fee and when accompanied by an affidavit as provided in section 16-0403, such county auditor shall place the name of such applicant upon the primary election ballot in the party or no-party column, as the case may be. The filing fees received by the county auditor shall be turned over by him to the county treasurer to be covered into the general fund.

§ 8. AMENDMENT.] That section 16-0406 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 19 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0406. FILING PETITION WHEN LEGISLATIVE DISTRICT COMPOSED OF MORE THAN ONE COUNTY.] When a legislative district is composed of more than one county, the petition provided for in section 16-0404 shall be filed with the county auditor of the county where the candidate resides, and such county auditor shall certify to the county auditors of the

other counties comprising such legislative districts the names of the candidates filing such petitions.

§ 9. AMENDMENT.] That section 16-0503 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 20 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0503. CERTIFICATE OF NOMINATION WHEN TO BE FILED.] Certificates of nomination to be filed with the secretary of state, shall be filed not less than forty days before the day fixed by law for election of persons in nomination and not later than 5:00 o'clock P. M. on the fortieth day, and certificates of nomination herein directed to be filed with the county auditor, shall be filed not less than thirty-five days before the day of election and not later than 5:00 o'clock P. M.; provided that in the case of nominations for special elections called to fill vacancies caused by death, resignation or otherwise, such certificates shall be filed not less than twenty-five days before the day of election and not later than 5:00 o'clock P. M., on the twenty-fifth day. The secretary of state and the several county auditors shall cause to be preserved in their respective offices for six months all certificates of nominations filed therein under the provisions of this Act. All such certificates shall be open to public inspection under proper regulations to be made by such officers.

§ 10. AMENDMENT.] That section 16-0504 of the North Dakota Revised Code of 1943 as amended and reenacted by section 2 of chapter 20 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0504. SECRETARY OF STATE TO CERTIFY NOMINATIONS FOR STATE OFFICE.] Not less than thirty days nor more than thirty-five days before an election to fill any state or district office, the secretary of state shall certify to the county auditor of each county within which any of the electors may by law vote for candidates for such office, the name and post office address of each person nominated for such office as specified in the certificates of nomination filed with him. In case of a special election called to fill a vacancy the secretary of state shall so certify the names of such candidates not less than twenty days before such special election.

§ 11. AMENDMENT.] That section 16-0402 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 21 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0402. STATE CANDIDATE'S PETITION REQUIRED TO GET NAME ON BALLOT; CONTENTS OF PETITION.] Every candidate for United States senator, member of congress, state officers, judges of the supreme and district courts, shall not more than sixty days nor less than thirty days prior to a primary election, present to the secretary of state a petition giving his name, post office address, the title of the office to which he aspires, and the party which he represents, except that in the petition for the office of judge of the supreme court, judge of the district court, state superintendent of public instruction, and tax commissioner no reference shall be made to party affiliation. Such petition shall contain the names of three percent of the total vote cast for the candidates of the party with which he affiliates, for the same position at the last general election, except that in no case shall more than three hundred names be required. In a case where there is a candidate for the no-party ballot or where there was no candidate of a party for a position at the preceding general election, the nominating petition shall contain at least three hundred names. Each name on the petition shall be that of a legal voter and shall be subscribed under a certified party heading.

§ 12. AMENDMENT.] That section 16-0403 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 21 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0403. APPLICANT'S NAME PLACED UPON BALLOT; AFFIDAVIT TO ACCOMPANY PETITION.] Upon receipt by the secretary of state of the petition provided for in section 16-0402 accompanied by the following affidavit, he shall place the applicant's name upon the primary election ballot in the columns of his party as hereinafter provided. Said affidavit may be substantially as follows:

State of North Dakota }
 County of } ss.

I,, being duly sworn, depose and say that I reside in the county of and state of North Dakota; that I am a qualified voter therein; that I am a candidate for nomination to the office of to be chosen at the primary election to be held on the, 19..... and I do hereby request that my name be printed upon the primary election ballot as provided by law, as a candidate of the party for said office.

.....

Subscribed and sworn to before me, this
day of, 19.....

.....
Notary Public
North Dakota

§ 13. AMENDMENT.] That section 16-0505 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 22 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0505. IN CASE NOMINEE DECLINES, CERTIFICATE VOID.] Whenever any person nominated for public office under the provisions of this title shall, at least thirty days before election, in writing notify the officer with whom the certificate nominating him is filed that he declines such nomination, such nomination shall be void.

§ 14. AMENDMENT.] That section 16-0107 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 23 of the Special Session Laws of 1944 is hereby amended and reenacted to read as follows:

16-0107. CONSTITUTIONAL AMENDMENTS TO BE ADVERTISED.] Whenever a proposed constitutional amendment or other question is to be submitted to the people of the state for popular vote, the secretary of state shall, not less than thirty days before election, certify the same to the auditor of each county in the state, and the auditor of each county shall cause notice thereof to be published in the manner prescribed by section 16-0509. Questions to be submitted to the people of the county shall be advertised in the same manner.

§ 15. AMENDMENT.] That section 16-0412 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 24 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0412. CERTIFIED LISTS OF NOMINEES: TRANSMITTED TO COUNTY AUDITOR BY SECRETARY OF STATE.] At least twenty-five days before any primary preceding a general election, the secretary of state shall transmit to each county auditor a certified list containing the names and post office addresses of each person for whom nomination papers have been filed in his office and who shall be entitled to be voted for at such primary, together with a designation of the office for which he is a candidate, and the party or principle he represents.

§ 16. AMENDMENT.] That section 16-0807 of the North Dakota Revised Code of 1943 as amended and reenacted by section 1 of chapter 25 of Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-0807. VACANCY EXISTING ON NO-PARTY BALLOT; FILLING OF; PETITION REQUIRED.] Whenever a vacancy shall exist on the no-party ballot in any county or district within any county by reason of the death of any person who was a candidate and was nominated at the primary election, or whenever a vacancy shall exist on the no-party ballot due to the failure of a candidate or candidates at the primary election to receive the number of votes required by section 16-0429 or whenever a vacancy shall exist on the no-party ballot by the conviction of a candidate of a crime or offense involving moral turpitude, or due to the death, insanity or mental incompetency of any such candidate, then and in that event, such vacancy may be filled by filing with the county auditor at least thirty days prior to the general election a petition in writing as provided for in section 16-0404 stating that the petitioner desires to become a candidate for election to the office for which a vacancy exists. The petition for the nomination of any person to fill such vacancy shall be signed by at least twenty percent of the voters of such county or district, as shown by the total vote cast for governor at the last preceding general election in said county or district.

§ 17. AMENDMENT.] That section 16-1703 of the North Dakota Revised Code of 1943 as amended and reenacted by section 2 of chapter 26 of the Special Session Laws of North Dakota for the year 1944 is hereby amended and reenacted to read as follows:

16-1703. PETITION TO PLACE NAME ON PRECINCT COMMITTEEMEN BALLOT; CONTENTS, REQUIREMENTS.] Candidates for precinct committeemen may have their names placed on separate party ballots of their respective parties within their respective precincts by filing with the county auditor not more than fifty nor less than twenty-five days prior to the election petitions bearing the signatures of not less than five per cent of the last vote in such precinct for the aforesaid candidate for presidential elector of the party to which the candidate for precinct committeeman belongs. Such nominating petitions shall conform with the provisions of chapter 4 of this title in all matters not specifically provided for in this chapter. Each name on the petition shall be that of a qualified voter of the precinct of which the candidate seeks to be elected and shall be subscribed under a party heading. Each signer of a nomination paper shall be entitled to sign

the same number of petitions as the number of precinct committeemen entitled to be elected in his precinct; he shall add his residence with the street number, if any, and the date of signing.

§ 18. EMERGENCY.] This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 21, 1947.

CHAPTER 172

H. B. No. 230—(Thompson, Lindberg, Wollitz)

PUBLICATION GENERAL ELECTION NOTICE AND SAMPLE BALLOT

AN ACT

To amend and reenact section 16-0602 and 16-1110 of the North Dakota Revised Code of 1943, relating to the notice required in general elections, contents thereof, and publication of such notice and sample general election ballot.

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

§ 1. AMENDMENT.] That section 16-0602 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-0602. NOTICE OF ELECTIONS: CONTENTS; PUBLICATION; POSTING; AFFIDAVIT OF POSTING.] Notice of any general election shall be published by the county auditor in the official county newspaper once each week for two consecutive weeks next preceding such election. Such notice shall be substantially as follows:

Notice is hereby given that on Tuesday, the..... day of next, at the polling places in the various precincts in the county of an election will be held for the election of state, district, and county officers, which election will be opened at nine o'clock a. m. and will continue open until seven o'clock p. m. of that day. Dated this day of A. D., 19....

(Signed).....

County Auditor

In addition to the publication required in this section, the county auditor shall publish for two consecutive weeks prior to the election in the official county newspaper and if no newspaper is published in the county in a newspaper published in an adjoining county in the state, a copy of the sample ballot of the general election, as arranged by order and direction of the persons charged with such duty. The form of the ballot so published shall conform in all respects to the form prescribed for the sample general election ballot and the makeup and general form shall conform to that prescribed for said sample ballot, and shall be printed in either 6 point or 8 point type.

§ 2. AMENDMENT.] That section 16-1110 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-1110. COUNTY AUDITOR TO PROVIDE AND DISTRIBUTE BALLOTS: OTHER ELECTION SUPPLIES DELIVERED AT SAME TIME.] For each election precinct in his county, the county auditor shall provide the number of ballots for each precinct as he may deem necessary. At least five days before any election, each county auditor shall:

1. Have the ballots printed and the same may be inspected by any person at the office of such auditor.
2. Shall deliver to the inspector in each precinct the number of ballots and blank forms of poll books, blanks for election returns with the proper captions, forms of oaths and certificates, and tally sheets necessary to carry out the provisions of this title.

Approved March 15, 1947.

CHAPTER 173

H. B. No. 229—(Thompson, Lindberg, Wollitz)

PUBLICATION PRIMARY ELECTION NOTICE AND SAMPLE BALLOT
AN ACT

To amend and reenact section 16-0413 of the North Dakota Revised Code of 1943, relating to the duty of the county auditor to publish notice of primary election and sample ballot of such election, repealing Section 16-0414 and Section 16-0509 of the North Dakota Revised Code of 1943.

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

§ 1. AMENDMENT.] That section 16-0413 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-0413. COUNTY AUDITOR TO PUBLISH SAMPLE PRIMARY ELECTION BALLOT AND NOTICE OF TIME AND PLACE OF ELECTION.] The county auditor shall publish in the official county newspaper and if no newspaper is published in the county then in a newspaper published in an adjoining county in the state:

1. A copy of the sample ballot of the primary election, as arranged by order and direction of the persons charged with such duty. The form of the ballot so published shall conform in all respects to the form prescribed for the sample primary ballot and the makeup and general form shall conform to that prescribed for said sample ballot, and shall be printed in either 6 point or 8 point type;
2. The date of the primary election;
3. The hours during which the polls will be open; and
4. The statement that the primary will be held in the regular polling place in each precinct.

Such notice shall be published in the official county newspaper once each week for at least two consecutive weeks prior to the primary election.

§ 2. REPEAL.] That Section 16-0414 and Section 16-0509 of the North Dakota Revised Code of 1943 is hereby repealed.

Approved March 15, 1947.

CHAPTER 174

S. B. No. 160—(Page)

**BALLOT FOR PRECINCT COMMITTEEMEN; FORM AND CONTENTS
AN ACT**

To amend and reenact section 16-1705 of the North Dakota Revised Code of 1943, relative to ballots for precinct committeemen.

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

§ 1. AMENDMENT.] That section 16-1705 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-1705. **BALLOT FOR PRECINCT COMMITTEEMEN; FORM AND CONTENTS OF.]** The name of each candidate for election as precinct committeeman shall be printed on a separate ballot for each political party. Such ballot shall contain only the names of candidates for party precinct committeemen for whom nominating petitions have been filed with the county auditor as provided in section 16-1703. If no nominating petition has been filed for any candidate the ballot shall contain blank lines and spaces on which names may be written or a sticker pasted. Such ballot shall be in substantially the same form as the primary election ballot provided for. The ballot to be used for the election of precinct committeemen shall be prepared for each voting precinct in the county by the county auditor and shall be distributed by him with other election supplies in the manner in which the primary election ballots are distributed.

Approved March 7, 1947.

CHAPTER 175

S. B. No. 108—(Page)

SEPARATE PARTY BALLOT PRIMARY ELECTION—POLL LIST

AN ACT

To amend and reenact sections 16-0415, 16-0420 and 16-0426 of the North Dakota Revised Code of 1943, relative to primary election ballots and poll lists.

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

§ 1. AMENDMENT.] That Section 16-0415 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-0415. PRIMARY ELECTION BALLOT; SEPARATE BALLOT FOR EACH POLITICAL PARTY; FORM.] At the primary election there shall be a separate ballot for each political party. At the top of each ballot shall be placed the name of the political party. Below the party name shall be placed the following language: "Put a cross mark (X) opposite the name of the candidate for whom you wish to vote." The name of each office shall appear in the center of the column at the head of the names of aspirants for such office. At the right of the name of each group of aspirants for each office shall be placed the language "Vote for name only." At the right of the name of each aspirant shall be placed a square for a cross mark.

§ 2. AMENDMENT.] That Section 16-0420 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-0420. SEPARATE PRIMARY ELECTION BALLOT REQUIRED FOR EACH POLITICAL PARTY.] The following political parties shall be provided with separate primary election ballots:

1. The Republican party;
2. The Democrat party;
3. Any party which cast five percent of the total votes cast for governor at the last general election; and
4. Any other party, if a petition signed by fifteen thousand or more electors of this state is filed with the secretary of state on or before March 1st of any primary election year, asking that a ballot be provided for such party, naming it, and stating the platform

principles thereof. Candidates of such party shall be entitled to the same rights and privileges as those of other parties.

§ 3. AMENDMENT.] That Section 16-0426 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-0426. REGISTRATION OF VOTERS NOT REQUIRED; POLL LISTS KEPT BY CLERKS OF ELECTIONS.] No registration of voters shall be required under the provisions of this chapter to vote at any primary election. The clerks of primary elections shall keep a list of the names of all persons voting at each primary election; the judges and inspectors of election shall hand to the voter the ballot of the political party which such voter calls for. No record shall be kept of the ballot called for or delivered to such voter and no officer of the election board shall disclose the kind of the ballot called for by any such voter. The clerk shall return one list and one tally sheet, which shall be a part of the records and filed with other election returns.

Approved March 7, 1947.

CHAPTER 176

S. B. No. 117—(Streibel, Shure, Brunsdale and Nelson of McKenzie)

INITIATED OR REFERRED MEASURES; NUMERICAL BALLOT ORDER AN ACT

Requiring the secretary of state to number initiated or referred measures in the order the petitions are received and then to submit them to the electors by their number and ballot title; and declaring an emergency.

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

§ 1.] Each measure initiated by or referred to the electors shall be numbered in the order received and shall be submitted to the electors by number and ballot title and shall be placed upon the ballot by the secretary of state.

§ 2. EMERGENCY.] This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 6, 1947.

CHAPTER 177

H. B. No. 147—(Bymers, Erickson, Sticka, Haugland)

COMPENSATION INSPECTORS, JUDGES, CLERKS OF ELECTION**AN ACT**

To amend and reenact section 16-1016 of the North Dakota Revised Code of 1943, relating to compensation of inspectors, judges, and clerks of election.

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

§ 1. AMENDMENT.] That section 16-1016 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

16-1016. COMPENSATION OF INSPECTOR, JUDGES, AND CLERKS OF ELECTION.] Each inspector, judge, or clerk of any state-wide primary, general, or special election, for services performed by him at such election, shall receive as compensation therefor the sum of six dollars. When the number of votes cast at such election exceeds one hundred, such officers shall receive one dollar for each additional one hundred votes cast or major fraction thereof.

Approved March 3, 1947.

CHAPTER 178

H. B. No. 136—(Fitch and Graham)

PAYMENT OF EXPENSES OF DELEGATES TO NATIONAL CONVENTIONS**AN ACT**

Providing for payment of expenses of delegates to national conventions of political parties recognized as such by the laws of the State of North Dakota; fixing the maximum of expenses allowed for each delegate; providing for the auditing of such expense accounts by the state auditing board, and making an appropriation for the payment thereof.

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

§ 1.] Every delegate to a national convention of a political party recognized as such organization by the laws

of the State of North Dakota, shall be paid from the state treasury the amount of his actual necessary travelling expenses, as his account may be audited and allowed by the state auditing board, for actual attendance upon said convention; but in no case shall the amount so audited, allowed and paid, exceed the sum of two hundred dollars for each delegate allowed by the political party. Delegates of political parties elected for such national conventions are not subject to the direct primary law, and shall be certified in like manner as nominations candidates of such parties for election to public office. Every such delegate to a national convention which nominated candidates for president and vice-president shall subscribe an oath of office that he will uphold the Constitution and laws of the United States and North Dakota, and that he will, as such officer and delegate, to the best of his judgment and ability, faithfully carry out the wishes of his political party as expressed by the voters at said election.

§ 2. APPROPRIATION.] There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, a sum sufficient to pay the expenses of such delegates to a national convention, in the amount audited by the state auditing board, as provided in Section 1 hereof.

Approved March 15, 1947.