

public authorities in extraordinary emergencies nor restrict the power and authority of the department of public service as provided for in other provisions of law. Provided, however, that in the event any local subdivision of government has enacted ordinances relating to the method of installation or requiring underground installation of such community antenna television lines, the permit granted by the commissioner of highways shall require compliance with such local ordinance.

Sec. 20. Minnesota Statutes 1971, Section 222.37, Subdivision 1, is amended to read:

**222.37 PUBLIC ROADS; USE, RESTRICTION.** Subdivision 1. Any water power, telegraph, telephone, pneumatic tube, community antenna television, or electric light, heat, or power company may use public roads for the purpose of constructing, using, operating, and maintaining lines, subways, canals, or conduits, for their business, but such lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along or over the same; and, in the construction and maintenance of such line, subway, canal, or conduit, the company shall be subject to all reasonable regulations imposed by the governing body of any county, town, village, borough or city in which such public road may be. Nothing herein shall be construed to grant to any person any rights for the maintenance of a telegraph, telephone, pneumatic tube, community antenna television system, light, heat, or power system within the corporate limits of any city ~~or~~, village or borough until such person shall have obtained the right to maintain such system within such city ~~or~~, village or borough, or for a period beyond that for which the right to operate such system is granted by such city ~~or~~, village or borough.

Approved May 23, 1973.

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#### CHAPTER 569—S.F.No.1374

*An act relating to elections; nomination, affidavits and election of county court judges; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 202.04, Subdivisions 1 and 3; 203.41; 487.03, Subdivision 2; and repealing Minnesota Statutes 1971, Section 487.03, Subdivision 3.*

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

Changes or additions indicated by underline, deletions by ~~strikeout~~.

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

**202.03 COUNTY COURTS; ELECTION OF JUDGES; NON-PARTISAN NOMINATION.** Subdivision 1. **OFFICES, BALLOT.** The chief justice and the associate justices of the supreme court, judges of the district ~~and~~, probate ~~and~~ county 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 202.04, Subdivision 1, is amended to read:

**202.04 AFFIDAVIT OF CANDIDACY.** Subdivision 1. **FILING, DATE.** Not more than 70 nor less than 56 days before the primary election any eligible person who desires to have his name placed on the primary ballot as a candidate for any elective office to be filled at the general election, except presidential electors, shall file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when to be voted for in a single county stating the following:

- (a) That he is a qualified voter in the subdivision where he seeks nomination;
- (b) The name of his political party if for a partisan office;
- (c) The office for which he desires to be a candidate;
- (d) That he has not filed as a candidate for any other office at the same primary election;
- (e) That he is, or will be on general election day, 21 years of age or more, and 30 days resident in the district from which he seeks election;
- (f) If filing to be a United States senator, that on the next January 3 he will be 30 years of age or more and nine years a citizen of the United States;
- (g) If filing to be a United States representative, that on the next January 3, or in the case of an election to fill a vacancy within 21 days after the election, he will be 25 years of age or more and seven years a citizen of the United States;
- (h) If filing to be governor or lieutenant governor, that on the first Monday of the next January he will be 25 years of age or more and on general election day he will have been a resident of Minnesota for one year;

Changes or additions indicated by underline, deletions by ~~strikeout~~.



or in the case of the district court:

“for the office of judge of the district court of .....  
 judicial district to which ..... was elected for  
 the regular term,” or “to which ..... was appointed,”  
 or in the case of the county court:

“for the office of judge of the county court of the county or  
 counties of ..... to which .....  
 was elected for the regular term,” or:

“for the office of judge of the county court of the county or  
 counties of ..... to which .....  
 was appointed.”

as the case may be. The ballots for both the primary and general elections shall show the names of the justice or judge whose successor is to be elected at the general election, and in the case of a district court judge, the number of the judicial district, in the spaces provided for that purpose. Where voting machines are used and the statements provided in this section cannot be inserted because of length, the designation shall be:

“Successor to ..... elected (or appointed).”  
 name

The office of judge of the district court of Hennepin county, Juvenile Court Division, shall also be designated on the ballot in conformity with section 260.021.

Subd. 3. **INCUMBENT, DESIGNATION.** In any case when the chief justice, associate justice, or judge is a candidate to succeed himself, the word, “incumbent” shall be printed after his name where it appears among the names of the candidates for the office.

Sec. 5. Minnesota Statutes 1971, Section 487.03, Subdivision 2, is amended to read:

Subd. 2. **ELECTION.** (1) Each judge shall be elected at the general election for a term of six years, beginning on the first Monday of the January next following his election and until his successor qualifies. ~~Each judge holds a separate nonpartisan office. When one or more judges of the court are to be nominated or elected at a primary or general election, the notice of election shall state the name of the judge, if any, whose successor is to be elected or nominated.~~

Changes or additions indicated by underline, deletions by ~~strikeout~~.

~~(2) Each person desiring to have his name placed upon the primary ballot as a candidate for judge, except as provided in (3) of this subdivision, shall state in his affidavit of candidacy the office of the particular judge for which he is a candidate. The filing of this affidavit with the county auditor in each county of the county court district and compliance with all other requirements of law constitutes a person a candidate for that office. No person shall be a candidate for more than one county court judgeship at any election.~~

(3) In any election following reduction of the number of county court judges pursuant to section 487.01, subdivision 7 the requirement contained in Minnesota Statutes, Section 202.04, Subdivision 3 that a candidate for office of judge state the office for which he is a candidate shall not apply. In such a situation all parties filing for office of judge shall run against each other for the remaining seats. However, each candidate who otherwise would have qualified to have the word "incumbent" printed after his name on the ballot pursuant to Minnesota Statutes, Section 203.41, Subdivision 3 shall retain this right.

Sec. 6. Minnesota Statutes 1971, Section 487.03, Subdivision 3, is repealed.

Approved May 23, 1973.

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## CHAPTER 570—S.F.No.1404

[Coded in Part]

*An act relating to veterans; the enforcement of veterans' preference rights by the commissioner of veterans affairs; authorizing the attorney general to represent veterans in certain cases; appropriating money; amending Minnesota Statutes 1971, Chapter 197, by adding a section.*

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

Section 1. Minnesota Statutes 1971, Chapter 197, is amended by adding a section to read:

[197.481] VETERANS; ENFORCEMENT OF RIGHTS. Subdivision 1. PETITION. A veteran who has been denied rights by the state or any political subdivision, municipality, or other public agency of the state under sections 43.30, 197.45, 197.46, 197.47, and 197.48 may petition the commissioner of veterans affairs for an

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