

which shall not exceed the cost of bid and performance bonds if purchased in the usual manner by other businesses for similar contract work or procurement.

Subd. 2. PARTICIPATION LIMIT. No small business or small business owned and operated by economically and socially disadvantaged persons shall be eligible for bonding pursuant to this section for a period of more than five years from the date that the small business or small business owned and operated by economically and socially disadvantaged persons received its first bond pursuant to this section.

Subd. 3. QUALIFICATIONS. The commissioners of administration and transportation shall each establish standards to determine the eligibility of small businesses and small businesses owned by economically and socially disadvantaged persons for the use of bid and performance bonds subject to indemnity under this section. The rule making provisions of chapter 15 shall not apply to the establishment of these standards. Until January 1, 1978, each commissioner may adopt emergency rules pursuant to section 15.0412, subdivision 5, to implement the provisions of this section.

Subd. 4. ENCUMBRANCE NOT APPLICABLE. Agreements of indemnity entered into pursuant to subdivision 1 shall not be subject to encumbrance requirements imposed by other provisions of law.

Sec. 2. APPROPRIATION. Subdivision 1. Any moneys required by the department of administration for payment of claims pursuant to this act shall be made available from the general contingent account.

Subd. 2. Any moneys required by the department of transportation for payment of claims pursuant to this act shall be paid from the unobligated balance of appropriations made to the department for highway development.

Subd. 3. This section is effective for indemnification agreements entered into in the biennium beginning July 1, 1977. The money provided by this act shall not be used for agreements executed after June 30, 1979. The total amount indemnified shall not exceed \$4,500,000.

Approved June 2, 1977.

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CHAPTER 395—H.F.No.789

[Coded in Part]

*An act relating to elections; establishing voter registration in all counties; changing required voter registration information; providing for reports of changes; delaying the availability of registration lists; requiring proof of residence; permitting applications for absentee ballots; providing for delivery and return of election ballots; appropriating money; amending Minnesota Statutes 1976, Sections 201.061, Subdivisions 3 and 6; 201.071; 201.091, Subdivisions 2 and 6 and by adding a subdivision; 201.14; 204A.37, Subdivision 1; 207.03; 207.05, Subdivision 1; 207.10; 207.101; Chapter 201, by adding a section; and*

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Chapter 207, by adding a section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 201.061, Subdivision 3, is amended to read:

Subd. 3. ELECTIONS; VOTER REGISTRATION. A person who on election day presents himself at the polling place for the precinct in which he resides and who is not registered but is otherwise eligible to vote may nevertheless vote upon registering. A person may register at this time by completing a registration card, making an oath in the form prescribed by the commissioner and providing proof of his residence. An individual may prove his residence by (1) the showing of his drivers license or nonqualification certificate issued pursuant to section 171.07, or (2) providing any document approved by the commissioner as proper identification, or (3) having an individual who is registered to vote in the precinct sign an oath in the presence of the election judge that he personally knows that the applicant is a resident of the precinct. Forms for the card and oath shall be available at each polling place. When an individual signs an oath that he personally knows that an applicant is a resident of the precinct the oath shall be attached to the applicant's registration card until the address of the applicant is verified by the county auditor. Forms used pursuant to this section shall be forwarded to the auditor who shall, unless the information forwarded is substantially deficient, add the name of the voter to the registration system. If the auditor finds a registration pursuant to this subdivision substantially deficient he shall give written notice to the person whose registration is found deficient.

Sec. 2. Minnesota Statutes 1976, Section 201.061, Subdivision 6, is amended to read:

Subd. 6. Each eligible voter is entitled to vote only in the one precinct in which he resides. The judges of election in any election precinct may not receive the vote at any election of any person whose name is not registered in accordance with the provisions of Laws 1973, Chapter 676. The auditor shall supply the judges in each precinct with an accurate map or precinct finder of the precinct to assist them in determining whether a newly registering voter is registering in the proper precinct.

Sec. 3. Minnesota Statutes 1976, Section 201.071, is amended to read:

201.071 REGISTRATION CARDS. Subdivision 1. Registration cards shall be manila or cardboard cards of size and weight suitable for mailing, and shall be substantially in the following form:

VOTERS REGISTRATION CARD  
(Please print or type)

- Date: .....
- 1. Name: .....  

Last	First	Middle Initial
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- 2. Address: .....  
 Street or Route No. (~~do not use P.O. Box~~)

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.....  
City (or Township) County Zip  
3. Telephone Number ~~(optional)~~:  
4. Most Recent Prior Residence.....  
Street or Route Number  
.....  
City (or Township) Zip  
Date of birth (optional):.....  
5. Most Recent Prior Registration.....  
Last registration if any.....  
Street or Route Number  
.....  
City (or Township) Zip  
6. I certify that I will be at least 18 years  
old on election day and that the above facts  
are correct. I understand that giving  
false information to procure a registration  
is a felony punishable by not more than five  
years imprisonment and a fine of not more  
than \$5,000, or both.  
.....  
Signature of Voter

Subd. 2. When made available for potential registrants the registration card shall be accompanied by instructions specifying the manner and method of registration and stating the qualifications for an eligible voter and specifying penalties for false registration.

Subd. 3. No registration is faulty or defective if the registration card contains the voter's name, address, ~~prior residence~~, prior registration if any and signature, as in items 1, 2, 4, 5 and 6 of the registration card above. The absence of a zip code number does not cause the registration to be faulty or defective. The judges of election may request a voter to complete a registration card that is incomplete or illegible. No voter may be prevented from voting unless his registration is faulty or defective or he is duly and successfully challenged in accordance with provisions of this chapter.

Subd. 4. Upon receipt of a registration card indicating that a voter has changed residence since voting last in Minnesota, a county auditor shall notify the county auditor of the voter's last registration and of last residence if different than last registration. Notification shall be made upon a form prescribed by the commissioner. A county auditor receiving a notification shall delete the voter's name from the registration lists and affix the notification to the cancelled registration card.

Sec. 4. Minnesota Statutes 1976, Section 201.091, Subdivision 2, is amended to read:

Subd. 2. On the 60th day before each primary and on the 25th day before Within 90 days after each general election, the county auditor shall have available current Changes or additions indicated by underline deletions by strikeout

registered voter lists by precinct for the county. ~~An up to date~~ The list shall be periodically corrected and updated by the auditor, and a final corrected list shall be available from the county auditor 15 days before each primary election. ~~The A~~ corrected list may be either in the form of a complete corrected list or as a separate list of additions and deletions to the preceding list ~~which was available 60 days before each primary election.~~

Sec. 5. Minnesota Statutes 1976, Section 201.091, is amended by adding a subdivision to read:

Subd. 2b. DUPLICATE REGISTRATION FILE, INSPECTION. Subject to reasonable rules and regulations, the duplicate registration file shall be open to public inspection, but no public inspection shall be permitted or allowed that will disarrange the registration files. No person to whom a file of registered electors is made available under this subdivision and no person who acquires a list of registered electors prepared from the file may use any information contained therein for purposes which are not related to elections, political activities, or law enforcement.

Sec. 6. Minnesota Statutes 1976, Section 201.091, Subdivision 6, is amended to read:

Subd. 6. Each county auditor shall determine a number of public buildings located within the county, and not less than one location per 30,000 residents, where eligible voters may register by completing a registration card and leaving it with an official within the building whose duty it shall be to transmit the cards to the appropriate county auditor. ~~All such locations shall remain open until 9:00 P.M. on the last registration day and for at least two days not including Saturdays, Sundays, and legal holidays immediately preceding the last registration day; and shall also remain open from 10:00 A.M. to 4:00 P.M. on the Saturday immediately preceding the last registration day.~~ An adequate supply of registration cards shall be maintained at the locations determined.

Sec. 7. Minnesota Statutes 1976, Section 201.14, is amended to read:

201.14 **CLERK OF DISTRICT COURT, REPORT CHANGES OF NAMES.** The clerk of district court in each county in the state shall report monthly to the county auditor the name and address of each person, 18 years of age or over, residing in ~~such municipality that~~ county whose name shall have been changed during the month preceding the date of the report, by marriage, divorce or any order or decree of such court. Upon receipt of such report, the auditor shall notify such voter by mail that it is necessary for him to re-register under such changed name in order to vote at an election.

Sec. 8. Minnesota Statutes 1976, Chapter 201, is amended by adding a section to read:

[201.161] **DRIVER'S LICENSE CHANGES.** When a person notifies the department of public safety of a change of domicile or name and applies for a corrected duplicate driver's license pursuant to section 171.11, the department shall transmit to the applicant a voters registration card together with instructions for completing the card and

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returning it by mail to the appropriate county auditor. Voters registration cards shall also be available from clerks and agents who receive applications pursuant to sections 171.06 and 171.07. Voters registration cards required to carry out the provisions of this section shall be provided to the department of public safety at no cost by the secretary of state.

Sec. 9. Minnesota Statutes 1976, Section 204A.37, Subdivision 1, is amended to read:

**204A.37 PERSONS IN POLLING PLACE.** Subdivision 1. Except as provided in this subdivision and except when a voter is unable to read English or is physically disabled and a voter is called upon to assist him, no person may remain inside the polling place except members of the election board, peace officers, challengers, and voters who are about to vote. No individual other than an election judge, peace officer or challenger may remain inside the polling place unless he is in the process of voting, is providing proof of residence for an individual who is registering to vote, or is assisting a physically handicapped voter or a voter unable to read English to vote.

Sec. 10. Minnesota Statutes 1976, Section 207.03, is amended to read:

**207.03 APPLICATION FOR BALLOTS.** Subdivision 1. At any time not more than 45 days or less than one day before the day of holding any election, any person may make application in writing subscribed by him to: (a) the auditor of the county in which the applicant is a resident; (b) the full time clerk of a municipality designated by the county auditor if the applicant is a resident of that municipality; or (c) the full time clerk of a municipality which has requested designation by the county auditor if the applicant is a resident of that municipality, for ballots and envelopes, by mailing to or filing with such auditor or such clerk an application substantially in the following form:

**"APPLICATION FOR BALLOTS**

The undersigned, a duly qualified voter in the County of ....., State of Minnesota, residing at ..... (here insert street and number) in said city, or town, because of (absence from home) ....., (illness) ....., (physical disability) ....., (because of religious discipline or observance of a religious holiday) hereby makes application for the ballots to be voted upon in said precinct at the next election. Please mail said ballots and accompanying envelope to me at ..... (insert post office address to which to be sent) .....

Dated ....., 19....

.....

(Signature of Applicant)"

An application need not be on an official or standard form. It must An application submitted by mail shall be accepted if it contains the information above.

If a person applies in person for an absentee ballot and must register by enclosing

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a completed registration card with his ballot, his application shall not be accepted unless he shall present, at the time of his application, proof of residence as required by section 201.061, subdivision 3.

Subd. 2. An eligible voter may apply for an absentee ballot on election day if he becomes a resident or patient on the day before election in a health care facility or hospital located in the municipality to which he applies. The voter may request an absentee ballot application directly from the judges engaged in delivering ballots pursuant to section 11 or by telephone to the municipal clerk not later than 5 p.m. on the day before election day. An application shall be delivered to any such voter by the judges designated to deliver ballots pursuant to section 11.

Subd. 3. Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any "Application for Ballots"; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any precinct or to aid another in so doing shall be guilty of a felony. If the person applying for a ballot resides in a political subdivision which does not accept registration other than on election day and the individual is not registered in that political subdivision, the county auditor shall send a registration card and instructions for completing the registration card along with the ballots and envelopes. For the purposes of this chapter, "municipal clerk" shall mean the clerk designated pursuant to this section.

Sec. 11. Minnesota Statutes 1976, Chapter 207, is amended by adding a section to read:

**[207.31] HOSPITAL PATIENTS AND HEALTH CARE FACILITY RESIDENTS.** Each municipal clerk shall designate election judges to deliver absentee ballots to any eligible voter who has applied for an absentee ballot as provided in section 207.03 and who is a resident or patient in a health care facility or hospital located in the municipality to which the application has been submitted. The ballots shall be delivered to any such voter by two election judges, each of whom is affiliated with a different political party. When the judges are engaged in delivering or returning ballots as provided in this section, they shall travel together in the same vehicle. Both judges shall be present when an applicant completes his voter's certificate and casts his absentee ballot, and may assist an applicant to mark his ballot in the manner provided in section 204A.34. The judges shall deposit the return envelopes containing the voted absentee ballots in a sealed container and deliver them to the clerk on the same day that they are delivered and cast. Except as provided in subdivision 2, the judges shall deliver absentee ballots to the applicant during the ten days preceding an election.

Sec. 12. Minnesota Statutes 1976, Section 207.05, Subdivision 1, is amended to read:

**207.05 APPLICATIONS FILED WITH AUDITOR OR MUNICIPAL CLERK; DELIVERY OF BALLOT.** Subdivision 1. **APPLICATION, DELIVERY.** If any application is made either in person or by mail more than 30 days before election, the

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auditor or the municipal clerk 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 30 days of the election, he shall forthwith upon receipt of such application or as soon thereafter as ballots are available, mail, or deliver to the applicant, without charge, if he apply therefor in person, and fill out and sign the application blank specified in the manner provided in section 207.03, one each of the several ballots the applicant is entitled to vote upon at the next election; also the envelopes hereinafter specified. The provisions of this subdivision shall not be construed to require mailing of absentee ballots to applicants to whom delivery by election judges is required pursuant to section 11.

Sec. 13. Minnesota Statutes 1976, Section 207.10, is amended to read:

**207.10 VOTER TO MAIL BALLOT.** Any qualified voter of any precinct of this state to whom ballots have been delivered by the county auditor or by the municipal clerk, may mark and mail the ballots so delivered to him at any place, the same to be marked and mailed in the manner specified in the directions to voters, set forth in section 207.08, and before an attesting witness belonging to one of the classes specified in the directions to voters. Ballots delivered to qualified voters pursuant to section 11 may be returned in person to the municipal clerk by the judges who delivered the ballots. The municipal clerk shall forthwith deliver those ballots to the judges of the appropriate precincts either by mail or in person.

Sec. 14. Minnesota Statutes 1976, Section 207.101, is amended to read:

**207.101 CLERK OF MUNICIPALITY TO DELIVER BALLOTS IN CERTAIN CASES.** Any clerk of a municipality who receives "Return Envelopes" as provided for in sections 207.08 and 207.20, subdivision 1 by mail, or by delivery in person by election judges pursuant to section 11, before the closing hours of the polls shall forthwith deliver them to the judges of election of the appropriate precincts in his municipality. "Return Envelopes" not delivered as provided herein shall promptly be sent to the county auditor by the clerk with a notation on the "Return Envelope" of the reason for nondelivery.

Sec. 15. **APPROPRIATION.** The sum of \$12,000 is appropriated from the general fund to the secretary of state for the purpose of providing voters registration cards pursuant to section 8. This appropriation shall not lapse but shall be available for expenditure until June 30, 1978.

Approved June 2, 1977.

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CHAPTER 396—H.F.No.801

[Coded in Part]

*An act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976,*

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