

aid highway by the county board in accordance with the laws applicable to such roads.

Sec. 2. This act takes effect July 1, 1957.

Approved April 12, 1957.

CHAPTER 403—H. F. No. 220

An act relating to the appropriation of funds for the construction, reconstruction, maintenance, or repair of interstate bridges on county highways; amending Minnesota Statutes 1953, Section 164.12.

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

Section 1. Minnesota Statutes 1953, Section 164.12, is amended to read:

164.12 Use of state road and bridge fund. *Any county in this state is hereby authorized to appropriate any money in its road and bridge fund for the purpose of aiding in the construction, reconstruction, maintenance, or repair of any interstate bridge forming a part of any county-state aid highway whether situate within the limits of any such county or in any other county in this state.*

Sec. 2. This act takes effect on July 1, 1957.

Approved April 12, 1957.

CHAPTER 404—H. F. No. 381

An act providing for the expression of the popular will for party nominations for president of the United States; providing for the selection of delegates and alternates to conventions of national political parties; amending Minnesota Statutes 1953, Sections 202.41, 202.44, 202.45, 202.46, 202.49, 202.50, 202.51, 202.52; and repealing Minnesota Statutes 1953, Sections 202.42, 202.43, 202.47.

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

Section 1. Minnesota Statutes 1953, Section 202.41, is amended to read:

202.41 Time for holding. There shall be held, on the *second Tuesday* in March of each year in which a president

and vice president of the United States are to be nominated and elected, a presidential primary. At *this* election each political *party* recognized by the laws of this state shall express *the* popular choice of the party *as a party* nomination for president of the United States.

Sec. 2. Minnesota Statutes 1953, Section 202.44, is amended to read:

202.44 Presidential candidate; affidavit of candidacy. Subdivision 1. Any candidate for the nomination of a *national political party* for president of the United States may, beginning January 15 of said election year and not later than 12:00 o'clock noon on the following February 15, file with the secretary of state an affidavit of candidacy requesting that his name be entered on the presidential primary ballot of *such party*. *The affidavit shall set forth the name of his party, and shall be accompanied by a petition signed by at least 50 voters of his party from each congressional district in the state. Such petition may consist of one or more writings and shall state that the signers thereof endorse such candidate for the nomination for president by such national political party.*

After the signature of each signer there shall be written his post office address and the congressional district in which he resides. Following the facts required to be stated in each petition signed by the voter shall be an oath in the following form:

"I solemnly swear (or affirm) that I know the contents and purpose of this petition and signed same of my own free will."

No signature shall require notarization or certification before any officer, but each signer in so signing shall be guilty of perjury for making a false oath therein.

Subd. 2. At the time of filing his affidavit of candidacy, *the candidate shall pay to the secretary of state a fee of \$100.*

Sec. 3. Minnesota Statutes 1953, Section 202.45, is amended to read:

202.45 Presidential candidate named by petition. Subdivision 1. Beginning February 1 of said election year and not later than 5:00 P.M. the following February 15, there may be placed on the ballot *at any presidential primary election*, by a petition filed with the secretary of state, the name of any person as a candidate for the nomination for the presidency of the United States. The petition shall be signed by at least 100 voters *of the party* from each congressional district.

Subd. 2. Such petition may consist of one or more writings and shall *set forth* :

(a) The name of the candidate whose endorsement is desired.

(b) *The name of the political party on whose ballot the name is to be entered.*

(c) A statement that the filing is made in good faith and for the purpose of advancing the candidacy of the person whose name is filed.

Subd. 3. After the signature of each signer there shall be written his post office address and the congressional district in which he resides. Following the facts required to be stated in each petition signed by the voter shall be an oath in the following form :

"I solemnly swear (or affirm) that I know the contents and purpose of this petition and signed *same* of my own free will."

No signature shall require notarization or certification before any officer, but each signer in so signing shall be guilty of perjury for making a false oath therein.

Subd. 4. *At the time of filing such petition, the person filing same shall pay to the secretary of state a fee of \$100.*

Sec. 4. Minnesota Statutes 1953, Section 202.46, is amended to read :

202.46 One filing for one candidate. Only one filing under *section 202.44 or section 202.45* for any one candidate may be accepted, and only the first filing by or for the candidate shall be recognized and the name of the candidate contained therein shall be placed on the ballot. Consent of the individual to have his name filed as a candidate for president is not required.

Sec. 5. Minnesota Statutes 1953, Section 202.49, is amended to read :

202.49 Auditor furnished information by secretary of state; ballots prepared. Subdivision 1. Prior to January 1 of the year in which a presidential primary is to be held, the secretary of state shall cause to be delivered to each county *auditor* a notice advising him of the date *the* election will be held. On receipt thereof *the auditor* shall cause a notice to be delivered to each town, city, or village clerk in *the* county. One notice *thereof* shall be posted at least 15 days before the time of holding the election in each district by *such* clerks,

stating the hours during which the polls will be open. Failure to give such notice *does not* invalidate the election.

Subd. 2. Immediately after the last date for filing the secretary of state shall prepare ballots for use in the election. The ballots shall be printed on white paper. *The ballots shall be headed by the words "CONSOLIDATED PRESIDENTIAL PRIMARY BALLOT". Immediately under this heading shall be placed the following statement: "You may cast your vote for only one person: otherwise, your ballot will be rejected." Each political party shall have a separate ticket on the consolidated ballot under which the names of all the candidates of the political party shall be grouped in the order that filings were made by or on behalf of said candidates and there shall be no rotation of names on ballots. In the first column on the left shall be placed the names of the political party whose candidate for president received the highest vote at the last general election in the state, and in the second column the names of the candidates of the political party whose candidate for president received the next highest vote at such election and so on. He shall list the name of the candidates in prominent type. The ballot shall be prepared in such manner that the elector may mark "X" to the left of the name of the candidate.* If on or before February 25 there is filed with the secretary of state an affidavit of any person filed as a candidate under section 202.45 stating that he is not a candidate for the nomination of president for the party for which he has been filed and that if nominated by *that* party he will not accept, then the name of such person shall not be included in the ballot of that party and the filing fee shall be returned to the person who paid *it*. Where voting machines are used, one device *shall* be provided for voting for *each* candidate, under or adjacent to which shall be a ballot on the machine containing only the name of the candidate.

Subd. 3. Each elector may cast one vote for the candidate of his choice. The votes shall be tallied for each congressional district. *Subject to the provisions of subdivision 4, the candidate who receives a plurality of votes in each congressional district will be declared to be the endorsed candidate of that district. Subject to the provisions of subdivision 5, all ballots shall further be tallied state-wide, and the candidate who receives a plurality state-wide of all votes cast by his party shall be declared to be the endorsed state-wide candidate.*

Subd. 4. *No candidate shall be deemed to have been endorsed in a congressional district, nor the delegates bound thereby, unless he shall have received 40 percent of the total votes cast for candidates in the party in which he shall have*

received the greatest number of votes for his candidacy in that congressional district.

Subd. 5. No candidate shall be deemed to have been endorsed state-wide, nor the delegates bound thereby, unless he shall have received 40 percent of the total votes for candidates in the party in which he shall have received the greatest number of votes for his candidacy in the state-wide election.

Sec. 6. Minnesota Statutes 1953, Section 202.50, is amended to read:

202.50 Delegates at large. Subdivision 1. *The congressional district convention of each political party shall select two delegates and two alternate delegates. In selecting alternates each convention shall specify the name of the delegate for whom the alternate is named. If any convention fails to name alternates within the specified time, such alternate shall be named by the state convention of such party.*

Subd. 2. All the other delegates and alternates to the national convention of any political party shall be selected by the state convention of such party. The state convention shall name alternate delegates in the event any congressional district convention fails to name them within the required time.

Subd. 3. Not later than two weeks prior to the date of the date of the national convention of the party, each delegate and each alternate shall file with the secretary of state an affidavit stating that he accepts the appointment as delegate or alternate, as the case may be. There shall be included in each affidavit the following pledge:

"I pledge myself that, as a (delegate or alternate) to the _____ national party convention, I understand that I am pledged to the candidacy of _____ (if a delegate or alternate at large, insert the name of the candidate endorsed state-wide at the presidential primary; or, if a district delegate or alternate, insert the name of the candidate endorsed by the district at the presidential primary), and that at the convention of said party I will, until released by said candidate, vote for his candidacy on all ballots of the party convention; but if on any ballot said candidate receives less than ten percent of the total vote cast on such ballot, I am released from this pledge and shall thereafter have the right to cast my ballot according to my own judgment."

Such pledge shall not be required in the event that no candidate receives the endorsement provided for in subdivisions 4 and 5, which are added to Minnesota Statutes 1953, Section 202.49, by section 5.

Subd. 4. If any delegate or alternate *fails* to file said affidavit within the time required, he will *not* be deemed a delegate or alternate, as the case may be, and the state central committee of the party shall immediately fill *such* vacancy, and *any person* so appointed, in order to qualify, *shall* file with the secretary of state, prior to the date of the national convention of the party, an affidavit in the form set out in subdivision 3.

Sec. 7. Minnesota Statutes 1953, Section 202.51, is amended to read:

202.51 List of delegates and alternates with secretary of state. Within *ten* days after any delegate or alternate to the national convention of a party has been selected by any state convention, district convention, or state central committee as in section 202.41 to 202.54 provided, the secretary of such convention or committee shall certify such names to the secretary of state.

Sec. 8. Minnesota Statutes 1953, Section 202.52, is amended to read:

202.52 Certificate of appointment. The secretary of state shall issue to each delegate *and* alternate, whose name has been certified to him under the provisions of section 202.51, a certificate of appointment when such delegate *and* alternate has qualified *as such*.

Sec. 9. **Repealer.** Minnesota Statutes 1953, Sections 202.42, 202.43, 202.47, are hereby repealed.

Approved April 12, 1957.

CHAPTER 405—H. F. No. 451

[Not Coded]

An act relating to the revolving fund for the division of lands and minerals and appropriating additional money therefor.

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

Section 1. Division of lands and minerals, revolving fund. There is hereby appropriated the sum of \$5,000 from the general revenue fund of the state, not otherwise appropriated, which, added to the \$12,500 heretofore authorized, enlarges the present revolving fund to \$17,500. The state auditor is hereby authorized and directed to transfer under pres-