

Chapter 248

1961 REPLACEMENT PART

(1963 reprint)

Political Parties; Presidential Electors

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POLITICAL PARTIES

248.010 "Major political party" defined; use of party name. (1) As used in this chapter, "major political party" means an affiliation of electors representing a political party or organization which polled for its candidates for presidential electors, at the last general election, at least 20 percent of the entire vote cast for that office.

(2) Every major political party, its regularly nominated candidates and its members and officers shall have the exclusive right to use of the whole party name or any part of it. No candidate shall use any word of the name of a major political party other than the one by which he is nominated. No independent or nonpartisan candidate shall use any word of the name of any major political party in his candidacy. He shall use only the name "Independent" or "Nonpartisan."
[Amended by 1957 c 608 §49]

248.020 Declarations of candidacy and election of precinct committeemen. Every major political party shall elect at the general primary election, two committeemen of opposite sex for each election precinct. They shall be residents of the precinct. Candidates for precinct committeeman shall file their declarations of candidacy as provided in ORS 249.210 to 249.280, not later than the seventieth day prior to the general primary election. No fee shall be charged for filing. The county clerk shall notify, by mail, each committeeman of his election. This shall be done within 30 days following his election. The notice shall state how the committeeman shall qualify.

[Amended by 1957 c 608 §50]

248.030 Precinct committeemen to constitute county and city central committees; vacancies in city central committee filled by county central committee. The committeemen elected under ORS 248.020 shall be the representatives of the major political party choosing them in and for the precincts of the county and in all ward or subdivision committees or other committees of precinct committeemen that may be formed. These committeemen shall constitute the county central committee of their party. Those committeemen residing within the limits of a city shall constitute, ex officio, the city central committee of their party. They shall have the same powers and jurisdiction as to the business of their party in city matters as the county central committee has in county political matters. However, the power to

fill vacancies in the city central committee is vested with the county central committee.
[Amended by 1957 c 608 §51]

248.040 Certificates of election issued to county central committeemen on qualifying; filling vacancies; furnishing lists of elected committeemen to party secretaries. (1) Certificates of election shall be issued by the county clerk and countersigned by the respective chairmen of the county central committees immediately following the first meeting of the newly elected county central committees. These shall be issued to all committeemen who have qualified as members of the committees.

(2) Every person elected as a county central committeeman shall qualify by accepting his election in writing. He shall do this at or before the time of the first meeting of the newly elected committee and shall file the acceptance with the county clerk.

(3) The county central committee may, by majority vote of those present at its first meeting, declare a vacancy to exist in the office of any person elected who fails to qualify as provided in this section. Vacancies shall be filled in the manner provided in ORS 248.050. Upon filling a vacancy a certificate of election shall be issued to the committeeman selected.

(4) The county clerk shall furnish to the secretaries of the respective retiring county central committees and to the secretaries of the respective state central committees, within 30 days following the election, a complete list of all committeemen elected.

248.050 Term of office for committeemen; power of committees to make rules for government of parties; filling vacancies in county central committee. Each committeeman shall hold his position for two years from the date of the first meeting of the county central committee following his election. In case of a vacancy in the representation from any precinct occurring because of death, resignation or otherwise, the remaining members of the county central committee may select a committeeman to fill the vacancy. The person selected shall be a resident of the precinct in which the vacancy occurred. The county and city central committees shall have power to make rules and regulations, not inconsistent with law, for the government of their political parties in the county and city. They shall have power to elect the county members of the congressional committee and of the district commit-

tees. These committees shall have the power to make rules in their jurisdiction, the same as the county central committee.

248.060 First meeting of county central committee; appointment of committeemen if none are elected. The first meeting of the newly elected county central committee shall be held within 45 days after its election. The time and place shall be designated by the secretary of the retiring committee. The secretary of the retiring committee shall mail notice of the meeting to each newly elected committeeman at least six days before the meeting. If the newly elected committee fails to meet and organize as provided in this section and ORS 248.070, the chairman of the state central committee shall appoint, from the newly elected precinct committeemen, a temporary chairman. The temporary chairman shall call a meeting and organize the county central committee. If the electors of a major political party fail to elect any precinct committeemen, the temporary chairman shall appoint them. The appointees shall be persons who are residents of the precinct and who are registered electors of their party.

[Amended by 1957 c 608 §52]

248.070 Organization and function of county central committees; election of congressional and district committeemen and officers; filling vacancies. (1) The officers of the retiring county central committee shall preside until their successors are elected, but in the organization, election of officers and transaction of business in all committee deliberations only elected precinct committeemen shall be permitted to participate. Proxies shall in no instance be permitted to participate.

(2) Each newly elected county central committee shall organize by electing a chairman and a vice chairman who shall be of opposite sex, a secretary, a treasurer, two congressional committeemen who shall be of opposite sex, five district nominating committeemen and two alternate delegates to the state central committee who shall be of opposite sex. The individuals elected or selected do not have to be members of the county central committee. The county central committee may select a managing or executive committee and authorize such committee to exercise all powers conferred on the county central committee. In case of a vacancy in any of such offices, occurring because of death, resignation or otherwise, the mem-

bers of the county central committee shall select a successor to the office.

[Amended by 1957 c 608 §53; 1961 c 94 §1]

248.080 Organization and first meeting of the state central committee; quorum required for transaction of business. (1) The state central committee shall consist of the chairman and vice chairman of the county central committee in each county. In the event either the chairman or vice chairman of a county central committee is unable to attend any regularly called meeting of the state central committee his or her place shall be filled by an alternate delegate of the same sex. The alternate delegates shall be elected as provided in ORS 248.070. Within 30 days after the organization of the county central committees a meeting of the new state central committee shall be called by the chairman of the retiring state central committee. He shall give notice to all members of the new committee as provided in ORS 248.100. A copy of the notice shall be filed with the Secretary of State. If the chairman of the retiring state central committee fails to call the initial meeting of the new state central committee within the time prescribed by this section, the meeting may be called by a petition signed by the chairmen of the county central committees of at least one-half of all the counties. The petition shall set forth the date and place of the meeting. A copy of the petition shall be mailed to each member of the new state central committee at least six days before the meeting. A copy of the petition shall be filed with the Secretary of State

(2) The state central committee shall organize by electing a chairman and a vice chairman who shall be of opposite sex, a secretary, a treasurer and such other officers as the committee deems necessary. These officers do not have to be members of the state central committee or of any county central committee. The state central committee or its chairman shall select the subcommittees necessary and convenient in carrying out its business.

(3) A state central committeeman or alternate delegate from each of a majority of the counties constitutes a quorum of the state central committee. When a quorum is present, written or telegraph proxies of absent members may be used in balloting on business before the committee.

[Amended by 1957 c 608 §54]

248.090 Organization, membership and quorum of congressional committees. The congressional committees shall consist of the county congressional committeemen of all the counties within the congressional district. In districts comprising only one county the congressional committee shall consist of the county central committee. When the county congressional committeemen have been elected they may, prior to the transaction of any business, organize by electing a chairman and appointing a secretary. These officers do not have to be members of the committee. The committee shall meet at the call of the state chairman upon written notice to each member of the committee not less than six days before the meeting. A majority of the committeemen constitutes a quorum for the transaction of business. When a quorum is present any absent committeeman may vote by proxy upon any matter.
[Amended by 1957 c 608 §55]

248.100 Notice of committee meetings required. It shall be the duty of the officers of the county central committee, and of all subordinate committee organizations, city, state and congressional committees, to notify the entire membership of their committees, by mail, at least six days before the date of any anticipated meeting. Failure to give notice as provided in this section shall invalidate the business of the meeting.

248.110 [Repealed by 1957 c 608 §231]

248.120 [Repealed by 1957 c 608 §231]

248.130 [Repealed by 1957 c 608 §231]

248.140 [Repealed by 1957 c.608 §231]

248.150 General powers of party central committees; assessment of nominees. The county, state and city central committee of each major political party is the highest party authority and may make proper rules, regulations and resolutions for all matters of party government which are not controlled by this chapter or other laws of the state. The county central committee shall have power, by resolution of the committee or its managing or executive committee, to levy upon and collect from the nominees of its party within the county an assessment for the purpose of paying expenses of organizing the committee, the expenditures to be incurred in the management of party matters and the promotion of party success in the ensuing campaign. The assessment shall not exceed an amount equal to one percent of

the total emolument for the term of office for which the nominee assessed is a candidate. In no case need the assessment be less than \$10.

[Amended by 1957 c 608 §56]

248.160 Nomination and election of national committeeman and committeewoman. A major political party shall elect its national committeeman and its national committeewoman at the primary election held on the third Friday in May 1956, and every four years thereafter. Candidates for the offices shall file their nominating petitions or declarations with the Secretary of State as required for candidates for state offices. Every petition shall be signed by at least 200 registered electors of the party of the candidate. The names of all candidates shall be printed on the primary election ballots of the parties of which they are candidates. The candidate for national committeeman and the candidate for national committeewoman who receive the highest number of votes shall be elected. The persons elected shall hold office until a successor is elected. In case of a vacancy it shall be filled for the unexpired term by the state central committee of the party concerned. Existing provisions of law relating to elections apply to the election of national committeemen and national committeewomen.

[Amended by 1957 c 608 §57]

248.170 to 248.200 [Reserved for expansion]

STATE PARTY CONVENTIONS

248.210 State party convention; call; statement of party principles. (1) The state party convention shall be convened by each major political party at least 45 days but not later than 50 days after the primary election. The convention shall be called and held at the time and place designated by the state central committee of such major political party and shall be held for the purpose of formulating, adopting and promulgating a statement of party principles. If the convention is not called within 20 days following the primary election, any person qualified under ORS 248 220 to sit in such convention may call the convention

(2) A copy of the statement of party principles, certified by the chairman and secretary of the convention, shall be filed with the Secretary of State within five days of the final adjournment of such convention.
[1961 c 667 §2]

248.220 Delegates to state party convention; selection; voting. (1) As used in this section "candidate" includes any incumbent of an office specified in subsection (2) of this section whose term of office extends beyond January of the year following the general election.

(2) Delegates to the state party convention described in ORS 248 210 shall consist of the following candidates and officers of such party nominated or elected at the primary convention of the party:

(a) Candidate for the office of United States Senator.

(b) Candidates for the office of United States Representative.

(c) Candidates for state offices voted for in the state at large.

(d) Candidates for the office of state senator and the office of state representative.

(e) Members of the state central committee.

(f) Additional delegates may be elected by the county central committee of the party and divided among the respective counties on the basis of one delegate for each state representative which a county is entitled to elect. However, in the case of counties comprising multicounty state representative districts, no county shall have less than one delegate elected by its county central committee.

(3) Delegates to the state party convention by virtue of paragraphs (a) to (c) of subsection (2) of this section shall be delegates at large and shall each have one vote

(4) Delegates to the state party convention by virtue of paragraphs (d) and (e) of subsection (2) of this section shall vote as part of the county delegation of the county in which they reside.

(5) No proxy votes shall be allowed in the state party convention.

[1961 c 667 §3]

248.230 to 248.300 [Reserved for expansion]

DELEGATES TO NATIONAL CONVENTIONS; PRESIDENTIAL ELECTORS

248.310 Election of delegates to national conventions and selection of presidential electors; expressing choice for candidates for President and Vice President of the United States. In the years when a President and Vice President of the United States are to be nominated and elected, the major political parties shall elect delegates to their national

conventions and select their candidates for presidential electors. They may also express their choice for candidates for the nominations for President and for Vice President of the United States in the manner provided in ORS 249.368.

[Amended by 1957 c 608 §58]

248.320 Election of delegates to national conventions. As soon as possible after the national committees of the major political parties issue their official calls for national nominating conventions, the Secretary of State shall ascertain from the proper officials of the committees the number of delegates allotted to the State of Oregon. Of the number of delegates allotted, two shall be elected from each congressional district and the remainder from the state at large. In the arrangement of the official ballots for the primary election of each party, the Secretary of State shall provide for the election of two delegates from each congressional district and the remainder from the state at large.

[Amended by 1957 c 608 §59]

248.330 Voters express preference for delegates; election by plurality vote. Every registered elector of a major political party may vote his preference on the official nominating ballot of his party for two delegates from the congressional district in which he resides and for as many delegates as are to be elected at large. A plurality vote shall be sufficient to elect a delegate to any national convention, and the allotted number of candidates receiving the highest number of votes shall be chosen in each congressional district and in the state at large.

[Amended by 1957 c 608 §60]

248 340 [Amended by 1957 c 608 §61, renumbered 248 355]

248.350 How names of delegates are placed on ballot. Candidates for the office of delegate to a national convention may have their names placed on the official ballots for the primary election of their party in the same manner as candidates for nomination for other state and district offices. Whenever a nominating petition is a prerequisite for the appearance of a candidate's name on the ballot of his party, existing laws providing the manner in which the names of candidates for nomination for state and district offices may be printed on the ballots shall govern, except that not more than 500 signatures shall be required on such a petition.

[Amended by 1957 c 608 §62]

248.355 State party convention to select candidates for presidential electors; candidate's pledge. In the years when a President and Vice President of the United States are to be nominated and elected, the state party convention of each major political party described in ORS 248.210 shall select a number of candidates for elector of President and Vice President equal to the whole number of Senators and Representatives to which this state is entitled in Congress. The chairman and secretary of each committee shall certify the names of the candidates so selected to the Secretary of State within 10 days of the final adjournment of the state party convention. Each candidate for presidential elector so selected shall pledge himself, if elected, to vote in the electoral college for the candidates of his party for President and Vice President.

[Formerly 248 340, amended by 1961 c 46 §1, 1961 c 667 §4]

248.360 Election time and number of presidential electors to be elected. On the Tuesday next following the first Monday in November 1956, and every four years thereafter, the qualified electors of this state shall elect as many electors of President and Vice

President as this state is entitled to elect Senators and Representatives in Congress.

248.370 Electors convene, fill vacancies and perform duties. The electors of President and Vice President shall convene at noon at the state capital on the first Monday after the second Wednesday in December next following their election. If there is any vacancy in the office of an elector occasioned by death, refusal to act, neglect to attend or otherwise, the electors present shall immediately fill it by viva voce and plurality of votes. When all the electors have appeared or the vacancies have been filled, the electors shall then perform the duties required of them by the Constitution and laws of the United States.

248.380 Electors' compensation and traveling expenses. Every elector of President and Vice President of the United States who attends at the time and place appointed and votes for President and Vice President shall be entitled to receive from this state \$10 for attendance at the election and \$3 for every 20 miles' travel in going to and returning from the meeting, on the usually traveled route.

[Amended by 1957 c 608 §63]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173 170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173 160 and other changes specifically authorized by law
Done at Salem, Oregon,
on December 1, 1961.

Sam R. Haley
Legislative Counsel

