

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Tuesday, the fifth day of January,
one thousand nine hundred and ninety-nine**

HOUSE BILL NO. 1124
(Judiciary Committee)
(At the request of the Secretary of State)

AN ACT to amend and reenact section 16.1-11-27 of the North Dakota Century Code, relating to name rotation on ballots; and to repeal section 16.1-11-28 of the North Dakota Century Code, relating to piling, cutting, and blocking ballots.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-11-27 of the North Dakota Century Code is amended and reenacted as follows:

16.1-11-27. Arrangement of names on ballots ~~and voting machines.~~

4. Sample ballots used for publication purposes must be arranged using the rotation of the ballot in the precinct in the county which cast the highest total vote for governor at the last general election at which the office of governor was filled.
2. On the official ballot used at the election, including electronic voting system ballots, the names of candidates beside or under headings designating each office to be voted for must be alternated in the following manner:
 - a. 1. The ballot must first be arranged with all the names for each office on the ballot in an order determined by lot by the county auditor ~~or responsible election official~~ and prepared by the county auditor for all state, district, and county offices.
 - b. ~~In printing each set of official ballots for the various election precincts, the position of the names must be changed in each office division as many times as there are candidates in the office division in which there are the most names. The same number of ballots must be printed after each change of position.~~
 - e. ~~In making the changes of position, the printer shall take the candidate's name at the head of each office division and place it at the bottom of that division, moving the column up so the name that was second before the change is first after the change.~~
 3. 2. ~~In precincts employing voting machines, the~~ The position of names ~~which that~~ require alternating under the provisions of this section must be alternated so the name appearing first in one precinct will be last in the next precinct, and the name that appeared second must be first in the next precinct, and so on until each name has been moved up or over one space accordingly. This process must be continued from one precinct to another and for as many names as are involved. There must be a different alternation sequence for each of the following, based on the geographical area by which the office is filled:
 - a. Offices to be filled by the electors of the state, the entire county, or any district which includes the entire county.
 - b. Offices to be filled by the electors of districts smaller than the county, with a different rotation for each of those districts.
4. 3. The precincts must be arranged according to the total votes cast for governor at the last general election in which the office of governor was filled, starting with the precinct having the highest total votes cast and ending with the precinct having the lowest total votes cast in that election.

5. ~~If there are more than three candidates for any office, and it is not possible to place all of the names on one line, the names must be placed in two or more lines having an equal or nearly equal number of names on each line; provided, that in no event may only one name appear on any line.~~

SECTION 2. REPEAL. Section 16.1-11-28 of the North Dakota Century Code is repealed.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1124.

House Vote: Yeas 96 Nays 2 Absent 0

Senate Vote: Yeas 30 Nays 18 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

Secretary of State