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8 8 **Prior to election day.** Clarifies that voter registration prior to election must be done before the 20 days preceding a regularly scheduled election.

Effective July 1, 2006. [HF 3948 (Emmer)]

9 9 **Election day registration.** Allows using as identification for election day registration: a tribal identification that does not include a residence address, if the ID is accompanied by a document the rules allow to use for proof of residence.

[HF 3948]

10 10 **Interpretive services; caucus materials.** Allows a communicatively impaired individual who needs interpreter services at a precinct caucus to notify the party by letter or e-mail to the party's state office. Current law requires certified mail sent to the party's county or legislative district committee.

[HF 3721/SF 3360-1E (J. Johnson)]

11 11 **Application for ballot.** Requires military and overseas absentee ballot applications to be submitted to the Secretary of State. Current law has county auditors do this.

Effective July 1, 2006. [HF 3716 (B. Anderson)]

12 12 **Forwarding applications.** Requires the secretary to forward military and overseas applications to county auditors so they can actually send out the ballots.

Effective July 1, 2006. [HF 3716]

13 13 **Recording applications.** Requires the county auditor to record in the statewide voter registration system, the voter's name and address and the date the ballot was sent to military and overseas voters. Also requires the auditor to report number of ballots returned "Undeliverable." If an auditor rejects a ballot sent by a military or overseas voter, the auditor must give the voter a reason. If there is time, the auditor will send a replacement ballot.

Requires the secretary to report to the federal Election Assistance Commission the number of ballots returned, number of ballots cast and rejected, reasons for rejection, and number of ballots returned as "Undeliverable."

Effective date July 1, 2006. [HF 3716]

14 14 **Technical.** Goes with state primary date change. [HF 2862]

15 15 **Absentee ballots.** Requires ballots to be ready 45 days before the election, rather than the current 30 days. Goes with primary date change.

16 16 **Ballots; election records.** Amends current law that allows the secretary of state to take certain steps to monitor and evaluate election procedures after the time for filing a contest has passed. Allows the secretary (1) to inspect rosters after the voting history for the precinct has been posted, and (2) to inspect voter registration applications after the information on them has been posted on the statewide voter registration system. [HF 3833 (Hilty)]

17 17 **Deceptive practices in elections.**

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Subd. 1. Criminal penalty. Makes it a gross misdemeanor to knowingly deceive someone about the time, place, or manner of conducting an election.

Subd. 2. Civil action. Allows an aggrieved person to bring a civil action for injunctive or other relief.

Subd. 3. Reporting false election information. Allows anyone to report a violation to a county attorney or the attorney general. Requires the prosecutor to investigate within 48 hours, notify the county auditor to get out correct information to the public, and proceed civilly or criminally if appropriate.

Effective August 1, 2006, for offenses on or after that date. [HF 3475 (Ellison)]

18 18 **Permanent registration.** Technical changes in the polling place roster language.

Effective July 1, 2006. [HF 3948 (Emmer)]

19 19 **Interpreters.** Amends statute on voting assistance for voters who cannot read English or physically mark a ballot. States that individuals will "provide assistance" rather than the current "act as interpreters."

[HF 3721/SF 3360-1E]

20-22 Change the state primary date to the second Tuesday in August in even years and require school and municipal primaries to be held on that date or the second Tuesday in August in odd-numbered years.

Effective for the 2008 elections. [HF 2862]

23-30 These sections amend provisions of chapter 206 that were intended to allow for use of a particular kind of voting system that is no longer contemplated for use in this state.

Effective immediately. [HF 3110 (Westrom)]

31 **Plan.** Current law requires local units of government to obtain certification and submit a plan to the secretary of state regarding compliance with requirements regarding electronic voting systems. This section exempts municipalities from meeting certain certification procedures and from filing a plan in calendar year 2006 if (1) the municipality has a population under 10,000 and (2) the county auditor of the county where the municipality is located filed a valid plan. [HF 3948]

32 Amends provisions of chapter 206 that were intended to allow for use of a particular kind of voting system that is no longer contemplated for use in this state.

Effective immediately. [HF 3110]

33 **Post election review of voting systems.**

Subd. 1. Selection for review; notice. Sets procedures for the county canvassing board, at the canvass of the state primary, to select the date, time and place of the post state general election review of voting systems. Requires the process to be completed by two days before the state canvassing board meets to canvass the state general

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election.

At the state general election canvass, requires the county canvassing board to select precincts to be reviewed. Requires two precincts to be checked if the county has under 50,000 registered voters; three precincts for counties with 50,000 to 1000,000; and four precincts for counties over 100,000. Requires at least one precinct to have had more than 150 votes cast at the general election.

Requires the county auditor to notify the secretary of state which precincts are chosen. Requires the secretary to place this information, plus the date, time, and place of the post election review, on the secretary's web site.

Subd. 2. Scope and conduct. Restates current law that the review applies only to the offices of President, Governor, U.S. Senator and U.S. Representative. Allows local officials to choose to review more offices.

Requires the review to be done in public, to consist of a manual count of the ballots used in the selected precincts, and to be done as nearly as practicable in the manner of a recount. Requires the recount officials to report to the county auditor, who must forward the results to the secretary of state, who in turn must report the results at the state canvassing board meeting to canvass the state general election.

Subd. 3. Standard of acceptable performance by voting system. Continues current law requirement that a voting system must be accurate within one-half percent variation from the manual count of the offices reviewed. When making this determination, prohibits using valid votes that were marked by the voter outside the vote targets or using a manual marking device that is not readable by the voting system.

Provides for further rounds of review if the variation is greater than one-half percent.

Subd. 4. Update of vote totals. Requires revised vote totals to be incorporated in official results from a precinct, if precinct totals change as a result of the review.

Subd. 5. Effect on voting systems. Prohibits using a voting system that has failed until it has been reexamined and recertified by the secretary of state. Requires the system vendor to forfeit the vendor and performance bonds required in current law if the system failure is due to its design or any act of the vendor.

Subd. 6. Costs. The local government units bear the costs of review, except that if a review must be done of all the ballots for an office, the secretary of state must reimburse local governments. The vendor must pay the secretary's costs to examine and recertify the system.

Subd. 7. Time for filing election contest. Provides that the time for filing a notice of contest of election does not begin to run until all reviews under this section are completed. [HF 3833]

- 34 Secretary of state monitor.** Requires the secretary of state to evaluate election procedures in at least four precincts per congressional district. Provides for precincts to be chosen by lot by the State Canvassing Board at its meeting to canvass the state general election. [HF 3833]
- 35 Duties of election officials.** Amends chapter 206 to strike a provision to allow use of a kind

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of voting system no longer contemplated for use in this state. Provides that if an electronic ballot card marker certified by the secretary of state is rejected by an optical scan voting system, two judges of different parties will transcribe the votes.

Effective immediately. [HF 3110 and HF 3866 (Emmer)]

36 **Voting machines options working group.** Creates a working group with specified representatives to make recommendations to the legislature for voting equipment. Requires first report by February 15, 2007. [HF 3110]

37 **Elections rules.** Provides that election-related rules adopted by the Secretary of State in 2004 under a special rulemaking process are made permanent. Requires the Secretary of State to use the good cause rulemaking exemption to make specified changes in election-related rules.

Effective immediately. [HF 3385 (Emmer)]

38 **Repealer.** Minnesota Statutes, section 204C.50 is repealed and recodified in chapter 206. [HF 3833]