

Sec. 17. **Disposition of tax.**—The revenue derived from taxes, interest, and fines provided for in this Act when collected is hereby appropriated for the purpose of being credited to the appropriation now annually made for aid to state high, graded, semi-graded, consolidated, industrial, and rural schools, as now provided by law, to be distributed by the Department of Education in accordance with existing laws.

Sec. 18. **Provisions separable.**—If any part or provision of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate any other part or provision in the remainder of the Act; and, if any part or provision of this Act shall for any reason be adjudged by any court of competent jurisdiction constitutionally inapplicable to any case or situation within the terms of such part or provision, such judgment shall not impair or invalidate such part or provision as applied to any other case or situation within their terms; and, if any exception from the tax hereby imposed shall for any reason be adjudged by any court of competent jurisdiction invalid, the tax shall be imposed upon the taxable subject as to whom or which such exception has thus been held invalid.

Approved April 12, 1933.

CHAPTER 214—S. F. No. 1027

An act to provide for a convention to pass on the proposed amendment to the Constitution of the United States which has been proposed by the Congress of the United States for ratification by conventions in the several states.

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

Section 1. **Constitutional convention to be held September 12, 1933.**—The Congress of the United States, having proposed an amendment to the Constitution of the United States, and having proposed that it be ratified by conventions in several states, an election shall be held for the purpose of electing delegates to such a convention in this state. Such election shall be a special election, for that purpose only, to be held on September 12, 1933.

Sec. 2. **Persons entitled to vote.**—At such election all persons qualified to vote for members of the Legislature shall be entitled to vote.

Sec. 3. **Conduct of election.**—Except as in this Act otherwise provided such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of Presidential Electors in this State, and all provisions of the Laws of this State relative to elections except so far as inconsistent with this Act are hereby made applicable to such election.

Sec. 4. **Delegates.**—The number of Delegates to be chosen to such Convention shall be 21, to be elected from the State at large.

Sec. 5. **Candidates for delegate.**—Candidates for the office of Delegate to the Convention shall be citizens and residents of the State and of age. Nomination shall be by petition and not otherwise and shall be filed with the Secretary of State. A single petition may nominate any number of candidates not exceeding the total number of Delegates to be elected, and shall be signed by not less than 100 voters. Nomination shall be without party or political designation, but the nominating petitions shall contain a statement as to each nominee, to the effect that he favors ratification, or that he opposes ratification, and no nominating petition shall contain the name of any nominee whose petition as stated therein is inconsistent with that of any other nominee as stated therein. Each nominee shall file a statement of acceptance or declination with the Secretary of State, stating he will or will not accept the nomination. No nomination shall be effective except those of the 21 nominees in favor of ratification, and the 21 nominees against ratification, whose nominating petitions have respectively been signed by the largest number of voters, ties to be decided by lot drawn by the Secretary of State. At least 60 days before the election the Secretary of State shall certify the candidates of each group to the county auditor of each county, and shall transmit at that time all petitions and acceptances and a sufficient number of suitable blank forms for lists, registers and affidavits, and such other blanks as are required in preparation for and conduct of such election; also copies of this act, or so much thereof as pertains to the duties of election officers. The auditor shall forthwith deliver to the clerk of each city, town and village in his county the necessary copies of each of such blanks, and one copy of the law for each judge.

Sec. 6. **Election by ballot.**—The election shall be by ballot, separate from any ballot to be used at the same election which shall be prepared as follows: It shall first state the substance of the proposed Amendment.

PROPOSED AMENDMENT.

Section 1. The 18th article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any state, territory or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless ratified by constitutional conventions in the several states within seven years from date of submission hereof to the states by Congress.

This shall be followed by appropriate instructions to the voter. The ballots to be used in voting for delegates shall be constructed as is now by law required, but said ballots shall have spaces four-eighths of an inch wide and three-eighths of an inch high in which the voter may designate his choice on the right edge of the ballot, same being formed as described in Mason's Minnesota Statutes of 1927, Section 537-5.

Sec. 7. **Ballots.**—Nominees' names shall be grouped and printed together, the names of each group to be arranged in the order in which they were filed. The Secretary of State shall cause the names of the nominees of each group to be printed in capital letters, set in six point type, the names to be arranged in two columns. Each group shall be designated "For Repeal" and/or "Against Repeal", as the case may be. The designation shall appear but once for each group, said designation following a scroll or bracket on the right, and immediately following this, in the center, shall be printed in bold type "For Repeal" and/or "Against Repeal." To the right of, and on a line such surnames, near the margin, shall be placed a square in which the voter may indicate his choice by a mark (X), and one such mark opposite a group of nominees shall be counted as a vote for each nominee in such group, the form of each group to be substantially as follows:

Jone Doe	}	For	<input type="checkbox"/>
Richard Roe		Repeal	
Frank Smith	}	Against	<input type="checkbox"/>
John Smith		Repeal	

The relative positions of each group shall be determined by the rules applicable to other state officers. The groups of nominees shall be separated by a blank space one quarter of an inch in width and no blank lines shall be printed therein as in the case of other candidates or groups. Above the names of the nominees shall be

printed in bold type, "VOTE ONCE OPPOSITE EITHER GROUP."

Sec. 8. General election laws to govern.—The qualification of voters, the preparation of ballots and the returns thereof, the canvassing, the certifications, and laws governing elections not stated in this act shall be in the manner provided by law with reference to the election of state officers.

Sec. 9. Vacancies.—The 21 nominees who shall receive the highest number of votes shall be the Delegates to the Convention. If there shall be a vacancy in the Convention caused by the death or disability of any delegate or any other cause, the same shall be filled by appointment by the majority vote of the delegates comprising the group from which such delegate was elected and if the Convention contains no other delegate of that group, shall be filled by the Governor.

Sec. 10. Constitutional convention.—The Delegates to the Convention shall meet at the Capitol on the twenty-eighth day after their election at 12 o'clock noon and shall thereupon constitute a Convention to pass upon the question of whether or not the proposed Amendment shall be ratified.

Sec. 11. Convention to be judge of election of delegates.—The Convention shall be the judge of the election and qualification of its members; and shall have power to elect its president, secretary and other officers, and to adopt its own rules.

Sec. 12. Convention to keep record of proceedings.—The Convention shall keep a journal of its proceedings in which shall be recorded the vote of each Delegate on the question of ratification of the proposed Amendment. Upon final adjournment the Journal shall be filed with the Secretary of State.

Sec. 13. Shall certify results to Secretary of State of the United States.—If the Convention shall agree, by vote of a majority of the total number of Delegates, to the ratification of the proposed amendment, a certificate to that effect shall be executed by the President and Secretary of the Convention and transmitted to the Secretary of State of this State, who shall transmit the certificate under the Great Seal of the State to the Secretary of State of the United States.

Sec. 14. Compensation of delegates.—The compensation for services performed under this act shall be as follows:

1. To delegates, \$5.00 for each day's attendance at the Capitol and 5¢ for each mile necessarily travelled in going to and returning from St. Paul.

Sec. 15. This Act shall be in force and effect from and after its passage and approval.

Approved April 13, 1933.

CHAPTER 215—H. F. No. 1093

An act to authorize coroners in counties having, or which may hereafter have, a population of 400,000 inhabitants or over, to appoint a morgue keeper and providing for assistance to such morgue keeper and fixing and providing for the payment and compensation of such morgue keeper and assistance, and repealing all acts and parts of acts so far as the same are inconsistent therewith.

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

Section 1. **Duty of coroners in certain counties.**—In addition to such deputies and secretary as are authorized by law, the county coroner of any county now having or which may hereafter have a population of 400,000 inhabitants or over shall appoint and employ one morgue keeper, who shall be paid the sum of \$2,040.00 per annum and who shall also be furnished with the free use of suitable heated and lighted living quarters for himself and his family in the morgue building, and the coroner may also employ such assistance to the said morgue keeper as he may deem necessary at an aggregate expense of not exceeding \$1,200.00 per annum. The said morgue keeper, assistance and upkeep of living quarters shall be paid out of any moneys in the county treasury not otherwise appropriated, except the upkeep of living quarters, semi-monthly in the same manner as county officials are now paid, and the same shall be in full compensation for all services rendered by said officers respectively in their several capacities. The said upkeep of living quarters shall be paid for in such manner as the upkeep of other county buildings is paid for.

Sec. 2. **Inconsistent acts repealed.**—All Acts and parts of Acts, so far as the same are inconsistent with the provisions of this Act, are hereby repealed.

Approved April 13, 1933.

CHAPTER 216—H. F. No. 1129

An act to amend Mason's Minnesota Statutes of 1927, Section 3435, relating to savings in mortality and deposit of policy value.