

Sec. 6. [373.37] **TERMINATION OF BUREAU.** A county license bureau may be terminated in the same manner as provided in section 3 of this act to establish a license bureau. Any duties and responsibilities assigned to the director of the license bureau upon termination of the bureau shall be vested in the officer or person which has the responsibility for the function as provided by law at the time of the termination.

Sec. 7. [373.38] **BUSINESS HOURS.** All such offices shall maintain hours to best serve the public need, and shall be open to the public for a minimum period of three hours one evening after 5:00 p.m. or on Saturday of each week.

Approved May 24, 1973.

CHAPTER 676—S.F.No.1246

[Coded in Part]

An act relating to elections; providing for the registration of voters; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 200.02, Subdivisions 22 and 25; 201.11; 201.12; 201.13; 201.14; 201.15; 201.18; 201.26; 201.27; 201.33; 203.27, Subdivision 2; 204.076; 204.08, Subdivision 1; 204.17, Subdivision 3; 207.02; 207.03; 207.08; and 207.19, Subdivision 1; Chapter 201, by adding sections; and Chapter 204, by adding a section; repealing Minnesota Statutes 1971, Sections 201.02 to 201.10; 201.16; 201.17; 201.19; 201.20; 201.21; 201.22; 201.23; 201.24; 201.25; 201.261; 201.28; 201.29; 201.30; 201.31; 201.32; 204.07; 204.075; 204.077; and 204.08, Subdivision 3.

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

Section 1. Minnesota Statutes 1971, Section 200.02, Subdivision 22, is amended to read:

Subd. 22. **ELECTIONS; REGISTRATION OF VOTERS; COMMISSIONER.** The word "commissioner" means any person acting as a commissioner of registration pursuant to the provisions of chapter 201 the secretary of state of the state of Minnesota.

Sec. 2. Minnesota Statutes 1971, Section 200.02, Subdivision 25, is amended to read:

Subd. 25. **ELIGIBLE VOTER.** Every person of the age of 21 years or more who has been a citizen of the United States for a

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period of three months next preceding any election, and who has resided in this state six months next preceding the election, shall be entitled to vote, provided that the person has resided in the election precinct in which the election is held for at least 30 days next preceding the election, or the person who has changed his residence within such 30 days qualifies to vote under section 204.075, except that the following persons are not entitled to vote:

(a) "Eligible voter" means a person who at the time of any election,

- (1) is 18 or more years of age,
- (2) is a citizen of the United States, and
- (3) has resided in Minnesota for 20 days.

(b) The following persons are not eligible voters:

(a) (1) Any person who has been convicted of treason or any felony, ~~unless restored to civil rights who has not had his civil rights restored;~~

(b) (2) Any person who is under guardianship over his person;

(c) (3) Any person who ~~may~~ is adjudicated to be non-compos mentis or insane;

(d) (4) Any person who is not properly registered where registration is required, ~~except as provided in section 204.075.~~

Sec. 3. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.021] PERMANENT REGISTRATION SYSTEM. A permanent system of voter registration by county is established. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county.

Sec. 4. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.061] REGISTRATION. Subdivision 1. An eligible voter or any person who upon registration will have the qualifications of an eligible voter at the next election may register as a voter in the precinct in which he resides, at any time prior to the 20th day preceding any election by completing a registration card and submitting it to the county auditor of the county where he resides. Registration cards may be submitted to the county auditor in person or by U.S. mail addressed and postage paid. A registration card that is postmarked no later than 11:59 p.m. on the 20th day preceding any election or received on the next working day shall be

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deemed timely. Improperly addressed or delivered registration cards shall be forwarded within two working days from receipt by an official receiving one to the auditor of the county where the voter resides if the county can be determined.

Subd. 2. The provisions of subdivision 1 shall not apply to any political subdivision which does not on the effective date of this act have a permanent system of voter registration provided that the governing body of any political subdivision may by ordinance or resolution elect to come under the provisions of subdivision 1. Once having so elected, the action may not be rescinded.

Subd. 3. A person who on election day presents himself at the polling place for the precinct in which he resides and who is not registered but is otherwise eligible to vote may nevertheless vote upon registering. A person may register at this time by completing a registration card, making an oath in the form prescribed by the commissioner and providing proof of his residence. An individual may prove his residence by (1) the showing of his drivers license or nonqualification certificate issued pursuant to section 171.07, or (2) providing any document approved by the commissioner as proper identification, or (3) having an individual who is registered to vote in the precinct sign an oath in the presence of the election judge that he personally knows that the applicant is a resident of the precinct. Forms for the card and oath shall be available at each polling place. Forms used pursuant to this section shall be forwarded to the auditor who shall, unless the information forwarded is substantially deficient, add the name of the voter to the registration system. If the auditor finds a registration pursuant to this subdivision substantially deficient he shall give written notice to the person whose registration is found deficient.

Subd. 4. Registration at the polls on election day shall be conducted by the election judges. The election judge who registers a person at the polls on election day shall not be the same judge who shall have charge of and hand to and receive from the voter his ballots.

Subd. 5. In case a voter is unable to write his name, he shall be required to make a cross, which shall be certified by signing the name of the applicant by the registration clerk taking the application. If the registration card is submitted by mail the cross shall be certified by having a voter registered in the precinct of the applicant sign the name of the applicant and sign his own name and give his own address.

Subd. 6. Each eligible voter is entitled to vote only in the one precinct in which he resides. The judges of election in any election precinct may not receive the vote at any election of any person

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whose name is not registered in accordance with the provisions of this act.

Subd. 7. Voters registered under Minnesota Statutes 1971 shall not be required to reregister under this act.

Sec. 5. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.071] **REGISTRATION CARDS.** Subdivision 1. Registration cards shall be manila or cardboard cards of size and weight suitable for mailing, and shall be substantially in the following form:

VOTERS REGISTRATION CARD
(Please print or type)

Date:		
1. Name:		
Last	First	Middle Initial
2. Address:		
Street or Route No. (do not use P.O. Box)		
City (or Township)	County	Zip
3. Male	Female	4. Birth date:
5. Social Security Number, if available:		
6. Telephone Number, if available:		
7. Most Recent Prior Residence		
Street or Route Number		
City (or Township) Zip		
8. Most Recent Prior Registration		
Street or Route Number		
City (or Township) Zip		
9. I certify that the above facts are correct and I understand that giving false information to procure a registration is a felony punishable by not more than 5 years imprisonment and a fine of not more than \$5,000, or both.		
..... <u>Signature of Voter</u>		

Subd. 2. When made available for potential registrants the registration card shall be accompanied by instructions specifying the manner and method of registration and stating the qualifications for an eligible voter and specifying penalties for false registration.

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Subd. 3. No registration is faulty or defective if the registration card contains the voter's name, address, prior residence, prior registration if any and signature; as in items 1, 2, 7, 8 and 9 of the registration card above. The absence of a zip code number does not cause the registration to be faulty or defective. The judges of election may request a voter to complete a registration card that is incomplete or illegible. No voter may be prevented from voting unless his registration is faulty or defective or he is duly and successfully challenged in accordance with provisions of chapter 201.

Subd. 4. Upon receipt of a registration card indicating that a voter has changed residence since voting last in Minnesota, a county auditor shall notify the county auditor of the voter's last registration and of last residence if different than last registration. Notification shall be made upon a form prescribed by the commissioner. A county auditor receiving a notification shall delete the voter's name from the registration lists and affix the notification to the cancelled registration card.

Sec. 6. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.081] REGISTRATION FILES. Subdivision 1. Within 90 days after the effective date of regulations of the commissioner implementing this act, the municipal official for each municipality who has custody of the original record of voters pursuant to Minnesota Statutes 1971, Chapter 201, shall deliver to the county auditor of the county where the municipality is located:

(1) The original registration file of voters registered under any law prior to this act; and

(2) The duplicate registration file of the voters.

Subd. 2. The original registration file and the duplicate registration file shall be the record of voters. The original registration file shall be maintained in the office of the county auditor and shall not be removed except on order of a court of competent jurisdiction. The duplicate registration file shall be kept in the office of the county auditor or in the office of a person to whom the county auditor has delegated the responsibility of keeping the duplicate file and shall not be removed except when delivered to the duly authorized judges of election for use on election day.

Subd. 3. The original registration file shall be maintained alphabetically by name of voter. The duplicate registration file shall be maintained by precinct.

Sec. 7. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

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[201.091] PRECINCT LISTS; ACCOUNTS; REGISTRATION PLACES. Subdivision 1. Each county auditor shall prepare and maintain a current list of the duplicate registration file. This list shall be known as the precinct list and shall show the names and residence address of all voters registered within the precinct. The telephone number shall be included on the list when provided by the person registering.

Subd. 2. On the 80th day before an election, the county auditor shall deliver to the council of each municipality and the board of supervisors of each town within the county current copies of the precinct lists for that municipality.

Subd. 3. Paper copies of precinct lists, current to within seven days of the request, shall be available within ten days of a request to any voter registered within the county, upon written request therefor to the county auditor accompanied by payment of the cost of reproduction. No person to whom a precinct list is made available under this subdivision and no person who acquires a precinct list may use any information contained therein for the purposes which are not related to elections, political activities, or law enforcement.

Subd. 4. Each person to whom the county auditor has delegated responsibility for the administration of the provisions of this chapter shall maintain records and accounts for his office and submit annually to the county auditor a report on the conduct and costs of registration and voting borne by his office.

Subd. 5. Each county auditor shall maintain records and accounts for his office and submit annually a report on the conduct and costs of registration and voting in the county to the commissioner.

Subd. 6. Each county auditor shall determine a number of public buildings located within the county, and not less than one location per 30,000 residents, where eligible voters may register by completing a registration card and leaving it with an official within the building whose duty it shall be to transmit the cards to the appropriate county auditor. An adequate supply of registration cards shall be maintained at the locations determined.

Sec. 8. Minnesota Statutes 1971, Section 201.11, is amended to read:

201.11 PRECINCT BOUNDARIES CHANGED, CHANGE OF FILES. When the boundaries of an election precinct in any such municipality shall be changed, the ~~commissioner~~ county auditor shall immediately change his ~~the~~ registration files to correctly show the names of the voters who are residents therein.

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Sec. 9. Minnesota Statutes 1971, Section 201.12, is amended to read:

201.12 PROPER REGISTRATION, VERIFICATION BY MAIL, CHALLENGES. For the purpose of preventing fraudulent voting and eliminating excess names, the ~~commissioner county auditor~~, at any time he deems it necessary, may send by mail to any voter whose name appears in the original registration file a notice that his name and address appear therein as indicated; and, if there is any mistake in the name or the address, the voter shall ~~present the notice in person at so notify~~ the office of the ~~commissioner county auditor~~ and have the same corrected. Failure to do so or the return of the notice by the post-office to the ~~commissioner county auditor~~ shall be sufficient evidence to justify a challenge of his vote at an election, which challenge shall be signed by the ~~commissioner county auditor~~. Upon the return by the post-office of any such notice, the ~~commissioner county auditor~~ shall direct a deputy or clerk in his office to personally ascertain the name and address of any such voter; and, if such voter is found to have removed from the address recorded in the original registration file, the ~~commissioner county auditor~~ shall cause to be affixed to the duplicate registration file card of the voter the word "challenged." No person so challenged shall be permitted to vote except by complying with all provisions of law applicable to the proving of challenges.

Sec. 10. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.121] ENTRY OF NAMES; MAILED NOTICE. Subdivision 1. ~~Upon receiving a registration card properly completed and submitted in accordance with sections 7 and 8, the county auditor shall enter the registration card or the information contained on the card in the appropriate registration files.~~

~~Subd. 2. The county auditor shall mail to the voter a notice indicating the voter's name, address, precinct and polling place. The card shall require that it be returned if not deliverable. For any card returned because not deliverable to the voter at the named address, the county auditor shall cause to be affixed to the duplicate registration card of the voter the word "challenged." No person so challenged shall be permitted to vote except by complying with all provisions of law applicable to the proving of challenges.~~

Sec. 11. Minnesota Statutes 1971, Section 201.13, is amended to read:

201.13 LOCAL REGISTRAR OF VITAL STATISTICS, REPORT DEATHS TO COUNTY AUDITOR. The local registrar of

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vital statistics in each county or municipality, as the case may be, shall report monthly to the ~~commissioner county auditor~~ the name and address of each adult person 18 years of age or older who has died while a resident in the registration jurisdiction since the last previous report of such registrar concerning such deaths made to the ~~commissioner~~. Upon receipt of such report, the ~~commissioner auditor~~ shall examine the original and duplicate registration files and remove therefrom and destroy the registration cards of registered persons so reported by the local registrar as deceased.

Sec. 12. Minnesota Statutes 1971, Section 201.14, is amended to read:

201.14 CLERK OF DISTRICT COURT, REPORT CHANGES OF NAMES. The clerk of district court in each county in the state shall report monthly to the ~~commissioner of each municipality in the county auditor~~ the name and address of each person, 21 18 years of age or over, residing in such municipality whose name shall have been changed during the month preceding the date of the report, by marriage, divorce or any order or decree of such court. Upon receipt of such report, the ~~commissioner auditor~~ shall notify such voter by mail that it is necessary for him to re-register under such changed name in order to vote at an election.

Sec. 13. Minnesota Statutes 1971, Section 201.15, is amended to read:

201.15 PROBATE JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS. The judge of probate in each county in the state shall report monthly to ~~each commissioner in his county the county auditor~~ the name, age and address of each person 21 18 years of age, or over, residing in such municipality, who has, during the month preceding the date of the report, been placed under a guardianship of the person, and each such person under guardianship of the person transferred to the jurisdiction of the probate court, or restored to capacity, and each person, 21 18 years of age, or over, adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, or as a psychopathic personality, and each such person restored to capacity by the court. Upon receipt of such report, the ~~commissioner auditor~~ shall examine the original and duplicate registration files; and, if such examination discloses that any of the persons named in such report as being under guardianship of the person, or as adjudged incompetent or a psychopathic personality, is registered, the ~~commissioner auditor~~ shall remove the registration cards of such persons from the active files; and upon notice from the judge of probate of a restoration to capacity, the ~~commissioner auditor~~ shall then process the person's registration card in the same manner as if no guardianship or adjudication had occurred.

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Sec. 14. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.171] FAILURE TO VOTE; REGISTRATION REMOVED. After the close of each calendar year, the county auditor shall examine the original and duplicate registration files and shall delete therefrom the name of any voter who has not voted in any election where voter registration cards specified in this chapter are used including a school election during the four preceding calendar years. Although not counted in any race, a late absentee ballot shall be considered a vote for the purpose of continuing registration.

Sec. 15. Minnesota Statutes 1971, Section 201.18, is amended to read:

201.18 ARMED FORCES MEMBERS, REGISTRATION SAVED. In the event that the applicant was registered but is not entitled to vote because he has failed to vote at an election at least once in any four successive calendar years wherein elections are held, if the applicant, or someone in his behalf, shall file an affidavit with the commissioner of registration county auditor, stating that on the date of any one election during such four-year period the applicant was a member of the armed forces of the United States, such affidavit shall operate as a re-registration, and entitle the applicant to vote.

Sec. 16. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.211] COSTS. The costs of administering chapter 201 shall be borne by the office required by this act to perform the functions and duties herein required but if delegated to another office they shall be borne by that office.

Sec. 17. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.221] RULES AND REGULATIONS. Subdivision 1. The commissioner shall adopt rules and regulations to implement the provisions of chapter 201 by October 1, 1973.

Subd. 2. He shall make rules consistent with the federal and state election laws to facilitate the execution of their provisions in an orderly manner and to that end shall assist local election officers by devising uniform forms and procedures. He shall provide uniform regulations governing the maintenance of voter registration records on electronic or automatic data processing systems so that the records of counties using the systems are compatible with a uniform system of electronic data maintenance. He shall supervise the development and use of the system to insure that it conforms to applicable provisions of law and regulations.

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Subd. 3. He shall prescribe the method and manner of transporting and delivering the original and duplicate registration files from the office where now located to the locations required by this act.

Subd. 4. He shall prescribe the form of the duplicate registration file so that a duplicate card will contain the voter's name, address, and telephone number, space to indicate whether the voter has voted in a given election and the voter's signature. He shall prescribe procedures for transporting the duplicate registration files to the election judges for use on election day so the signatures of voters may be compared with the signatures on the duplicate registration file.

Subd. 5. The county auditor may adopt rules and regulations which provide for the delegation of duties assigned to him by this act to municipal officials. Provided however the county auditor may not delegate the responsibility to maintain custody of the original registration file of voters and the preparation and distribution of precinct lists. Provided further that the county auditor may delegate the power and responsibility to accept registrations but a delegation of this power does not relieve him of the power and duty to accept these registrations. When any municipality shall have delegated to it responsibilities given to the county auditor by this act, the council shall immediately provide the necessary funds, equipment and facilities and shall proceed to establish a place of registration and put the registration plan into operation without delay.

Sec. 18. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.231] CHALLENGES. Subdivision 1. Any voter registered within a county may upon petition filed with the county auditor challenge the eligibility or residence of any voter registered within the county. The petition shall state the grounds for challenge and be accompanied by an affidavit of the challenger on personal knowledge. A copy of the petition shall be served as in a civil action on the challenged voter. Upon receipt of a challenging petition, the county auditor shall set a date within five days for hearing on the challenge. The hearing shall be held on the day set before the county auditor or his delegate who shall then make findings and affirm or set aside the challenge.

Subd. 2. Any voter whose registration has been denied or challenged as above may appeal the challenge or denial to the commissioner. The appeal shall be heard within five days and before election day. Upon hearing the commissioner shall affirm or reverse the challenge or denial and shall give appropriate instructions to the county auditor.

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Subd. 3. Hearings before the commissioner shall be considered a contested case and determined in accordance with the administrative procedure act.

Sec. 19. Minnesota Statutes 1971, Section 201.26, is amended to read:

~~201.26 RESIDENCE, DETERMINATION. The commissioner in determining the residence of any person desiring to register, shall be governed by the following rules, so far as they are applicable. The following rules, so far as may be applicable, shall govern the determination of residency.~~

(a) The residence of any person shall be held to be in that place in which his habitation is fixed, without any present intention of removing therefrom, and to which, whenever he is absent, he intends to return;

(b) A person shall not be considered to have lost his residence who leaves his home to go into another state, or county in this state, for temporary purposes only;

(c) A person shall not be considered to have gained a residence in any county into which he has come for temporary purposes only, without the intention of making such county his home;

(d) If a person goes into another state or other county with the intention of making it his residence or files an affidavit of residence there, he shall be considered to have lost his residence in this state or county;

(e) If a person removes to another state with the intention of remaining there for an indefinite time as a place of residence, he shall be considered to have lost his residence in this state, notwithstanding he intends to return at some future time;

(f) The place where a man's person's family resides shall be considered his residence, but if it is a temporary establishment for his family, or for transient purposes, it shall not be so considered;

(g) If a man person has his family living in one place and he does business in another, the former shall be considered his residence, but when a man person has taken up his abode at any place with the intention of remaining there, and his family refuses to reside with him, then such place shall be considered his residence;

(h) The residence of a single man person shall be considered to be where he usually sleeps;

(i) The mere intention to acquire a new residence, without the fact of removal, shall avail nothing, neither shall the fact of removal without the intention;

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(j) No person employed temporarily for the purpose of cutting timber, or in the construction or repair of any railroad, canal, municipal, or other work of public nature, shall acquire a residence in any precinct into which he came for such purpose, but this provision shall not be held to extend to station agents or section-men who permanently reside in such precinct, and in determining the right of any person employed by railroad company or upon any public work to register, the commissioner shall be satisfied that he is a bona fide resident of the precinct and not there for temporary purposes only, and his unsupported affidavit shall not be held conclusive as to any fact necessary to entitle him to register;

(k) Any permanent inmate of a soldiers' home shall be considered a resident of the precinct in which the same is located.

Sec. 20. Minnesota Statutes 1971, Section 201.27, is amended to read:

201.27 VIOLATIONS, PENALTIES. Any officer, deputy, clerk, or other employee who shall wilfully fail to perform or enforce any of the provisions of sections ~~201.01 to 201.27 chapter 201~~, or who shall unlawfully or fraudulently remove any registration card or record from its proper compartment in the registration files, or who shall wilfully destroy any record provided by sections ~~201.01 to 201.27 chapter 201~~ to be kept, or any person who shall wilfully or fraudulently register more than once, or register under any but his true name, or attempt to vote by impersonating another who is registered, or who wilfully registers in any precinct where he is not a resident at any time of registering, or who adds a name or names to the registration files, records or cards, or who violates any of the provisions of sections ~~201.01 to 201.27 chapter 201~~ is guilty of a felony.

Sec. 21. Minnesota Statutes 1971, Section 201.33, is amended to read:

201.33 USE IN SCHOOL ELECTIONS. Upon the request of the board of education of any independent or special school district the ~~commissioner of registration of any municipality county auditor~~ shall make the registration system covering any precincts all or a portion of which are a part of the school district available for use in school district elections whenever its use by the school district will not prevent the use of the system in other elections. The ~~commissioner county auditor~~ may impose reasonable requirements to preserve the security and integrity of the system. The ~~commissioner county auditor~~ and the school district shall provide by agreement for the details of the use of the system by the school district. The school district may designate a member of its board or a subordinate employee as registration officer. The provisions of this act shall apply to school district elections for which the

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~~board of education has requested the use of the registration system. The provision of section 201.16, shall apply to school district elections in which the provisions of this section are applied. The judges of election in school district elections in which the provisions of this section are applied, may not receive the vote of any person whose name is not registered, except as is provided in section 204.075.~~

Sec. 22. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.34] REIMBURSEMENT. ~~The state shall reimburse local government units for costs incurred for election judges required for election day registration and counties for assuming the establishment and maintenance of registration systems. Not more than \$25 reimbursement shall be allowed for each election judge required for election day registration.~~

Sec. 23. Minnesota Statutes 1971, Section 203.27, Subdivision 2, is amended to read:

Subd. 2. **NUMBER.** At least 100 ballots of each kind to be voted at the ensuing election shall be provided by the clerk for each precinct for every 85 votes cast and counted therein at the last election for the same offices or on similar questions, ~~except that where voters are registered under a permanent registration system the clerk is not required to prepare ballots in excess of the number of registered voters in each precinct.~~

Sec. 24. Minnesota Statutes 1971, Chapter 204, is amended by adding a section to read:

[204.073] MARKING AND RECEPTION OF BALLOTS. ~~Satisfied with the voter's qualifications, the election judge shall mark the duplicate registration card accordingly, and other judges shall have charge of and receive from each voter the ballots.~~

Sec. 25. Minnesota Statutes 1971, Section 204.076, is amended to read:

204.076 TOWN MEETINGS OR ELECTIONS ON CANDIDATES; LOCAL ISSUES; RESIDENCE OF VOTERS. ~~The voters at a town meeting or the voters at an election on candidates who will serve, or on issues which will relate to only one precinct may be limited to voters who have resided within the precinct for 30 days regardless of the provisions of section 204.075, or other provisions relating to the issuance of a certificate of eligibility to persons who move from one precinct in the state to another within 30 days of an election.~~

Sec. 26. Minnesota Statutes 1971, Section 204.08, Subdivision 1, is amended to read:

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204.08 REGISTRATION, VOTER'S CERTIFICATE. Subdivision 1. **FORM OF CERTIFICATE.** Wherever voters are registered under a permanent registration system before any person desiring to vote receives the ballots from the judges, a certificate containing the following information shall be signed by the applicant:

I hereby certify that I am a ~~qualified voter~~, permanently registered in accordance with the Minnesota Election Law and am voting only in this precinct.

(Signature of Voter)

.....
(Address)

.....
(Approved)

Judge of Election

Upon honoring a certificate of eligibility issued under section 204.075, the judges of election shall strike the words "permanently registered" on the form of voter's certificate, and allow the person with or upon his then executing a voter's certificate so altered to vote upon his delivering it to them.

Sec. 27. Minnesota Statutes 1971, Section 204.17, Subdivision 3, is amended to read:

Subd. 3. **DETERMINATION OF RESIDENCE.** The judges, in determining the legal residence of any challenged person, shall be governed by the rules provided for the commissioner of registration in the Minnesota election law; and if the challenged person by his answers to the questions put to him reveals that he is not a qualified voter, he may not be allowed to vote. If, after all questions have been answered, the challenge is not withdrawn, the judge shall administer the following oath:

"Do you swear that you are a citizen of the United States; that you are 18 years of age; that you ~~have been~~ are an actual resident of this precinct ~~for 30 days immediately preceding this election~~; that you are a qualified voter in this precinct and that you have not voted at this election?" When this oath is administered to a person who qualifies to vote under section 204.075, the judge shall strike the words "and an actual resident of this precinct ~~for 30 days immediately preceding this election~~". After taking this oath, the challenged person is entitled to vote.

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Sec. 28. Minnesota Statutes 1971, Section 207.02, is amended to read:

207.02 VOTING BY MAIL. Any person entitled to vote at any general election, any primary election, any city election, or any village or town election in villages or towns operating under the "Australian Ballot System," who is absent on the day such election is held from the precinct in which he is entitled to vote, or who by reason of illness or physical disability or because of religious discipline or observance of a religious holiday is unable to go to the polling place of such precinct, may vote therein by having his ballot delivered to the election board of such precinct on the day of such election, either by mail or by the clerk of the municipality in which such precinct is situated as provided for in sections 207.08 and 207.101, and by complying with the provisions of this chapter. No person residing in a municipality now or hereafter having permanent registration of voters, as provided by chapter 201, shall be permitted to so vote unless he has registered as a voter in accordance with such provisions or registers on election day by enclosing a completed registration card with his ballot.

Sec. 29. Minnesota Statutes 1971, Section 207.03, is amended to read:

207.03 APPLICATION FOR BALLOTS. At any time not more than 45 days or less than one day before the day of holding any election, any person may make application in writing subscribed by him to the auditor of the county in which he is a resident for ballots and envelopes, by mailing to or filing with such auditor an application substantially in the following form: "APPLICATION FOR BALLOTS

The undersigned, a duly qualified voter in the County of State of Minnesota, residing at (here insert street and number) in said city, village or town, because of (absence from home) , (illness) , (physical disability) , (because of religious discipline or observance of a religious holiday) hereby makes application for the ballots to be voted upon in said precinct at the next election. Please mail said ballots and accompanying envelope to me at (insert post office address to which to be sent)

Dated , 19.....

.....
(Signature of Applicant)"

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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 Ballots"; 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 precinct or to aid another in so doing shall be guilty of a felony. If the person applying for a ballot resides in a political subdivision which does not accept registration other than on election day and the individual is not registered in that political subdivision, the county auditor shall send a registration card and instructions for completing the registration card along with the ballots and envelopes.

Sec. 30. Minnesota Statutes 1971, Section 207.08, is amended to read:

207.08 "RETURN" AND "BALLOT" ENVELOPES, "DIRECTIONS TO VOTERS." The auditor of each of the several counties shall mail or deliver to the applicant with the ballots two envelopes and "Directions to Voters." One envelope shall be known as the "Return Envelope" herein described, to conveniently enclose and contain the "Ballot Envelope" herein described. There shall be printed or written across the left hand end of this envelope, by the auditor, before delivery thereof to the applicant, the words:

"Return Envelope

Postmaster to deliver on Election Day."

The auditor shall also cause this "Return Envelope" to be addressed to the "Judges of Election" in the precinct in which the applicant is entitled to vote, if he knows or can ascertain such precinct; such address shall be in substantial conformity to one of the illustrations herein set forth and as the facts may require:

"To the Judges of Election,

Seventh Precinct, Third Ward,

City of Minneapolis,

Hennepin County,

Minnesota."

"To the Judges of Election, Rosedale Town,

(Here insert name of post-office nearest voting place)
Hennepin County, Minnesota."

"To the Judges of Election, Village of Excelsior,
Excelsior, Hennepin County, Minnesota."

If the auditor does not know or cannot ascertain the precinct in which the applicant is entitled to vote he shall cause the Return Envelope to be addressed to the clerk of the municipality in which the applicant is entitled to vote. Such address shall be in substantial conformity to one of the illustrations herein set forth and as the facts may require:

"To the city clerk of the city of Minneapolis
For the Judges of Election of the Precinct
in which 3217 Elm Street is situated.
Courthouse, City of Minneapolis
Hennepin County, Minnesota."

"To the Town Clerk of the Town of Fisher
For the Judges of Election of the Precinct
in which Box 32, Route 3, Fisher, Minnesota is situated.
Town Hall, Town of Fisher,
Blue Earth County, Minnesota."

"To the Town Clerk of the Town of White
For the Judges of Election of the Precinct
in which Route 3, Aurora, Minnesota is situated.
Village of Aurora
St. Louis County, Minnesota."

"To the Village Clerk of the Village of Roseville
For the Judges of Election of the Precinct
in which 1787 North Victoria is situated.
City of St. Paul,
Ramsey County, Minnesota."

The auditor may vary any such form for addressing "Return Envelope" as the facts may require, but shall adopt such form of address as will best insure the prompt delivery of such envelope and contents to the judges on election day. If the Return Envelope

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is addressed to the clerk of a municipality it shall contain a notation in bold face type reading substantially as follows:

"Clerk of

.....

..... :

(Here insert name of municipality)

Deliver this envelope to the correct Election Precinct immediately upon receipt thereof."

The county auditor shall also affix to this "Return Envelope" United States postage stamps sufficient in amount to pay the required United States postage on the "Return Envelope," after the ballot envelope and voter's certificate herein prescribed have been enclosed therein. If necessary to assure delivery to the judges of election in the polling place by the postmaster, the county auditor shall affix to this "Return Envelope" United States postage stamps necessary for special delivery.

There shall be printed on the back of this "Return Envelope" a certificate which shall be substantially in the following form:

"VOTER'S CERTIFICATE

County of }
 } ss
State of }

I do swear that I am a citizen of the United States; that I am an eligible voter; that I am an actual resident of the election precinct indicated by my address in my application; ~~that on the date of the ballots contained herein I will have legally resided therein for more than 30 days~~; that I do not intend to abandon my residence in said precinct prior to such date; that at said time I will be a qualified voter in said precinct.

(Signed)

.....

.....

(Voter)

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Subscribed and sworn to before me this day of A.D., and I hereby certify that the affiant exhibited the enclosed ballots to me unmarked; that he then in my presence and in the presence of no other person, and in such manner that I could not see his vote, marked such ballots and enclosed and sealed the same in the ballot envelope; or that he was physically incapacitated from marking his ballots and that at his request I marked the ballots for him; that the affiant was not solicited or advised by me for or against any candidate or measure.

.....
.....
.....

(Attesting Witness)

.....
.....
.....

(Official Title)

(Here write name of office or official character of attesting witness, such as notary public, postmaster, etc.)"

The Return Envelope shall be so made as to open on the left hand end and the certificate above set forth shall be printed on the right hand three-fourths of the back of the envelope.

The following "Directions to Voters" shall be printed and furnished to each voter at the time such ballots are mailed or delivered in person.

"DIRECTIONS TO VOTERS

(1) Locate a Notary Public, United States Postmaster, Assistant United States postmaster, postal supervisor, clerk in charge of contract postal station, or any officer having authority to administer an oath or take an acknowledgment.

(2) Exhibit the ballots to be voted on to such person unmarked.

(3) In his presence mark the ballots in such a manner that he cannot see your vote. If you are physically incapacitated, you may ask him to mark your ballot for you.

(4) Fold each ballot separately so that your cross marks cannot be seen without unfolding, but so that facsimile signature of officer (secretary of state, county auditor, or municipal clerk) on back of ballot can be seen without unfolding ballot. Do not put your name, initials, or any other identifying mark on the ballots.

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(5) Enclose all the ballots in the "Ballot Envelope" and seal the envelope.

(6) Sign your name on back of the "Return Envelope." The person taking your acknowledgment must sign his name as attesting witness, indicate his official title, insert proper date, and affix his official seal, or, in the case of postal authorities previously mentioned, the cancellation stamp of their respective post offices. Insert the "Ballot Envelope" in the "Return Envelope" and seal the "Return Envelope."

(7) Deposit the "Return Envelope" in the mail in the presence of the attesting witness or have him do it for you.

(8) The ballots may be marked and mailed at any time after you receive them from the county auditor. However, they must be marked and mailed so that they can be delivered by the post office to the judges of election at your polling place before the polls close on election day."

Sec. 31. Minnesota Statutes 1971, Sections 207.19, Subdivision 1, is amended to read:

207.19 REGISTRATION; REQUEST; BALLOT. Subdivision 1. Registration for the primary and general elections may be made by or for any member of the armed forces who is an eligible voter or who will be an eligible voter on or before the date of the next primary or general election occurring after such registration by the member of the armed forces himself or by a parent, spouse, or a brother, sister, or child over the age of 18 years, by filing in the office of the county auditor of the county in which his place of residence is located, a request for ballot in substantially the following form, whether said request for ballot is upon a form prepared and distributed by the war and navy departments or otherwise:

REQUEST FOR BALLOTS

To the County Auditor of County,
Minnesota, United States of America:

The name of the person for whom ballots are requested is He is a member of the armed forces of the United States. He expects to be absent from his place of residence in Minnesota on the primary or general election date. Request is therefore made that ballots be furnished to him to be used by him in voting at such elections and be sent to him at the address herein stated. He is a citizen of the United States. He is a resident of the State of Minnesota and has been such resident for ~~more than six months~~ 20 days last past.

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He was born on the day of in the year His home and place of residence is and on said election days will be at in the of

(Town, City or Village)

County of, State of Minnesota. His voting precinct according to the best information of the undersigned is (Give precinct and ward number or name of precinct if you know it.) Ballots are to be sent to said member of the armed forces at the following address:

.....
.....

(If this request is signed by the spouse, parent, or a brother, sister, or child over the age of 18 years, of the member of the armed forces, fill in the following paragraph.) The relative who signs this request is the of said voter above-named, and is of the age of 18 years or over

.....
(signature of member of armed forces or relative)

Subscribed and sworn to before me this day of, 19.... (State title of office. If officer of armed forces, must be a commissioned, noncommissioned, or petty officer not below rank of sergeant or its equivalent. Affix seal, if any.)

Sec. 32. APPROPRIATION. The sum of \$200,000 is appropriated to the secretary of state from the general fund to reimburse real costs incurred by counties and other local units of government for the purposes of this act. The appropriation shall expire June 30, 1975, notwithstanding Minnesota Statutes, Section 16.17 or other law.

Sec. 33. Minnesota Statutes 1971, Sections 201.02; 201.03; 201.04; 201.05; 201.06; 201.07; 201.08; 201.09; 201.10; 201.16; 201.17; 201.19; 201.20; 201.21; 201.22; 201.23; 201.24; 201.25; 201.261; 201.28; 201.29; 201.30; 201.31; 201.32; 204.07; 204.075; 204.077; and 204.08, Subdivision 3, are repealed.

Approved May 24, 1973.

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