

penses, including traveling expenses, necessarily incurred in the discharge of their duties on the committee. The other members of said committee shall receive \$15 \$20 per day for each day while engaged in the performance of their official duties and shall be reimbursed for all expenses, including traveling expenses necessarily incurred in connection with their duties as members of said committee. The committee shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted. The public examiner shall annually audit the books of the committee.

Sec. 3. Minnesota Statutes 1957, Section 40.05 [40.04] is amended by adding a subdivision to read:

[40.04] *Subd. 12. Formation of supervisor districts. The district governing body of any district, heretofore or hereafter organized, after two successive annual elections have been held may, with the approval of the state soil conservation committee, divide a district into five supervisor districts for election purposes and at each election thereafter one and only one supervisor shall be elected from each such district, provided that nothing herein will be construed to disqualify a supervisor during the term for which he was elected. Any vacancy occurring in any such district by failure to elect a supervisor or otherwise, shall be filled by a majority of the supervisors until the next annual town election.*

A certified copy of the minutes or the resolution of the supervisors establishing districts as herein authorized shall be promptly filed by the chairman of the board of supervisors with the county auditor wherein the districts are located and with the state soil conservation committee.

Approved May 17, 1961.

EXTRA SESSION
CHAPTER 10—H. F. No. 107

[Coded]

An act permitting persons removing from one precinct in state to another within 30 days of election to vote; amending Laws 1959, Chapter 675, Article 1, Section 2, Subdivision

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25; Article II, Sections 2, 5, 7, and 16; Article V, Section 7, Subdivision 1; Section 8, Subdivision 1; Section 17, Subdivision 3; and by adding a new section; and Article VI, by adding new sections thereto.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Laws 1959, Chapter 675, Article I, Section 2, Subdivision 25, is amended to read:

[200.02] Definitions. Subd. 25. **Qualifications to vote.** Every person *of the age of 21 years or more* who has been a citizen of the United States for a period of three months next preceding any election, ~~of the age of 21 or over,~~ and who has resided in this state six months next preceding the election, ~~and in the election precinct 30 days next preceding the election,~~ shall be entitled to vote at the election in such precinct, ~~except the following:~~ *shall be entitled to vote, provided that the person has resided in the election precinct in which the election is held for at least 30 days next preceding the election, or the person who has changed his residence within such 30 days qualifies to vote under section 7, except that the following persons are not entitled to vote:*

- (a) Any person who has been convicted of treason or any felony, unless restored to civil rights;
- (b) Any person who is under guardianship over his person;
- (c) Any person who may be non-compos mentis or insane;
- (d) Any person who is not properly registered where registration is required, *except as provided in section 7.*

Sec. 2. Laws 1959, Chapter 675, Article II, Section 2, is amended to read:

Sec. 2. **[201.02] Registration, where required.** All municipalities having a population of 10,000 or more, and any other municipality when the governing body of such municipality shall by ordinance or resolution elect to come within the provisions of this article, shall maintain a permanent system for the registration of voters, and the judges of election in any election precinct located in any such municipality may not receive the vote at any election of any person whose name is not registered in accordance with the provisions of this article, *except as provided in section 7.*

Changes or additions indicated by italics, deletions by ~~strikeout~~.

Sec. 3. Laws 1959, Chapter 675, Article II, Section 5, is amended to read:

Sec. 5. [201.05] **Commissioner, duties, hours.** The commissioner of registration shall have complete charge of the registration of all voters in the municipality. He shall provide such printed forms, blanks and other supplies and equipment as are necessary to properly carry out the provisions of this article. Subject to the provisions of this article, he shall prescribe such reasonable rules and regulations as to the hours during which his office shall be open and as to the places and manner of registration as may be necessary. The office of the commissioner shall remain open until 9:00 P.M. on the last registration day and for at least two days not including Saturdays, Sundays, and legal holidays immediately preceding the last registration day. *For the purpose of issuing certificates of eligibility to vote pursuant to section 7, the office of the commissioner shall remain open during posted office hours during the 30 days preceding election, except for the day of election and the day preceding that day.* He shall appoint such deputies, clerks, and other employees as may be necessary.

Sec. 4. Laws 1959, Chapter 675, Article II, Section 7, is amended by adding a subdivision to read:

[201.07] Subd. 3. **Cancellation of registration upon issuance of certificate of eligibility.** *The person who issues a certificate of eligibility to an elector to enable him to vote in another place pursuant to section 7 shall thereupon have the elector's registration removed from the files.*

Sec. 5. Laws 1959, Chapter 675, Article II, Section 16, is amended to read:

Sec. 16. [201.16] **Registration closed, time before election.** The commissioner shall have 20 full days between the last day of registration and election day to perfect the registration files, and for that purpose 20 days before an election day shall be days upon which voters may not register. During these 20 days the commissioner shall complete the registration files and, on the day before election, shall deliver the duplicate registration file to each precinct. *However, the commissioner shall issue certificates of eligibility pursuant to section 7.*

Sec. 6. Laws 1959, Chapter 675, Article V, Section 7, Subdivision 1, is amended to read:

Changes or additions indicated by italics, deletions by ~~strikeout~~.

Sec. 7. [204.07] **Voting, no registration.** Subdivision 1. **Evidence of qualification to vote.** Except where voters are registered under a permanent registration system, any person desiring to vote at any election shall satisfy the election board by proper and sufficient evidence that he is qualified to vote at the election in the precinct, and by stating under oath, that under the constitution and laws of this state, he is entitled to vote at the election in the precinct. *The election board shall allow any person delivering to them a certificate of eligibility properly issued pursuant to section 7 to vote.*

Sec. 7. Laws 1959, Chapter 675, Article V, is amended by adding a section to read:

Sec. —. [204.075] **Residents of state in precinct less than 30 days.** *Subdivision 1. Change of residence within municipality. A person who changes his residence from one precinct to another in the same municipality within 30 days of an election shall be entitled to vote at such election in the precinct of his former residence only.*

Subd. 2. Change of residence from one municipality to another. A person who changes his residence from one municipality to another in the state within 30 days of an election may apply for a certificate of eligibility to vote in the precinct of his new residence and may vote only in the precinct of new residence.

Subd. 3. Municipal clerk, duties. The municipal clerk acting as officer in charge of elections or as commissioner of registration under section 201.03 in places having permanent registration, shall determine whether an applicant is entitled to a certificate of eligibility, and if he is, shall issue the same. The municipal clerk may make a personal investigation to satisfy himself as to whether an applicant for a certificate is entitled to one.

Upon issuing a certificate of eligibility, as hereinafter provided, the municipal clerk, acting as commissioner of registration in places having permanent registration shall remove the voter's registration from the files if he has registered; and the municipal clerk in places not having permanent registration shall notify the judges of the precinct from which the voter has moved that the voter has been issued a certificate of eligibility to vote in another place.

Subd. 4. Certificate of eligibility. A person qualified

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to vote in an election under section 1 who has not resided in the election precinct 30 days next preceding the election may qualify to vote in the precinct to which he has moved within such 30 days by obtaining a certificate of eligibility from the municipal clerk in the precinct from which he has moved and delivering the same on the day of election to the judges of election at a proper polling place in the precinct to which he has moved. Such certificate may be obtained during posted office hours except for the day of election and the day preceding that day.

An application for a certificate of eligibility shall show

- (1) *The applicant's name;*
- (2) *His former address;*
- (3) *His new address;*
- (4) *The date on which he removed to his new address;*
- (5) *The election for which he desires the certificate;*
- (6) *His statement that, as of the day of the election, he will be a citizen of the United States for three months or more and a resident of the state for six months or more; and*
- (7) *His signature;*

and such application shall be sworn to before a notary public or another official duly authorized to administer oaths. The application shall be submitted in duplicate, and one copy thereof shall be attached to or incorporated into the certificate of eligibility. The municipal clerk shall keep the other copy of the application for his records.

The certificate of eligibility shall also include the certification of the municipal clerk that the person would have been eligible to vote in that precinct if he had continued to reside in the precinct until the election.

The certificate shall include a notice that the certificate is void for all purposes after the election for which it is issued. It shall also include a statement that in places having permanent registration, such permanent registration is waived only for the election for which the certificate is issued; and in order to vote in future elections, it will be necessary to register in the usual way.

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Subd. 5. Certificates obtained by mail. A person may obtain a certificate of eligibility by mail from the municipal clerk of the precinct from which he has moved. To secure an application for a certificate, a person may apply in person or in writing to any municipal clerk, and he shall be given or sent the form of application or directions for making an entirely written application. Whenever a person mails an application for a certificate of eligibility to the municipal clerk of the precinct from which he has moved, he shall allow sufficient time for the consideration of his application, the issuance of the certificate, and its delivery by mail before the day of election.

Subd. 6. Delivery of certificate in precinct of new residence. The election board or the judges of election in any polling place within this state shall honor a properly issued certificate of eligibility and allow the person having the same to vote upon delivering it to them.

Sec. 8. Laws 1959, Chapter 675, Article V, Section 8, Subdivision 1, is amended to read:

Sec. 8. [204.08] **Registration, voter's certificate.** Subdivision 1. **Form of certificate.** Wherever voters are registered under a permanent registration system before any person desiring to vote receives the ballots from the judges, a certificate containing the following information shall be signed by the applicant:

I hereby certify that I am a qualified voter, permanently registered in accordance with the Minnesota Election Law.

(Signature of Voter).....
 (Address)
 (Approved)

Judge of Election

Upon honoring a certificate of eligibility issued under section 7, the judges of election shall strike the words "permanently registered" on the form of voter's certificate, and allow the person with or upon his then executing a voter's certificate so altered to vote upon his delivering it to them.

Sec. 9. Laws 1959, Chapter 675, Article V, Section 17, Subdivision 3, is amended to read:

Sec. 17. [204.17] **Challenges.** Subdivision 3. **Determination of residence.** The judges, in determining the legal residence of any challenged person, shall be governed by the

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rules provided for the commissioner of registration in the Minnesota Election Law; and if the challenged person by his answers to the questions put to him reveals that he is not a qualified voter, he may not be allowed to vote. If, after all questions have been answered, the challenge is not withdrawn, the judge shall administer the following oath:

"Do you swear that you are a citizen of the United States; that you are 21 years of age; that you have been a resident of this state for six months immediately preceding this election, and an actual resident of this precinct for 30 days immediately preceding this election; that you are a qualified voter in this precinct and that you have not voted at this election?" *When this oath is administered to a person who qualifies to vote under section 7, the judge shall strike the words "and an actual resident of this precinct for 30 days immediately preceding this election".* After taking this oath, the challenged person is entitled to vote.

Sec. 10. Laws 1959, Chapter 675, Article VI, relating to municipal elections, is amended by adding a section to read:

Sec. —. [411.125] Town meetings or elections on candidates; local issues; residence of voters. The voters at a town meeting or the voters at an election on candidates who will serve, or on issues which will relate to only one precinct may be limited to voters who have resided within the precinct for 30 days regardless of the provisions of section 7, or other provisions relating to the issuance of a certificate of eligibility to persons who move from one precinct in the state to another within 30 days of an election.

Sec. 11. Laws 1959, Chapter 675, Article VI, is amended by adding a section to read:

Sec. —. [367.135] Certificates of eligibility for persons moving from one precinct to another; availability. The governing body of any city, town, village, or other political subdivision, which does not have permanent registration shall make provisions for the municipal clerk to be available at times before an election, other than a local election described in section 10, to issue certificates of eligibility, pursuant to section 7, to persons moving from the precinct to other precincts within 30 days of an election.

Approved May 17, 1961.

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