

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 587

DATE: March 29, 2006

Version: Second Engrossment

Authors: Buesgens

Subject: Providing for periodic elections state and local

Analyst: Lisa Larson, 651-296-8036

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

Requires the state and political subdivisions to hold elections on the fourth Tuesday in January, the second Tuesday in March, the third Tuesday in May, the first Tuesday after the second Monday in September, and the first Tuesday after the first Monday in November.

Section

Article 1

Periodic State and Local Election Dates

1 Periodic election day.

Subd. 1. Short title. Refers to this section as the "Periodic Election Day Act of 2005."

Subd. 2. Elections covered. Makes the section applicable to the elections and ballots questions of the state and political subdivisions, including counties, municipalities and school districts, and excepts only those elections held to fill a vacancy where an earlier election date is statutorily required and elections conducted by mail.

Subd. 3. Elections on designated days. (a) Restricts the state and political

Section

subdivisions to holding elections on the fourth Tuesday in January, the second Tuesday in March, the third Tuesday in May, the first Tuesday after the second Monday in September, and the first Tuesday after the first Monday in November.

(b) Extends the time period for conducting a special election to conform to this subdivision.

Subd. 4. Primary date if not specified. If not otherwise specified, allows a primary for a particular office to be held on one of the dates in subdivision 3 and then requires the general election for that office to be held on the date in subdivision 3 immediately following the date on which the primary is held.

Subd. 5. Election times and polling places. Requires state and local elections to be held on a date listed in subdivision 3 and during the hours of 7 a.m. to 8 p.m. Requires precinct polling place locations for all elections in a calendar year to be set before the start of that calendar year.

Subd. 6. Applicable laws. Declares that Minnesota election law applies to periodically held elections.

2 **Effective date.** Makes this article effective January 1, 2006.

Article 2

Conforming Amendments

- 1 1 **Capital project levy referendum.** Changes the date for capital project levy referenda from a date set by the local school board to one of the specified dates in article 1, section 1, subdivision 3.
- 2 **Referendum date.** Requires a school district referendum to be held on one of the specified dates in article 1, section 1, subdivision 3.
- 3 **Elections; municipalities and school districts.** Allows school boards and municipal governing boards, by resolution, to designate polling place hours from at least 10 a.m. to 8 p.m. for those elections not held at the same time as the state primary or general election. Allows voters to petition for longer polling place hours from 7a.m. to 8 p.m. Directs the municipal or school district clerk to give notice of the changed hours.
- 4 **Prohibition.** Requires a municipal special election to be held on one of the specified dates in article 1, section 1, subdivision 3, and not within 40 days after the state general election.
- 5 **Voting hours.** Requires the voting hours for municipal elections to correspond to Minnesota Statutes, section 204C.05, which is amended in section 3 of this article and, among other things, allows polling place hours from at least 10 a.m. to 8 p.m. for those elections not held at the same time as the state primary or general election and allows voters to petition for longer polling place hours from 7a.m. to 8 p.m.
- 6 **Questions.** Strikes language specifying dates on which a school district special election must not be held and instead requires the school district special election to be held on one of the specified dates in article 1, section 1, subdivision 3.
- 7 **Hours for voting.** Requires the voting hours for school district elections to correspond to Minnesota Statutes, section 204C.05, which is amended in section 3 of this article and,

Section

among other things, allows polling place hours from at least 10 a.m. to 8 p.m. for those elections not held at the same time as the state primary or general election and allows voters to petition for longer polling place hours from 7a.m. to 8 p.m.

- 8 **Application of election requirement.** Requires counties to hold elections on the question of issuing bond obligations to finance capital improvements on one of the specified dates in article 1, section 1, subdivision 3.
- 9 **Ballot questions.** Requires counties to hold elections on a question to authorize the appropriating of money, the creating of a debt or the levying of a tax on one of the specified dates in article 1, section 1, subdivision 3, instead of within 60 days after adopting a resolution specifying the question.
- 10 **Must vote to issue bonds if charter says so.** When a charter requires the question of issuing bonds be submitted to the voters, requires the question to be submitted to the voters on one of the specified quarterly dates in article 1, section 1, subdivision 3, notwithstanding any contrary charter provision.
- 11 **Contents of plan.** Requires procedures for holding a referendum under a cooperation and combination plan to be held on one of the specified dates in article 1, section 1, subdivision 3.
- 12 **Referendum.** Requires a referendum held on the question of combination to be held on one of the specified dates in article 1, section 1, subdivision 3.
- 13 **Reverse referendum.** Requires a city's reverse referendum held at a special or general election to be held on one of the specified dates in article 1, section 1, subdivision 3, instead of before October 1.
- 14 **General obligation bonds.** Requires a question held by the City of Cannon Falls or Redwood Falls to approve the sale of general obligation bonds at a special or general election to be held on one of the specified dates in article 1, section 1, subdivision 3.
- 15 **Reverse referendum.** Requires a county's reverse referendum held at a special or general election to be held on one of the specified dates in article 1, section 1, subdivision 3, instead of before October 1.
- 16 **Election requirement.** Requires cities to hold elections on the question of issuing of bonds to finance capital improvements on one of the specified dates in article 1, section 1, subdivision 3.
- 17 **Approval by electors; exceptions.** Allows municipalities to issue obligations after obtaining the approval of a majority of the electors at a special or general election to be held on one of the specified dates in article 1, section 1, subdivision 3.
- 18 **Resubmission limitation.** Prohibits a municipality from resubmitting a previously disapproved question on the issuing of obligations to the electors until it holds a special or general election on one of the specified dates in article 1, section 1, subdivision 3, which must not be sooner than 180 days from the previously held election on the question, instead of within 180 days of the previously held election on the question.
- 19 **Manner of submission; notice.** Requires municipalities to submit propositions on issuing bonds at a special or general election to be held on one of the specified dates in article 1, section 1, subdivision 3, or at a town or school district meeting.
- 20 **Repealer.** Repeals provisions governing elections in organized towns and unorganized territories (Minn. Stat. § 204C.05, subds. 1a and 1b), voting hours in municipal elections (Minn. Stat. § 205.175) and voting hours in school district elections (Minn. Stat. § 205A.09).
- 21 **Effective date.** Makes this article effective January 1, 2007. Makes section 17 effective for

Section

obligations authorized at an election held after January 1, 2007.