

CHAPTER 501—H. F. No. 294

An act relating to absent and disabled voters, amending Minnesota Statutes 1941, Sections 203.04, 203.05, 203.06, 203.07, and 203.14.

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

Section 1. Minnesota Statutes 1941, Section 203.04, is amended to read as follows:

203.04. County auditor to file applications. If any application is made either in person or by mail more than 15 days before election, the auditor shall file the same and forthwith on the delivery to him of the ballots, shall mail to the applicant, *without charge*, at the address specified in the application one each of the several ballots the applicant is entitled to vote upon at the next election; also the envelope hereinafter specified. If the application is made within 15 days of the election, he shall forthwith upon receipt of such application, mail, or deliver to the applicant, *without charge*, if he apply therefor in person, and fill out and sign the application blank specified in Section 203.02 of this chapter, one each of the several ballots the applicant is entitled to vote upon at the next election; also the envelopes hereinafter specified.

Sec. 2. Minnesota Statutes 1941, Section 203.05, is amended to read as follows:

203.05. Fees. *The expense of such extra clerical assistance as may be required for the performance by the auditor of the duties imposed by this chapter; the cost of furnishing and printing the application blanks specified in Section 203.02 hereof; the cost of furnishing and printing the envelopes and voters' certificates herein specified; the cost of postage both in forwarding and for the return of the ballots as herein specified and in delivering to the judges of the several districts in his county the applications after the same have been endorsed by him as herein specified, shall be paid by the county.*

Sec. 3. Minnesota Statutes 1941, Section 203.06, is amended to read as follows:

203.06. Auditor may employ additional help. Each county auditor is hereby authorized to employ such assistants, additional to those now authorized by law, as may be necessary to the carrying into effect of the provisions of this chapter, *and the expense of such additional clerical assistance shall be paid by the county.*

Sec. 4. Minnesota Statutes 1941, Section 203.07, is amended to read as follows:

203.07. **Auditor to deliver ballots.** The auditor of each of the several counties shall mail or deliver to the applicant with the ballots two envelopes and a voter's certificate. One envelope shall be known as the "Return Envelope" and shall be sufficiently larger than the "Ballot Envelope" herein described, to conveniently enclose and contain the "Ballot Envelope" herein described. There shall be printed or written across the left hand end of this envelope by the auditor, before delivery thereof to the applicant, the words:

"Return Envelope

Postmaster to deliver on Election Day."

The auditor shall also cause this "Return Envelope" to be addressed to the "Judges of Election" in the district in which the applicant has certified in his application he is entitled to vote, such address shall be in substantial conformity to one of the illustrations herein set forth and as the facts may require:

"To the Judges of Election,
Seventh Precinct, Third Ward,
City of Minneapolis,
Hennepin County,
Minnesota."

"To the Judges of Election, Rosedale Town,

(Here insert name of post-office nearest voting place)

Hennepin County, Minnesota."

"To the Judges of Election, Village of Excelsior,
Excelsior, Hennepin County, Minnesota."

The auditor may vary any such form for addressing "Return Envelope" as the facts may require, but shall adopt such form of address as will best insure the prompt delivery of such envelope and contents to the judges on election day.

The county auditor shall also affix to this "Return Envelope" postage stamps sufficient in amount to pay the postage on the "Return Envelope," after the ballot, ballot envelope and voter's certificate herein prescribed have been enclosed therein, from any post-office within the territorial limits of the United States, other than the overseas possession of the United States to the place to which it is addressed.

There shall be printed on the back of this "Return Envelope" a certificate which shall be substantially in the following form:

"This is to certify that _____ after marking and enveloping the enclosed ballots as set forth in the enclosed certificate by me attested, enclosed the said ballot envelope in this return envelope in my presence without opening the said ballot envelope or permitting me or any other person to know or learn how he had voted as to any candidate or proposition and that in this return envelope was sealed in my presence and after being sealed was deposited in my presence in the United States post-office at _____ without being opened.

Dated this _____ day of _____, 19____.

Attesting Witness."

The return envelope shall be so made as to open on the left hand end and the certificate above set forth shall be printed on the right hand three-fourths of the back of the envelope.

The auditor shall also furnish to the applicant with the ballots, a "Voter's Certificate," which certificate shall be substantially in the following form:

"VOTER'S CERTIFICATE

The undersigned hereby certifies that he is a qualified voter in the _____ Precinct of the _____ Ward of the City of _____

County of _____, State of Minnesota; (Strike out the word "Precinct" if the ward or wards constitute an election district); that the ballots enclosed in the "Ballot Envelope" were exhibited by me to the attesting witness named below the same were marked by me; that at the time I so exhibited the same to said attesting witness there were no cross marks opposite the names of any candidate or propositions to be voted on; that thereafter I marked the same in the presence of said attesting witness, but in such a way that neither he nor any other person could see or learn for what candidates or propositions thereon I voted; that thereupon in his presence I folded said ballots and without showing the same to any person,

enclosed the same in the "Ballot Envelope" and sealed said "Ballot Envelope."

Dated at _____, this _____ day of _____, 19____.

Voter"

"CERTIFICATE OF ATTESTING WITNESS

I hereby certify that I have read the foregoing certificate and know the contents thereof and that the same is true.

Dated at _____, this _____ day of _____, 19____.

Attesting Witness

(Here write name of office or official character of attesting witness, such as postmaster, etc.)"

Printed on the back of the voter's certificate shall be the following directions to voters:

DIRECTIONS TO VOTERS

(1) You may mark and mail your ballot at any place within the United States other than Alaska and the Island Possessions of the United States.

(2) The ballot must be marked and sealed in the "Ballot Envelope" in the presence of an attesting witness, but in such a manner as to prevent such witness or any other person from knowing or learning how you have voted as to any candidate or proposition.

(3) After marking and enclosing ballot in the "Ballot Envelope" you and attesting witness must each sign your respective names to the "Voter's Certificates" and "Certificate of Attesting Witness."

(4) Do not put "Voter's Certificate" in "Ballot Envelope" but enclose same in "Return Envelope."

(5) Enclose "Ballot Envelope" and "Voter's Certificate" in "Return Envelope," seal the latter, have attesting witness sign certificate on back of "Return Envelope" and then deposit same in the United States Post-office in presence of, or by the attesting witness.

(6) The ballot may be marked and mailed at any time after you receive it from the county auditor; it should, how-

ever, be marked and mailed so as to arrive at your voting place on or before election day. If not there by that day it will not be counted.

(7) The attesting witness who signs the voter's certificate must also sign the certificate on the back of the "Return Envelope."

(8) Any United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or any officer having authority to administer an oath or take an acknowledgment may be an attesting witness.

If a postmaster, or assistant postmaster, or postal supervisor, or clerk in charge of a contract postal station acts as an attesting witness, his signature on the "Certificate of Attesting Witness" should be authenticated by the cancellation stamp of their respective post-offices. If one of the other officers named acts as attesting witness his signature on the "Certificate of Attesting Witness" should be authenticated with his official seal. It is not necessary to thus authenticate the signature to the certificate on the back of the "Return Envelope."

(9) Remember that the officers above named are not bound to act as attesting witness for you, but if they do, do so only as a favor:

(10) Fold each ballot separately before placing it in "Ballot Envelope"; fold so that cross mark cannot be seen without unfolding, but so that facsimile signature of officer (secretary of state, county auditor, or city clerk) under whose direction the ballot is printed and appearing on the back of the ballot, can be seen without unfolding the ballot. Do not put your name, initials or any other identifying mark on the ballot.

Sec. 5. Minnesota Statutes 1941, Section 203.14, is amended to read as follows:

203.14. Disposition of fees. In the case of city elections in all cities, or village elections in all villages operating under the "Australian Ballot System," voters' applications for ballots shall be filed with the city or village clerk, *no fees shall be required to be paid therefor*, and the duties prescribed in this Part for the county auditor shall be performed by the city or village clerk. The cost of carrying out the provisions of this Part for any such city or village election shall be paid by the city or village in which the same is held.

Approved April 23, 1945.