

Subd. 3. Paper copies of ~~precinct lists, current to within seven days of the request, the latest registered voter lists as specified in subdivision 2~~ 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 and a paper copy of the list shall be available for examination without cost. No person to whom a ~~precinct registered voter~~ list is made available under this subdivision and no person who acquires a ~~precinct registered voter~~ list may use any information contained therein for the purposes which are not related to elections, political activities, or law enforcement.

Sec. 4. Minnesota Statutes 1974, Section 201.081, Subdivision 2, is amended to read:

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 original and duplicate registration file-files 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 either~~ file and shall not be removed except ~~when that the duplicate file shall be delivered to the duly authorized judges of election for use on election day.~~

Sec. 5. **REPEAL** Minnesota Statutes 1974, Section 201.081, Subdivision 3, is repealed.

Approved April 9, 1976.

CHAPTER 224—S.F.No.1999

[Coded in Part]

An act relating to elections; providing for preparation of ballots; changing rotation of names; imposing duties on the county auditor; providing for arrangement of the ballot on mechanical voting machines; repealing special provisions for voting in presidential elections; providing for voting of eligible voters residing outside the United States; amending Minnesota Statutes 1974, Sections 205.17, Subdivision 2; 206.07, Subdivision 1, and by adding a subdivision; and 208.04; and Chapter 207, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 202A.32, Subdivision 1; 203A.12, Subdivision 2; 203A.31, by adding a subdivision; 203A.33, Subdivisions 2 and 4; repealing Minnesota Statutes 1974, Sections 208.21 to 208.35; and Minnesota Statutes, 1975 Supplement, Section 203A.12, Subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes, 1975 Supplement, Section 202A.32, Subdivision 1, is amended to read:

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202A.32 ELECTIONS; PREPARATION OF BALLOTS; NOMINATING PETITIONS, FILED WITH SECRETARY OF STATE, TIME. Subdivision 1. **FILING, ACKNOWLEDGEMENT OF FILING, FEE.** Nominating petitions for names to be placed on the state white ballot shall be filed 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. The secretary of state or the county auditor shall give or send to the person filing a nominating petition an acknowledgment thereof on the same day it is received, and he shall file and preserve the nominating petitions, subject to public inspection. No filing of any nominating petition is effective unless at the time thereof the prescribed fee is paid or tendered. The nominating petitions filed with the secretary of state, shall be inspected by the secretary of state to verify that all signatures on the petition for nomination are persons residing within the district or political division from which the candidate is presented.

The nominating petitions filed with the county auditor shall be inspected in like manner, by the county auditor.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 203A.12, Subdivision 2, is amended to read:

Subd. 2. **CANDIDATES AND OFFICES.** On all ballots the name of each candidate shall be printed at right angles with the length of the ballot. In the general election, except in the case of presidential electors, ~~each name shall be followed on the same line in upper and lower case letters,~~ by the political party designation of ~~the each~~ candidate, or in the case of nonpartisan offices, ~~each name shall be followed by~~ the words, "Nominated without party designation", shall be printed above or below the name of the candidate. The political party designation for all candidates shall be printed in upper and lower case letters of the same type style and the upper case letters shall be at least one-half the height of the upper case letters used for names of the candidates. At the general election, below the name of the last candidate for each office shall be placed as many blank lines as there are offices of that kind to be filled, and on the blank lines the voter may write the names of persons not printed on the ballot for whom he desires to vote, and when no person has filed for an office to be filled, the title of the office shall be printed on the ballot with as many blank lines below the title as there are offices to be filled, on which the voter's choice may be written. On the left side of the ballot and on a line with the names of the candidates and the blank lines, there shall be placed a square, each square to be of the same size, in which the voter may designate his choice by a mark (X). Above the first name on each ballot shall be printed the words, "Put an (X) opposite the name of each candidate you wish to vote for, in the square indicated by the arrow," and on a line with the words and directly above the squares shall be printed a small arrow, or point, pointing downward. Directly underneath the official title of each office shall be printed the words, "Vote for one," or more, according to the number to be elected.

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Sec. 3. Minnesota Statutes, 1975 Supplement, Section 203A.33, Subdivision 4, is amended to read:

Subd. 4. **BALLOT, PARTY POSITION.** At the general election, and in the case of partisan offices only, the first name printed for each office, or group of names if more than one is to be voted for, for the same office, shall be that of the candidate of the political party which at the last preceding general election polled the ~~largest-smallest~~ number of votes, the same to be determined by the average vote cast for that party's candidates for partisan offices except representatives in congress. In like manner the second and succeeding lines shall be filled with the names of the candidates of the other political parties receiving ~~the next highest number-succeedingly higher numbers~~ of votes respectively. For the purposes of this subdivision, the average vote of the party shall be computed by determining the total number of votes counted in the state for all of the party's candidates on the general election ballot except representatives in congress, and dividing that sum by the number of the party's candidates, except representatives in congress, appearing on the general election ballot.

On voting machines, "first name printed for each office" means the position nearest the top or farthest left, whichever applies.

Sec. 4. Minnesota Statutes 1974, Section 205.17, Subdivision 2, is amended to read:

Subd. 2. In all cities of the first class however organized, for the regular municipal election, the city clerk shall prepare and cause to be printed in blocks of 50 a partisan ballot upon which the names of all candidates for the office of mayor and for the city council are printed, and a nonpartisan ballot upon which the names of all candidates for all other city offices are printed. The partisan ballot shall be printed on light orange paper and shall be headed "Partisan City Election Ballot". The nonpartisan ballot shall be printed on light green paper and shall be headed "Nonpartisan City Election Ballot". Both ballots shall state the name of the city, the date of the elections and otherwise conform to the white ballot used at the general election. The names of the candidates on the nonpartisan ballot shall be rotated in the manner prescribed for the rotation of names on nonpartisan ballots in state elections.

On the partisan ballot the name of the candidates for mayor shall be placed first. The order of the names of the candidates shall be ~~rotated in the same manner as are the names on nonpartisan ballots except that the names of the candidates of a political party shall be rotated in concert so that the names of all candidates of a political party are placed in the same row or column-in~~ the manner prescribed for state elections .

Sec. 5. Minnesota Statutes 1974, Section 206.07, Subdivision 1, is amended to read:

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206.07 CANDIDATES, ARRANGEMENT OF NAMES. Subdivision 1. **PLACEMENT.** Where voting machines are authorized and employed, the titles of offices ~~may~~ shall be arranged either 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. The names of all candidates of a political party shall be placed in the same row or column. If for any office there is no candidate of a party named at the primary such that a blank space would appear on the voting machine ballot, the blank space shall contain a notice in the same type size and style as names of candidates, indicating that names of candidates for the office appear (above and) below, or to the (left and) right, of the space, whichever applies. On the "Consolidated Primary Election Ballot" prepared for primary elections, and on the 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, shall be the same as is required for paper 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. 6. Minnesota Statutes 1974, Section 206.07, is amended by adding a subdivision to read:

Subd. 1b. QUESTIONS, CONSTITUTIONAL AMENDMENTS, PROPOSITIONS. When a question, constitutional amendment, or other proposition is to be voted upon on a mechanical voting machine, the question, constitutional amendment, or other proposition shall occupy an area no smaller than three inches by four inches in the space provided for that purpose and shall be arranged in a manner which construction of the machine requires. A prominent notice of the question, constitutional amendment, or other proposition shall follow the last office title, or, if there is inadequate space, in the next available column or row. The notice shall contain at least one arrow pointing toward the question, constitutional amendment, or other proposition and shall contain language in the same type size as used for office titles, directing the voter to the location on the machine where it is to be found.

Sec. 7. Minnesota Statutes 1974, Section 208.04, is amended to read:

208.04 PREPARATION OF BALLOTS. Subdivision 1. When presidential electors are to be voted for, a vote cast for the party candidates for president and vice-president shall be deemed a vote for that party's electors as filed with the secretary of state. The secretary of state shall certify the names of all duly nominated presidential and vice-presidential candidates to the county auditors of the several counties. The secretary of state-county auditor, subject to the rules of the secretary of state, shall cause the names of the candidates of each political party and those nominated by petition to be printed in capital letters,

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set in ~~ten-point type~~ type of the same size and style as for candidates on the state white ballot, before the party designation. To the left of, and on a line of such surnames, near the margin, shall be placed in a square or box, in which the voter may indicate his choice by marking an "X", and one such mark opposite the candidate's name of any one party shall be counted as a vote for each elector in the party group on file with the secretary of state.

The form for the Presidential Ballot ~~shall be as and follows:~~

Put an (X) opposite the name of the Presidential Candidate you wish to vote for, in the box indicated by the arrow:

PRESIDENTIAL BALLOT

Mark your (X) in one Box Only

~~STEVENSON and KEFAUVER — Democratic-Farmer-Labor~~

~~EISENHOWER and NIXON — Republican~~

the relative position of the several candidates shall be determined by the rules applicable to other state officers. The state ballot, with the required heading, shall be printed on the same piece of paper and shall be below the presidential ballot with a blank space between one inch in width.

Subd. 2. The rules for preparation and delivery of presidential ballots shall be the same as the rules for white ballots under section 203A.31, subdivision 3a. The state shall reimburse the counties for the cost of the preparation of the presidential ballot.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 203A.31, is amended by adding a subdivision to read:

Subd. 5. PREPARATION OF FEDERAL ELECTION BALLOT. The federal election ballot required by Public Law 94-203 to be used by United States citizens residing outside the United States in voting for candidates for president and vice-president, senator in congress, and representative in congress shall be prepared under the direction of the county auditor in the same manner as provided for the state white ballot and in conformance with the provisions of sections 203A.22 to 203A.34.

Sec. 9. Minnesota Statutes 1974, Chapter 207, is amended by adding a section to read:

[207.025] ELIGIBLE VOTERS RESIDING OUTSIDE THE UNITED STATES. Any person eligible to vote in Minnesota under the provisions of Public Law 94-203 shall be permitted to register and vote for candidates for the offices of president and vice-president, senator

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in congress, and representative in congress in the same manner as provided in sections 207.03 to 207.151 for any person eligible to vote who is absent from his precinct on election day.

Sec. 10. Minnesota Statutes 1974, Sections 208.21, 208.22, 208.23, 208.24, 208.25, 208.26, 208.27, 208.28, 208.29, 208.30, 208.31, 208.32, 208.33, 208.34, and 208.35; and Minnesota Statutes, 1975 Supplement, Section 203A.12, Subdivision 4, are repealed.

Approved April 9, 1976.

CHAPTER 225—S.F.No.2151

An act relating to motor vehicles; registration and taxation; exempting certain vehicles from license fees; waiving the penalty for certain vehicles in storage; amending Minnesota Statutes 1974, Section 168.31, Subdivision 3; and Minnesota Statutes, 1975 Supplement, Section 168.012, Subdivision 2b.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes, 1975 Supplement, Section 168.012, Subdivision 2b, is amended to read:

Subd. 2b. **MOTOR VEHICLES; REGISTRATION AND TAXATION; LIMITATIONS.** A trailer ~~owned by a farmer and used by him~~ exclusively to carry liquid fertilizer for use on ~~his-a~~ farm shall not be taxed as a motor vehicle using the public streets and highways and shall be exempt from the provisions of this chapter.

Sec. 2. Minnesota Statutes 1974, Section 168.31, Subdivision 3, is amended to read:

Subd. 3. **PENALTIES, LIMITATIONS; FILINGS.** The penalty for failure or delay in registering or re-registering and paying the registration tax shall not be more than one-half the annual tax and in no event more than a total of \$2.50. An owner who files his application after March 31, and whose vehicle has not been operated during the calendar year to the date of application may so state to the registrar who shall then waive the penalty for failure to re-register before January 11. The waiver of penalty does not apply to vehicles required to be registered under section 168.017.

A filing with, or delivery to the registrar of any application, notice, certificate or plates as required by this section shall be construed to be within the requirements of this section if made to the registrar or his deputy at an office maintained therefor, or if deposited in the mail or with a carrier by express with postage or carriage charge prepaid, and properly addressed to the registrar within ten days after the trans-

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