

CHAPTER 127—H. F. No. 214

An act relating to primary elections; amending Minnesota Statutes 1941, Section 202.03.

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

Section 1. Minnesota Statutes 1941, Section 202.03, is amended to read as follows:

"202.03. Affidavit of candidacy; fees. Not more than 90, nor less than 40, days before the primary election any person eligible and desirous of having his name placed upon the primary ballot as a candidate for chief justice or associate justice of the supreme court, judge of the district court, state or congressional office or member of the state legislature or a county office, shall file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when in a single county, stating his residence, that he is a qualified voter in the subdivision where he seeks a nomination, the name of his political party, if for a political party office, and the office for which he desires to be a candidate; *that he has not filed as a candidate for any other office at the same primary election; that no petition of electors has been filed placing his name upon the non-partisan election ballot as a candidate for chief justice or associate justice of the supreme court or judge of the district court;* and, if for a political party office that he affiliated with such political party at the last general election, and either that he did not vote thereat or voted for a majority of the candidates of such political party at such election and intends to so vote at the ensuing election; provided, that all candidates for office not enumerated above in this section shall file their affidavit as herein provided, not more than 90, nor less than 40, days before the primary election. Upon payment by such candidate to the secretary of state of \$20.00, if for any office to be voted for in more than one county, or if for any office to be voted for in only one county, upon payment of \$10.00 to the county auditor thereof, the county auditor shall place the name of such candidate upon the primary election ballot in the ticket of the political party designated except where only one person has filed as a candidate for any one office in any one political party the name of such candidate shall not be placed upon the primary ballot but shall be considered and shall be the nominee for such office for the political party under which such candidate filed and his name shall be placed upon the general election ballot as the nominee of such political party for such office. Candidates for the legislature shall pay \$10.00 only to the secretary of state when the affidavit or petition is

filed with him and \$10.00 to the county auditor when filed with him; provided that the name of any eligible person may also be placed upon the non-partisan primary election ballot as a candidate for chief justice or associate justice of the supreme court or judge of the district court upon petition in writing of electors filed within the same time and at the same place and upon payment of the same fee as is provided in cases of filing of affidavits by candidates as follows:

For chief justice or associate justice of the supreme court, upon petition of 500 electors residing within the state; for judge of the district court upon the petition of 250 electors residing within the judicial district. Such petition shall be in writing and signed by each of the electors joining therein and shall be by each of them acknowledged before an officer authorized by law to administer an oath. Upon the compliance with such requirement, such names shall be placed upon the non-partisan primary election ballot *if the party named in the petition is not a candidate for any other office at the same primary election*. No petition shall contain more than double the number of signatures herein required and no officer shall receive for filing or file any petition containing more than double the number of signatures so required. Any person whose name is presented and filed may withdraw the same by filing an affidavit of withdrawal thereof in the same office in which such petition is filed. Each candidate for state offices, congressmen, and judges of the supreme court shall pay to the secretary of state the sum of \$50.00 each at the time of filing his affidavit with said officer. No such candidate shall be permitted to withdraw his name from the ballot unless he shall file an affidavit with the secretary of state or with the county auditor, as the case may be, requesting such officer to withdraw affiant's name from the ballot within eight days after the last day for filing for such office."

Approved March 23, 1945.

CHAPTER 128—H. F. No. 292

An act relating to the liquidation of financial institutions; defining terms for the purposes of the act; prescribing the procedure for liquidations and the powers and duties of the commissioner of banks with reference thereto; providing for assessments on capital stock of banks and trust companies