



ARNE H. CARLSON
GOVERNOR

STATE OF MINNESOTA

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
SAINT PAUL 55155

April 12, 1996

The Honorable Allan Spear
President of the Senate
120 Capitol
Saint Paul, Minnesota 55155

Dear President Spear:

I have vetoed and am returning Chapter 441, Senate File 315, the Secretary of State's elections housekeeping bill.

This housekeeping bill would have a significant impact on the way elections are conducted in Minnesota. This is the second bill this year that has passed the legislature in the guise "clarifying technical and housekeeping amendments," when in fact major policy changes are included. It should be extremely objectionable to both citizens and legislators alike that any agency would include major new policy provisions in this type of technical bill.

The significant consequence of this bill would be to significantly expand the use of mail ballots in Minnesota. My earlier veto of Chapter 432 kept mail balloting from expanding to fifteen percent of the state's voters. In that veto message I indicated that there was simply no good public policy reason for an expansion of mail balloting.

The potential expansion of mail balloting contained in this bill makes the earlier vetoed bill seem mild by comparison. While this bill contains many provisions that deserve to become law, it is fatally flawed because of one section that could ultimately be used to require mail balloting for every election in the state.

Section 35 of the proposed law allows the governing body of any municipality, with county auditor approval, to designate for mail balloting any of its precincts that have fewer than 400 voters. Currently most precincts in cities have more than 400 registered voters. However, under existing law (Minnesota Statutes 204B.14 Subdivision 3 (b)) a municipality can establish new precincts within the boundaries of existing precincts.

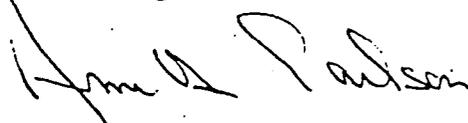
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Consequently an existing precinct in, for example, Saint Paul that has 1,300 registered voters could be subdivided by the city council into four precincts with fewer than 400 voters each. In this manner entire cities could remove the need to establish precinct polling places by simply subdividing all of their existing precincts.

Cities could come under intense pressure from the Secretary of State's office to use this artifice to expand mail balloting. Since the city would actually save the cost of operating multiple polling places they would be hard pressed to refuse. City council after city council after town board would follow like dominoes, until the entire state would have every election conducted by mail.

As was indicated in the earlier veto message, citizens have an obligation to vote. Whenever possible the state should strive to enact policies that encourage citizens to be attentive to the entire campaign before casting their ballot. One section of this bill would lead the state in the opposite direction, and cannot become law.

Warmest regards,



ARNE H. CARLSON
Governor

c: Senator Roger Moe, Majority Leader
Senator Dean Johnson, Minority Leader
Representative Irv Anderson, Speaker of the House
Representative Steve Sviggum, Minority Leader
Chief Senate Author(s)
Chief House Author(s)
Mr. Patrick E. Flahaven, Secretary of the Senate
Mr. Edward A. Burdick, Chief Clerk of the House
Ms. Joan Anderson Growe, Secretary of State