

## CHAPTER 253.

S. F. No. 167.

*An act entitled an act to amend chapter 238 of the General Laws of Minnesota for the year 1903, entitled "An act relating to the framing of its own charter for its government as a city, by any city incorporated prior to the adoption of Article IV., section 36, Constitution of Minnesota, of any village desiring to be incorporated as a city, and to the amending of any charter already or hereafter adopted by any city or any village, for its government as a city, under the provisions of section 6 of Article IV. of the Constitution of Minnesota, and of any statutes enacted in pursuance thereof," approved April 17, 1903.*

Framing of city charter in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION I. That section six (6) of chapter 238 of the General Laws of Minnesota, for the year 1903, entitled "An act relating to the framing of its own charter for its government as a city, by any city incorporated prior to the adoption of Article IV., section 36, Constitution of Minnesota, of any village desiring to be incorporated as a city, and to the amending of any charter, already or hereafter adopted by any city or any village, for its government as a city, under the provisions of section 36, of Article IV. of the Constitution of Minnesota, and of any statutes enacted in pursuance thereof, approved April 17, 1903, by (be) and the same is hereby amended so as to read as follows:

"Section 6. Such charter, so adopted, may be amended by a proposal therefor made by said board and accepted by the qualified voters of such city or village, in the manner herein provided. Or upon the application of five (5) per cent of the legal voters of such city or village, by written petition addressed to and filed with such board of fifteen (15) freeholders, such board shall submit to the vote of the people any amendments to such charter endorsed by such application and petition. Any such proposed amendment, whether the proposal therefor is made by the board itself or on application and petition, as aforesaid, shall, when drafted, be returned by said board to the chief magistrate of such city or village, within thirty days, signed by the members of said board, or a majority thereof, and the law-making authorities of such city or village shall forthwith on the return of such proposed amendment to the chief magis-

How amended.

Submitting to voters.

General or  
special  
election.

trate as aforesaid, make suitable provision for submitting to the qualified voters of such city or village the question of the adoption of such amendment at the next election. Such question may be submitted either at the next general election or at a special election to be held prior thereto, and whether such election be general or special, it shall be conducted in all respects in the manner provided for general or special elections by the general laws of this state. Said law-making authorities are hereby empowered to call a special election for the purpose of submitting such amendment or amendments, or they may be submitted at a special election called for any other purpose. Said law-making authorities in calling a special election for said purpose are hereby empowered to fix the date for said special election co-incident with the date of a general county or other election, and if this is done said special election shall be held at the same voting places as said general election, and the election officers for said general election shall act as the election officers for said special election. Such amendment may be as to separate particulars of said charter or by an entire re-draft thereof in the nature of a revision to be submitted for ratification as a single question. The proposal for such amendment or amendments shall be published once in three papers of general circulation in such city or village, or, if there are not three such papers, then in such less number as there may be, at least twenty days prior to such election. *Provided*, that in any such city now or hereafter having a population of ten thousand inhabitants or less, and in any such village it shall be a sufficient compliance with the requirements of this section as to publication of such proposal, to publish the same once in the official newspaper of such city or village at least twenty days prior to such election, or if there be no such official newspaper, then in a newspaper of the county in which such city or village is situated, of general circulation.

May be  
submitted  
in part, or  
as a revision,  
single ques-  
tion.

Publication.

Same,  
proviso.

Form of  
ballot.

The form of ballot to be used in submitting any such amendment or amendments shall be prepared as provided by the general election laws of this state. Except when an amendment in the nature of a revision of the charter is proposed, the general nature of the amendment or amendments shall be briefly indicated on the ballot. When amendments to the charter by a re-draft thereof, in the nature of a revision are to be submitted, the

ballot shall have printed on it this question: "Shall the proposed amended charter of the city of . . . . . be ratified?"

When only one amendment is to be submitted the ballot shall have printed on it this question: "Shall the proposed amendment to the charter of the city of . . . . . be ratified?"

When more than one amendment is to be submitted, such amendments shall be numbered separately, and the ballot shall have printed upon it as to each amendment, "Shall the proposed amendment to the charter of the city of . . . . . numbered . . . . . be ratified?" Following and to the right of any such question shall be printed the words Yes, No, the one under the other. The voter shall indicate his choice by an "X" marked to the right of the "Yes" or "No," according as he is in favor of or opposed to the ratification of any proposed amendment. If any such proposed amendment is accepted by three-fifths (3-5) of the qualified voters of such city or village voting at the election, whether general or special, next following the return thereof to the chief magistrate, it shall become a part of such charter at the end of thirty (30) days after the election, at which the same was accepted and ratified, unless the proposed amendment otherwise provides, in which event it shall take effect and be in force only from the date provided for in such proposed amendment. Any and all amendments to any such charter which have heretofore been adopted shall, within ninety (90) days from and after the passage of this act be duly certified, authenticated, recorded and filed in the same manner as herein provided for certifying, authenticating, recording and filing amendments hereafter made, ratified and accepted; and when so certified, authenticated, recorded and filed (and not otherwise) the same shall be received in evidence by any court of this state."

Proposed  
amendment  
accepted,  
take effect.

Heretofore  
adopted.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1905.