

sago, and Washington; four judges; and permanent chambers shall be maintained in Anoka, Lindstrom-Center City, and Stillwater.

Approved May 24, 1963.

CHAPTER 861—S. F. No. 1019

An act relating to elections; amending Minnesota Statutes 1961, Sections 210.11, 211.02, 211.03, 211.06, 211.08, 211.09, 211.14, 211.15, 211.20, 211.30, 211.31, 211.36, and 211.39; repealing Minnesota Statutes 1961, Sections 211.04, 211.18, 211.26, and 211.29.

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

Section 1. Minnesota Statutes 1961, Section 210.11, is amended to read:

210.11 Elections; corrupt practices; defamatory circulars.
Subdivision 1. Every person who writes, prints, posts, or distributes, or causes to be written, printed, posted, or distributed, *except by broadcasting*, any circular, poster, or other written or printed matter containing false information with respect to the personal or political character or acts of any candidate, which is designed or tends to elect, injure or defeat any candidate for nomination or election to a public office by reflecting on his personal or political character or acts, shall be guilty of a gross misdemeanor.

Subd. 2. *Subdivision 1 of this section shall not apply to a printer or manufacturer of campaign material whose sole act is the printing or manufacturing of campaign material and delivery to the person who orders it and who does not know such printed matter is false.*

Sec. 2. Minnesota Statutes 1961, Section 211.02, is amended to read:

211.02 Legal expenses. No candidate for nomination or election to any elective office in this state coming within the provisions of this chapter shall directly or indirectly pay, expend, or contribute any money or other valuable thing, or promise to do so, except for the following purposes; which are hereby declared to be legal expenses:

(1) For the candidates' necessary personal traveling expenses, for postage, telegraph, telephone, or other public messenger service;

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(2) For rent and necessary furnishing of hall or room during such candidacy, for the delivery of speeches; and for radio broadcasting, relative to principles or candidates;

(3) For payment of speakers and musicians at public meetings; and their necessary traveling expenses;

(4) Printing and distribution of lists of candidates, sample ballots; pamphlets; newspapers; circulars; cards; hand bills; posters and announcements relative to candidates, or public issues or principles;

(5) For copying and classifying election registers; for making canvasses of voters and for challengers at the polls;

(6) For filing fees to the proper public officer; and if nominated at any primary for contributions to the party committee;

(7) For campaign advertising in newspapers, periodicals, or magazines pursuant to the provisions of section 211.03.

The expenditure of money or other thing of value by any candidate, personal campaign committee, party committee, or political committee for political purposes other than those provided in this section is prohibited. The following are permitted expenditures:

(a) *Salaries, wages, and fees;*

(b) *Communications, mailing, transportation, and travel;*

(c) *Campaign advertising;*

(d) *Printing;*

(e) *Office and other space and necessary equipment, furnishings, and supplies incidental thereto;*

(f) *Other expenses, not included in the above, which are reasonably related to the conduct of election campaigns.*

Sec. 3. Minnesota Statutes 1961, Section 211.03, is amended to read:

211.03 Paid advertisements in newspapers. No publisher of a newspaper, periodical, or magazine shall insert either in the advertising columns of such newspaper, magazine, or periodical, or elsewhere therein, any matter paid or to be paid for which is intended or tends to influence directly or indirectly any voting at any primary or general election unless at the head *or the foot* of the matter is printed in *piea six point* capital letters the words "Paid Advertisement," and unless there is a statement at the head *or the foot* of the

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matter of the amount paid or to be paid therefor, or a statement that the same is to be paid at regular advertising rates, the name ~~and address~~ of the candidate in whose behalf the matter is inserted and of any other person; ~~if any, or the names of the officer and the committee~~ authorizing the publication ~~and the name of the author thereof.~~

Sec. 4. Minnesota Statutes 1961, Section 211.05, is amended to read:

211.05 Compensation prohibited, except for paid advertisement. No owner, publisher, editor, reporter, agent, or employee of any newspaper or periodical shall directly or indirectly solicit, receive, or accept any payment, promise, or compensation, nor shall any person pay or promise to pay, or in any manner compensate any such owner, publisher, editor, reporter, agent, or employee directly or indirectly for influencing or attempting to influence through any printed matter in such newspaper or periodical any voting at any election or primary through any means except through the matter inserted in such newspaper or periodical as "PAID ADVERTISEMENT," and so designated as provided by this chapter.

Sec. 5. Minnesota Statutes 1961, Section 211.06, is amended to read:

211.06 Expenditures, limit. No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by ~~or on behalf of~~ any candidate ~~or his personal campaign committee~~ for any office under the constitution or laws of this state, or under the ordinance of any municipality of this state in his campaign for nomination and election, which shall be in the aggregate in excess of the amounts herein specified:

(1) (a) For governor, \$7,000, *and in addition, five cents for each of the total number of persons who voted in the state at the last general election;*

(2) (b) For other state officers, \$3,500, *and in addition, five cents for each of the total number of persons who voted in the state at the last general election;*

(3) (c) For state senator, \$800, *and in addition, five cents for each of the total number of persons who voted in the district at the last general election;*

(4) (d) For member of house of representatives, \$600, *and in addition, five cents for each of the total number of persons who voted in the district at the last general election;*

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(5) For presidential elector at large, \$500; and for presidential elector for any congressional district, \$100;

(6) (e) For any county, city, village, or town officer, for any judge or for any officer not hereinbefore mentioned, who, if nominated and elected, would receive a salary, a sum not exceeding one third of the salary to which each person would, if elected, be entitled during the first year of his incumbency in such office for the office in the year that the election is held, with the minimum sum allowed, \$100. If such person, when nominated and elected, would not receive a salary, a sum not exceeding one third of the compensation which his predecessor received during the first year of such predecessor's incumbency, with the minimum sum allowed, \$100. If such officer, when nominated and elected, would not receive a salary and if such officer had no predecessor, and in all cases not specifically provided for, \$100, and no more.

(f) *The disbursements authorized in this section by a candidate for elective office shall be deductible as expenses for production of income or a business deduction under chapter 290.*

Sec. 6. Minnesota Statutes 1961, Section 211.08, is amended to read:

211.08 Campaign literature must include names. Any person or committee who shall publish, issue, *post*, or circulate, or cause to be published, issued, *posted*, or circulated, otherwise than in a newspaper, as provided in section 211.03, any literature, *campaign material*, or any publication, *including but not limited to cards, pamphlets, flyers, signs, banners, leaflets*, tending to influence voting at any primary or election which fails to bear on the face thereof the name and address of the author, the name ~~and~~ address of the candidate in whose behalf the same is published, issued, *posted*, or circulated, and the name and address of any other person or committee causing the same to be published, issued, *posted*, or circulated, and any person, firm, corporation or committee who shall knowingly make or publish or cause to be published, any false statement in relation to any candidate or proposition to be voted upon, which statement is intended to or tends to affect any voting at any primary or election, shall be guilty of a misdemeanor; provided, nothing herein contained shall be construed as modifying or repealing any of the provisions of section ~~211.10~~ *210.11*.

Sec. 7. Minnesota Statutes 1961, Section 211.09, is amended to read:

211.09 Certain solicitations prohibited. *Subdivision 1. Prohibited disbursements, unlawful to solicit or receive.* No person shall solicit, receive, or accept any money, property, or other thing

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of value, or any promise or pledge thereof, constituting a disbursement prohibited by this chapter.

Sec. 8. Minnesota Statutes 1961, Section 211.14, is amended to read:

211.14 Not to pay for time lost at polls. *Subdivision 1. Payment for lost time prohibited.* It shall be unlawful for any person to pay another for any loss or damage due to attendance at the polls, or in registering.

Subd. 2. Payment for personal service prohibited, exception. No person shall pay for personal service to be performed on the day of a caucus, primary, convention, or any election, for any purpose connected therewith, tending in any way, directly or indirectly, to affect the result thereof, except for the hiring of persons whose sole duty it is to act as challenger and watch the count of official ballots.

Subd. 3. Political badges and insignia, furnishing or wearing near polls prohibited. No person shall buy, sell, give, or provide any political badges, buttons, or other insignia to be worn at or about the polls on the day of any primary or election and no such political badge, button, or other insignia shall be worn at or about the polls on any primary or election day.

Subd. 4. Transportation of voters prohibited. No person or committee, or organization shall convey or furnish any vehicle for conveying or bear any portion of any expense of conveying any voter to or from the polls, but this provision shall not apply to persons in the same household, nor shall it prohibit two or more voters from providing ~~joint~~ transportation for themselves by mutual agreement at their own expense.

Sec. 9. Minnesota Statutes 1961, Section 211.15, is amended to read:

211.15 Soliciting near polling places prohibited. *Subdivision 1. Soliciting votes near polling places prohibited.* It shall be unlawful for any person within 100 feet of the building in which any polling place is situated on the day of any primary or election to ask, solicit, or in any manner try to induce or persuade any voter on such primary or election day to vote for or refrain from voting for any candidate or the candidates of any political party or organization, or any measure submitted to the people; and, upon conviction thereof, he shall be punished by a fine of not less than \$5 nor more than \$100 for the first offense, and for the second and each subsequent offense occurring on the same or different election days, he shall be punished by a fine as aforesaid or by

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imprisonment in the county jail for not less than five nor more than 30 days or by both such fine and imprisonment.

Subd. 2. Election day, certain campaigning prohibited. Any person who shall at any place on the day of any primary or election broadcast by television or radio any material intended or which tends to influence the voting at any election or circulate or distribute, or cause to be circulated or distributed, any campaign cards, candidates' cards, placard or campaign literature of any kind whatsoever shall be guilty of a misdemeanor. Nothing herein contained shall be construed as modifying or repealing the provisions of section ~~210.05~~ 210.06.

Sec. 10. Minnesota Statutes 1961, Section 211.20, is amended to read:

211.20 Must file verified statement of expenditures. *Subdivision 1. Statements of candidates, personal campaign committees and party committees.* Every candidate, and the secretary of every personal campaign and party committee, shall, ~~on the last Monday in August, eight days before the primary,~~ on or before the tenth day following the primary, ~~on the third Monday in October, eight days before the general election,~~ and on or before the tenth day following the general election, file a financial statement verified by the candidate or the secretary of the committee, as the case may be, which shall show in itemized detail all transactions, all disbursements, and all obligations to make disbursements, for political purposes. Each statement, after the first, shall contain a summary of all preceding statements.

Subd. 2. Filing statements, information required. The statement of any candidate and the statement of his personal campaign committee shall be filed with the filing officer of such candidate. The statement of every state committee and of every congressional committee shall be filed with the secretary of state. The statement of every party committee for a legislative district shall be filed with the filing officer of the candidate for senator or representative in such legislative district. The statement of every other party committee shall be filed in the office of the county auditor of the county within which, or for a subdivision within which, such disbursements were made. Each statement shall give in full detail:

(+) (a) Every sum of money and all property, and every other thing of value, received by such candidate or committee during such period from any source whatsoever which he or it uses or has used, or is at liberty to use for political purposes, together with the name of every person or source from which each was re-

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ceived and the date when each was received, together with the total amount received from all sources in any amount or manner;

(2) (b) Every promise or pledge of money, property, or other thing of value, received by such candidate or committee during such period, the proceeds of which he uses or has used, or is at liberty to use for political purposes, together with the names of the persons by whom each was promised or pledged, the special purposes for which each was promised or pledged, and the date when each was so promised or pledged, together with the total amount promised or pledged from all sources in any amounts or manner;

(3) (c) Every disbursement by such candidate or committee for political purposes during such period, together with the name of every person to whom the disbursement is made, the specific purpose for which each was made, and the date when each was made, together with the total amount of disbursements made in any amounts or manner; and

(4) (d) Every obligation, expressed or implied, to make any disbursement incurred by such candidate or committee for political purposes during such period, together with the names of the person or persons to or with whom each such obligation has been incurred, the specific purposes for which each was made, and the date when each was incurred, together with the total amount of such obligations made in any amounts or manner.

Subd. 3. Statements of political committees. Statements shall also be made by any other political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed with the auditor of the county in which such committee has its headquarters within 30 days after any primary or election, as follows:

(a) *When the committee is organized to support a candidate for a federal or statewide office with the filing officer of such candidate;*

(b) *When the committee is organized to support a candidate for a legislative, judicial district, or county office with the auditor of the county in which such committee has its headquarters;*

(c) *When the committee is organized to support or oppose any constitutional amendment with the secretary of state.*

Subd. 4. Elections in certain municipalities, statements to be filed. Every candidate for nomination at a primary municipal election; or at a special municipal election; or at a general municipal

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pal election in cities of the first class; and the secretary of every personal campaign committee or campaign committee *in every primary municipal election, special municipal election, or regular municipal election in all municipalities having more than 20,000 inhabitants*; on the second Saturday occurring after such candidate or personal campaign committee or campaign committee has first made a disbursement or first incurred any obligation, expressed or implied; to make a disbursement for political purposes; and thereafter; on the second Saturday of each calendar month; until all disbursements shall have been accounted for; and also on the Saturday preceeding any primary municipal election, special municipal election; or general municipal election in cities of the first class; shall file a financial statement; *as follows:*

- (a) *Seven days before the primary;*
- (b) *Seven days after the primary;*
- (c) *Seven days before the regular or special election; and*
- (d) *Seven days after the regular or special election.*

The statement shall be verified upon the oath of such candidate, such personal campaign committee, or campaign committee, as the case may be, which statement and shall cover all transactions made up to and including the third day before the filing of the statement and not accounted for and reported upon in statements theretofore filed, except that no transactions shall be made thereafter which are not included in the final statement. The statements required by this subdivision shall disclose the same information required in subdivision 2 of this section. Each statement after the first shall contain a summary of all preceding statements and summarize all items theretofore reported under the provisions of this section. Blanks for all these statements shall be prepared by the secretary of state, and copies thereof, together with a copy of this section, shall be furnished, through the auditor, or otherwise, as the secretary of state may deem expedient, to the secretary of every committee and to every candidate, upon the filing of nomination papers by such candidate, and to all other persons required by the charter of such municipalities or any election law applicable to such municipality, in which any municipal primary election, special municipal election, or *general regular municipal election* is being held or is to be held under the provisions of any such municipal charter, or applicable law, and to all other persons required by law to file such statements who may apply therefor. The provisions hereof relating to the filing of verified statements of expenditures shall be in addition to requirements contained in the charter of any municipalities requiring the filing of verified statements of expenditures in connection with

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any municipal primary election, special municipal election, or ~~general~~ *regular* municipal election held or to be held in cities of the first class under any such municipal charter or applicable law. The verified statements so required shall be filed with the proper filing officer of any such municipality.

Sec. 11. Minnesota Statutes 1961, Section 211.30, is amended to read:

211.30 **Aiding violation a gross misdemeanor.** Any person or persons who shall aid, abet, or advise a violation of the provisions of ~~this chapter~~ *section 211.27* shall be guilty of a gross misdemeanor; ~~and, upon conviction thereof, be punished as provided in this chapter.~~

Sec. 12. Minnesota Statutes 1961, Section 211.31, is amended to read:

211.31 **Prosecutions; where made.** Violations of the provisions of ~~this chapter~~ *section 211.27* may be prosecuted in the county where such payment or contribution is made or services rendered or in any county wherein such money has been paid or distributed.

Sec. 13. Minnesota Statutes 1961, Section 211.36, is amended to read:

211.36 **Disqualified candidate not to hold position.** A candidate elected to an office, and whose election thereto has been annulled and set aside for any offense mentioned in this chapter, shall not, during the period fixed by law as the term of such office, be appointed *or elected* to fill any vacancy which may occur in such office. A candidate or other person who is ~~removed from or deprived of his office for convicted of~~ any offense mentioned in this chapter, shall not, during the period ~~remaining as the unexpired term of such office; or during the period fixed by law as the next ensuing term of such office fixed by law as the term of the office with respect to which the election was held and said offense was committed,~~ be appointed *or elected* to fill any vacancy ~~which may occur~~ in such office. Any appointment *or election* to an office made in violation of or contrary to the provisions of this section shall be void.

Sec. 14. Minnesota Statutes 1961, Section 211.39, is amended to read:

211.39 **Penalties for violation.** Any person violating any provisions of this chapter, except as otherwise provided herein, shall, upon conviction thereof, be ~~punished by imprisonment in~~

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the county jail for a period of not less than one month nor more than one year or by imprisonment in the state prison for a period of not less than one year nor more than three years or by a fine of not less than \$25 nor more than \$1,000 or by both such fine and imprisonment *guilty of a gross misdemeanor*; and no person so convicted shall be permitted to take or hold office to which he was elected, if any, or receive the emoluments thereof.

Sec. 15. *Minnesota Statutes 1961, Sections 211.04, 211.18, 211.26, and 211.29 are hereby repealed.*

Approved May 24, 1963.

CHAPTER 862—S. F. No. 1863

[Not Coded]

An act relating to the charter of the city of Saint Paul and the effective date of a certain amendment thereof.

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

Section 1. **St. Paul; vote to adopt charter amendment.** Notwithstanding the provisions of Minnesota Statutes 1961, Section 410.11 to the contrary, if 53 percent of the votes cast on a proposed amendment of section 201.3 of the charter of the city of Saint Paul are in favor of its adoption, copies of the amendment shall be filed as in the case of the original charter and the amendment shall take effect at such time as fixed in the amendment.

Sec. 2. This act shall become effective only after its approval by a majority of the governing body of the city of Saint Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021, and shall expire on December 31, 1964.

Approved May 24, 1963.

CHAPTER 863—H. F. No. 1157

An act fixing the salaries of district court judges; appropriating money therefor; amending Minnesota Statutes 1961, Section 350.10.

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

Changes or additions indicated by italics, deletions by strikeout.