

## Elections

## CHAPTER 200

## GENERAL PROVISIONS, DEFINITIONS

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200.02 **ELECTION.** The word "election," as used in chapters 200 to 212, means and includes any election, except those held in any school district, at which the electors of the state or of any subdivision thereof nominate or choose by ballot public officials or decide any public question lawfully submitted to them.

[1939 c. 345 part 1 c. 1 s. 2] (601-1(1)a)

200.03 **GENERAL ELECTION.** The words "general election," as used in chapters 200 to 212, mean and include the election provided to be held in the state on the first Tuesday after the first Monday of November in every even-numbered year.

[1939 c. 345 part 1 c. 1 s. 3] (601-1(1)b)

200.04 **PRIMARY.** The words "primary" or "primary election," as used in chapters 200 to 212, mean an election held for the purpose of deciding by ballot who shall be the nominees for the offices named in those chapters or for the election by ballot of delegates to political conventions.

[1939 c. 345 part 1 c. 1 s. 4] (601-1(1)c)

200.05 **MUNICIPAL ELECTION.** The words "municipal election," as used in chapters 200 to 212, mean an election held in a municipality at which the electors of the municipality choose by ballot public officials for such municipality or decide any public question relating to such municipality lawfully submitted to them.

[1939 c. 345 part 1 c. 1 s. 5] (601-1(1)d)

200.06 **SPECIAL ELECTION.** The words "special election," as used in chapters 200 to 212, mean an election held for a special purpose as provided in those chapters.

[1939 c. 345 part 1 c. 1 s. 6] (601-1(1)dd)

200.07 **SPECIAL PRIMARY.** The words "special primary" or "special primary election," as used in chapters 200 to 212, mean a primary election held to select the nominees for the offices to be filled at a special election.

[1939 c. 345 part 1 c. 1 s. 7] (601-1(1)e)

200.08 **POLITICAL PARTY.** The words "political party," as used in chapters 200 to 212, mean one which shall have maintained in the state, governmental subdivision thereof or district therein in question, a party organization and presented candidates for election at the last preceding general election one or more of which candidates shall have been voted for in each county within the state at such election and shall have received in the state not less than five per cent of the total vote cast for all candidates at such election or whose members to a number equal to at least

five per cent of the total number of votes cast at the preceding general election in the county where the application is made shall present to the county auditor a petition for a place on the primary election ballot.

[1939 c. 345 part 1 c. 1 s. 8] (601-1(1)ee)

**200.09 CITY.** The word "city," as used in chapters 200 to 212, means an incorporated city within this state.

[1939 c. 345 part 1 c. 1 s. 9] (601-1(1)f)

**200.10 FIRST CLASS.** The words "city of the first class" or "cities of the first class," as used in chapters 200 to 212, mean and include any city within the state of over 50,000 inhabitants.

[1939 c. 345 part 1 c. 1 s. 10] (601-1(1)ff)

**200.11 SECOND CLASS.** The words "city of the second class" or "cities of the second class," as used in chapters 200 to 212, mean and include any city within the state of 50,000, and not less than 20,000, inhabitants.

[1939 c. 345 part 1 c. 1 s. 11] (601-1(1)g)

**200.12 THIRD CLASS.** The words "city of the third class" or "cities of the third class," as used in chapters 200 to 212, mean and include any city within the state of 20,000, and not less than 10,000, inhabitants.

[1939 c. 345 part 1 c. 1 s. 12] (601-1(1)gg)

**200.13 FOURTH CLASS.** The words "city of the fourth class" or "cities of the fourth class," as used in chapters 200 to 212, mean and include any city within the state of 10,000 inhabitants or less.

[1939 c. 345 part 1 c. 1 s. 13] (601-1(1)h)

**200.14 VILLAGE.** The word "village," as used in chapters 200 to 212, means an incorporated village or borough within this state.

[1939 c. 345 part 1 c. 1 s. 14] (601-1(1)i)

**200.15 MUNICIPALITY.** The word "municipality" or "municipalities," as used in chapters 200 to 212, means and includes any city, village, or borough.

[1939 c. 345 part 1 c. 1 s. 15] (601-1(1)ii)

**200.16 MUNICIPAL CORPORATION.** The words "municipal corporation," as used in chapters 200 to 212, mean and include any municipality, county, or town.

[1939 c. 345 part 1 c. 1 s. 16] (601-1(1)j)

**200.17 COUNCIL.** The word "council," as used in chapters 200 to 212, means the governing body of a municipality.

[1939 c. 345 part 1 c. 1 s. 17] (601-1(1)jj)

**200.18 JUDGE AND CLERK.** The words "judge" and "clerk," as used in chapters 200 to 212, mean any judge of election or clerk of election, as the case may be.

[1939 c. 345 part 1 c. 1 s. 18] (601-1(1)k)

**200.19 PEACE OFFICER.** The words "peace officer," as used in chapters 200 to 212, mean and include any sheriff, constable, policeman, or any citizen appointed and empowered to perform any of their duties.

[1939 c. 345 part 1 c. 1 s. 19] (601-1(1)L)

**200.20 DISTRICT.** The word "district," as used in chapters 200 to 212, means an election district.

[1939 c. 345 part 1 c. 1 s. 20] (601-1(1)m)

**200.21 VOTER.** The word "voter," as used in chapters 200 to 212, means an elector qualified to vote at an election.

[1939 c. 345 part 1 c. 1 s. 21] (601-1(1)n)

**200.22 POLLS.** The word "polls," as used in chapters 200 to 212, means and includes the place of voting.

[1939 c. 345 part 1 c. 1 s. 22] (601-1(1)o)

**200.23 POPULATION AND INHABITANTS.** The word "population" and the word "inhabitants," when used in reference to population, as used in chapters 200 to 212, means that shown by the last preceding census, United States or State, unless otherwise expressly provided.

[1939 c. 345 part 1 c. 1 s. 23] (601-1(1)p)

**200.24 CONVENTION.** The word "convention," as used in chapters 200 to 212, means an organized body of delegates representing a political party assembled for the purpose of nominating candidates for office, which political party at the last

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preceding general election before the holding of such convention polled at least five per cent of the entire vote cast in the state for the office for which the nomination is made.

[1939 c. 345 part 1 c. 1 s. 24] (601-1(1)pp)

**200.25 CONTESTANT.** The word "contestant," as used in chapters 200 to 212, means the person who begins any proceeding to contest the result of an election.

[1939 c. 345 part 1 c. 1 s. 25] (601-1(1)q)

**200.26 CONTESTEE.** The word "contestee," as used in chapters 200 to 212, means the person who is adverse to the contestant.

[1939 c. 345 part 1 c. 1 s. 26] (601-1(1)r)

**200.27 SENATOR.** The word "senator" or "senators," as used in chapters 200 to 212, means a member or members of the senate of this state.

[1939 c. 345 part 1 c. 1 s. 27] (601-1(1)rr)

**200.28 REPRESENTATIVE.** The word "representative" or "representatives," as used in chapters 200 to 212, means a member or members of the house of representatives in this state.

[1939 c. 345 part 1 c. 1 s. 28] (601-1(1)s)

**200.29 COMMISSIONER.** The word "commissioner," as used in chapters 200 to 212, means and includes any person acting as a commissioner of registration pursuant to the provisions of chapter 201.

[1939 c. 345 part 1 c. 1 s. 29] (601-1(1)ss)

**200.30 ELECTION BOARD.** The words "election board," as used in chapters 200 to 212, mean and include the judges of election of an election district.

[1939 c. 345 part 1 c. 1 s. 30] (601-1(1)t)

**200.31 TERMS OF OFFICE.** The term of office of every state and county officer shall begin on the first Monday in January next succeeding his election, unless otherwise provided by law.

[1939 c. 345 part 1 c. 2 s. 1] (601-1(2))

**200.32 EQUAL SUFFRAGE.** Every female person of the age of 21 years or upwards, who has been a citizen of the United States for three months or more next preceding any election, and who shall have resided in this state six months next preceding any such election, is authorized to vote at such election in the election district of which she shall at the time have been for 30 days a resident; provided such female shall otherwise be a person included in the classes of persons permitted to vote under the provisions of the Constitution of the State of Minnesota, Article 7.

[Ex. 1919 c. 58 s. 1; 1939 c. 345 part 1 c. 2 s. 2] (601-1(2)a)

**200.33 APPLICATION LAWS.** Every and all provisions of the laws of this state pertaining to elections, and in terms or otherwise, limiting the right to vote at any election to male persons or referring to male persons as being the only persons authorized to vote at any election, shall be construed as being extended to and as including such females as are defined and described in section 200.32.

[Ex. 1919 c. 58 s. 2; 1939 c. 345 part 1 c. 2 s. 3] (601-1(2)b)

**200.34 CHANGE OF NAME OF POLITICAL PARTY.** Any political party as defined by the election laws of this state may change its name by complying with the following conditions:

The state central committee of such political party may call a convention; and shall state in its call that a convention is called for a certain time and place, for the purpose of changing the name of such party to some specific name given in such call. Such convention shall be held before the termination of the time for filing for nomination for primary elections preceding the general state election, and such change shall be agreed by resolution of a majority of such convention.

A copy of the resolutions determining upon such change of name, certified by the chairman and secretary of such convention, shall be filed with the secretary of state within five days after the holding of such convention. Thereafter such political party shall be known by the new name called for by the resolution, and the party under its new name shall have all the rights that it had under its former name.

[1939 c. 345 part 1 c. 2 s. 4] (601-1(2)c)

**200.35 ELECTION SERVICES, COMPENSATION.** The compensation for services performed under chapters 200 to 212 shall be as follows:

(1) To presidential electors, \$10 for each day's attendance at the capitol, and seven cents for each mile necessarily traveled in going to and returning from St. Paul;

(2) To persons carrying ballots from, and returns to, county auditor's offices, \$1 for each trip necessarily made, and seven cents for each mile of necessary travel;

(3) To members of county canvassing boards \$5 for each eight hours of service as members of such canvassing board and seven cents for each mile of necessary travel; provided that in counties now or hereafter having a population of 600,000 or more the members of the county canvassing boards in such counties shall be paid \$12 for each eight hours of service as members of such canvassing board and mileage.

(4) The sum for regular, special, and ballot judges and clerks of election, for each hour necessarily spent in receiving votes or in counting and canvassing ballots shall be determined by the appropriate governing body as hereafter provided: in the case of organized townships the compensation of judges and clerks shall be fixed at the annual meeting; in the case of unorganized territory by the county board; and in the case of villages and boroughs, by the governing bodies thereof; and the compensation paid to regular, special and ballot judges and clerks of election in cities shall be fixed and determined by the council of such cities respectively; and

(5) To special peace officers, an amount for each hour of service rendered by direction of the judges, to be fixed as in the case of the judges and clerks of election.

[1939 c 345 part 6 c 13 s 1; 1943 c 491 s 1; 1943 c 555 s 1; 1945 c 533 s 1; 1947 c 499 s 1; 1949 c 519 s 1; 1951 c 367 s 1; 1953 c 199 s 1] (601-6(13))

**200.36 EXPENSES TO BE PAID BY STATE.** The compensation prescribed in section 200.35, the cost of printing the white and pink ballots, and all necessary expenses incurred by the secretary of state in connection with elections, shall be paid by the state out of moneys not otherwise appropriated. That prescribed in section 200.35, clause (3), the cost of printing the india tint ballots, and all necessary expenses incurred by auditors in connection with elections, shall be paid by the respective counties. That prescribed in the remaining clauses of section 200.35, the cost of printing the red ballots, or providing ballot boxes and polling places, and equipping the same, and all necessary expenses of the clerks of municipal corporations on account of elections, shall be paid by the respective towns, villages, or cities where the elections are held. All disbursements hereunder shall be presented, audited and paid as in the case of other public expenses.

[1939 c. 345 part 6 c. 13 s. 2] (601-6(13)a)

**200.37 APPLICATION OF CHAPTERS 200 TO 212.** The provisions of chapters 200 to 212 shall not apply to elections of town officers, nor except those relating to the arrangement for voting at the polls, the preservation of order thereat, and election contest, to village elections. Nothing herein shall affect the terms of city officers, or the times of holding city elections, as prescribed by the charters of the several cities.

[1939 c. 345 part 6 c. 13 s. 3] (601-6(13)b)

**200.38 RIGHTS SAVED.** The repeal, by chapters 200 to 212, of any act or part thereof, whether the same be re-enacted therein or not, shall not revive any law heretofore or hereby repealed or any office abolished; and shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action or proceeding had or commenced in a civil cause before the repeal takes effect, but the proceedings in such case shall conform, so far as practicable, to the provisions of these chapters. Such repeal shall not affect any penalty or forfeiture previously incurred, except that the provisions of these chapters whereby a punishment, penalty, or forfeiture is mitigated may be extended and applied to a judgment pronounced after they take effect; and in actions or prosecutions pending at the time of the repeal, for offenses committed, or for the recovery of penalties or forfeitures incurred, under any of the acts repealed, the subsequent procedure shall conform, so far as practicable, to the provisions of these chapters. Whoever, when the repeal takes effect, holds an office under any of the laws repealed, shall continue

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to hold it according to the tenure thereof, unless it is abolished or unless a different provision relative thereto is made by these chapters. The provisions of these chapters, so far as they are the same as those of existing statutes, shall be construed as continuations thereof, and not as new enactments; and references to statutes not repealed to provisions of law which are re-enacted herein shall be construed as applying to such provisions as so incorporated in these chapters. If in any statute so repealed, a limit of time be prescribed for acquiring a right, barring a remedy, or any other purpose, which period has begun to run, and the same or a similar limitation is herein prescribed, the time of limitation shall continue to run with the same effect as though the whole period had elapsed under the operation of these chapters.

[1939 c. 345 part 12 c. 1 s. 2] (601-12a)