

## CHAPTER 201

## REGISTRATION OF VOTERS

**201.01 REGISTRATION IN CERTAIN CITIES.**

Veterans not registered cannot vote at a municipal election where registration is required. OAG Feb. 1, 1946 (183-R).

Any municipality having less than 10,000 inhabitants may, by ordinance or resolution, adopt the voters registration system. OAG March 14, 1947 (183-r).

**201.04 COMPENSATION OF COMMISSIONER.**

The use of the word "shall" is not decisive as to whether a statutory provision is directory or mandatory. That word has frequently been construed as meaning may. The latter meaning conforms to the statute here construed, as the act prospectively affects government action. *Jerome v Burns*, 202 M 485, 279 NW 237.

**201.05 DUTIES OF COMMISSIONER.**

The commissioner of registration is without authority to keep his office open for the registration of voters on Oct. 12, 1946, a legal holiday. OAG Oct. 9, 1946 (183-R).

**201.06 REGISTRATION OF VOTERS.**

Where registration is required, a veteran who is not on the registration list cannot vote. OAG Feb. 1, 1946 (183-R).

**201.07 COMMISSIONER TO ESTABLISH REGISTRATION PLAN.**

Subject to reasonable regulations, the duplicate registration list of voters is open for public inspection. OAG Aug. 16, 1944 (183-R).

**201.16 REPORT OF GUARDIANSHIPS, ETC.**

Person discharged from state hospital for the insane need not obtain a judgment of restoration in order to vote or register. OAG Jan. 22, 1945 (183-R).

**201.17 APPLICATION FOR REGISTRATION.**

Amended by L. 1947 c. 418 s. 1.

**201.18 COMMISSIONER TO PERFECT ELECTION REGISTERS.**

On last day for registration, the registration of applicants in registrar's office before midnight may be registered after that hour. OAG Oct. 12, 1944 (183-R).

**201.191 RIGHTS OF MEMBERS OF ARMED FORCES.**

Where registration is required, the request for a ballot made by a voter or by others authorized to do so in his behalf is equivalent to registration. OAG Nov. 8, 1946 (183-R).

**201.20 CHALLENGES TO VOTERS.**

Section 201.20 in no way disfranchises without due process of law one whose right to register is challenged. The act is valid and constitutional. *State ex rel v Ferguson*, 203 M 603, 281 NW 765.

# MINNESOTA STATUTES 1947 ANNOTATIONS

## 201.31 REGISTRATION OF VOTERS

496

### 201.31 OATH TO ELECTORS.

A provision in a city charter that elector may swear in his vote though he be not registered is inoperative as being contra to the provisions of the statute. OAG March 23, 1929 (183-R).

When a person establishes his residence in Minnesota, the six months period begins to run. OAG Oct. 27, 1943 (490-J-2).

A Minnesotan who left Minnesota and resided in Washington, D. C., for 17 years without returning has lost his Minnesota residence and is not entitled to vote until he again establishes a residence. OAG April 10, 1944 (490-J-2).

The residence of a soldier returned from overseas and who has established no other residence may be that of his wife. OAG Sept. 2, 1944 (490-K).

Restatement of conflict of laws annotated with Minnesota decisions. 15 MLR 668.

### 201.32 DETERMINATION OF RESIDENCE.

A resident of Washington, D. C., who has resided there 20 years after coming of age and never has resided in Minnesota during that time, is not entitled to vote in Minnesota. 1944 OAG 139, April 10, 1944 (490-J-2).