

CHAPTER 127—H. F. No. 766

[Not Coded]

An act relating to Koochiching county, and to planning and zoning activities therein.

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

Section 1. **Koochiching county; planning and zoning.** Notwithstanding the time limit provisions of Minnesota Statutes, Section 394.34, or any other provision of law to the contrary, in Koochiching county any interim zoning map or interim zoning ordinance or interim resolution relating to zoning heretofore adopted by the board of county commissioners shall be effective until July 1, 1966.

Sec. 2. This act shall become effective only after its approval by the board of county commissioners of Koochiching county and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved March 29, 1965.

 CHAPTER 128—H. F. No. 949

[Coded]

An act relating to elections; providing for voting by new residents in presidential elections; providing penalties for violation.

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

Section 1. **[208.21] Presidential elections; eligibility of new residents to vote.** Each citizen of the United States who, immediately prior to his removal to this state, was a citizen of another state and who has been a resident of this state for less than six months prior to a presidential general election is entitled to vote for presidential and vice presidential electors at that election, but for no other offices, if

(1) he otherwise possesses the substantive qualifications to vote in this state, except the requirement of residence, and registration in areas where it is required, and

(2) he complies with the provisions of this act.

Sec. 2. **[208.22] Application for presidential ballot by**

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new residents. A person desiring to qualify under this act in order to vote for presidential and vice presidential electors is not required to register but shall, not less than 30 days prior to the election at which he wishes to vote, make an application in the form of an affidavit executed in triplicate in the presence of the county auditor substantially as follows:

State of..... ss.
County of.....

I,....., do solemnly swear that:

1. I am a citizen of the United States.

2. Before becoming a resident of this state, I resided atstreet, in the (town) (township) (village) (city) of.....(county) of the state of.....

3. On the day of the next presidential election, I shall be at least 21 years of age. I have been a resident of this state since, 19...., now residing at.....street, in the (precinct) of the (ward) of the (town) (township) (village) (city) of.....(county).

4. I have resided in Minnesota less than six months. I believe I am entitled under the laws of this state to vote at the presidential election to be held....., 19.....

5. I hereby make application for a presidential and vice presidential ballot. I have not voted and will not vote otherwise than by this ballot at that election.

Signed.....
(applicant)

Subscribed and sworn to before me this.....day of, 19.....

Signed.....
County Auditor

Sec. 3. [208.23] Filing, indexing and forwarding information. The county auditor shall file a copy of each application so received. He shall also file any other official information received by him from another state indicating that a former resident of this state has made application to vote at a presidential election in another state. All applications and other information so received shall be maintained in an alphabetical index for a period of one year after the election. The auditor shall ~~shall~~ also forward a copy of the appli-

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cation to the appropriate official as provided in Minnesota Statutes, Section 207.08, and acts amendatory thereof, and Laws 1965, Chapter 4, Section 7. The county auditor shall also immediately forward to the appropriate official of the state in which the applicant last resided a copy of the application.

Sec. 4. [208.24] **Delivery of ballot to applicant.** If satisfied that the application is proper and that the applicant is qualified to vote under this act, the county auditor shall deliver to the applicant a ballot for presidential and vice presidential electors consistent with Minnesota Statutes, Section 207.08, and acts amendatory thereof, not sooner than 15 days nor later than one day prior to the next presidential election.

Sec. 5. [208.25] **Voting by new residents.** (a) The applicant upon receiving the ballot for presidential and vice presidential electors shall mark and secure his ballot in the same manner as prescribed for absentee voting in Minnesota Statutes, Section 207.08, and acts amendatory thereof.

(b) The voter shall enclose the envelope containing the ballot in a carrier envelope which shall be securely sealed. There shall be imprinted on the outside of the carrier envelope a statement substantially as follows:

Certification of New Resident Voter

I have qualified as a new resident voter in this state to vote for presidential and vice presidential electors. I have not applied nor do I intend to apply for an absentee voter's ballot from the state from which I have removed. I have not voted and I will not vote otherwise than by this ballot.

DATED..... (Signature of voter)

Witness..... (Attesting Witness)

The voter shall sign the certification upon the carrier envelope as set forth above, and shall then mail the sealed carrier envelope in the manner specified for absentee ballots in Minnesota Statutes, Section 207.08, and acts amendatory thereof.

Sec. 6. [208.26] **List of applicants open for public inspection.** The county auditor shall keep open to public inspection a list of all persons who have applied under this act to vote as new residents with their names, addresses, and application dates.

Sec. 7. [208.27] **Processing and recording of ballots.**

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The election judges of the appropriate precincts shall process the ballots of new residents in the same manner as absentee ballots and shall record the new resident voter's name with a notation designating him as a new resident voting for presidential and vice presidential electors in a general election only.

Sec. 8. **[208.28] Challenge of new resident's vote.** The vote of any new resident may be challenged in the same manner absentee voter ballots are challenged except the oath shall provide that such voter has lived in this state for less than six months.

Sec. 9. **[208.29] Penalties.** Any person wilfully making a false statement or affidavit under this act shall be guilty of a felony. Any public official who wilfully refuses or neglects to perform any of the duties prescribed by this act or violates any of its provisions shall be guilty of a felony.

Sec. 10. **[208.30] Application of other statutes.** Except as provided in this act, the provisions of law relating to absentee ballots apply also to the casting and counting of ballots and challenging of votes by new residents, the furnishing of election supplies, applications for presidential ballot by new residents, ballots, canvassing of ballots, and making proper returns of the results of the election.

Sec. 11. **[208.31] Definition of state.** As used in this act "state" includes the District of Columbia.

Sec. 12. **[208.32] Uniformity of interpretation.** This act shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 13. **[208.33] Severability.** If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Sec. 14. **[208.34] Short title.** This act is the uniform act for voting by new residents in presidential elections.

Sec. 15. **[208.35] Preparation of ballots.** The ballots for this purpose shall be prepared by the secretary of state in the manner prescribed by Minnesota Statutes, Section 208.04, except that said ballots shall omit the state ballot, and shall be distributed

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by the secretary of state in quantities sufficient to permit compliance with this act.

Approved March 29, 1965.

CHAPTER 129—S. F. No. 940

[Not Coded]

An act relating to Independent School District No. 518; approving the issuance of bonds heretofore authorized by the voters of the district and the use of the proceeds thereof for junior college facilities to be operated by the district or by the state junior college board or any successor, and the execution of a lease or operating agreement relating to such operation, and the deduction of certain rentals or charges thereunder from net debt of the district.

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

Section 1. Independent School District No. 518; bonds; junior college facilities. All actions and proceedings heretofore taken by Independent School District No. 518, whose area includes the city of Worthington and other territory in Nobles county, with reference to general obligation bonds of the district in the maximum amount of \$1,960,000, authorized by the voters at the special election held May 5, 1964, to provide funds for the acquisition, construction, and betterment of school houses including the construction of a new junior college, are declared to be valid and effectual, and said bonds are authorized to be issued, sold, and delivered pursuant to these proceedings, and when issued shall be valid general obligations of the district, notwithstanding the present or future operation of the Worthington junior college by the state junior college board or any successor thereto.

Sec. 2. Said school district is authorized to expend proceeds of said bonds, and any other funds appropriated by the school board in accordance with law, for the acquisition, construction, and betterment of new facilities for the junior college heretofore operated by the district or for a state junior college located in its area, whether operated by the school district or by the state junior college board or any successor thereto, as may be provided by laws now in force and any laws hereafter enacted. Contracts for such acquisition, construction, and equipment may be advertised, negotiated, and entered into by the school district or the state junior college board, and said

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