

CHAPTER 2—H.F.No.84

[Coded]

An act defining legal capacity for the purpose of meeting eligibility requirements of certain federal programs.

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

Section 1. **[17.74] AGRICULTURE; FEDERAL EMERGENCY LOANS; CAPACITY OF INDIVIDUAL TO CONTRACT FOR LOAN.** Notwithstanding the provisions of any law to the contrary a person who has attained the full age of 18 years, if otherwise competent, is legally capable to contract for an emergency loan as authorized under sections 1961 to 1967 of title 7 of the United States Code.

Sec. 2. **[17.75] CAPACITY OF INDIVIDUAL TO GIVE SECURITY.** Notwithstanding the provisions of any law to the contrary a person who has attained the full age of 18 years, if otherwise competent, is legally capable to give such security as the secretary of agriculture may prescribe for any emergency loan referred to in section 1 of this act.

Sec. 3. This act is in effect upon final passage.

Approved January 12, 1973.

CHAPTER 3—H.F.No.2

[Coded in Part]

An act relating to elections; providing for the election of members of the state legislature with party designation; appropriating money; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 203.28, Subdivisions 1 and 3 and by adding a subdivision; 203.29; 203.35, Subdivisions 7 and 9; and 206.07, Subdivisions 1 and 2.

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

Section 1. Minnesota Statutes 1971, Section 202.03, Subdivision 1, is amended to read:

202.03 LEGISLATURE; PARTY DESIGNATION; NONPARTISAN NOMINATION. Subdivision 1. **OFFICES, BALLOT.** The chief justice and the associate justices of the supreme court, judges

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of the district and probate courts, ~~all members of the state legislature,~~ and all elective county officers shall be nominated upon separate nonpartisan ballots, as hereinafter provided. The ballot shall be designated "ballot of candidates to be nominated without party designation."

Sec. 2. Minnesota Statutes 1971, Section 203.28, Subdivision 1, is amended to read:

203.28 WHITE AND PINK BALLOTS. Subdivision 1. **STATE WHITE BALLOT.** There shall be one ballot upon plain white paper, hereinafter called the "white ballot," upon which shall be printed names of all candidates for offices to be voted for throughout the state, including, but not to be restricted to, candidates for senator and representative in congress and candidates for senator and representative in the legislature. The candidates for senator in congress shall be first on the white ballot, ~~and the candidates for representative in congress shall be second on the white ballot,~~ candidates for senator in the legislature shall be third, and candidates for representative in the legislature shall be fourth. The candidates for state offices shall follow the candidates for congressional offices representative in the legislature. ~~There shall also be a "special white ballot" upon which shall be printed only the names of all candidates for federal office to be voted for throughout the state, including, but not to be restricted to, candidates for senator and representative in congress. The special white ballot shall be used by those electors entitled to vote only in federal elections.~~

Sec. 3. Minnesota Statutes 1971, Section 203.28, Subdivision 3, is amended to read:

Subd. 3. **PREPARATION; PINK BALLOT.** ~~The white ballot, the special white ballot and the pink ballot shall be prepared under the direction of the secretary of state and bound in blocks of 50, and a sufficient number thereof to enable the clerks to comply with the provisions of subdivision 2 of section 203.27 shall be forwarded by him by express to the auditor of each county at least 15 days before the general election, and receipts taken therefor, stating the number and date when received. Four weeks before the general election the secretary of state shall file sample copies of the state pink ballots in his office for public inspection, and three weeks before the election the secretary shall mail to the auditor of each county sample copies of the state pink ballots.~~

Sec. 4. Minnesota Statutes 1971, Section 203.28, is amended by adding a subdivision to read:

Subd. 3a. **PREPARATION; WHITE BALLOT.** The white ballot shall be prepared under the direction of the county auditors, subject to the rules of the secretary of state and a sufficient number thereof shall be forwarded by the auditors to enable the

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clerks to comply with the provisions of section 203.27, subdivision 2. The secretary of state shall provide by rule for the preparation and time of delivery of the white ballot and reimbursement of the counties' costs. The state shall reimburse the counties for the cost of the preparation of the white ballot.

Sec. 5. Minnesota Statutes 1971, Section 203.29, is amended to read:

203.29 COUNTY AND DISTRICT CANARY BALLOT. Subdivision 1. **CANARY BALLOT.** There shall be one ballot on canary paper, hereinafter called the "canary ballot," upon which shall be printed the names of all candidates for office and all questions and propositions to be submitted that are not required by law to be placed on other ballots, including but not to be restricted to, the candidates for all county elective offices, ~~the candidates for senator and representative in the legislature,~~ and the candidates for the district and probate court offices.

Subd. 2. **FORM OF CANARY BALLOT.** The canary ballot shall be prepared under the direction of the county auditor, and the ballot shall be headed, "County and District Ballot." ~~The candidates for senator in the legislature shall be first on the canary ballot, and the candidates for representative in the legislature shall be second on the canary ballot.~~

Subd. 3. **SAMPLE BALLOTS, NOTICE.** Two weeks before the general election the auditor shall file a sample of the white ballot and the canary ballot in his office for public inspection, and two weeks before the general election the auditor shall give one week's published notice of the contents of the official state ballot and the county and district ballot.

Sec. 6. Minnesota Statutes 1971, Section 203.35, Subdivision 7, is amended to read:

Subd. 7. **PRIMARY PARTY BALLOT.** The party ballot shall be headed by the words, "Consolidated Primary Election Ballot." Each political party shall have a separate ticket on the consolidated ballot, under which the names of all the candidates of the political party shall be grouped. Each political party ticket shall be headed by the words, "..... Party Ticket," giving the party name. Below the party name shall be printed the words, "You cannot split your ballot. If you vote for candidates of more than one party, your ballot will be rejected." Each party ticket shall be separated by a 12-point solid rule line. On the consolidated ballot the candidates for senator in congress shall be first, candidates for representative in congress shall be second, candidates for senator in the legislature shall be third, and candidates for representative in the legislature shall be fourth. The candidates for state office shall follow the candidates for representative in the legislature.

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Sec. 7. Minnesota Statutes 1971, Section 203.35, Subdivision 9, is amended to read:

Subd. 9. **PRIMARY NONPARTISAN BALLOT, FORM.** The *nonpartisan ballot shall be headed, "Primary Election Ballot Candidates to be Nominated Without Party Designation," and otherwise the same as the party ballot. At the top of the nonpartisan ballot the auditor shall place the names of the candidates for nomination for senator in the legislature and next, the candidates for representative in the legislature.*

Sec. 8. Minnesota Statutes 1971, Section 206.07, Subdivision 1, is amended to read:

206.07 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 non-partisan ballot prepared for primary elections, and On the "Consolidated Primary Election Ballot" prepared for primary elections, and on the county and district white ballot prepared for the general election, the order of the names of nominees, or names of candidates for election, as the case may be, for state senate or shall be the same as is required for paper ballots 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.*

Sec. 9. Minnesota Statutes 1971, Section 206.07, Subdivision 2, is amended to read:

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 precincts so that each name shall appear upon the several machines used in a given municipality substantially an equal number of times at the top, at the bottom, and in each intermediate place, of any of the list or group in which they belong; provided, however, that the arrangement of the names shall be the same on each voting machine used in the same precinct. In legislative districts where voting machines are used exclusively, any candidate for the state legislature may petition the responsible public official within five days after the primary election to change the rotation of names for the general election. The petition shall state the following:*

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~~(1) The number of the votes cast at the last general election for the office for which the petitioner is a candidate.~~

~~(2) The number of times when the petitioner will be first on the ballot according to the method set forth in section 203.35, subdivision 5.~~

~~(3) The number of times the opposing candidate or candidates will be first on the ballot according to the method set forth in section 203.35, subdivision 5.~~

~~(4) That the number of the petitioner's first positions on the ballot differs from another candidate's first positions on the ballot, as measured by the number of voters at the last general election, by more than five percent.~~

~~(5) A specific proposal to remedy the inequity that does not disturb the rotation in accordance with section 203.35, subdivision 5, except in one precinct or comparable subdivision.~~

~~If the petition complies with this subdivision and the proposal in the petition does not give the petitioner the first position on the ballot any more times than any other candidate and after notice to the other candidates for the same office, the responsible public official shall execute the proposal contained in the petition. The responsible public official shall not allow any amended petitions. Where more than one petition is received within the five days following the primary election, the responsible official shall accept the one which produces the most nearly equal distribution among the candidates.~~

Sec. 10. The sum of \$75,000 is appropriated from the general fund to the secretary of state for his administrative duties relating to the preparation of the state white ballot and reimbursement of the counties for their costs of preparation of the state white ballot. This appropriation shall not lapse until July 1, 1975, notwithstanding Minnesota Statutes, Section 16.17 or other law.

Sec. 11. This act takes effect on April 19, 1973.

Approved February 20, 1973.

CHAPTER 4—H.F.No.201

[Not Coded]

An act authorizing payment of pre-session orientation expenses of representatives-elect and appropriating money therefor.

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