

## CHAPTER 851—H. F. No. 900

*An act relating to the reimbursement of public officers and employees for the use of privately owned automobiles in the performance of their duties; amending Minnesota Statutes 1965, Section 15A.20, Subdivision 1.*

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

Section 1. Minnesota Statutes 1965, Section 15A.20, Subdivision 1, is amended to read:

**15A.20 Public officers and employees; mileage allowances.** Subdivision 1. Except as provided in subdivision 3, the maximum amount which shall be paid by the state, any department or bureau thereof, or any county, city, village, town, or school district, to any officer or employee, except sheriffs or deputy sheriffs, as compensation or reimbursement for the use by such officer of his own automobile in the performance of his duties shall not exceed ~~seven and one half cents per mile~~ *nine cents a mile*.

Approved May 24, 1967.

## CHAPTER 852—H. F. No. 912

*An act relating to elections; regulating absentee voting and election judges in certain elections; amending Minnesota Statutes 1965, Sections 123.32, Subdivisions 2, 5, 6, and 24; and 207.11.*

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

Section 1. Minnesota Statutes 1965, Section 123.32, Subdivision 2, is amended to read:

**Subd. 2. Elections; judges; absentee voting.** At least 15 days before the election, the board shall, by resolution, determine precinct boundaries, if more than one is desired, and establish polling places for each precinct and appoint three *or more* election judges for each polling place and determine the hours the polls shall be open. *The board may provide by resolution, for additional judges to count the votes after the polls close, the new judges to replace the previously acting judges.* If no action is taken by the board, the precinct boundaries and polling places shall be the same as those of the preceding election in the district.

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

Sec. 2. Minnesota Statutes 1965, Section 123.32, Subdivision 5, is amended to read:

Subd. 5. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers, placing thereon the names of the proposed candidates with the same number of blank spaces for the insertion of names of other candidates as there are members to be elected. The ballots shall be marked and initialed by at least two judges as official ballots and shall be used exclusively at the election. Any proposition to be voted upon shall be stated ~~separately on the~~ *a separate* ballot. Voting shall be by secret ballot. *The facsimile signature of the clerk shall appear on the backs of the ballots.*

Sec. 3. Minnesota Statutes 1965, Section 123.32, Subdivision 6, is amended to read:

Subd. 6. Election judges may be paid by the district at a rate ~~not to exceed \$1 per hour~~ *determined by the board*. The election judges shall act as clerks of election, count the ballots cast, and submit them to the board for canvass.

Sec. 4. Minnesota Statutes 1965, Section 123.32, Subdivision 24, is amended to read:

Subd. 24. (a) Any person entitled to vote in an election in an independent district who will be absent from the district at the time the election is held, or who by reason of physical disability or religious discipline will be unable to appear at the polling place at the time the election is held, may vote by mail in accordance with this act.

(b) Not more than ~~25~~ *45* nor less than ~~5~~ *days* ~~one day~~ before the election a voter desiring an absentee ballot shall make a request in writing for an absentee ballot to the clerk of the district. The request shall be made in person or by registered mail and shall state substantially the following: a) the permanent address of the applicant; b) the reason the applicant cannot vote in person; c) that the applicant wishes a ballot for (date election to be held); and d) that the applicant will be qualified to vote at the election. The application shall be signed and sworn before an officer authorized to administer oaths. The temporary mailing address, if any, of the applicant shall be included in the request.

(c) As soon as the ballots are printed, the clerk shall, by certified mail or in person, deliver a ballot to each applicant. The clerk also shall furnish a "ballot envelope" and a return envelope, both envelopes addressed to the clerk of the district.

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

(d) Together with the ballot and envelopes the clerk shall furnish an instruction sheet to each applicant. The sheet shall read:

“Absentee Voting . . . . . School District No. . . . .

Instructions

- 1. Mark your ballot in the usual manner making certain that no one observes how you vote.
- 2. Enclose ballot in ‘ballot envelope’ and seal. Do not make any marks on ballot envelope.
- 3. Place sealed ‘ballot envelope’ in regular mailing envelope furnished to you.
- 4. Execute certificate on bottom of this sheet and enclose with ‘ballot envelope’ in regular envelope and mail not later than ~~two~~ *one* day before the election. If your ballot is received by the clerk after the close of the polls, it will not be counted.

CERTIFICATE

I, . . . . ., hereby certify that I am a legal resident of . . . . . School District Number . . . . .; that I am . . . . . years of age and reside at . . . . .; that I am under no legal disability to vote; that I am entitled to vote at this election in the district, and I will not vote in any manner other than by the ballot contained in the enclosed ‘ballot envelope.’

.....”

(e) ~~At the close of the polls but~~ Before any ballots are counted, the clerk shall deliver unopened all regular mailing envelopes which have come into his possession and all ballots delivered to him by the officers or employees of the United States post office department prior to the opening of the ballot boxes by the judges together with all applications for absentee ballots to the judges of election at the proper polling places.

(f) Before opening the ballot boxes, the judges shall inspect the regular envelopes to ascertain that they were ~~property~~ *properly* mailed and then open the regular envelopes and compare the signature on the certificate contained in the envelope with the signature as it appears on the application for absentee ballot. Having satisfied themselves that the vote should be allowed, one of the judges shall *write the word “received” and his own initials on the “ballot envelope”* and deposit the unopened “ballot envelope” in ~~the~~ *a separate* absentee ballot box.

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(g) *After the polls have closed and before the regular ballot boxes are opened, the judges shall open the absentees ballot box, remove the ballot from each "ballot envelope", initial it and deposit it in the regular ballot box.*

~~(g)~~ (h) Ballots received by the clerk after the count has been begun by the judges are void.

~~(h)~~ (i) The board is authorized to provide necessary funds to the clerk for the execution of this chapter.

~~(i)~~ (j) In any district where permanent registration of voters is required no ballot may be accepted from any voter who is not validly registered.

~~(j)~~ (k) Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any application for an absentee ballot; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any district or to aid another in so doing shall be guilty of a felony.

Sec. 5. Minnesota Statutes 1965, Section 207.11, is amended to read:

207.11 **Judges to receive and count ballots.** The judges in the several precincts at any election shall receive all ballots delivered to them on election day by officers or employees of the United States postoffice department in due course of the business of that department or by the clerk of the municipality, and as herein provided, and deposit the same in the appropriate ballot box provided that they are satisfied that the person is a voter in such precinct and entitled to vote therein at such election; provided, further, that the conditions precedent hereinafter set forth, exist. Ballots so deposited shall be counted, canvassed and returned in the same manner and shall be given the same force and effect as the votes of other duly qualified voters who vote in person.

Upon a "Return Envelope" being delivered to the judges they shall open the same in such a manner as not to cut or mutilate the contents or deface or damage the certificate or the signatures there-to on the outside thereof. They shall compare the signature of the voter on the outside of the "Return Envelope" with the signature on the "Application for Ballots" delivered to them as provided herein. If the judges or a majority of them, shall be satisfied

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that the signature of the voter subscribed to the "Voter's Certificate" is the genuine signature of the person who made the "Application for Ballots," and if the signature of the voter has been properly authenticated as prescribed in the "Directions to Voters" set forth in this chapter, the judges, or one or more of them shall write the word "Received" on such "Ballot Envelope" and under such word his or their name or initials, provided that in municipalities in which registration of voters is required such ballots shall not be so marked unless the voter mailing in such ballots has been theretofore duly registered in such precinct, nor shall said ballots be so marked with the word "Received" if it appears from the registration file that such voter has already voted at such election, either in person or by mail. If the ballots are not received for the reason that the voter has failed to comply with the requirements herein set forth or has previously voted at such election, then such "Ballot Envelope" shall be marked "Rejected" and placed in the "Return Envelope" and placed with and returned to the county auditor with the unused ballots. No person who voted by mail as herein provided shall be permitted to thereafter vote in person in the same election.

If the "Ballot Envelope" is marked with the word "Received" as herein provided, the judges in charge of the register shall make an appropriate notation on the register of voters indicating that the voter has voted by mail; this shall be done by placing the letters "V.M." in the appropriate column opposite the voter's name.

The "Ballot Envelope" marked "Received" as aforesaid shall be carefully kept by the judges in a *separate absentees ballot box* until the closing of the polls on the election day, but before any of the *regular* ballot boxes are opened the ~~said absentees ballot box~~ and each "Ballot Envelope" shall be opened and the ballots therein taken therefrom *initialed by an election judge* and deposited by the judges in the proper ballot box. If there be more than one ballot of any kind enclosed in said "Ballot Envelope," then and in such case neither of such ballots of such kind shall be deposited in the ballot box, but all such kinds shall be placed with the spoiled ballots and returned as is provided for by law with reference to such spoiled ballots. The judges before depositing said ballots in the ballot boxes shall write their initials thereon in the same manner as is provided by law with reference to ballots delivered by them to voters in person.

Approved May 24, 1967.

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