

Signed by the governor May 3, 1990, 6:05 p.m.

CHAPTER 585—S.F.No. 2229

*An act relating to elections; clarifying language and changing procedures for voter registration, absentee voters, and polling place rosters; defining certain terms; changing certain time limits; providing for persons who are permanently ill or disabled to automatically receive absentee ballot applications before each election; providing for certain services at state party conventions; requiring a report; changing filing requirements for town elections; exempting certain noncommercial signs from municipal regulation; amending Minnesota Statutes 1988, sections 200.02, by adding a subdivision; 201.022; 201.023; 201.054, subdivision 1; 201.061, subdivision 1; 201.071, subdivisions 3 and 4; 201.081; 201.091; 201.12, subdivision 2; 201.121, subdivisions 1 and 2; 201.171; 201.211; 201.221; 201.27, subdivision 1; 203B.04, by adding a subdivision; 203B.09; 203B.12, subdivisions 2 and 3; 204B.09, subdivision 1; 204B.28, subdivision 2; 204B.45, subdivision 2; 204C.10; 204C.12, subdivision 4; 204C.27; 367.03, subdivision 1; and 367.33, subdivision 4; Minnesota Statutes 1989 Supplement, sections 202A.13; and 203B.13, subdivision 3a; proposing coding for new law in Minnesota Statutes, chapters 201 and 211B; repealing Minnesota Statutes 1988, sections 201.061, subdivision 2; 201.071, subdivisions 5 and 6; and 201.091, subdivision 3.*

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

Section 1. Minnesota Statutes 1988, section 200.02, is amended by adding a subdivision to read:

Subd. 20. STATEWIDE REGISTRATION SYSTEM. "Statewide registration system" means the computerized central statewide voter registration system and data base developed and maintained by the secretary of state pursuant to section 201.022.

Sec. 2. Minnesota Statutes 1988, section 201.022, is amended to read:

201.022 ~~COMPUTERIZED CENTRAL~~ STATEWIDE REGISTRATION SYSTEM.

Subdivision 1. **ESTABLISHMENT.** The secretary of state shall develop and implement a statewide ~~computerized~~ voter registration system to facilitate voter registration and to provide a central data base containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. ~~The system must satisfy the requirements for a duplicate registration file. County requirements for a duplicate registration file are met when the secretary of state determines that a county's voter registration records have been completely converted to the statewide system.~~

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Subd. 2. **RULES.** The secretary of state shall make permanent and emergency rules necessary to administer the system required in subdivision 1. The rules must at least:

(1) provide for voters to submit their registration to any county auditor, the secretary of state, or the department of public safety;

(2) provide for the establishment and maintenance of a central data base for all voter registration information;

(3) provide procedures for entering data into a ~~central data base~~ the statewide registration system;

(4) provide for interaction with the computerized driver's license records of the department of public safety;

(5) allow the offices of all county auditors and the secretary of state to add, modify, and delete information from the system to provide for accurate and up-to-date records;

(6) allow the offices of all county auditors and the secretary of state's office to have access to the ~~central data base~~ statewide registration system for review and search capabilities;

(7) provide security and protection of all information in the ~~central data base~~ statewide registration system and ~~monitor the central data base~~ to ensure that unauthorized entry is not allowed;

(8) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(9) prescribe a procedure for phasing in or converting existing computerized records to the statewide ~~voter registration data base~~ system; ~~and~~

(10) prescribe a procedure for the return of completed voter registration forms from the department of public safety to the secretary of state or the county auditor; and

(11) provide alternate procedures, effective until December 31, 1990, for updating voter records and producing polling place rosters for counties. The secretary of state shall determine no later than June 1, 1990, whether these alternate procedures will be required.

Sec. 3. Minnesota Statutes 1988, section 201.023, is amended to read:

**201.023 VOTER REGISTRATION ACCOUNT.**

The voter registration account is established as an account in the state treasury. Amounts received by the secretary of state to pay the cost of producing lists of registered voters under section 201.091, subdivision 5, by the state-

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wide ~~computerized~~ registration system must be deposited in the state treasury and credited to the voter registration account. Money in the voter registration account is continually appropriated to the secretary of state to produce lists of registered voters under section 201.091, subdivision 5.

Sec. 4. Minnesota Statutes 1988, section 201.054, subdivision 1, is amended to read:

Subdivision 1. **REGISTRATION.** An individual may register to vote:

(1) at any time before the 20th day preceding any election as provided in section 201.061, subdivision 1; ~~in counties where preregistration is allowed;~~

(2) on the day of an election as provided in section 201.061, subdivision 3; or

(3) when submitting an absentee ballot, by enclosing a completed registration card as provided in section 203B.04, subdivision 4;

~~(4) by submitting a registration card received in a state income tax form or booklet to the secretary of state's office; or~~

~~(5) by filling out the voter registration part of a driver's license application.~~

Sec. 5. Minnesota Statutes 1988, section 201.061, subdivision 1, is amended to read:

Subdivision 1. **PRIOR TO ELECTION DAY.** At any time except during the 20 days immediately preceding any election, an eligible voter or any individual who will be an eligible voter at the time of the next election may register to vote in the precinct in which the voter maintains residence by completing a registration card and submitting it in person or by mail to the county auditor of that county; ~~by completing the voter registration part of a driver's license application; or by submitting in person or by mail a registration card received in a state income tax form or booklet or elsewhere to the secretary of state's office.~~ A registration that is received no later than 5:00 p.m. on the 21st day preceding any election shall be accepted. An improperly addressed or delivered registration card shall be forwarded within two working days after receipt to the county auditor of the county where the voter maintains residence.

Sec. 6. Minnesota Statutes 1988, section 201.071, subdivision 3, is amended to read:

Subd. 3. **DEFICIENT REGISTRATION.** No registration is deficient if it contains the voter's name, address, date of birth, prior registration if any and signature. The absence of a zip code number does not cause the registration to be deficient. The election judges shall request an individual to correct a registration card if it is deficient or illegible or may request the name or number of the voter's school district. No eligible voter may be prevented from voting unless

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the voter's registration card is deficient or the voter is duly and successfully challenged in accordance with sections 201.195 or 204C.12.

A registration card accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a registration card accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the ~~card~~ registration deficient.

Sec. 7. Minnesota Statutes 1988, section 201.071, subdivision 4, is amended to read:

Subd. 4. **CHANGE OF REGISTRATION.** Any county auditor who receives a registration card indicating that an individual was previously registered in a different county in Minnesota shall notify the county auditor of that county electronically through the statewide registration system in the manner prescribed ~~by~~ in the rules of the secretary of state. A county auditor receiving a registration card indicating that a voter was previously registered in a different precinct in the same county or receiving a notification as provided in this subdivision shall remove that individual's ~~duplicate voter registration card, if any, and the original voter registration card~~ from the files; ~~and make any other necessary changes in the voter registration records.~~ Any county auditor who receives a registration card or notification requiring a change of registration records under this subdivision as a result of an election day registration shall also check the ~~duplicate statewide registration card or file from the precinct of prior residence~~ system to determine whether the individual voted in ~~that~~ more than one precinct in the most recent election.

Sec. 8. Minnesota Statutes 1988, section 201.081, is amended to read:

**201.081 REGISTRATION FILES.**

The ~~original voter registration file cards~~ and the ~~duplicate statewide registration file~~ shall be system are the record of registered voters. The ~~original and duplicate voter registration files cards~~ and the terminal providing access to the central statewide registration system ~~shall~~ must be kept ~~in the office~~ under the control of the county auditor or ~~in the office of a public official to whom the county auditor has delegated the responsibility of keeping either file for maintaining voter registration records.~~ The files ~~shall~~ shall voter registration cards and terminals providing access to the statewide registration system ~~must~~ not be removed ~~from the control of the county auditor~~ except that the duplicate file shall be delivered as provided in section 201.221, this subdivision 3, to the duly authorized election judges for use on election day. The county auditor may make photographic copies of voter registration cards in the manner provided by section 138.17.

Sec. 9. Minnesota Statutes 1988, section 201.091, is amended to read:

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**201.091 REGISTERED VOTER LISTS; REPORTS; REGISTRATION PLACES.**

Subdivision 1. **PRECINCT MASTER LIST.** Each county auditor shall prepare and maintain a current list of ~~the duplicate registration cards, registered voters in each precinct in the county~~ which list shall be ~~is~~ known as the ~~precinct master list~~. The master list must be created by entering each completed voter registration card received by the county auditor into the statewide registration system. It ~~shall~~ must show the name ~~and~~, residence address, ~~and~~ date of birth of each voter registered in the precinct. ~~The telephone number shall be included on the list if provided by the voter.~~ The information contained in the master list may only be made available to election officials for purposes related to election administration, to the state court administrator for jury selection, and to public officials authorized to carry out law enforcement duties.

Subd. 2. **CORRECTED LIST.** ~~On~~ By February 15 of each year, the ~~county auditor secretary of state~~ shall prepare ~~and on request make available current precinct lists for the county~~ the master list for each county auditor. Each ~~precinct list shall~~ The records in the statewide registration system must be periodically corrected and updated by the county auditor. ~~A final corrected precinct~~ An updated master list for each precinct shall must be available ~~to~~ for absentee voting at least 32 days before each ~~primary election~~. ~~A corrected precinct list may be either in the form of a complete corrected list or a separate list of additions and deletions to the preceding list. If it is available, the auditor and the secretary of state shall also provide the information at cost in the form of accessible computer data. A final corrected master list must be available seven days before each election.~~

Subd. 3. **REGISTRATION CARDS DELIVERED TO COUNTY AUDITOR.** A public official maintaining the duplicate registration file pursuant to section 201.081 shall deliver the original voter registration cards to the county auditor within 30 days after a primary and within 60 days after a general election. Within 60 days after receiving the original voter registration cards after a general election, the county auditor shall return the corrected precinct list to the public official maintaining the duplicate registration file.

Subd. 4. **PUBLIC ACCESS TO REGISTRATION FILES INFORMATION LISTS.** ~~The duplicate registration file shall be open to public~~ county auditor shall make available for inspection a public information list which must contain the name, address, and voting history of each registered voter in the county. The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The public official having custody of the voter registration files county auditor may adopt reasonable rules governing access to the files list. No individual inspecting the ~~duplicate registration file~~ public information list shall tamper with the cards or their arrangement or alter it in any manner. No individual who inspects a ~~duplicate registration file~~ the public information list or who

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acquires a list of registered voters prepared from the file public information list may use any information contained in the file or list for purposes unrelated to elections, political activities, or law enforcement. The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or law enforcement.

Before inspecting ~~voter registration files~~ the public information list or obtaining a list of voters or other information from the ~~files list~~, the individual shall provide identification to the public official having custody of the ~~registration files~~ public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

Subd. 5. **COPY OF LIST TO REGISTERED VOTER.** The county auditors and the secretary of state shall provide paper copies of the ~~current precinct~~ public information lists and may provide the lists in some other form to any voter registered in Minnesota within ten days of receiving a written request accompanied by payment of the cost of reproduction. The county auditors and the secretary of state shall make a copy of the list available for public inspection without cost. ~~No~~ An individual who inspects or acquires a copy of a ~~precinct~~ public information list may not use any information contained in it for purposes unrelated to elections, political activities, or law enforcement. No list made available for public inspection or purchase may include the date of birth of a registered voter.

Subd. 8. **REGISTRATION PLACES.** Each county auditor shall designate a number of public buildings in those political subdivisions of the county where preregistration of voters is allowed as provided in section 201.061, subdivision 1, where eligible voters may register to vote. At least one public building shall must be designated for each 30,000 residents of the county. ~~Every city of the first, second, and third class and county seat shall have~~ At least one telecommunications device for the deaf must be available for voter registration information in each county seat and in every city of the first, second, and third class.

An adequate supply of registration cards and instructions must be maintained at each designated location, and a designated individual must be available there to accept registration cards and transmit them to the county auditor.

A person who, because of handicap, needs assistance in order to determine eligibility or to register ~~shall~~ must be assisted by a designated individual. Assistance includes but is not limited to reading the registration form and instructions and filling out the registration form as directed by the eligible voter.

Sec. 10. **[201:096] SCHOOL ELECTIONS; USE OF VOTER REGISTRATION SYSTEM.**

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The county auditor shall allow independent or special school districts to use the necessary portions of the statewide registration system for school district elections. The county auditor may impose reasonable requirements to preserve the security and integrity of the system. The 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 board may designate a member of the board or an employee as registration officer. The provisions of this chapter and chapter 203B relating to registration of voters apply to school district elections in which the statewide registration system is used.

Sec. 11. Minnesota Statutes 1988, section 201.12, subdivision 2, is amended to read:

Subd. 2. **CHALLENGES.** Upon return of the notice by the postal service, the county auditor or the auditor's staff shall personally ascertain the name and address of that individual. If the individual is no longer at the address recorded in the original statewide registration file system, the county auditor shall ~~affix~~ change the word registrant's status to "challenged" to in the duplicate statewide registration card system. ~~Any An~~ individual challenged in accordance with this subdivision shall comply with the provisions of section 204C.12, before being allowed to vote. If a second notice mailed at least 60 days after the return of the first notice is also returned by the postal service, the county auditor may remove the ~~original and duplicate cards from the registration card from the file and change the registrant's status to "inactive" in the statewide registration system.~~

Sec. 12. Minnesota Statutes 1988, section 201.121, subdivision 1, is amended to read:

Subdivision 1. **ENTRY OF REGISTRATION INFORMATION.** Upon receiving a voter registration card properly completed and submitted in accordance with sections 201.061 and 201.071, the county auditor shall enter in the appropriate registration files and in the ~~central~~ statewide registration system the registration card or the information contained on it.

Upon receiving a completed voter registration card or form, the secretary of state may electronically transmit the information on the card or form to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the ~~central~~ statewide registration system. The secretary of state shall mail the registration card or form to the county auditor for placement in the appropriate files.

Sec. 13. Minnesota Statutes 1988, section 201.121, subdivision 2, is amended to read:

Subd. 2. **NOTICE OF REGISTRATION; CHALLENGES.** The county auditor shall mail a notice indicating the individual's name, address, precinct and polling place to each registered voter. The notice shall indicate that it must be returned if it is not deliverable to the voter at the named address. Upon

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return of the notice by the postal service, the county auditor shall ~~affix the word~~ change the registrant's status to "challenged" to in the voter's duplicate statewide registration card system. An individual challenged in accordance with this subdivision shall comply with the provisions of section 204C.12, before being allowed to vote.

Sec. 14. Minnesota Statutes 1988, section 201.171, is amended to read:

**201.171 POSTING VOTING HISTORY; FAILURE TO VOTE; REGISTRATION REMOVED.**

Within six weeks after every election, the county auditor shall post the voting history for every person who voted in the election. After the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years and shall change the status of those registrants to "inactive" in the statewide registration system. The secretary of state shall also prepare a report to the county auditor containing the names of all registrants whose status was changed to "inactive."

~~After the close of each calendar year, The county auditor shall remove the original and duplicate voter registration cards card of any voter who has not voted during the four preceding calendar years in any election, including but not limited to a school district election where the permanent voter registration system is used whose name appears on the report. Although not counted in an election, a late absentee ballot shall must be considered a vote for the purpose of continuing registration. The county auditor shall also make the appropriate changes in the data base of the central registration system.~~

Sec. 15. Minnesota Statutes 1988, section 201.211, is amended to read:

**201.211 COSTS.**

The office required to perform the functions and duties of this chapter shall bear the costs incurred. If these functions and duties are delegated to another office, that office shall bear the costs. The secretary of state shall pay the costs of operating and maintaining the statewide registration system. The secretary of state shall also pay the costs of preparing polling place rosters and master lists from the money appropriated for this purpose.

Sec. 16. Minnesota Statutes 1988, section 201.221, is amended to read:

**201.221 RULES.**

Subdivision 1. **ADOPTION OF RULES.** To implement the provisions of this chapter, the secretary of state shall adopt rules consistent with federal and state election laws.

Subd. 2. **UNIFORM PROCEDURES FOR COUNTIES.** The secretary of state shall assist local election officers by devising uniform forms and proce-

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dures. The secretary of state shall provide uniform rules for counties maintaining voter registration records on data processing systems so that the systems are compatible with a uniform system of electronic data maintenance and the central computerized voter statewide registration system. The secretary of state shall supervise the development and use of the statewide registration system to insure that it conforms to applicable laws and rules.

Subd. 3. **PROCEDURES FOR DUPLICATE REGISTRATION FILE POLLING PLACE ROSTERS.** The secretary of state shall prescribe the form of the duplicate registration file so that a duplicate card contains spaces for polling place rosters that include the voter's name, address, telephone number date of birth, school district number, and space for the voter's signature; and space. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the duplicate registration files polling place rosters to the election judges for use on election day.

The secretary of state shall prescribe an alternate form of the duplicate registration file for counties and cities which make the election authorized by section 201.071, subdivision 5. The alternate form shall not require a duplicate card or voter's signature. Information contained in the duplicate registration file shall include the voter's name, address, month and day of birth, last registration (if any), school district number, and a record of the vote history for the previous four years of elections. The secretary of state shall prescribe the form for the duplicate registration file to be used on election day in the polling place and the file shall include the name, address, month and day of birth, school district number, and a space for the voters to sign the file when they vote. The secretary of state shall prescribe the form for a county or municipality to request the day and month date of birth from currently registered voters. The county or municipality shall not request the day and month date of birth from currently registered voters by any communication other than the prescribed form and the form shall must clearly indicate that a currently registered voter does not lose registration status by failing to provide the day and month date of birth. The secretary of state shall prescribe procedures for transporting the duplicate registration files to the judges on election day. In accordance with section 204B.40, the county auditor and the clerk of any municipality shall retain the prescribed duplicate registration file polling place rosters used on the date of election for one year following the election.

Subd. 4. **COUNTY RULES.** The county auditor of each county may adopt rules which that delegate to the secretary of state or municipal officials in that county the duties assigned to county auditors by this chapter. Delegation of duties to the secretary of state requires the approval of the secretary of state. Delegation to a municipal official requires the approval of the governing body of the municipality. Delegation by the county auditor of the duty to accept registrations does not relieve the county auditor of the duty to accept registrations. When a municipal official is delegated duties given to the county auditor by this chapter, the governing body of the municipality shall immediately provide the necessary funds, equipment and facilities, establish a place of registration and

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~~put the registration plan into operation without delay~~ Each delegation agreement must include a plan to allocate the costs of the duties to be delegated.

Sec. 17. Minnesota Statutes 1988, section 201.27, subdivision 1, is amended to read:

Subdivision 1. **INTENTIONAL VIOLATION.** No officer, deputy, clerk, or other employee shall intentionally:

(~~a~~) (1) fail to perform or enforce any of the provisions of this chapter except ~~the provisions~~ of subdivision 2;

(~~b~~) (2) remove ~~any~~ a registration card or record from its proper place in the registration files; in ~~any~~ a manner or for ~~any~~ a purpose not authorized by law;

(~~e~~) (3) destroy ~~any~~ or make an unauthorized change to a record required to be kept by this chapter; or

(~~d~~) (4) add a name or names to the voter registration files, records, or cards, except as authorized by law.

An individual who violates this subdivision is guilty of a felony.

Sec. 18. Minnesota Statutes 1989 Supplement, section 202A.13, is amended to read:

#### 202A.13 COMMITTEES, CONVENTIONS.

The rules of each major political party shall provide that for each congressional district and each county or legislative district a convention shall be held at least once every state general election year. Each major political party shall also provide for each congressional district and each county or legislative district an executive committee consisting of a chair and such other officers as may be necessary. The party rules may provide for only one executive committee and one convention where any county and congressional district have the same territorial limits.

A communicatively impaired delegate or alternate who needs interpreter services at a county, legislative district, ~~or~~ congressional district, or state convention shall so notify the executive committee of the major political party unit whose convention the delegate or alternate plans to attend. Written notice must be given by certified mail to the executive committee at least 30 days before the convention date. The major political party, not later than 14 days before the convention date, shall secure the services of one or more interpreters if available and shall assume responsibility for the cost of the services. The state central committee of the major political party shall determine the process for reimbursing interpreters.

A visually impaired delegate or alternate to a county, legislative district, ~~or~~

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congressional district, or state convention may notify the executive committee of the major political party unit that the delegate or alternate requires convention materials in audio tape, Braille, or large print format. Upon receiving the request, the executive committee shall provide all official written convention materials as soon as they are available, so that the visually impaired individual may have them converted to audio tape, Braille, or large print format, prior to the convention.

Sec. 19. Minnesota Statutes 1988, section 203B.04, is amended by adding a subdivision to read:

**Subd. 5. PERMANENT ILLNESS OR DISABILITY.** An eligible voter who reasonably expects to be permanently unable to go to the polling place on election day because of illness or disability may apply to a county auditor or municipal clerk under this section to automatically receive an absentee ballot application before each election and to have the status as a permanent absentee voter indicated on the voter's registration record. The secretary of state shall adopt rules governing procedures under this subdivision.

Sec. 20. Minnesota Statutes 1988, section 203B.09, is amended to read:

**203B.09 FORM AND CONTENT OF REQUIRED MATERIALS; RULES OF SECRETARY OF STATE.**

The secretary of state shall adopt rules establishing the form, content, and type size and style for the printing of blank applications for absentee ballots, absentee voter lists, return envelopes, certificates of eligibility to vote by absentee ballot, ballot envelopes and directions for casting an absentee ballot. Any official charged with the duty of printing any of these materials shall do so in accordance with these rules.

Sec. 21. Minnesota Statutes 1988, section 203B.12, subdivision 2, is amended to read:

**Subd. 2. EXAMINATION OF RETURN ENVELOPES.** Two or more election judges shall examine each return envelope and shall mark it accepted or rejected in the manner provided in this subdivision. The election judges shall mark the return envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if the election judges or a majority of them are satisfied that:

(a) the voter's signature on the return envelope is the genuine signature of the individual who made the application for ballots and the certificate has been completed as prescribed in the directions for casting an absentee ballot;

(b) the voter is registered and eligible to vote in the precinct or has included a properly completed registration card in the return envelope; and

(c) the voter has not already voted at that election, either in person or by absentee ballot.

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The return envelope from accepted ballots ~~shall~~ must be preserved and returned to the county auditor ~~with the voters' certificates.~~

If all or a majority of the election judges examining return envelopes find that an absent voter has failed to meet one of the requirements prescribed in clauses (a) to (c), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," and return it to the county auditor ~~with the unused ballots.~~

Sec. 22. Minnesota Statutes 1988, section 203B.12, subdivision 3, is amended to read:

Subd. 3. **NOTATION ON ~~DUPLICATE REGISTRATION CARD OR FILE POLLING PLACE ROSTER.~~** If the return envelope is marked with the word "Accepted," the election judges shall record the fact that the voter has voted by absentee ballot on the ~~duplicate voter registration card or file polling place roster.~~ This ~~shall~~ must be done by placing the letters "A.B." in the appropriate space on the ~~duplicate card or file roster.~~ After a registration ~~card or file record~~ has been marked to record that an individual has voted by absentee ballot, the individual shall not be allowed to vote in person at that election.

Sec. 23. Minnesota Statutes 1989 Supplement, section 203B.13, subdivision 3a, is amended to read:

Subd. 3a. **DUPLICATE REGISTRATION FILES ABSENTEE VOTER LIST.** If the election judges of an absentee ballot board are authorized to receive, examine, validate, and count absentee ballots, the county auditor or municipal clerk shall ~~remove from the duplicate registration files the cards~~ prepare a list of all persons who have applied for absentee ballots at the election and deliver ~~them~~ it to the election judges of the absentee ballot board along with the applications for absentee ballots. ~~When a duplicate registration card has been removed from the file for this purpose it shall be replaced with a notification to the election judges that the voter's card has been removed and directing them to~~ The polling place rosters must include an indicator for all persons on the absentee voter list. The county auditor may provide a supplemental list for use by the election judges after the polling place rosters have been prepared. If a person on the absentee voter list appears in the polling place, the election judges shall contact the election judges of the absentee ballot board ~~if that voter should appear at the polling place for the purpose of voting in person.~~ If contacted by the judges of the precinct, the election judges of the absentee ballot board shall examine the ~~duplicate registration card of the voter~~ absentee voter list to determine if an absentee ballot has been cast. They shall notify the precinct election judges of their findings and, if the absentee ballot has not yet been cast, the voter shall be allowed to vote in person. The election judges of the absentee ballot board shall make a notation on the ~~duplicate registration card~~ absentee voter list that the voter has voted and no absentee ballot ~~shall~~ may be counted for that voter.

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Sec. 24. Minnesota Statutes 1988, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **CANDIDATES IN STATE AND COUNTY GENERAL ELECTIONS.** Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state and federal offices filed at the state general election shall be filed not more than 70 days nor less than 56 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period. Candidates for presidential electors may file petitions on or before the state primary day. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing. Affidavits and petitions for offices to be voted on in only one county shall be filed with the county auditor of that county. Affidavits and petitions for offices to be voted on in more than one county shall be filed with the secretary of state.

Sec. 25. Minnesota Statutes 1988, section 204B.28, subdivision 2, is amended to read:

Subd. 2. **ELECTION SUPPLIES; DUTIES OF COUNTY AUDITORS AND CLERKS.** Except as otherwise provided for absentee ballots in section 204B.35, subdivision 4, the county auditor shall complete the preparation of the election materials for which the auditor is responsible at least ~~one week~~ four days before every state primary and state general election. At any time after all election materials are available from the county auditor but not later than ~~one week~~ four days before the election each municipal clerk shall secure from the county auditor:

- (a) The forms that are required for the conduct of the election;
- (b) Any printed voter instruction materials furnished by the secretary of state;
- (c) Any other instructions for election officers; and
- (d) A sufficient quantity of the official ballots, ~~ballot boxes~~, registration files, envelopes for ballot returns, and other supplies and materials required for each precinct in order to comply with the provisions of the Minnesota election law. The county auditor may furnish the election supplies to the municipal clerks in the same manner as the supplies are furnished to precincts in unorganized territory pursuant to section 204B.29, subdivision 1.

Sec. 26. Minnesota Statutes 1988, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **PROCEDURE.** Notice of the election and the special mail procedure must be given at least six weeks prior to the election. No earlier than 20

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days or later than ~~18~~ 14 days prior to the election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the town or unorganized territory. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 27. Minnesota Statutes 1988, section 204C.10, is amended to read:

**204C.10 PERMANENT REGISTRATION; ~~COMPLETION OF VOTER CERTIFICATES~~; VERIFICATION OF REGISTRATION.**

**Subdivision 1:** An individual seeking to vote shall ~~print the individual's name and address on a certificate~~ sign a polling place roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, certifies residence at the address shown, is not under guardianship of the person, has not been found by a court of law to be legally incompetent to vote or convicted of a felony without having civil rights restored, is registered and has not already voted in the election. ~~The individual shall then sign the certificate.~~

An election judge shall compare the signature on the voter's certificate with the signature as it appears on the duplicate registration card and the address with the address on the duplicate registration card. If the election judge is satisfied that the signatures are the same, the election judge shall initial the certificate and record the fact of voting on the back of the duplicate registration card. The initialed certificate shall be handed to the voter, who shall deliver it to the election judge in charge of ballots as proof of the right to vote.

**Subd. 2:** Subdivision 1 does not apply to voting in counties or municipalities which make the election authorized by section 201.071, subdivision 5. In lieu of the certificate required by subdivision 1, an applicant shall sign the duplicate registration file in the space provided next to the applicant's name in the file. In lieu of the signature comparison required by subdivision 1, A judge may, before the applicant signs the duplicate registration file roster, request confirm the applicant's name, address, and day and month date of birth. After the applicant signs the registration file roster, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The judges shall destroy the voters' receipts at the end of the day.

Sec. 28. Minnesota Statutes 1988, section 204C.12, subdivision 4, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 4. **REFUSAL TO ANSWER QUESTIONS OR SIGN A ~~VOTER CERTIFICATE POLLING PLACE ROSTER~~**. A challenged individual who refuses to answer questions or sign a ~~voter certificate~~ polling place roster as required by this section ~~shall~~ must not be allowed to vote. ~~No~~ A challenged individual who leaves the polling place and returns later willing to answer questions or sign a ~~voter certificate~~ polling place roster must not be allowed to vote. ~~In~~ precincts without voter registration the name of the individual shall not be entered or allowed to remain on the election register.

Sec. 29. Minnesota Statutes 1988, section 204C.27, is amended to read:

**204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

One or more of the election judges in each precinct shall deliver two sets of summary statements; all ~~unused and~~ spoiled white, pink, canary, and gray ballots; and the envelopes containing the white, pink, canary, and gray ballots either directly to the municipal clerk for transmittal to the county auditor's office or directly to the county auditor's office as soon as possible after the vote counting is completed but no later than 24 hours after the end of the hours for voting. One or more election judges shall deliver the remaining set of summary statements and returns, all unused and spoiled municipal and school district ballots, the envelopes containing municipal and school district ballots, and all other things furnished by the municipal or school district clerk, to the municipal or school district clerk's office within 24 hours after the end of the hours for voting. The municipal or school district clerk shall return all polling place rosters and completed voter registration cards to the county auditor within 48 hours after the end of the hours for voting.

**Sec. 30. [211B.045] NONCOMMERCIAL SIGNS EXEMPTION.**

In any municipality with an ordinance that regulates the size of noncommercial signs, notwithstanding the provisions of that ordinance, all noncommercial signs of any size may be posted from August 1 in a state general election year until ten days following the state general election.

Sec. 31. Minnesota Statutes 1988, section 367.03, subdivision 1, is amended to read:

Subdivision 1. **OFFICERS, TERMS.** Except in towns operating under option A, there shall be elected in each town three supervisors as provided in this section. Where a new town has been or may be organized and supervisors have been or may be elected for such town at a town meeting prior to the annual town election, such supervisors shall serve only until the next annual town election at which election three supervisors shall be elected, one for three years, one for two years, and one for one year, so that the term of one shall expire each year. The number of years for which each is elected shall be indicated on the ballot. When two supervisors are to be elected for three-year terms under option A, a candidate shall indicate on the affidavit of candidacy which of the two

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offices the candidate is filing for. At all other annual town elections one supervisor shall be elected for three years to fill the place of the one whose term expires at that time. Except in towns operating under either option B or option D, or both, there shall be elected at the annual town election held in even-numbered years one town clerk, and at the annual town election held in odd-numbered years one town treasurer. The clerk and treasurer each shall serve for a term of two years and until their successors are elected and qualified.

Sec. 32. Minnesota Statutes 1988, section 367.33, subdivision 4, is amended to read:

Subd. 4. **TERMS.** If the additional supervisors are elected at a special election, they shall serve only until the next annual town election, at which the additional members shall stand for election, one for a term of two years and one for a term of three years. ~~The candidate receiving the highest number of votes shall be elected for the longer term.~~ If the additional supervisors are elected at an annual election, ~~one shall serve for a term of two years and the other for a term of three years with the candidate receiving the highest number of votes being elected for the longer term.~~ A candidate for one of the additional supervisor positions shall specify in the affidavit of candidacy that the candidate is filing for either the two-year or the three-year term.

Sec. 33. **REPORT TO LEGISLATURE.**

The secretary of state shall evaluate the operation of section 19 and shall report to the chairs of the general legislation committee in the house of representatives and the elections committee in the senate by February 1, 1992.

Sec. 34. **REPEALER.**

Minnesota Statutes 1988, sections 201.061, subdivision 2; 201.071, subdivisions 5 and 6; and 201.091, subdivision 3, are repealed.

Sec. 35. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor April 28, 1990

Signed by the governor May 3, 1990, 5:40 p.m.

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**CHAPTER 586—S.F.No. 2609**

*An act relating to the environment; providing for the management and cleanup of tax-forfeited lands; requiring a report by the pollution control agency; authorizing a levy by Lake county; authorizing a purchase of tax-forfeited land and lease of restricted land in St.*

New language is indicated by underline, deletions by ~~strikeout~~.