

CHAPTER 204

PRESIDENTIAL ELECTORS

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21 **204.01 ELECTION OF PRESIDENTIAL ELECTORS.** Presidential electors shall be chosen at the general election held in the year preceding the expiration of the term of the President of the United States.

[1939 c. 345 part 5 c. 1 s. 1] (601-5(1))

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22 **204.02 NOMINATION OF PRESIDENTIAL ELECTORS.** Presidential electors for the several political parties of this state shall hereafter be nominated by delegate conventions called and held under the supervision of the respective state central committees of the several parties of this state. The names of the persons nominated as presidential electors shall be certified to the secretary of state by the chairman of such convention for the office of presidential elector.

[1939 c 345 part 5 c 1 s 2; 1957 c 408 s 1] (601-5(1)a)

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211 **204.03 PREPARATION OF BALLOTS.** When presidential electors are to be voted for, a vote cast for the party candidates for president and vice-president shall be deemed a vote for that party's electors as filed with the secretary of state. The secretary of state shall cause the names of the candidates of each political party to be printed in capital letters, set in ten-point type, before the party designation. To the left of, and on a line of such surnames, near the margin, shall be placed a square or box, in which the voter may indicate his choice by marking an "X," and one such mark opposite the candidate's name of any one party shall be counted as a vote for each elector in the party group on file with the secretary of state.

The form for the Presidential Ballot shall be as follows:

Put an (X) opposite the name of the Presidential Candidate you wish to vote for, in the box indicated by the arrow.

PRESIDENTIAL BALLOT

Mark your (X) in one Box Only

STEVENSON and KEFAUVER—Democratic-Farmer-Labor

EISENHOWER and NIXON—Republican

The relative position of the several candidates shall be determined by the rules applicable to other state officers. The state ballot, with the required heading, shall be printed below the presidential ballot with a blank space between one inch in width.

[1939 c 345 part 5 c 1 s 3; 1957 c 408 s 2] (601-5(1)b)

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24 **204.04 STATE CANVASSING BOARD.** The state canvassing board at its meeting on the second Tuesday after each such general election shall open and canvass the returns made to the secretary of state for presidential electors, and prepare a statement of the number of votes cast for the several persons receiving votes for these offices, and declare the person or persons receiving the highest number of votes for each office duly elected. When it appears that more than the number of persons to be elected as presidential electors have the highest and an equal number of votes, the secretary of state, in the presence of the board shall decide by lot which of such persons shall be declared elected. The governor shall transmit to each person so declared elected a certificate of election, signed by him, sealed with the state seal, and countersigned by the secretary of state; and immediately after the canvass is completed he shall cause a statement of their election to be published in one or more of the newspapers printed at the state capital.

[1939 c. 345 part 5 c. 1 s. 4] (601-5(1)c)

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204.05 PRESIDENTIAL ELECTORS

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204.05 ELECTORS TO MEET AT CAPITOL; FILLING OF VACANCIES.

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Every presidential elector, before 12:00 m. on the day next preceding that fixed by congress for such electors to vote for president and vice president of the United States, shall notify the governor that he is at the state capitol, and ready at the proper time to fulfill his duties as such elector. The governor shall thereupon deliver to the electors present a certificate of the names of all the electors, and if any elector named therein fails to appear before 9:00 a. m. on the day, and at the place, fixed for voting for president and vice president of the United States, the electors then present shall, in the presence of the governor, immediately elect by ballot a person to fill such vacancy. If more than the number of persons so required have the highest and an equal number of votes, the governor, in the presence of the electors attending, shall decide by lot which of the persons shall be elected.

[1939 c. 345 part 5 c. 1 s. 5] (601-5(1)d)

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204.06 CERTIFICATE OF ELECTORS. Immediately after such vacancies have been filled, the electors present originally chosen shall certify to the governor the names of the persons so elected to complete their number, and the governor shall at once cause written notice to be given to each person so elected to fill a vacancy; and the persons so chosen shall be presidential electors, and meet and act with the other electors.

[1939 c. 345 part 5 c. 1 s. 6] (601-5(1)e)

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204.07 ELECTORS TO MEET AT STATE CAPITOL. Such original and substituted presidential electors, at 12:00 m., shall meet in the executive chamber, at the state capitol, and then and there perform all and singular the duties imposed upon them as such electors by the constitution and laws of the United States and this state.

[1939 c. 345 part 5 c. 1 s. 7] (601-5(1)f)

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