

VOTING MACHINES 206.08

separate ballot box, painted blue, to be procured by the local authorities for each voting precinct. The ballots shall be canvassed, counted, and returned in the same manner as other city ballots, and the tally books and returns shall provide appropriate blank spaces for the counting, canvassing and returning of the results of the questions submitted on the blue ballot.

[1973 c 387 s 2]

CHAPTER 206. VOTING MACHINES

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206.026 Methods of using electronic voting systems

Subdivision 1. In precincts where an electronic voting system is used, a sufficient number of voting booths or compartments shall be provided for the use of such a system, and the booths or compartments shall be arranged in the same manner as provided for use with paper ballots. In primary elections, separate marking devices may be provided in each voting booth or compartment for the use of the separate partisan primary ballots authorized by section 206.09 provided that the use of such separate ballots shall not be permitted if such use would impair the right of the elector to vote in secret.

[1973 c 763 s 1]

[For text of subds. 2 to 4, see M.S.1971]

206.07 Candidates, arrangement of names

Subdivision 1. Placement. Where voting machines are authorized and employed, the titles of offices may be arranged horizontally with the names of the candidates arranged vertically under the title of the office, or the titles of the offices may be arranged vertically with the names of the candidates arranged horizontally opposite the respective titles. On the "Consolidated Primary Election Ballot" prepared for primary elections, and on the white ballot prepared for the general election, the order of the names of nominees, or names of candidates for election, as the case may be, shall be the same as is required for paper ballots. Candidates for governor and lieutenant governor shall appear so that a single vote will apply to both offices. More than one column or row may be used for the same office or party. Questions, constitutional amendments, or other propositions shall be placed on the machines in the space provided for that purpose and shall be arranged in the manner which the construction of the machine requires.

[1973 c 3 s 8; 1973 c 318 s 4]

Subd. 2. Alternation. The provisions of the election laws requiring the alternation of the names of candidates shall be observed so far as practicable by changing the order of the names on the voting machines in the various precincts so that each name shall appear upon the several machines used in a given municipality substantially an equal number of times at the top, at the bottom, and in each intermediate place, of any of the list or group in which they belong; provided, however, that the arrangement of the names shall be the same on each voting machine used in the same precinct.

[1973 c 3 s 9]

[For text of subds. 3 to 5, see M.S.1971]

206.08 Minnesota voting machine commission created

There is hereby created a body to be known as the Minnesota voting machine commission, consisting of three members, including the secretary of state, who shall be chairman.

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There shall be appointed as members of the commission, two competent and responsible persons, who shall be master mechanics or graduates of a school of mechanical engineering.

The governor shall appoint one of the members and the secretary of state the other.

None of the members of the commission shall, directly or indirectly, have any pecuniary interest in any voting machine. The appointees shall serve for a term of four years from the date of appointment and until their successors are in like manner appointed. The appointing power may fill vacancies in the commission. The members of the commissions so appointed shall qualify without delay by taking and filing with the secretary of state an oath of office in writing in the usual form, and shall elect one of their members to be secretary and one to be treasurer.

Any person, company, or corporation, owning or being interested in any voting machine may apply to the commission to examine such machine and to report as to its compliance with the requirements of the law and on its accuracy, durability, efficiency and capacity to register the will of the electors. The commission shall thereupon examine the machine so submitted, and make and file its report thereon. The examination shall not be required as to each individual machine, but only as to each particular kind or type of machine, before its adoption, use or purchase as provided herein.

The report of the commission shall be signed by the secretary of state and at least one other member, and shall be filed with the secretary of state within ten days after the close of said examination.

If, from the report, it shall appear that in the opinion of the commission, the kind of machine so examined complies with the requirements of this chapter and can be used safely at elections in this state, under the conditions prescribed by this chapter, and by the laws of the state where the same do not conflict herewith, then the said machine shall be deemed approved by the said commission, and machines of its kind may be adopted and purchased for use, and may be used at elections in this state as herein provided. No form of voting machine not so approved may be used at any election in this state. The secretary of state shall have authority to adopt regulations, consistent with this chapter, relating to general use of approved electronic voting machines.

The commission may license any electronic voting system for experimental use at any election prior to its approval for general use. Such experimental use shall be observed by the commission or any person designated by them and the results so observed shall be considered at any proceedings for approval for general use thereafter. The secretary of state shall have authority to adopt regulations, consistent with this chapter, relating to such experimental use. The extent of such experimental use shall be determined by the commission; provided that the governing body of any municipality licensed to use an electronic voting system for the state general election in 1966 may provide for the use of an electronic voting system in all precincts of such municipality at any or all elections in the two years following July 1, 1967, without obtaining the consent of the commission.

As the examination fee herein, the application shall be accompanied by the sum of \$150 which shall be deposited in the state treasury to be expended in conformity with this paragraph. There shall be deducted from the amount of such deposit all expenses incurred by the commission in the discharge of its duties. The remainder of such deposit shall be paid in equal parts to the members of the commission other than the secretary of state as full compensation for their services and expense herein. Such moneys as are necessary to carry out the terms and provisions of this paragraph are hereby appropriated annually to the commission from the general fund in the state treasury.

[1973 c 215 s 1]