

**SECOND ENGROSSMENT
with Conference Committee Amendments
REENGROSSED SENATE BILL NO. 2369**

Introduced by

Senators Dever, Schaible

1 A BILL for an Act to create and enact a new section to chapter 16.1-03 of the North Dakota
2 Century Code, relating to political party organization; to amend and reenact sections
3 16.1-03-01, 16.1-03-02, 16.1-03-03, 16.1-03-05, 16.1-03-07, 16.1-03-08, 16.1-03-11,
4 16.1-03-14, 16.1-03-17, 16.1-04-01, 16.1-06-04, 16.1-11-22, 16.1-11-30, and 16.1-12-02 of
5 the North Dakota Century Code, relating to political party organization, voting precincts, and
6 primary election ballot access; and to repeal sections 16.1-03-12 and 16.1-03-19 of the
7 North Dakota Century Code, relating to political party organization.

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

9 **SECTION 1.** A new section to chapter 16.1-03 of the North Dakota Century Code is created
10 and enacted as follows:

11 **Organizations allowed to nominate statewide and legislative candidates.**

12 A political organization may not endorse candidates or have candidates petition for
13 president, vice president, Congress, statewide office, or legislative office as set forth in
14 chapter 16.1-11, unless the organization:

- 15 1. Organized according to all requirements of this chapter;
- 16 2. Had printed on the ballot at the last preceding general election the names of a set of
17 presidential electors pledged to the election of the party's candidate for president and
18 vice president, a candidate for governor, a candidate for attorney general, or a
19 candidate for secretary of state and those candidates for presidential electors,
20 governor, attorney general, or secretary of state received at least five percent of the
21 total vote cast for presidential electors, the office of governor, attorney general, or
22 secretary of state within this state at that election and organized according to all
23 requirements of this chapter; or

1 3. Filed a petition with the secretary of state signed by the number of electors required
2 under section 16.1-11-30 to qualify to endorse candidates or to have candidates
3 petition to be included on the primary election ballot in a consolidated column or on a
4 special election ballot.

5 **SECTION 2. AMENDMENT.** Section 16.1-03-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-03-01. Precinct caucus to elect precinct committeemen - Time and manner of**
8 **holding - Caucus call - Notice.**

9 1. Each legislative district party shall organize in conformance with the state legislative
10 district boundaries as established by the legislative assembly and as set forth under
11 chapter 54-03.

12 2. On or before May fifteenth following the last preceding general election, a party
13 caucus must be held by every election precinct at a site within or reasonably close to
14 the precinct in the manner provided in sections 16.1-03-01 through 16.1-03-03.

15 ~~2-3.~~ The legislative district chairman of each party shall ~~issue the call~~set the date and time
16 for the precinct caucus at least twenty days before the time set for holding the caucus
17 and the. ~~If there is not a district chairman in a legislative district, the state party~~
18 executive committee may issue the call for the precinct caucus. The call must contain
19 the following:

20 a. Name of party.

21 b. ~~Precinct~~Legislative district and precinct number or name.

22 c. Date of caucus.

23 d. Place of caucus.

24 e. Hours of caucus.

25 f. A statement of the business to be conducted, including the election of precinct
26 committeemen and such other ~~persons~~individuals as may be provided by state
27 law and district party rules~~bylaws~~.

28 g. The name of the district chairman or, if there is not a district chairman, the
29 member of the state party executive committee issuing the call.

30 ~~3-4.~~ The district chairman or, if there is not a district chairman, the state party executive
31 committee shall provide ten days' published notice in the official newspaper in

1 circulation within each precinct in the district. The notices must contain that information
2 set forth in subsection 23. The district chairman may include the information required
3 by this section for all precincts in the district may be included in one notice for
4 publishing purposes.

5 **SECTION 3. AMENDMENT.** Section 16.1-03-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-03-02. Who may participate in and vote at caucus.**

- 8 1. Only those ~~persons~~individuals who are qualified electors pursuant to ~~under~~ section
9 16.1-01-04 may vote or be elected as committeemen or officers at the precinct
10 caucus.
- 11 2. Only those ~~persons~~individuals who either voted or affiliated with the party at the last
12 general election or intend to ~~vote or~~ affiliate with the party and vote with the party at
13 the next general election may vote at the precinct caucus.
- 14 3. In case the right of a ~~person~~an individual to participate at the caucus is challenged, the
15 question of the ~~person's~~individual's right to participate must be decided by a vote of
16 the whole caucus. ~~A person~~An individual so challenged may not vote on the question
17 of the ~~person's~~individual's right to participate in the caucus, and a two-thirds vote of
18 the whole caucus is required to exclude a ~~person~~an individual from participation.
- 19 4. ~~No person~~An individual may not vote or participate at more than one precinct caucus
20 in any one year.

21 **SECTION 4. AMENDMENT.** Section 16.1-03-03 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **16.1-03-03. ~~Caucus business and elections~~ - Political parties entitled to elect**
24 **committeemen.**

- 25 1. ~~Each precinct caucus shall elect a chairman, committeemen as provided in~~
26 ~~subsection 3, and other officers as may be provided by party rules. The caucus may~~
27 ~~also discuss party policies, candidates, and any other business as prescribed by party~~
28 ~~rules.~~
- 29 2. ~~No~~A political organization is entitled to elect a precinct committeeman at its precinct
30 caucus ~~unless~~if:

- 1 a. The organization nominated and had printed on the ballot at the last preceding
2 general election the names of a set of presidential electors pledged to the
3 election of the party's candidates for president and vice president or a candidate
4 for governor, attorney general, or secretary of state; and
5 b. The candidates provided for in subdivision a received at least five percent of the
6 total vote cast for presidential electors or for governor, attorney general, or
7 secretary of state within this state at that election.

8 ~~3.2.~~ Each political party in each voting precinct of this state, otherwise qualifying under
9 subsection 21, is entitled to elect one precinct committeeman for each two hundred
10 fifty votes, or majority of a fraction thereof, cast for the party's presidential electors,
11 governor, attorney general, or secretary of state in the precinct in the last general
12 election. Each precinct is entitled to at least one precinct committeeman for each party
13 which qualifies under subsection 21. Each precinct committeeman must be an elector
14 of the precinct in which the committeeman resides and must be elected for a two-year
15 term.

16 3. If a political organization desires to organize under this chapter but has not qualified as
17 provided in subsection 1, the organization may elect one precinct committeeman for
18 each precinct in the district.

19 **SECTION 5. AMENDMENT.** Section 16.1-03-05 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **16.1-03-05. Vacancies in office of precinct committeeman - Filling.**

22 A vacancy in the office of precinct committeeman, which occurs after the organization of the
23 district committee, ~~must~~may be filled by appointment from the precinct by the district executive
24 committee of the party. ~~Notice of the appointment must be given to the county auditor.~~

25 **SECTION 6. AMENDMENT.** Section 16.1-03-07 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 **16.1-03-07. Meeting of district committee - Organization.**

- 28 1. In every odd-numbered year, the district committee of each party shall meet within
29 fifteen days after the precinct caucus provided for in section 16.1-03-01. The day,
30 hour, and site must be set by the existing district committee chairman. ~~The~~Any
31 incumbent members of the legislative assembly from the party, the precinct

1 committeemen of a party, selected as provided by this chapter, ~~with~~and any other
2 ~~persons~~individual provided for by the district committee's bylaws ~~and as the district~~
3 ~~committee designates~~, constitute the district committee of the party. The district
4 committee of a party must be organized to coincide with the geographical boundary
5 lines of state legislative districts. Each member of any committee provided for in this
6 chapter must be a qualified elector ~~and must retain the office the member was elected~~
7 ~~to until a successor is chosen.~~

8 2. The district committee shall organize by:

9 a. ~~Selecting a chairman, vice chairman, secretary, and treasurer chosen by precinct~~
10 ~~committeemen and the party's incumbent members of the legislative assembly~~
11 ~~from the district shall select the officers of the district committee. The officers~~
12 ~~selected, as provided by the district party bylaws, need not be precinct~~
13 ~~committeemen; however, all the officers must be voting members of the district~~
14 ~~committee. The district committee shall forward to the state committee the name~~
15 ~~and contact information of the district committee chairman.~~

16 b. ~~Adopting rules and modes of procedure not in conflict with law.~~

17 c. ~~Filling any vacancies in the office of precinct committeeman pursuant to section~~
18 ~~16.1-03-05.~~

19 d. ~~Selecting~~The district committee may appoint an executive committee consisting
20 ~~of five or more persons chosen from the district committee. The chairman, vice~~
21 ~~chairman, treasurer, and secretary of the district committee must be members~~
22 ~~and the officers of the executive committee~~consistent with the bylaws of the
23 ~~district committee. That party's nominees for and members of the legislative~~
24 ~~assembly may also be~~shall serve as members of the executive committee.

25 2-3. ~~If the office of chairman becomes vacant, the vice chairman shall hold the office until~~
26 ~~the next regular election for the office or until a new chairman is selected by the district~~
27 ~~committee for the balance of the term, whichever occurs first~~vacancy may be filled as
28 ~~provided by the district party bylaws.~~

29 4. The bylaws of the state committee or state party may not include any requirement
30 ~~providing directives or procedures for the method of the organization of district~~
31 ~~committees nor may the state committee or state party take any action or impose any~~

1 requirement regarding district party organization which is not consistent with this
2 chapter.

3 **SECTION 7. AMENDMENT.** Section 16.1-03-08 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **16.1-03-08. State committee - Membership.**

6 The state committee of each party consists of the chairman of each of the district
7 committees of the party and any ~~person~~individual provided for in the bylaws of the state
8 committee.

9 **SECTION 8. AMENDMENT.** Section 16.1-03-11 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **16.1-03-11. State committee - Meetings - Organization –Vacancies.**

12 The state committee shall meet on or before July first of each odd-numbered year. The
13 committee shall organize by selecting a ~~chairman, vice chairman, secretary, and~~
14 ~~treasurer~~officers as provided for by the state committee bylaws and by adopting rules and
15 modes of procedure, including rules and procedures regarding the selection of state convention
16 delegates. ~~The party's bylaws must be filed with the secretary of state. The officers elected~~
17 ~~need not be members of the committee, but they shall become voting members of the~~
18 ~~committee after their election.~~ Within thirty days following the state committee's organization,
19 the newly elected chairman shall notify the secretary of state of the names of the party officers
20 selected. ~~These officers, with any other persons provided for by the party's bylaws and as the~~
21 ~~state committee designates, constitute the executive committee of the state committee. If the~~
22 ~~office of chairman becomes vacant, the vice chairman holds the office until the next regular~~
23 ~~election for the office or until a new chairman is selected by the state committee for the balance~~
24 ~~of the term, whichever occurs first. A vacancy in an office of the state committee, other than~~
25 ~~chairman and a party district chairman, must be filled upon a majority vote of the state~~
26 ~~committee. The chairman of the state committee may temporarily fill any vacancy existing on~~
27 ~~the state committee until the state committee convenes to fill the vacancy. The secretary of~~
28 ~~state must be notified of any changes in membership of the state's committee officers.~~

29 **SECTION 9. AMENDMENT.** Section 16.1-03-14 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **16.1-03-14. ~~When state party convention held and duties of state~~State party**
2 **convention.**

3 1. The state party ~~conventions must be held in each presidential election year at a place~~
4 ~~and time designated by the party state committee shall set the place and time of the~~
5 ~~state party convention to be held in each general election year. The state party~~
6 ~~convention provided for in this chapter shall~~Subject to party rules and bylaws, the state
7 party convention may:

8 4. a. Nominate the legal number of ~~candidates~~qualified electors for its party for the
9 offices of presidential electors.

10 2. b. Elect the required number of delegates and alternates to the national party
11 convention ~~as provided by the party's bylaws or national party rules.~~

12 3. ~~Conduct other business as shall come before the convention.~~

13 c. Endorse candidates as provided under subsection 2.

14 2. The candidate or candidates for endorsement or election must be declared endorsed
15 or elected ~~pursuant to~~under the rules of the party involved, and the chairman and
16 secretary of the convention shall issue certificates of endorsement as provided in
17 section 16.1-11-06 or certificates of election. The names of the ~~candidates~~qualified
18 electors nominated for presidential electors ~~with the surname of the presidential~~
19 ~~candidate~~ the party wishes to place on the general election ballot must be certified by
20 the chairman and secretary of the convention to the secretary of state by four p.m. on
21 the sixtieth day before the general election to be placed upon the general election
22 ballot as provided in section 16.1-06-07.1.

23 **SECTION 10. AMENDMENT.** Section 16.1-03-17 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **16.1-03-17. Political party reorganization after ~~apportionment~~redistricting.**

26 If ~~apportionment~~redistricting of the legislative assembly becomes effective after the
27 organization of political parties as provided in this chapter and before the primary or the general
28 election, the ~~secretary of state shall establish a timetable for the reorganization of the parties as~~
29 ~~rapidly as possible before the ensuing election. When the timetable is established, the secretary~~
30 ~~of state shall notify all the county auditors of the timetable and of the details of the legislative~~
31 ~~apportionment as it affects each county. The secretary of state or county auditor may not~~

1 require reorganization of precincts in which boundaries are unchanged after apportionment by
2 the board of county commissioners or the governing body of the city pursuant to chapter
3 ~~16.1-04. Each county auditor shall publish a notice in the official county newspaper containing:~~

- 4 1. ~~A statement that legislative apportionment has occurred.~~
- 5 2. ~~A description and a map of the new legislative districts and the precincts as~~
6 ~~established by the governing bodies of the counties and cities in the county, pursuant~~
7 ~~to section 16.1-04-01.~~
- 8 3. ~~The date, time, and places of the precinct caucuses and district committee meetings~~
9 ~~determined by the secretary of state and the county auditor to be necessary according~~
10 ~~to the new districts and precincts established.~~

11 The political parties, in the newly established precincts and districts, shall then proceed to
12 reorganize as closely as possible in conformance with this chapter and in conformance with the
13 timetable established by the secretary of state to assure compliance with primary election filing
14 deadlines.

15 **SECTION 11. AMENDMENT.** Section 16.1-04-01 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **16.1-04-01. Precincts - Duties and responsibilities of the board of county**
18 **commissioners or the governing body of the city.**

- 19 1. The board of county commissioners of each county:
 - 20 4. a. Shall divide the county into precincts and establish the precinct boundaries,
21 except that within the boundaries of any incorporated city, the governing body of
22 the city shall divide the city into precincts and establish their boundaries pursuant
23 to title 40. Any number of townships or parts of townships may be joined into a
24 single precinct provided that no precinct may encompass more than one
25 legislative district.
 - 26 2. b. May alter the number and size of precincts within the county by combining or
27 dividing precincts. However, the governing body of any incorporated city has the
28 authority to alter the number and size of precincts located within its boundaries.
29 The board of county commissioners may relinquish the jurisdiction provided
30 under ~~subsection 1~~subdivision a over all or any portion of a township or
31 townships under its jurisdiction to a city for the purpose of establishing a voting

1 precinct if a majority of the governing body of the city agrees to assume such
2 jurisdiction. The governing body of a city, by majority vote, may return jurisdiction
3 granted herein to the county and the county shall accept that jurisdiction.

4 2. When establishing precincts under subsection 1, a board of county commissioners, in
5 cooperation with the county auditor, or a city governing body shall consult with and
6 seek input regarding the size, number, and proposed boundaries of the precincts from
7 representatives of the political parties organized within the county. Upon the request of
8 the district chairman of a political party, a board of county commissioners, in
9 consultation with the county auditor, or the governing body of a city shall consider
10 proposals to change precinct boundaries.

11 **SECTION 12. AMENDMENT.** Section 16.1-06-04 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **16.1-06-04. Form and quality of ballots generally.**

14 All official ballots prepared under this title must:

- 15 1. Be printed on uniform quality and color of paper in an ink color suitable to make the
16 ballot clearly legible and compatible with the electronic voting system requirements
17 necessary to tabulate the votes.
- 18 2. Be of sufficient length to contain the names of all candidates to be voted for at that
19 election.
- 20 3. Have the language "Vote for no more than _____ name (or names)" placed
21 immediately under the name of each office.
- 22 4. Have printed thereon "To vote for the candidate of your choice, you must darken the
23 oval ~~opposite~~next to the name of ~~the~~that candidate. To vote for a person whose name
24 is not printed on the ballot, you must darken the oval next to the blank line provided
25 and write that person's name in~~on~~ the blank space provided for that purpose and
26 ~~darken the oval opposite the space provided~~line."
- 27 5. Leave sufficient space for each office to write a name, or names, as the case may be,
28 in lieu of those printed on the ballot.
- 29 6. Immediately preceding and on the same line as the name of each candidate must be
30 printed an oval in which the voter is to mark the voter's choice by darkening the oval
31 next to the name of the candidate chosen.

1 7. Provide ~~two~~ text boxes ~~in~~at the bottom ~~right-hand corner~~ of the first side of the ballot.
2 The ~~first~~ text box at the bottom of the first column is to contain the words "All ballots,
3 ~~other than those used to vote absentee, must first be initialed by appropriate election-~~
4 ~~officials in order to be counted~~Official Ballot, the name of the county, the name or
5 number of the precinct, and the date of the election." The ~~second~~ text box is to contain
6 the words "~~Official Ballot~~All ballots, other than those used to vote absentee, must first
7 be initialed by appropriate election officials in order to be counted"; ~~the name of the-~~
8 county, the name or number of the precinct, the date of the election, and. The text box
9 at the bottom of the third column is to contain the word "initials" ~~preceding~~preceded by
10 a blank line where the judge or inspector shall initial the ballot.

All ballots, other than	Official Ballot
those used to vote absentee,	_____ County
must first be initialed by	_____ Precinct
appropriate election officials	(Date of the Election)
in order to be counted	Initials _____

16 Any precinct that uses an electronic counting machine may require the use of a particular
17 writing instrument to mark the ballot so the ballots may be properly counted.

18 The ballot must contain the names of all candidates, the contents of measures as required
19 by section 16.1-06-09, and the statements of questions to be submitted to the voters. The ballot
20 must be arranged in a manner and form approximating as far as possible the requirements of
21 this section.

22 **SECTION 13. AMENDMENT.** Section 16.1-11-22 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **16.1-11-22. Primary election ballot - Form - Voters to vote for candidates of only one**
25 **political party.**

26 At the primary election there may be only one ballot for all parties or principles. The ballot
27 must be in the following form:

- 28 1. The ballot must be entitled the "consolidated primary election ballot".
- 29 2. Each political party or principle having candidates at the primary election must have a
30 separate ~~column~~section on the ballot.

- 1 3. At the head of each column must be printed the name of the political party or principle
2 which it represents.
- 3 4. ~~In each column below~~Spanning the columns containing the political party ballot and
4 prior to the party names or principle titles must be printed: "~~You~~In a Political Party
5 Primary Election, you may only vote for the candidates of ~~only~~ one political party ~~at the~~
6 ~~primary election. This ballot contains the number of political parties or principles and a~~
7 description of where the political parties or principles are to be found in the columns
8 below. If you cast votes ~~vote~~ in more than one party column and vote for candidates of
9 ~~more than one political party~~political party's section, your political party ballot
10 Party Ballot will be rejected; however, all votes on the No Party and Measure Ballots
11 will still be counted."
- 12 5. Immediately below the warning against voting for candidates of more than one political
13 party must be printed: "To vote for the candidate of your choice, you must darken the
14 oval ~~opposite~~next to the name of ~~the~~that candidate. To vote for a person whose name
15 is not printed on the ballot, you must darken the oval next to the blank line provided
16 and write that person's name in ~~on~~ the blank space ~~provided for that purpose and~~
17 ~~darken the oval opposite the space provided~~line."
- 18 6. The offices specified in section 16.1-11-26 must be arranged in each ~~column~~section
19 with the name of each office in the center of each political party ~~column~~section at the
20 head of the names of all the aspirants for the office.
- 21 7. Immediately under the name of each office must be printed: "Vote for no more than
22 _____ name (or names)."
- 23 8. Immediately preceding and on the same line as the name of each aspirant must be
24 printed an oval in which the voter is to mark the voter's choice by darkening the oval
25 next to the name of the candidate chosen.
- 26 9. The political party or principle which cast the largest vote for governor at the most
27 recent primary election at which the office of governor was voted upon must have the
28 ~~left hand column~~first section, and the political party or principle casting the next largest
29 vote must have the ~~next column~~second section, and so on.

1 The judges and the inspector of elections shall inform each elector at the primary, before voting,
2 that if the voter votes for candidates of more than one political party the voter's political party
3 ballot will be rejected.

4 **SECTION 14. AMENDMENT.** Section 16.1-11-30 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-11-30. Separate columnsection on primary election ballot required for each**
7 **political party.**

8 Any party that had printed on the ballot at the last preceding presidential election the names
9 of a set of presidential electors pledged to the election of the party's candidates for president
10 and vice president or a candidate for governor and those candidates for presidential electors or
11 governor received at least five percent of the total vote cast for presidential electors or the office
12 of governor within this state at that election; any party that had printed on the ballot at the last
13 preceding nonpresidential election a candidate for attorney general or secretary of state, and
14 the candidate received at least five percent of the total vote cast for the office the candidate was
15 seeking at the election; or any party that has organized according to all the requirements of
16 chapter 16.1-03 must be provided with a separate ~~column~~section on primary election ballots.

17 Any other political organization is entitled to endorse candidates or have candidates petition
18 to be included on the primary ballot in a ~~consolidated column or on a special~~separate section of
19 the consolidated primary election ballot, if a petition signed by at least seven thousand qualified
20 electors of this state is filed with the secretary of state before four p.m. of the sixtieth day before
21 a primary or special election, naming the political organization, stating the platform principles of
22 the party, and requesting the names of its candidates to be included on the state's primary ballot
23 in a ~~consolidated column. If~~separate section. Political organizations that are granted ballot
24 access under this section are allowed ballot access only for those offices for which the
25 organization has identified candidates. Regardless of the means by which the petition is mailed,
26 if delivered, the original must be in the possession of the secretary of state before four p.m. on
27 the sixtieth day prior to a primary or special election. Candidates of that party are entitled to the
28 same rights and privileges as those of other parties. Petitions circulated according to this
29 section must be filed with the secretary of state in accordance with section 1-01-50.

30 A political organization that had printed on the ballot at the last preceding presidential
31 election the names of a set of presidential electors pledged to the election of the party's

1 candidates for president and vice president or a candidate for governor and those candidates
2 for presidential electors or governor received at least five percent of the total vote cast for
3 presidential electors or the office of governor within this state at that election, and any political
4 organization that has printed on the ballot at the last preceding nonpresidential election a
5 candidate for attorney general or secretary of state, and the candidate received at least five
6 percent of the total vote cast for the office the candidate was seeking at the election are entitled
7 to organize according to the requirements of chapter 16.1-03.

8 **SECTION 15. AMENDMENT.** Section 16.1-12-02 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **16.1-12-02. Certificates of nomination by petition - Form and contents.**

11 Certificates of nomination for nominees for an office to be filled at a general or special
12 election, except for an office appearing on the no-party ballot, may be made as provided by this
13 section. Except for nominees for president of the United States, names of nominees so
14 nominated must appear on the ballot as independent nominations. The names of nominees for
15 president of the United States may appear on the ballot with a designation, not to exceed five
16 words, that names the organization or political party to which the presidential candidate
17 affiliates. The designation may not falsely indicate an affiliation with or the support of any
18 political party organized in accordance with this title or include any substantive word or phrase
19 that is profane or that is already included in or resembles the name of a political party entitled to
20 a separate column under section 16.1-11-30. Except for candidates for the office of president of
21 the United States, each certificate of nomination by petition must meet the specifications for
22 nominating petitions set forth in section 16.1-11-16. A political party or organization desiring to
23 submit to the secretary of state the name of a qualified candidate for the office of the president
24 of the United States may begin gathering the signatures for the certificate of nomination on the
25 first day of January of a presidential election year and shall submit the petition to the secretary
26 of state before four p.m. on the sixtieth day before the general election. The signatures on the
27 petition must be in the following number:

- 28 1. Except as provided in subsection 3, if the nomination is for an office to be filled by the
29 qualified electors of the entire state, there must be no fewer than one thousand
30 signatures.

- 1 2. If the nomination is for an office to be filled by the qualified electors of a district less
2 than the entire state, the number of signatures must be at least two percent of the
3 resident population of the district as determined by the most recent federal decennial
4 census, but in no case may more than three hundred signatures be required.
- 5 3. If the nomination is for the office of president, there must be no fewer than four
6 thousand signatures and the petition must contain the names of the presidential and
7 vice presidential candidates along with the names of the North Dakota presidential
8 electors selected from the qualified electors of North Dakota.
- 9 4. If the petition is for the office of governor or lieutenant governor, it must contain the
10 names and other required information of candidates for both those offices.

11 **SECTION 16. REPEAL.** Sections 16.1-03-12 and 16.1-03-19 of the North Dakota Century
12 Code are repealed.