

# MINNESOTA STATUTES 1979 SUPPLEMENT

## 207.08 ABSENT AND DISABLED ~~VOTERS~~

### CHAPTER 207. ABSENT AND DISABLED VOTERS

Sec. 207.08	Return and ballot envelopes, directions to voters.	Sec. 207.10 207.11	Repealed. Judges to receive and count ballots.
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#### 207.08 Return and ballot envelopes, directions to voters.

[For text of subd 1, see M.S.1978]

Subd. 1a. An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots. The return envelope containing marked ballots may be mailed as provided in the directions for casting the absentee ballots or may be left with the county auditor or municipal clerk who transmitted the absentee ballots to the voter.

Subd. 2. The county auditor or municipal clerk shall address the return envelopes to allow direct mailing of the absentee ballots to:

- (a) The county auditor or municipal clerk who sent the ballots to the voter;
- (b) The clerk of the town or city in which the absent voter is eligible to vote; or
- (c) The judges of election.

The county auditor or municipal clerk shall in all cases affix sufficient postage to return envelopes to assure return of the ballots to the judges by election day. When absentee ballots are delivered by election judges pursuant to section 207.31, the ballots shall be returned in person to the municipal clerk by the judges who delivered them.

Subd. 3. When absentee ballots are returned to a county auditor or town or city clerk, that official shall stamp and date the return envelope with an official seal of the office and place it in a secure location with other return envelopes received by that office. The county auditor or town or city clerk shall deliver them to the appropriate election judges on election day.

Subd. 4. The secretary of state shall adopt rules establishing the procedures to be followed by county auditors and town and city clerks to assure accurate and timely return of absentee ballots, and may authorize methods and procedures of return in addition to those specified in this section.

[ 1979 c 90 s 6,7 ]

207.10 [ Repealed, 1979 c 90 s 10 ]

207.11 Judges to receive and count ballots.

[For text of subds 1 to 5, see M.S.1978]

Subd. 6. **Electronic voting system precincts.** Paper absentee ballots delivered to the election judges in precincts which use an electronic voting system shall be counted in the manner provided in this section. No duplicate ballot cards shall be prepared. The paper ballot vote totals for each candidate and on each question shall be added to the results obtained from the electronic tabulating equipment in each precinct.

[ 1979 c 90 s 9 ]

### CHAPTER 208. PRESIDENTIAL ELECTORS

Sec. 208.03	Nomination of presidential electors.	Sec. 208.07	Certificate of electors.
208.04	Preparation of ballots.	208.08	Electors to meet at state capitol.
208.05	State canvassing board.		
208.06	Electors to meet at capitol; filling of vacancies.		

#### 208.03 Nomination of presidential electors.

Presidential electors for the several political parties of this state shall be nominated by delegate conventions called and held under the supervision of the respective

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state central committees of the parties of this state. The names of the persons nominated as presidential electors shall be certified to the secretary of state by the chairperson of the convention for the office of presidential elector.

[ 1979 c 251 s 2 ]

### 208.04 Preparation of ballots.

Subdivision 1. When presidential electors are to be voted for, a vote cast for the party candidates for president and vice-president shall be deemed a vote for that party's electors as filed with the secretary of state. The secretary of state shall certify the names of all duly nominated presidential and vice-presidential candidates to the county auditors of the counties of the state. Each county auditor, subject to the rules of the secretary of state, shall cause the names of the candidates of each political party and the candidates nominated by petition to be printed in capital letters, set in type of the same size and style as for candidates on the state white ballot, before the party designation. To the left of, and on the same line with the surnames, near the margin, shall be placed a square or box, in which the voters may indicate their choice by marking an "X". A mark opposite the candidate's name of any one party shall be counted as a vote for each elector in the party group on file with the secretary of state.

The form for the presidential ballot and the relative position of the several candidates shall be determined by the rules applicable to other state officers. The state ballot, with the required heading, shall be printed on the same piece of paper and shall be below the presidential ballot with a blank space between one inch in width.

[For text of subd 2, see M.S.1978]

[ 1979 c 251 s 3 ]

### 208.05 State canvassing board.

The state canvassing board at its meeting on the second Tuesday after each general election shall open and canvass the returns made to the secretary of state for presidential electors, prepare a statement of the number of votes cast for the persons receiving votes for these offices, and declare the person or persons receiving the highest number of votes for each office duly elected. When it appears that more than the number of persons to be elected as presidential electors have the highest and an equal number of votes, the secretary of state, in the presence of the board shall decide by lot which of the persons shall be declared elected. The governor shall transmit to each person declared elected a certificate of election, signed by the governor, sealed with the state seal, and countersigned by the secretary of state. Immediately after the canvass is completed the secretary of state shall cause a statement of their election to be published in one or more of the daily newspapers published in St. Paul and in one or more of the daily newspapers published in Minneapolis.

[ 1979 c 251 s 4 ]

### 208.06 Electors to meet at capitol; filling of vacancies.

The presidential electors, before 12:00 M. on the day before that fixed by congress for the electors to vote for president and vice president of the United States, shall notify the governor that they are at the state capitol and ready at the proper time to fulfill their duties as electors. The governor shall deliver to the electors present a certificate of the names of all the electors. If any elector named therein fails to appear before 9:00 A.M. on the day, and at the place, fixed for voting for president and vice president of the United States, the electors present shall, in the presence of the governor, immediately elect by ballot a person to fill the vacancy. If more than the number of persons required have the highest and an equal number of votes, the governor, in the presence of the electors attending, shall decide by lot which of those persons shall be elected.

[ 1979 c 251 s 5 ]

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### 208.07 Certificate of electors.

Immediately after the vacancies have been filled, the original electors present shall certify to the governor the names of the persons elected to complete their number, and the governor shall at once cause written notice to be given to each person elected to fill a vacancy. The persons so chosen shall be presidential electors and shall meet and act with the other electors.

[ 1979 c 251 s 6 ]

### 208.08 Electors to meet at state capitol.

The original and substituted presidential electors, at 12:00 M., shall meet in the executive chamber at the state capitol and shall perform all the duties imposed upon them as electors by the constitution and laws of the United States and this state.

[ 1979 c 251 s 7 ]

## CHAPTER 210A. FAIR CAMPAIGN PRACTICES

Sec.  
210A.01 Definitions.

### 210A.01 Definitions.

[For text of subs 1 and 2, see M.S.1978]

Subd. 3. "Candidate" means any individual for whom it is contemplated or desired that votes may be cast at any primary or election, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. In sections 210A.22 to 210A.28, 210A.32 and 210A.33, "candidate" does not mean an individual for whom it is contemplated or desired that votes may be cast at any primary or election, and who either tacitly or expressly consents to be so considered for constitutional office, member of the legislature, justice of the supreme court, or district court, county court, probate court, or county municipal court judge.

[For text of subs 4 to 9, see M.S.1978]

[ 1979 c 59 s 6 ]

## CHAPTER 214. EXAMINING AND LICENSING BOARDS

Sec.  
214.10 Complaints; investigation and hearing.

### 214.10 Complaints; investigation and hearing.

[For text of subs 1 to 2a, see M.S.1978]

Subd. 3. **Discovery; subpoenas.** In all matters pending before it relating to its lawful regulation activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board to do so may, upon application to the district court in any district, be ordered to comply therewith; provided that in matters to which the peace officers standards and training board is a party, application shall be made to the district court having jurisdiction where the event giving rise to the matter occurred. The chairman of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner pro-