

elective county officer shall not be reimbursed for expenses in attending such convention. The maximum amount allowed any officer for all expenses other than mileage during any one year under the provisions of this act, shall not exceed \$25.

[Subd. 2] Sec. 2. **Appropriation authorized.** Each county board is hereby authorized to appropriate the necessary amounts for such purpose from county funds upon receipt of verified statements from the officials entitled to reimbursement.

Approved April 12, 1951.

CHAPTER 323—H. F. No. 1248

An act relating to elections and providing for the location of names of certain candidates upon the ballot; amending Minnesota Statutes 1949, Sections 205.76, 205.79 and 209.06.

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

Section 1. Minnesota Statutes 1949, Section 205.76, is amended to read:

205.76 Primary election ballots. *Subdivision 1. Preparation, printing.* The auditor of each county shall have printed a sufficient number of separate primary election ballots, varied as may be necessary for the several districts and wards, and on the nonpartisan ballot to be headed "*primary election ballot candidates to be nominated without party designation*" as provided in Minnesota Statutes 1949, Section 205.77, he shall place at the top of said ballot the names of candidates for nomination for state senate and state house of representatives. The primary election ballot shall be in the same general form as to size and kind of type to be used, as is provided for the general election ballot, so far as practicable. The names of candidates under headings properly designating each official position shall be rotated upon the ballot in the printing so that the names of all candidates for each office shall be so alternated on the ballots used in each district that they shall appear thereon substantially an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which they belong.

Subd. 2. Instructions to printer; bond of printer. The official charged with the preparation and distribution of such ballots shall prepare instructions to the printer for rotating, laying and tabbing such ballots, which shall first be approved by the legal adviser of the official before delivery to the printer. In computing the method for making the rotation of names the least common multiple of the number of names in each of the several groups of candidates shall be used and the number of changes made in the printer's forms in printing such ballots shall correspond with said multiple; provided, that groups of more than five candidates shall not be considered in making such computation, and such groups may vary sufficiently in rotating to conform to the rotation for groups of five or less. Before any printer is awarded any contract for printing such ballots he shall be required to furnish a good and sufficient bond in such sum as the official awarding such contract shall designate, which shall not be less than \$1,000, nor more than \$5,000, conditioned that he will print such ballots in conformity with the law and such instructions. There shall be no printing on the back of the ballots, except the necessary ruled lines for the initials of the judges with the proper official designation printed under such lines. All offices for which no candidate is to be voted for at such primary election shall be omitted from the ballot. In all city primary elections in cities having home rule charters the officers designated in such charters shall prepare primary ballots for such city elections in accordance with the provisions of this section.

Sec. 2. Minnesota Statutes 1949, Section 205.79, is amended to read:

205.79 **Nominees without party designation.** After the name of each candidate on the general election ballot nominated without any political party designation, pursuant to section 202.02, at the primary election, shall be placed the words "nominated without party designation", and the separate ballot now provided for persons so nominated shall be headed "County and District Ballot". The names of nominees for the office of representatives in congress shall be placed on said county and district ballot, *and the names of nominees for state senate and state house of representatives shall be placed at the top of said county and district ballot.*

Sec. 3. Minnesota Statutes 1949, Section 209.06, is amended to read:

209.06 Candidates, arrangement of names. *Subdivision 1. Placement.* Where voting machines are authorized and employed, the titles of offices may be arranged horizontally with the names of the candidates arranged vertically under the title of the office, or the titles of the offices may be arranged vertically with the names of the candidates arranged horizontally opposite the respective titles. *On the nonpartisan ballot prepared for primary elections, and on the county and district ballot prepared for the general election, the names of nominees, or names of candidates for election, as the case may be, for state senate or state house of representatives, shall be placed first on said voting machine ballots.* More than one column or row may be used for the same office or party. Questions, constitutional amendments or other propositions shall be placed on the machines in the space provided for that purpose and shall be arranged in the manner which the construction of the machine requires.

Subd. 2. Alternation. The provisions of the election laws requiring the alternation of the names of candidates shall be observed so far as practicable by changing the order of the names on the voting machines in the various districts so that each name shall appear upon the several machines used in a given municipal corporation substantially an equal number of times at the top, at the bottom, and in each intermediate place, if any [,] of the list or group in which they belong; provided, that the arrangement of the names shall be the same on each voting machine used in the same district.

Subd. 3. Presidential electors. For presidential electors one device may be provided for voting for all the candidates of one political party at one time by the use of such device, under or adjacent to which shall be a ballot on the machine containing only the names of the candidates for president and vice-president of that party, preceded by the party's name, and a vote registered or recorded by the use of such device shall be counted for each of the candidates for presidential electors of such party.

Subd. 4. Voting machines. The machine adopted or employed must be so constructed as to insure to every elector an opportunity to vote in secret; to permit him to vote once and only once for all the candidates and upon all the propositions for whom or upon which he is legally entitled to vote; to permit him to vote by means of some devices connected with

the mechanism of the machine, for any person for any office elective by the voters of his district at such election, although such person has not been regularly nominated for such office by any political party, and his name does not appear upon the ballot form on or in such machines as a candidate for such office; to prevent the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event to limit him to the number to be elected to that office; to prevent him at a primary election, from voting for the nomination of candidates of more than one party, or for any person whose name is not on the official ballot at such election; to prevent him from voting for any office or upon any proposed amendment, question or proposition, for whom or upon which he is not lawfully entitled to vote; to permit him to change or retract any vote he has attempted to cast for any candidate for any office or upon any proposition up to the time his vote has been completed, and his vote in favor of such person or proposition has been registered thereon. No machine which does not comply with these requirements shall be approved, authorized or employed; except that machines may be used which are not so constructed as to permit a voter to change from one party to another in a party primary or to retract a vote cast on the irregular ballot device. In such cases the voter shall be required to first return all voting levers to the unvoted position and remove, cross out or erase any vote recorded on the irregular ballot device, as the case may be, and shall then call upon the election officials to witness that it has been done, and they shall then cause the voting machine to be returned to the original unvoted position and shall permit the voter to begin from the beginning once more. Such operation of the voting machine under such conditions as in this paragraph mentioned shall be designated as a spoiled voting machine ballot and the election officials present shall make out and sign a certificate stating the facts for each such case which shall be returned with the official returns of the election.

Approved April 12, 1951.

CHAPTER 324—H. F. No. 1283

[Coded as Sections 19.18 to 19.40]

An act regulating the propagation and keeping of bees; the suppression of contagious diseases among bees; providing