

STATE OF MINNESOTA

# Journal of the House

NINETY-FIRST SESSION — 2019

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TWENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 20, 2019

The House of Representatives convened at 12:00 noon and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by the Reverend Hans Jorgensen, St. Timothy Lutheran Church, St. Paul, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Acomb	Davids	Hansen	Liebling	Nelson	Schomacker
Albright	Davnie	Hassan	Lien	Noor	Schultz
Anderson	Dehn	Hausman	Lillie	Nornes	Scott
Backer	Demuth	Heinrich	Lippert	O'Driscoll	Stephenson
Bahner	Dettmer	Heintzeman	Lislegard	Olson	Sundin
Bahr	Drazkowski	Her	Loeffler	O'Neill	Swedzinski
Baker	Ecklund	Hertaus	Long	Pelowski	Tabke
Becker-Finn	Edelson	Hornstein	Lucero	Persell	Torkelson
Bennett	Elkins	Howard	Lueck	Petersburg	Urdahl
Bernardy	Erickson	Huot	Mahoney	Pierson	Vang
Bierman	Fabian	Johnson	Mann	Pinto	Vogel
Boe	Fischer	Jurgens	Mariani	Poppe	Wagenius
Brand	Franson	Kiel	Marquart	Poston	Wazlawik
Cantrell	Freiberg	Klevorn	Masin	Pryor	Winkler
Carlson, A.	Garofalo	Koegel	McDonald	Quam	Wolgamott
Carlson, L.	Gomez	Kotyza-Witthuhn	Mekeland	Richardson	Xiong, J.
Christensen	Gruenhagen	Koznick	Miller	Robbins	Xiong, T.
Claflin	Gunther	Kresha	Moller	Runbeck	Youakim
Considine	Haley	Kunesh-Podein	Morrison	Sandell	Zerwas
Daniels	Halverson	Layman	Munson	Sandstede	Spk. Hortman
Daudt	Hamilton	Lee	Murphy	Sauke	

A quorum was present.

Green, Grossell, Moran, Nash, Neu, Theis and West were excused.

Lesch was excused until 12:50 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

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## PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Melissa Hortman  
Speaker of the House of Representatives

The Honorable Jeremy R. Miller  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2019 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2019</i>	<i>Date Filed 2019</i>
2225		4	1:16 p.m. March 18	March 18

Sincerely,

STEVE SIMON  
Secretary of State

## REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 85, A bill for an act relating to health; requiring the Emergency Medical Services Regulatory Board to propose guidelines authorizing patient-assisted medication administration in emergencies.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 286, A bill for an act relating to railroads; requiring a minimum crew size for certain rail carriers; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 219.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Lesch from the Judiciary Finance and Civil Law Division to which was referred:

H. F. No. 495, A bill for an act relating to housing; amending requirements for residential leases; amending Minnesota Statutes 2018, sections 504B.111; 504B.206, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 504B.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 682, A bill for an act relating to public safety; transferring money to the disaster contingency account.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 785, A bill for an act relating to health-related licensing boards; creating emeritus dental licensure; clarifying general practice residency requirements; making technical changes; amending Minnesota Statutes 2018, sections 150A.06, subdivision 3, by adding subdivisions; 150A.091, by adding subdivisions.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1041, A bill for an act relating to health insurance; requiring coverage for treatments related to ectodermal dysplasias; amending Minnesota Statutes 2018, sections 62A.25, subdivision 2; 62A.28, subdivision 2; 256B.0625, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1049, A bill for an act relating to human services; establishing a mobile food shelf grant program; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Lesch from the Judiciary Finance and Civil Law Division to which was referred:

H. F. No. 1065, A bill for an act relating to legislative enactments; making miscellaneous technical corrections to laws and statutes; correcting erroneous, obsolete, and omitted text and references; removing redundant, conflicting, and superseded provisions; amending Minnesota Statutes 2018, sections 5.001, subdivision 1a; 10A.022, subdivision 3b; 10A.08, subdivision 3; 10A.173; 10A.177; 13.7191, subdivision 19; 13.7905, by adding a subdivision; 15B.36, subdivision 8; 16A.28, subdivision 3; 16D.11, subdivision 3; 16E.03, subdivisions 9, 10; 28A.08, subdivision 3; 28A.151, subdivision 5; 47.58, subdivision 7; 60A.11, subdivision 10; 62D.02, subdivision 12; 79.251, subdivision 2a; 84D.11, subdivision 1; 84D.14; 97A.055, subdivision 2; 97B.621, subdivision 2; 97C.505, subdivision 2; 103B.201; 103B.255, subdivision 3; 103C.321, subdivision 2; 103C.625; 103D.641; 103E.202, subdivision 2; 103H.151, subdivision 4; 122A.31, subdivision 2; 123B.42, subdivision 3; 126C.48, subdivision 8; 127A.49, subdivisions 2, 3; 136A.1276, subdivision 1; 144.441, subdivision 1; 144.55, subdivision 2; 144A.04, subdivision 7; 144A.073, subdivision 1; 145.365, subdivision 4; 146A.09, subdivision 7; 146B.02, subdivision 8; 147.111, subdivision 10; 147E.01, subdivision 3; 148.6402, subdivisions 14, 16; 148.6420, subdivision 1; 148.6443, subdivision 2; 148.6448, subdivision 1; 148.7802, subdivision 3; 148F.11, subdivision 1; 150A.25, subdivision 1; 151.21, subdivision 8; 155A.30, subdivision 12; 168.33, subdivision 8a; 169.81, subdivision 3; 169.86, subdivision 5; 171.05, subdivision 2a; 176.102, subdivision 2; 214.072; 214.073; 245A.065; 245A.07, subdivision 3; 245A.22, subdivision 4; 245D.22, subdivision 2; 252A.01, subdivision 1; 253D.27, subdivision 3; 254B.04, subdivision 1; 254B.05, subdivision 5; 254B.13, subdivision 2a; 256B.0659, subdivision 11; 256B.0755, subdivision 4; 256B.15, subdivision 1k; 256B.49, subdivision 26; 256B.4914, subdivisions 3, 5, 6, 7, 8, 9; 256D.051, subdivision 6b; 256I.01; 256J.95, subdivision 17; 256N.02, subdivision 10; 256N.23, subdivision 11; 256N.26, subdivisions 4, 8, 9; 260.011, subdivision 1; 260B.198, subdivision 1; 260C.139, subdivisions 1, 3; 270B.12, subdivision 7; 289A.18, subdivision 2a; 290.06, subdivision 2h; 290.0674, subdivision 1; 290.0677, subdivision 1; 290.0684, subdivision 1; 290A.03, subdivisions 8, 12; 290A.19; 297A.68, subdivision 9; 297F.08, subdivision 8; 298.296, subdivision 2; 299L.09, subdivision 1; 309.515, subdivision 1; 319B.02, subdivision 3; 321.1116, subdivision 2; 326B.986, subdivision 8; 349.12, subdivision 25; 352.22, subdivision 8; 352D.02, subdivision 3; 352D.04, subdivision 2; 353.37; 353.6511, subdivision 7; 353.6512, subdivision 7; 353G.01, subdivision 8b; 354.46, subdivision 6; 354.50, subdivision 4; 354A.35, subdivision 2; 354B.20, subdivision 10; 356.65, subdivision 2; 360.0752, subdivision 5; 383D.41, subdivision 11; 473.4052, subdivision 2; 473.517, subdivision 3; 475.55, subdivision 7; 501C.0105; 576.25, subdivision 5; 604A.11, subdivision 1; 626.556, subdivisions 2, 3e; 626.557, subdivision 4; Laws 2018, chapter 214, article 1, sections 16, subdivision 7; 17, subdivision 7; 22, subdivision 4; 26, subdivision 1; article 3, sections 7, subdivision 1; 11; 13; 14; 15; repealing Minnesota Statutes 2018, sections 13.411, subdivision 2; 116J.8737, subdivision 10; 127A.05, subdivision 6; 148.6402, subdivisions 11, 12, 17, 24, 26; 148E.0555; 148E.0556; 148E.0557; 161.36, subdivision 7; 174.37; 609B.105; Laws 2018, chapter 211, article 11, section 16; Laws 2018, chapter 214, article 3, sections 7, subdivision 2; 8, subdivision 2; 9, subdivision 2; 10, subdivision 2; Minnesota Rules, part 2782.0100.

Reported the same back with the following amendments:

Page 114, delete article 3

Correct the title numbers accordingly

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1378, A bill for an act relating to health care; requiring health maintenance organizations to be nonprofit corporations; amending Minnesota Statutes 2018, sections 62D.02, subdivision 4; 62D.03, subdivision 1; 62D.05, subdivision 1; 62D.06, subdivision 1; 62D.12, by adding a subdivision; 62D.19; 62E.02, subdivision 3.

Reported the same back with the following amendments:

Page 3, line 3, after "the" insert "nonprofit"

Page 3, line 5, after "No" insert "nonprofit"

Page 3, line 7, after "that" insert "nonprofit"

Page 3, line 10, after "any" insert "nonprofit"

Page 3, line 19, after "of" insert "nonprofit"

Page 4, line 2, after "to" insert "4 and"

Page 4, line 3, delete "this act" and insert "those sections" and after "for" insert "small businesses, seniors, or"

Page 4, lines 4 and 5, after "for" insert "small businesses, seniors, or"

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1386, A bill for an act relating to natural resources; modifying collector snowmobile registration requirements; amending Minnesota Statutes 2018, section 84.82, subdivision 7a.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1388, A bill for an act relating to health care; modifying coverage under the AIDS drug assistance program; amending Minnesota Statutes 2018, section 256.9365.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1403, A bill for an act relating to wildlife; prohibiting trade in ivory and rhinoceros horn; authorizing rulemaking; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[84.0896] TRADE IN PROHIBITED ANIMAL PARTS PROHIBITED.**

**Subdivision 1. Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Antique" means an item that:

(1) contains no more than 200 grams of prohibited animal part as a fixed component of an item that is not made wholly or partially from a prohibited animal part; and

(2) is documented to be at least 100 years old.

(c) "Prohibited animal part" means any of the following:

(1) a tooth or tusk from any species of elephant, hippopotamus, mammoth, mastodon, walrus, whale, or narwhal, or any piece thereof, whether raw or worked;

(2) a product containing any of the materials described in clause (1);

(3) a horn; piece of horn; or derivative of a horn, such as a powder, of any species of rhinoceros; and

(4) a product containing any of the materials described in clause (3).

(d) "Sell" or "sale" means an exchange for consideration and includes barter and possession with intent to sell. The term does not include a transfer of ownership by gift, donation, or bequest.

**Subd. 2. Prohibition.** A person shall not purchase or sell any item that the person knows or should know is a prohibited animal part.

**Subd. 3. Exceptions.** (a) Subdivision 2 does not prohibit the sale or purchase of a prohibited animal part if the sale or purchase is:

(1) undertaken as part of law enforcement activities;

(2) expressly authorized by federal law;

(3) of an antique;

(4) of a musical instrument containing a lawfully acquired fixed component made of no more than 200 grams of prohibited animal part; or

(5) of a prohibited animal part by a bona fide educational or scientific institution that is a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code.

(b) Subdivision 2 does not prohibit possession of a cultural artifact containing a prohibited animal part.

Subd. 4. **Disposition of seized prohibited animal parts.** Notwithstanding any other provision of law, a prohibited animal part seized under this section must, upon a conviction, be forfeited to the state and either destroyed or given to a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code, for an educational or scientific purpose.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to crimes committed on or after that date.

Sec. 2. **OUTREACH AND EDUCATION.**

The commissioner of natural resources, in coordination with interested organizations, must provide outreach and education to communities concerned about cultural artifacts about the new requirements established under Minnesota Statutes, section 84.0896."

Delete the title and insert:

"A bill for an act relating to wildlife; prohibiting trade in certain animal parts; proposing coding for new law in Minnesota Statutes, chapter 84."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 1408, A bill for an act relating to public safety; authorizing peace officers to issue citations based on report from work zone flagger; prohibiting wireless communications device use in work zones; providing penalties; amending Minnesota Statutes 2018, sections 169.06, subdivision 4a; 169.475, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 169.06, subdivision 4a, is amended to read:

Subd. 4a. **Obedience to work zone flagger; violation, penalty.** (a) A flagger in a work zone may stop vehicles and hold vehicles in place until it is safe for the vehicles to proceed. ~~A person operating a motor vehicle that has been stopped by a flagger in a work zone may proceed after stopping only on instruction by the flagger or a police officer, and direct vehicles to proceed when it is safe. A driver who does not comply with an instruction made by a flagger in a work zone under this paragraph is guilty of a petty misdemeanor and must pay a fine of \$300 in addition to the surcharge under section 357.021, subdivision 6.~~

(b) A person convicted of operating a motor vehicle in violation of a speed limit in a work zone, or any other provision of this section while in a work zone, shall be required to pay a fine of \$300. This fine is in addition to the surcharge under section 357.021, subdivision 6.

(c) If a motor vehicle is operated in violation of paragraph (a), the owner of the vehicle, or for a leased motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor and is subject to a fine as provided in paragraph ~~(b)~~ (a). The owner or lessee may not be fined under this paragraph if (1) another person is convicted for that violation, or (2) the motor vehicle was stolen at the time of the violation. This paragraph does not apply to a lessor of a motor vehicle if the lessor keeps a record of the name and address of the lessee.

(d) Paragraph (c) does not prohibit or limit the prosecution of a motor vehicle operator for violating paragraph (a).

(e) A violation under paragraph (c) does not constitute grounds for revocation or suspension of a driver's license.

(f) A peace officer may issue a citation to the operator of a motor vehicle if the peace officer has probable cause to believe that the person has operated the vehicle in violation of paragraph (a). In addition to other evidentiary elements or factors, a peace officer has probable cause under this subdivision if:

(1) a qualified work zone flagger has provided a report of a violation of paragraph (a) that includes a description and the license plate number of the vehicle used to commit the offense, and the time of the incident;

(2) the person is operating the vehicle described in the report; and

(3) it is within the four-hour period following the time of the incident, as specified in the report.

(g) A work zone flagger is qualified to provide a report under paragraph (f) if each flagger involved in the reporting has completed training that includes information on flagging operations, equipment, traffic laws, observation and accurate identification of motor vehicles, and delegation of duties involving a report under paragraph (f).

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to violations that occur on or after that date."

Delete the title and insert:

"A bill for an act relating to public safety; authorizing peace officers to issue citations based on report from work zone flagger; providing penalties; amending Minnesota Statutes 2018, section 169.06, subdivision 4a."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Poppe from the Agriculture and Food Finance and Policy Division to which was referred:

H. F. No. 1546, A bill for an act relating to agriculture; modifying eligibility for beginning farmer tax credits; allocating tax credits to beginning farmers belonging to a protected group; amending Minnesota Statutes 2018, section 41B.0391, subdivisions 1, 4.

Reported the same back with the following amendments:

Page 4, line 12, delete "30" and insert "15"

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.



Halverson from the Committee on Commerce to which was referred:

H. F. No. 1571, A bill for an act relating to housing; modifying the procedures for closing or modifying the use of manufactured home parks; amending Minnesota Statutes 2018, sections 327C.01, by adding a subdivision; 327C.095, subdivisions 6, 7, 9, 11; repealing Minnesota Statutes 2018, section 327C.095, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 12, delete "adult tenant or"

Page 1, line 13, delete "504B.001, subdivision 12," and insert "327C.01, subdivision 9,"

Page 1, line 14, delete the first "tenant" and insert "resident" and delete "the tenant is" and insert "they are" and delete "or"

Page 1, line 15, delete "tenant" and before the period, insert "and shall be exclusive to only one representative acting on behalf of residents"

Page 1, line 17, before "Before" insert "(a)"

Page 2, after line 25, insert:

"(b) A representative acting on behalf of residents must obtain a bond for ten percent of the offer price upon gaining the required number of signatures to represent the residents in the purchase of a manufactured home park and must maintain the bond for six months. If the representative acting on behalf of the residents is unable to complete the purchase, and the original purchaser withdraws their offer during the 45-day period in paragraph (a), and the manufactured home park is sold to another purchaser for a lower price within six months of the notice to residents in paragraph (a), then the park owner will be compensated from the bond for the difference between the offer made by the original purchaser and the actual lower purchase price.

"(c) In the event of a sale to a representative acting on behalf of residents, the representative must certify to the commissioner of commerce that the property will be preserved as a manufactured home park for ten years from the date of the sale."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 1603, A bill for an act relating to elections; authorizing mail balloting in any town or any city with fewer than 400 registered voters; amending Minnesota Statutes 2018, section 204B.45, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
ELECTIONS AND VOTING RIGHTS

Section 1. Minnesota Statutes 2018, section 13.607, is amended by adding a subdivision to read:

Subd. 9. **Data derived from driver's license applications.** Data on an application for a driver's license, a Minnesota identification card, or a learner's permit transferred to the secretary of state that are provided by a person whom the secretary of state determines is not eligible to vote are governed by section 201.161.

Sec. 2. Minnesota Statutes 2018, section 123B.09, subdivision 5b, is amended to read:

Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the board, other than a vacancy described in subdivision 4, must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective 30 days following adoption of the resolution, subject to paragraph (b). If the appointment becomes effective, ~~it shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. A special election to fill the vacancy must be held no later than the first Tuesday after the first Monday in November following the vacancy. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, no special election is required. If the vacancy is filled by a special election, the person elected at that election for the ensuing term shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office~~ the appointee shall serve for the remainder of the unexpired term.

(b) An appointment made under paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within 30 days of the board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this paragraph, the appointment by the school board is ineffective and the board must name a new appointee as provided in paragraph (a).

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies created on or after that date.

Sec. 3. Minnesota Statutes 2018, section 174.24, is amended by adding a subdivision to read:

Subd. 7a. **Transit service on election day.** An eligible recipient of operating assistance under this section who contracts or has contracted to provide fixed route public transit shall provide fixed route public transit service free of charge on a day a state general election is held.

**EFFECTIVE DATE.** This section is effective July 1, 2020.

Sec. 4. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted of a felony has the civil right to vote restored when the individual completes any incarceration imposed and executed by the court for the offense or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 5. Minnesota Statutes 2018, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

(3) provide for entering data into the statewide registration system;

(4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;

(5) assign a unique identifier to each legally registered voter in the state;

(6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;

(7) coordinate with other agency databases within the state;

(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;

(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;

(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;

(11) provide access to municipal clerks to use the system;

(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; ~~and~~

(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16; and

(15) provide reports necessary for early voting.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

Sec. 6. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

- (1) will be at least 18 years old on election day;
- (2) am a citizen of the United States;
- (3) will have resided in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;
- (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence~~ am not currently incarcerated for a felony offense; and
- (8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 7. Minnesota Statutes 2018, section 201.091, subdivision 4, is amended to read:

Subd. 4. **Public information lists.** The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county. ~~The list must include the party choice of any voter who voted in the most recent presidential nomination primary.~~ The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The county auditor may adopt reasonable rules governing access to the list. No individual inspecting the public information list shall tamper with or alter it in any manner. No individual who inspects the public information list or who acquires a list of registered voters prepared from the public information list may use any information contained in the list for purposes unrelated to elections, political activities, or law enforcement. The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute.

Before inspecting the public information list or obtaining a list of voters or other information from the list, the individual shall provide identification to the public official having custody of the public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

Upon receipt of a statement signed by the voter that withholding the voter's name from the public information list is required for the safety of the voter or the voter's family, the secretary of state and county auditor must withhold from the public information list the name of a registered voter.

Sec. 8. Minnesota Statutes 2018, section 201.161, is amended to read:

**201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE, INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICATIONS APPLICANTS.**

Subdivision 1. **Automatic registration.** An individual who properly completes an application for a new or renewed Minnesota driver's license, instruction permit, or identification card, and who is eligible to vote under section 201.014, must be registered to vote as provided in this section, unless the applicant declines to be registered.

Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation with the secretary of state, shall change ~~its~~ the applications for an original, duplicate, or change of address driver's license, instruction permit, or identification card so that the forms may also serve as voter registration applications. The forms must contain spaces for all information collected by voter registration applications prescribed by the secretary of state. ~~Applicants for driver's licenses or identification cards must be asked if they want to register to vote at the same time and that~~ and a box for the applicant to decline to be registered to vote. The form must clearly state that it is a felony for a person who is not eligible to vote to register to vote or cast a ballot. Unless the applicant has declined to be registered to vote or has provided an address other than the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the commissioner shall transmit ~~the~~ the information ~~must be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing the voter's name, address, date of birth, citizenship, driver's license number or state identification number, county, ~~town,~~ and city or town must be made available for access by the secretary of state and interaction with the statewide voter registration system.

Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant is currently registered in the statewide voter registration system. For each currently registered voter whose registration is not changed, the secretary of state shall update the voter's registration date in the statewide voter registration system. For each currently registered voter whose registration is changed, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(b) If the applicant is not currently registered in the statewide voter registration system, the secretary of state shall determine whether the applicant is 18 years of age or older and a citizen of the United States and compare the voter registration information received under section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years of age to determine whether the applicant is eligible to vote. For each applicant the secretary of state determines is an eligible voter, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(c) Any data on applicants who the secretary determines are not eligible to vote are private data on individuals, as defined in section 13.02, subdivision 12.

Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the voter the notice of registration required by section 201.121, subdivision 2.

Subd. 5. **Registering 20 days before election.** An application for registration that is dated during the 20 days before an election in any jurisdiction within which the voter resides is not effective until the day after the election.

Subd. 6. **System certification.** An applicant for a Minnesota driver's license, instruction permit, or identification card must not be registered to vote until the commissioner of public safety has certified that the department's systems have been tested and can accurately provide the necessary data, and the secretary of state has certified that the system for automatic registration of those applicants has been tested and is capable of properly determining whether an applicant is eligible to vote.

Subd. 7. **Implementation costs.** The secretary of state and commissioner of public safety must absorb any costs associated with implementation of this section using existing appropriations provided to the secretary or commissioner by law.

Sec. 9. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.**

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the commissioner of corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 10. Minnesota Statutes 2018, section 203B.001, is amended to read:

**203B.001 ELECTION LAW APPLICABILITY.**

The Minnesota Election Law is applicable to voting by absentee ballot and early voting unless otherwise provided in this chapter.

Sec. 11. Minnesota Statutes 2018, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the office of the county auditor or designated municipal clerk within the time period provided in section 203B.31.

Sec. 12. Minnesota Statutes 2018, section 203B.03, subdivision 1, is amended to read:

Subdivision 1. **Violation.** (a) No individual shall intentionally:

- (1) make or sign any false certificate required by this chapter;
  - (2) make any false or untrue statement in any application for absentee ballots;
  - (3) apply for absentee ballots more than once in any election with the intent to cast an illegal ballot;
  - (4) exhibit a ballot marked by that individual to any other individual;
  - (5) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;
  - (6) use information from absentee ballot or early voting materials or records for purposes unrelated to elections, political activities, or law enforcement;
  - (7) provide assistance to an absentee or early voter except in the manner provided by section 204C.15, subdivision 1;
  - (8) solicit the vote of an absentee or early voter while in the immediate presence of the voter during the time the individual knows the absentee or early voter is voting; or
  - (9) alter an absentee ballot application after it has been signed by the voter, except by an election official for administrative purposes.
- (b) Before inspecting information from absentee ballot or early voting materials or records, an individual shall provide identification to the public official having custody of the material or information.

Sec. 13. Minnesota Statutes 2018, section 203B.04, subdivision 5, is amended to read:

Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before each election, other than an election by mail conducted under section 204B.45, and to have the status as a permanent absentee voter indicated on the voter's registration record. The secretary of state must prescribe a form for this purpose. An eligible voter listed as an ongoing absentee voter as of July 31, 2013, pursuant to laws in effect on that date, shall be treated as if the voter applied for status as a permanent absentee voter pursuant to this subdivision.

(b) A voter who applies under paragraph (a) must automatically be provided an absentee ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and automatic ballot ~~application~~ delivery must be terminated on:

- (1) the voter's written request;
- (2) the voter's death;

- (3) return of an absentee ballot as undeliverable; or
- (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter registration system.
- (c) The secretary of state shall adopt rules governing procedures under this subdivision.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 14. **[203B.045] VOTERS WITH A DISABILITY.**

Subdivision 1. **Transmitting ballot and certificate of voter eligibility.** (a) A voter with a temporary or permanent disability may include in an application for absentee ballots a request that the ballots, instructions, and a certificate of voter eligibility meeting the requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically in an accessible format, including ballots with the ability to be marked by accessible software or devices. Upon receipt of a properly completed application requesting accessible electronic transmission, the county auditor shall electronically transmit the requested materials to the voter.

(b) Electronic materials provided by a county auditor to a voter under this subdivision must comply with the accessibility standards developed under section 16E.03, subdivision 9.

(c) The county auditor or municipal clerk must provide a return envelope containing first class postage to a voter requesting a ballot and ballot materials under this subdivision.

Subd. 2. **Marking ballots.** The voter may electronically mark the ballot using accessible software or devices.

Subd. 3. **Returning voted ballots.** The voter must return the voted ballots and the certificate of voter eligibility to the county auditor in a sealed envelope.

Sec. 15. Minnesota Statutes 2018, section 203B.05, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the provisions of sections 203B.04 to 203B.15 if:

- (1) the county auditor of that county has designated the clerk to administer them; or
- (2) the clerk has given the county auditor of that county notice of intention to administer them.

The designation or notice must specify whether the clerk will be responsible for the administration of a ballot board as provided in section 203B.121.

A clerk of a city that is located in more than one county may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been designated by each of the county auditors or has provided notice to each of the county auditors that the city will administer absentee voting. A clerk may only administer the provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. A clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering this section. A clerk may not use the statewide voter registration system until the clerk has received the required training. The county auditor must notify the secretary of state of any municipal clerk who will be administering the provisions of this section and the duties that the clerk will administer.



Sec. 16. Minnesota Statutes 2018, section 203B.06, subdivision 1, is amended to read:

Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal clerk shall prepare and print a sufficient number of blank application forms for absentee ballots. The county auditor or municipal clerk shall deliver a blank application form to any voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed to eligible voters who have requested an application pursuant to section 203B.04, subdivision 5, at least 60 days before:~~

~~(1) each regularly scheduled primary for federal, state, county, city, or school board office;~~

~~(2) each regularly scheduled general election for city or school board office for which a primary is not held; and~~

~~(3) a special primary to fill a federal or county office vacancy or special election to fill a federal or county office vacancy, if a primary is not required to be held pursuant to section 204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~

~~or at least 45 days before any other primary or other election for which a primary is not held.~~

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 17. Minnesota Statutes 2018, section 203B.06, subdivision 3, is amended to read:

Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time clerk of any city or town administering an election pursuant to section 203B.05, shall mail absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04, subdivision 5, at least 45 days before:

(1) each regularly scheduled primary or general election for federal, state, county, city, or school board office;

(2) each special primary or special election to fill a federal, state, county, city, or school board vacancy; except

(3) town clerks administering absentee ballots for a town general election held in March shall deliver absentee ballots at least 30 days before the election.

(b) The commissioner of corrections must provide the secretary of state with a list of the names and mailing addresses of state adult correctional facilities. An application for an absentee ballot that provides an address included on the list provided by the commissioner of corrections must not be accepted and an absentee ballot must not be provided to the applicant. The county auditor or municipal clerk must promptly transmit a copy of the application to the county attorney. The Department of Corrections must implement procedures to ensure that absentee ballots issued under this chapter are not received or mailed by offenders incarcerated at state adult correctional facilities.

~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots are not yet available for distribution, the county auditor, or municipal clerk accepting the application shall file it and as soon as absentee ballots are available for distribution shall mail them to the address specified in the application. If an application for absentee ballots is accepted when absentee ballots are available for distribution, the county auditor or municipal clerk accepting the application shall promptly:

(1) mail the ballots to the voter whose signature appears on the application if the application is submitted by mail and does not request commercial shipping under clause (2);

(2) ship the ballots to the voter using a commercial shipper requested by the voter at the voter's expense;

(3) deliver the absentee ballots directly to the voter if the application is submitted in person; or

(4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter who would have difficulty getting to the polls because of incapacitating health reasons, or who is disabled, or who is a patient in a health care facility, a resident of a facility providing assisted living services governed by chapter 144G, a participant in a residential program for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for battered women as defined in section 611A.37, subdivision 4.

~~(c)~~ (d) If an application does not indicate the election for which absentee ballots are sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the next election occurring after receipt of the application. Only one set of ballots may be mailed, shipped, or delivered to an applicant for any election, except as provided in section 203B.121, subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that has been spoiled or lost in transit.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 18. Minnesota Statutes 2018, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing.** (a) An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor or by a municipal clerk authorized to conduct absentee balloting under section 203B.05 during the 46 days before the election, except as provided in this section.

(b) A polling place location, other than the office of the county auditor, may be opened for fewer than 46 days. If a polling place is open fewer than 46 days before the election, the county auditor or municipal clerk must post the polling place location and hours of operation on the jurisdiction's website and must inform the secretary of state of the polling place's location and hours.

Sec. 19. Minnesota Statutes 2018, section 203B.085, is amended to read:

**203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

The county auditor's office in each county and the clerk's office in each city or town authorized under section 203B.05 to administer absentee balloting must be open for acceptance of absentee ballot applications and casting of absentee ballots from 8:00 a.m. to 12:00 noon on the day immediately preceding an election subject to early voting under section 203B.30 unless that day falls on a Sunday. When performing the duties of the county auditor in an election not subject to early voting under section 203B.30, the clerk's office must be open from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary, special, or general election unless that day falls on a Saturday or Sunday. Town clerks' offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March. The school district clerk, when performing the county auditor's election duties, need not comply with this section.

Sec. 20. Minnesota Statutes 2018, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots or to administer early voting must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number of election judges trained in the handling of absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

Sec. 21. Minnesota Statutes 2018, section 203B.121, subdivision 2, is amended to read:

Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board shall take possession of all return envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each return envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the return envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

(1) the voter's name and address on the return envelope are the same as the information provided on the absentee ballot application or voter record;

(2) the voter signed the certification on the envelope;

(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as a number on the voter's absentee ballot application or voter record. If the number does not match, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the return envelope;

(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the seventh day before the election, by absentee ballot.

The return envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a return envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the

county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the security envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(e) An absentee ballot return envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 22. Minnesota Statutes 2018, section 203B.121, is amended by adding a subdivision to read:

Subd. 2a. **Duties of ballot board; early voting.** The members of the ballot board shall administer the process of early voting as prescribed in section 203B.35, and shall make a record of voters who cast ballots early and count those ballots as provided in subdivisions 4 and 5.

Sec. 23. Minnesota Statutes 2018, section 203B.121, subdivision 3, is amended to read:

Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted or that the voter has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter whose record indicates that the voter has cast an early ballot must not be permitted to cast another ballot in that election. After the close of business on the ~~seventh day before the election day prior to the beginning of the early voting period as provided in section 203B.31,~~ a voter whose record indicates that an absentee ballot has been accepted must not be permitted to cast another ballot at that election. In a state primary, general, or state special election for federal ~~or~~ state, or county office, the auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee and early voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

- (1) by the county auditor or municipal clerk before election day;
- (2) by the ballot board before election day; or
- (3) by the election judges at the polling place on election day.

The record of a voter whose absentee ballot was received after the close of business on the seventh day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.

Sec. 24. Minnesota Statutes 2018, section 203B.121, subdivision 5, is amended to read:

Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on which absentee or early voting ballots are inserted into a ballot box, two members of the ballot board must:

- (1) remove the ballots from the ballot box at the end of the day;
- (2) without inspecting the ballots, ensure that the number of ballots removed from the ballot box is equal to the number of voters who cast early votes and whose absentee ballots were accepted that day; and
- (3) seal and secure all voted and unvoted ballots present in that location at the end of the day.

(b) After the polls have closed on election day, two members of the ballot board must count the ballots, tabulating the vote in a manner that indicates each vote of the voter and the total votes cast for each candidate or question. In state primary and state general elections, the results must indicate the total votes cast for each candidate or question in each precinct and report the vote totals tabulated for each precinct. The count must be recorded on a summary statement in substantially the same format as provided in section 204C.26. The ballot board shall submit at least one completed summary statement to the county auditor or municipal clerk. The county auditor or municipal clerk may require the ballot board to submit a sufficient number of completed summary statements to comply with the provisions of section 204C.27, or the county auditor or municipal clerk may certify reports containing the details of the ballot board summary statement to the recipients of the summary statements designated in section 204C.27.

In state primary and state general elections, these vote totals shall be added to the vote totals on the summary statements of the returns for the appropriate precinct. In other elections, these vote totals may be added to the vote totals on the summary statement of returns for the appropriate precinct or may be reported as a separate total.

The count shall be public. No vote totals from ballots may be made public before the close of voting on election day.

(c) In addition to the requirements of paragraphs (a) and (b), if the task has not been completed previously, the members of the ballot board must verify as soon as possible, but no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots arrived after the rosters were marked or supplemental reports were generated and whose ballots were accepted did not vote in person on election day. An absentee ballot submitted by a voter who has voted in person on election day must be rejected. All other accepted absentee ballots must be opened, duplicated if necessary, and counted by members of the ballot board. The vote totals from these ballots must be incorporated into the totals with the other absentee ballots and handled according to paragraph (b).

Sec. 25. **[203B.30] EARLY VOTING; APPLICABILITY.**

(a) Any eligible voter may vote in person in a federal, state, or county election prior to the date of the election, in the manner provided in sections 203B.31 to 203B.35.

(b)(1) Subject to clause (2), for city elections not held in conjunction with a federal, state, or county election, the city may authorize eligible voters to vote in the manner provided in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted prior to the first day for filing affidavits of candidacy for the election. In the case of a home rule charter city, authorization may alternatively be made by amendment to the city's charter for this purpose.

(2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal clerk has the technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. The clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering voting authorized under this paragraph. The clerk may not use the statewide voter registration system until the clerk has received the required training.

Sec. 26. **[203B.31] TIME PERIOD FOR EARLY VOTING.**

Early voting must be available to any eligible voter as provided in section 203B.32 for every primary, general, and special election subject to early voting under section 203B.30 from 30 days before the election through 5:00 p.m. on the third day before the election. All voters in line at 5:00 p.m. on the third day before the election must be allowed to vote in the same manner as provided in section 204C.05, subdivision 2.

Sec. 27. **[203B.32] HOURS FOR EARLY VOTING.**

Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m. on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the election.

Sec. 28. **[203B.33] LOCATIONS FOR EARLY VOTING.**

(a) Early voting must be made available at polling places designated in the county auditor's offices in county-owned or operated buildings, at the municipal clerk's office in every municipality that has been delegated the responsibility to administer absentee voting as provided in section 203B.05 or which is conducting an election that includes early voting, as authorized in section 203B.30, and at any other county or city-owned or operated buildings designated by the county auditor or municipal clerk. At least one voting station and one ballot marking device for disabled voters must be made available in each polling place.

(b) The county auditor or municipal clerk must make an electronic ballot counter available in each polling place.

Sec. 29. **[203B.34] NOTICE TO VOTERS.**

The county auditor or municipal clerk must prepare a notice to the voters of the days, times, and locations for early voting. This notice must be posted on the county's website, if applicable, and the website for each municipality in the county where an early voting location is designated for the election at least 14 days before the first day for early voting. If a county or municipality does not have a website, the county auditor or municipal clerk must publish the notice at least once in the jurisdiction's official newspaper at least seven days and not more than 14 days before the first day for early voting.

Sec. 30. **[203B.35] PROCEDURES FOR EARLY VOTING.**

Subdivision 1. **Voting procedure.** Each voter shall sign the certification provided in section 204C.10. An individual who is not registered to vote must register in the manner provided in section 201.061, subdivision 3.

After the voter has signed the certification, a member of the ballot board must provide a ballot to the voter. Ballots must be prepared and distributed by members of the ballot board in the manner provided in section 204C.09. The voter must mark the ballot and deposit it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling place with the ballot.

Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35 must be processed and counted by a ballot board.

Sec. 31. Minnesota Statutes 2018, section 204B.28, subdivision 2, is amended to read:

Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as otherwise provided for absentee ballots in this section and in section 204B.35, subdivision 4, the county auditor shall complete the preparation of the election materials for which the auditor is responsible at least four days before every state primary and state general election. At any time after all election materials are available from the county auditor but not later than four days before the election each municipal clerk shall secure from the county auditor:

(a) (1) the forms that are required for the conduct of the election;

(b) (2) any printed voter instruction materials furnished by the secretary of state;

(c) (3) any other instructions for election officers; and

(d) (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot returns, and other supplies and materials required for each precinct in order to comply with the provisions of the Minnesota Election Law. The county auditor may furnish the election supplies to the municipal clerks in the same manner as the supplies are furnished to precincts in unorganized territory pursuant to section 204B.29, subdivision 1.

(b) The county auditor must prepare and make available election materials for early voting to city clerks designated to administer early voting under section 203B.05 at least one day prior to the beginning of the early voting period as provided in section 203B.31.

Sec. 32. Minnesota Statutes 2018, section 204B.35, is amended by adding a subdivision to read:

Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and chapter 204D, a jurisdiction may employ an electronic voting system provided by section 206.80, paragraph (b), clause (3), displaying the required ballot information on an electronic device in a format that substantially meets the requirements of law.

Sec. 33. Minnesota Statutes 2018, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county as defined by section 473.121,~~ or a city having fewer than 400 registered voters on June 1 of an election year ~~and not located in a metropolitan county as defined by section 473.121,~~ may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk. The governing body may apply to the county auditor for permission to conduct balloting by mail. The

county board may provide for balloting by mail in unorganized territory. The governing body of any municipality may designate for mail balloting any precinct having fewer than 100 registered voters, subject to the approval of the county auditor.

Voted ballots may be returned in person to any location designated by the county auditor or municipal clerk.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 34. Minnesota Statutes 2018, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed and eligible voters with a temporary or permanent disability may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 35. Minnesota Statutes 2018, section 204C.03, is amended by adding a subdivision to read:

Subd. 5. **Transit service.** Certain requirements for transit service on the date of a state general election are as provided in sections 174.24, subdivision 7a, and 473.408, subdivision 11.

**EFFECTIVE DATE.** This section is effective July 1, 2020.



Sec. 36. Minnesota Statutes 2018, section 204C.10, is amended to read:

**204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE; VOTER RECEIPT.**

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual:

(1) is at least 18 years of age;

(2) a citizen of the United States;

(3) has resided in Minnesota for 20 days immediately preceding the election;

(4) maintains residence at the address shown;

(5) is not under a guardianship in which the court order revokes the individual's right to vote;

(6) has not been found by a court of law to be legally incompetent to vote;

(7) has the right to vote because, if the individual was convicted of a felony, ~~the felony sentence has expired or been completed~~ or the individual has ~~been discharged from the sentence,~~ completed the term of incarceration, if any, for the felony offense;

(8) is registered; and

(9) has not already voted in the election.

The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote, ~~and I understand that my choice of a party's ballot will be public information.~~" This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

~~(b)~~ (b) A judge may, before the applicant signs the roster or voter signature certificate, confirm the applicant's name, address, and date of birth.

~~(c)~~ (c) After the applicant signs the roster or voter signature certificate, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

~~(d)~~ (d) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 37. Minnesota Statutes 2018, section 204C.15, subdivision 1, is amended to read:

Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for assistance because of inability to read English or physical inability to mark a ballot may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballots as directed by the voter and

in as secret a manner as circumstances permit. A voter in need of assistance may alternatively obtain the assistance of any individual the voter chooses. Only the following persons may not provide assistance to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate for election. The person who assists the voter shall, unaccompanied by an election judge, retire with that voter to a booth and mark the ballot as directed by the voter. ~~No person who assists another voter as provided in the preceding sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots are deposited, the voter may show them privately to an election judge to ascertain that they are marked as the voter directed. An election judge or other individual assisting a voter shall not in any manner request, persuade, induce, or attempt to persuade or induce the voter to vote for any particular political party or candidate. The election judges or other individuals who assist the voter shall not reveal to anyone the name of any candidate for whom the voter has voted or anything that took place while assisting the voter.

Sec. 38. Minnesota Statutes 2018, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. **Information requirements.** Precinct summary statements shall be submitted by the election judges in every precinct. For all elections, the election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

(1) the number of ballots delivered to the precinct as adjusted by the actual count made by the election judges, the number of unofficial ballots made, and the number of absentee ballots delivered to the precinct;

(2) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes, the number of overvotes, and the number of defective ballots with respect to each office or question;

(3) the number of spoiled ballots, the number of duplicate ballots made, the number of absentee ballots rejected, and the number of unused ballots, presuming that the total count provided on each package of unopened prepackaged ballots is correct;

(4) the number of voted ballots indicating only a voter's choices as provided by section 206.80, paragraph (b), clause (3);

~~(4)~~ (5) the number of individuals who voted at the election in the precinct which must equal the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86, subdivision 1;

~~(5)~~ (6) the number of voters registering on election day in that precinct; and

~~(6)~~ (7) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 39. Minnesota Statutes 2018, section 204D.19, subdivision 2, is amended to read:

Subd. 2. **Special election when legislature will be in session.** Except for vacancies in the legislature which occur at any time between the last day of session in an odd-numbered year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding even-numbered year, when a vacancy occurs and the legislature will be in session so that the individual elected as provided by this section could take office and exercise the duties of the office immediately upon election, the governor shall issue within five days after the vacancy occurs a writ calling for a special election. The special election shall be held as soon as possible, consistent with the notice requirements of

section 204D.22, subdivision 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election must not be held during the four days before or the four days after a holiday as defined in section 645.44, subdivision 5.~~

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 40. Minnesota Statutes 2018, section 204D.195, is amended to read:

**204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

Notwithstanding any other provision of law, a special primary and special general election may not be held:

(1) for a period beginning the day following the date of the state primary election and ending the day prior to the date of the state general election; or

(2) on a holiday, or during the four days before or the four days after a holiday, as defined in section 645.44, subdivision 5.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to special elections for vacancies in office occurring on or after that date.

Sec. 41. Minnesota Statutes 2018, section 204D.22, subdivision 3, is amended to read:

Subd. 3. **Notice of special election.** The county auditor of a county in which a special election is to be held shall direct the clerk of each municipality in which the election is to be held to post a notice of the special primary and special election at least ~~seven~~ 14 days before the special primary and at least ~~14~~ 21 days before the special election in the manner provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days before the special election, a single notice of both elections may be posted seven days before the primary.

When the special primary or special election is to be held on the same day as any other election, notice of the special primary or special election may be included in the notice of the other election, if practicable.

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 42. Minnesota Statutes 2018, section 204D.23, subdivision 2, is amended to read:

Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions shall be filed no later than ~~14~~ 21 days before the special primary.

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 43. **[204D.275] LOCAL REIMBURSEMENT FOR SPECIAL ELECTIONS.**

**Subdivision 1. Reimbursement authorized.** Each county and municipality shall be reimbursed for the cost of conducting a special election as defined in section 200.02, subdivision 4, for a federal or state office.

Subd. 2. **Expenses eligible for reimbursement.** The secretary of state shall reimburse each county and municipality for the cost of:

(1) preparation and printing of ballots and other election materials for the special election;

(2) postage for absentee ballots;

(3) publication of the sample ballot;

(4) preparation of polling places;

(5) preparation of electronic voting systems;

(6) compensation paid to the county canvassing board members;

(7) election judge salaries; and

(8) other reasonable costs of administering the election, as approved by the secretary of state.

Reimbursable costs do not include salaries of permanent local officials or the cost of reusable supplies and equipment.

Subd. 3. **Reimbursement requests.** (a) Not more than 90 days after the special election, the county auditor must submit a request for reimbursement of the costs incurred by the county for conducting the special election and the municipal clerk must submit a request for reimbursement of the costs incurred by the municipality for conducting the special election. The request for reimbursement must be submitted to the secretary of state and must be accompanied by an itemized description of actual county or municipal expenditures including copies of invoices. In addition, the county auditor or municipal clerk must certify that the request for reimbursement is based on actual costs incurred by the county or municipality in the special election. The secretary of state shall provide each county and municipality with the appropriate forms for requesting payment and certifying expenses under this subdivision.

(b) The secretary of state must not reimburse expenses unless the request for payment and certification of costs has been submitted as provided in this subdivision. The secretary of state must complete the issuance of reimbursements to the counties and municipalities for qualifying claims no later than 120 days after the special election. Amounts necessary to pay qualifying claims are appropriated from the general fund to the secretary of state for that purpose.

Sec. 44. **[204E.01] APPLICABILITY.**

This chapter applies to all elections expressly authorized by law to use ranked-choice voting. All other provisions of the Minnesota Election Law also apply, to the extent they are not inconsistent with this chapter.

Sec. 45. **[204E.02] DEFINITIONS.**

Subdivision 1. **Scope.** The definitions in this section apply to this chapter.

Subd. 2. **Batch elimination.** "Batch elimination" means a simultaneous defeat of multiple continuing candidates that have no mathematical chance of being elected.

Subd. 3. **Chief election official.** "Chief election official" means the principal officer in the jurisdiction charged with duties relating to elections.

Subd. 4. **Duplicate ranking.** "Duplicate ranking" means a voter has ranked the same candidate at multiple rankings for the office being counted.

Subd. 5. **Exhausted ballot.** "Exhausted ballot" means a ballot that can no longer be advanced under the procedures in section 204E.06.

Subd. 6. **Highest continuing ranking.** "Highest continuing ranking" means the ranking on a voter's ballot with the lowest numerical value for a continuing candidate.

Subd. 7. **Mathematically impossible to be elected.** "Mathematically impossible to be elected" means either:

(1) the candidate cannot be elected because the candidate's current vote total plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes and surplus votes would not be enough to surpass the candidate with the next higher current vote total; or

(2) the candidate has a lower current vote total than a candidate who is described by clause (1).

Subd. 8. **Overvote.** "Overvote" means a voter has ranked more than one candidate at the same ranking.

Subd. 9. **Partially defective ballot.** "Partially defective ballot" means a ballot that is defective to the extent that the election judges are unable to determine the voter's intent with respect to the office being counted.

Subd. 10. **Ranked-choice voting.** "Ranked-choice voting" means an election method in which voters rank candidates for an office in order of their preference, with each vote counting for the highest-ranked continuing candidate on each ballot until that candidate has been elected or defeated by the method established in this chapter.

Subd. 11. **Ranked-choice voting tabulation center.** "Ranked-choice voting tabulation center" means the place selected for the automatic or manual processing and tabulation of ballots.

Subd. 12. **Ranking.** "Ranking" means the number assigned by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking. A ranking of lower numerical value indicates a greater preference for a candidate than a ranking of higher numerical value.

Subd. 13. **Round.** "Round" means an instance of the sequence of voting tabulation steps established in section 204E.06.

Subd. 14. **Skipped ranking.** "Skipped ranking" means a voter has left a ranking blank and ranks a candidate at a subsequent ranking.

Subd. 15. **Surplus.** "Surplus" means the total number of votes cast for an elected candidate in excess of the threshold.

Subd. 16. **Surplus fraction of a vote.** "Surplus fraction of a vote" means the proportion of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated by dividing the surplus by the total votes cast for the elected candidate, calculated to four decimal places, ignoring any remainder.

Subd. 17. **Threshold.** "Threshold" means the number of votes sufficient for a candidate to be elected. In any given election, the threshold equals the total votes counted in the first round after removing defective ballots, divided by the sum of one plus the number of offices to be filled and adding one to the quotient, disregarding any fractions.

Subd. 18. **Transfer value.** "Transfer value" means the fraction of a vote that a transferred ballot will contribute to the next ranked continuing candidate on that ballot. The transfer value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction of each vote by its current value, calculated to four decimal places, ignoring any remainder. The transfer value of a vote cast for a defeated candidate is the same as its current value.

Subd. 19. **Transferable vote.** "Transferable vote" means a vote or a fraction of a vote for a candidate who has been either elected or defeated.

Subd. 20. **Totally defective ballot.** "Totally defective ballot" means a ballot that is defective to the extent that election judges are unable to determine the voter's intent for any office on the ballot.

Subd. 21. **Undervote.** "Undervote" means a voter did not rank any candidates for an office.

Sec. 46. **[204E.03] AUTHORIZATION TO ADOPT RANKED-CHOICE VOTING; IMPLEMENTATION.**

(a) The following political subdivisions may adopt, in the manner provided in this section, ranked-choice voting as a method of voting for local offices within the political subdivision:

(1) home rule charter or statutory cities;

(2) counties;

(3) townships; and

(4) school districts.

(b) A jurisdiction that adopts ranked-choice voting may do so by adopting an ordinance or resolution or by a ballot question presented to the voters. The ranked-choice voting method may be repealed by one of the same methods provided for adoption.

(c) A home rule charter jurisdiction that adopts a ranked-choice voting system in its charter may adopt this chapter by reference in an ordinance, but is not required to do so. Nothing in this chapter prevents a home rule charter jurisdiction from adopting another voting method in its charter.

(d) Ranked-choice voting shall only be used to elect local offices at a general or special election, or at a primary election which serves as a party-nominating election for a partisan office. A primary election must not be held for any nonpartisan offices that are elected using ranked-choice voting.

(e) A jurisdiction that adopts the use of ranked-choice voting in local elections must do so no later than 30 days before the first day for filing affidavits of candidacy for the office for which ranked-choice voting is to be used as the method of election.

(f) Repeal of ranked-choice voting must be no later than 30 days before the first day for filing affidavits of candidacy for offices for which ranked-choice voting is used as the method of election.

(g) The chief election official shall notify the secretary of state and, if applicable, the county auditor within 30 days following adoption or repeal of ranked-choice voting.

Sec. 47. **[204E.04] BALLOTS.**

Subdivision 1. **Ballot format.** (a) If there are three or more qualified candidates, a ballot must allow a voter to rank at least three candidates for each office in order of preference and must also allow the voter to add write-in candidates.

(b) A ballot must:

(1) include instructions to voters that clearly indicate how to mark the ballot;

(2) include instructions to voters that clearly indicate how to rank candidates in order of the voter's preference; and

(3) indicate the number of seats to be elected for each office.

(c) A jurisdiction may use ballots compatible with alphanumeric character recognition voting equipment.

Subd. 2. **Mixed-election method ballots.** If elections are held in which ranked-choice voting is used in addition to other methods of voting, the ranked-choice voting and non-ranked-choice voting elections must be on the same ballot card if possible, with ranked-choice voting and non-ranked-choice voting portions clearly separated on the ballot card. A separate ballot card may be used if necessary. A jurisdiction may deviate from the standard ballot order of offices to allow separation of ranked-choice voting and non-ranked-choice voting elections.

Subd. 3. **Ballot format rules.** The chief election official shall establish administrative rules for ballot format after a voting mechanism has been selected, consistent with this section.

Sec. 48. **[204E.05] RANKED-CHOICE VOTING TABULATION CENTER.**

Subdivision 1. **Tabulation of votes; generally.** The chief election official shall designate one location to serve as the ranked-choice voting tabulation center. The center must be accessible to the public for the purpose of observing the vote tabulation. Tabulation of votes must be conducted as described in section 204E.06.

Subd. 2. **Precinct tabulation.** When the hours for voting have ended and all voting has concluded, the election judges in each precinct shall record and publicly declare the number of first choices cast for each candidate in that precinct. The election judges must then securely transfer all electronic voting data and ballots from the precinct to the ranked-choice voting tabulation center designated under this section. Upon receipt at the ranked-choice voting tabulation center, all electronic voting data and ballots shall be secured.

Subd. 3. **Notice of recess in count.** At any time following receipt of materials under subdivision 1, the chief election official may declare a recess. Notice of the recess must include the date, time, and location at which the process of recording and tabulating votes will resume and the reason for the recess. Notice must be posted on the city's official bulletin board and on the door of the ranked-choice voting tabulation center.

Subd. 4. **Recording write-in votes.** At a time set by the chief election official, the election judges shall convene at the ranked-choice voting tabulation center to examine ballots on which voters have indicated a write-in choice, and record the names and number of votes received by each write-in candidate. In the event that votes cast for the write-in category are not eliminated as provided in section 204E.06, the results must be entered into the ranked-choice voting tabulation software.

Subd. 5. **Ranked-choice vote tabulation.** After all votes have been recorded, and at a time set by the chief election official, the process of tabulating votes cast for offices to be elected using the ranked-choice method must begin. The counting must continue until preliminary results for all races are determined, subject to subdivision 3.

Sec. 49. **[204E.06] TABULATION OF VOTES.**

(a) Tabulation of votes at the ranked-choice voting tabulation center must proceed in rounds for each office to be counted. The threshold must be calculated and publicly declared. Each round must proceed sequentially as follows:

(1) the number of votes cast for each candidate for the current round must be counted. If the number of candidates whose vote totals equal or exceed the threshold are equal to the number of seats to be filled, those candidates who are continuing candidates are elected and the tabulation is complete. If the number of candidates whose vote totals are equal to or greater than the threshold is not equal to the number of seats to be filled, a new round begins and the tabulation must continue as provided in the remainder of this paragraph;

(2) surplus votes for any candidates whose vote totals are equal to or greater than the threshold must be calculated;

(3) after any surplus votes are calculated but not yet transferred, all candidates for whom it is mathematically impossible to be elected must be defeated by batch elimination. Votes for the defeated candidates must be transferred to each ballot's next-ranked continuing candidate, and the tabulation process reiterates beginning with clause (2). If no candidate can be defeated mathematically, the tabulation must continue as described in clause (4);

(4) the transfer value of each vote cast for an elected candidate must be transferred to the next continuing candidate on that ballot. Of the candidates whose vote totals reach or exceed the threshold, the candidate with the largest surplus is declared elected and that candidate's surplus is transferred. A tie between two or more candidates must immediately and publicly be resolved by lot by the chief election official at the tabulation center. The surplus of the candidate chosen by lot must be transferred before other transfers are made. The result of the tie resolution must be recorded and reused in the event of a recount. If no candidate has a surplus, the tabulation must continue as described in clause (5); otherwise, the tabulation process must reiterate beginning with clause (2);

(5) if there are no transferable surplus votes, the candidate with the fewest votes is defeated. Votes for the defeated candidate must be transferred to each ballot's next-ranked continuing candidate. Ties between candidates with the fewest votes must be decided by lot, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount. The tabulation process must reiterate beginning with clause (2); and

(6) the procedures in clauses (2) to (5) must be repeated until the number of candidates whose vote totals are equal to or exceed the threshold is equal to the number of seats to be filled, or until the number of continuing candidates is equal to the number of offices yet to be elected. If the number of continuing candidates is equal to the number of offices yet to be elected, the remaining continuing candidates must be declared elected. In the case of a tie between two continuing candidates, the tie must be decided by lot as provided in section 204C.34, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

(b) When a single skipped ranking is encountered on a ballot, that ballot must count toward the next nonskipped ranking. If any ballot cannot be advanced because no further candidates are ranked on that ballot, because a voter has skipped more than one ranking, or because an undervote, overvote, or duplicate ranking is encountered, the ballot must not count toward any candidate in that round or in subsequent rounds for the office being counted.

Sec. 50. **[204E.07] REPORTING RESULTS.**

(a) Each precinct must print a precinct summary statement, which must include the number of first choices cast for each candidate in that precinct.



(b) The ranked-choice voting tabulation center must print a summary statement with the following information: total votes cast; number of undervotes; number of totally defective and spoiled ballots; threshold calculation; total first choice rankings for all candidates; round-by-round tabulation results, including simultaneous batch eliminations, surplus transfers, and defeated candidate transfers; and exhausted ballots at each round.

(c) The election abstract must include the information required in the ranked-choice voting tabulation center summary statement, with the addition of the number of registered voters by precinct, the number of same-day voter registrations, and the number of absentee voters.

Sec. 51. **[204E.08] RECOUNTS.**

(a) A candidate defeated in the final round of tabulation may request a recount as provided in section 204C.36.

(b) A candidate defeated in the final round of tabulation when the vote difference is greater than that provided in section 204C.36 may request a recount at the candidate's own expense. A candidate defeated in an earlier round of tabulation may request a recount at the candidate's own expense. The candidate is responsible for all expenses associated with the recount, regardless of the vote difference between the candidates in the round in which the requesting candidate was defeated. The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. Expenses must be determined as provided in section 204C.36, subdivision 4.

(c) Rules adopted by the secretary of state under section 204C.36 for recounts apply to recounts conducted under this section.

Sec. 52. **[204E.09] RULES.**

The secretary of state may adopt rules necessary to implement the requirements and procedures established by this chapter.

Sec. 53. Minnesota Statutes 2018, section 205.13, subdivision 2, is amended to read:

Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits of candidacy, the municipal clerk shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the clerk's office and the closing time for filing on the last day for filing. The clerk shall post a similar notice at least ten days before the first day to file affidavits of candidacy. The notice must indicate the method of election to be used for the offices on the ballot. The notice must separately list any office for which affidavits of candidacy may be filed to fill the unexpired portion of a term when a special election is being held to fill a vacancy as provided in section 412.02, subdivision 2a.

Sec. 54. Minnesota Statutes 2018, section 206.58, subdivision 1, is amended to read:

Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular meeting or at a special meeting called for the purpose, may provide for the use of an electronic voting system in one or more precincts and at all elections in the precincts, subject to approval by the county auditor. The governing body shall disseminate information to the public about the use of a new voting system at least 60 days prior to the election and shall provide for instruction of voters with a demonstration voting system in a public place for the six weeks immediately prior to the first election at which the new voting system will be used.

(b) No system may be adopted or used unless it has been approved by the secretary of state pursuant to section 206.57.

(c) The governing body of a municipality may provide for the use of an electronic voting system that has been approved by the secretary of state under section 206.57 but includes an automatic tabulating equipment reallocation feature that has not been approved by the secretary of state if the municipal clerk certifies to the secretary of state, within 30 days from the date of adoption under paragraph (a), that the reallocation feature:

(1) has been certified as required under section 206.57, subdivision 6; and

(2) meets the municipality's ordinance requirements for electronic voting systems.

Sec. 55. Minnesota Statutes 2018, section 206.61, is amended by adding a subdivision to read:

Subd. 1a. **Availability of alternate ballot formats.** In precincts using a ballot format authorized by section 206.80, paragraph (b), clause (3), voters must be provided the option of voting a regularly printed optical scan ballot.

Sec. 56. Minnesota Statutes 2018, section 206.80, is amended to read:

**206.80 ELECTRONIC VOTING SYSTEMS.**

(a) An electronic voting system may not be employed unless it:

(1) permits every voter to vote in secret;

(2) permits every voter to vote for all candidates and questions for whom or upon which the voter is legally entitled to vote;

(3) provides for write-in voting when authorized;

(4) automatically rejects, except as provided in section 206.84 with respect to write-in votes, all votes for an office or question when the number of votes cast on it exceeds the number which the voter is entitled to cast;

(5) permits a voter at a primary election to select secretly the party for which the voter wishes to vote;

(6) automatically rejects all votes cast in a primary election by a voter when the voter votes for candidates of more than one party; and

(7) provides every voter an opportunity to verify votes recorded on the permanent paper ballot, either visually or using assistive voting technology, and to change votes or correct any error before the voter's ballot is cast and counted, produces an individual, discrete, permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record available for use in any recount.

(b) An electronic voting system purchased on or after June 4, 2005, may not be employed unless it:

(1) accepts and tabulates, in the polling place or at a counting center, a marked optical scan ballot; ~~or~~

(2) creates a marked optical scan ballot that can be tabulated in the polling place or at a counting center by automatic tabulating equipment certified for use in this state; ~~or~~

(3) creates a marked paper ballot indicating, at a minimum, the date of the election, the name of the precinct, an electronically readable precinct identifier or ballot style indicator, and the voter's votes for each office or question, generated from the voter's use of a touch screen or other electronic device on which a complete ballot meeting the information requirements of any applicable law was displayed electronically.

(c) Jurisdictions using multiple ballot formats must not record the ballot formats of electronic voting system used by a particular voter.

Sec. 57. **[206.802] ELECTRONIC VOTING SYSTEMS; PURCHASING.**

Any new voting equipment purchased for use in Minnesota for the purpose of replacing a voting system must have the ability to:

(1) capture and store ballot data;

(2) keep data anonymous;

(3) accept ranked or cumulative voting data under a variety of tabulation rules;

(4) be programmable to follow all other specifications of the ranked-choice voting system as provided in chapter 204E;

(5) provide a minimum of three rankings for ranked-choice voting elections;

(6) notify voters of the following errors: overvotes, skipped rankings, and duplicate rankings in a ranked-choice voting election; and

(7) be programmable to print a zero tape indicating all rankings for all candidates in a ranked-choice voting election.

**EFFECTIVE DATE.** This section is effective upon certification by the secretary of state that equipment meeting the standards required by this section is available for purchase and implementation.

Sec. 58. Minnesota Statutes 2018, section 206.82, subdivision 1, is amended to read:

Subdivision 1. **Program.** A program or programs for use in an election conducted by means of an electronic voting system or using an electronic ballot marker shall be prepared at the direction of the county auditor or municipal clerk who is responsible for the conduct of the election and shall be independently verified by a competent person designated by that official. The term "competent person" as used in this section means a person who can demonstrate knowledge as a computer programmer and who is other than and wholly independent of any person operating or employed by the counting center or the corporation or other preparer of the program. A test deck prepared by a competent person shall be used for independent verification of the program; it shall test the maximum digits used in totaling the returns and shall be usable by insertion during the tabulation process as well as prior to tabulation. A test deck must also be prepared using the electronic ballot marker program and must also be used to verify that all valid votes counted by the vote tabulator may be selected using the electronic ballot marker. The computer program for any election and an exact duplicate of the program for use as backup must be completed and delivered to the election jurisdiction or the county auditor in charge of a common central counting center at least 40 days prior to the election. The secretary of state shall adopt rules further specifying test procedures.

Sec. 59. Minnesota Statutes 2018, section 206.83, is amended to read:

**206.83 TESTING OF VOTING SYSTEMS.**

(a) Within 44 37 days before election day, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including ranked-choice voting if applicable, and through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If an election is to be conducted using ranked-choice voting, the equipment must also be tested to ensure that each ranking for each candidate is recorded properly.

(b) If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election.

(c) After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

Sec. 60. Minnesota Statutes 2018, section 206.86, is amended by adding a subdivision to read:

**Subd. 5a. Ballots in precincts with multiple styles of voting system.** (a) This subdivision applies only to precincts using a ballot format as provided by section 206.80, paragraph (b), clause (3), that was used by ten or fewer voters.

(b) In the event the results of a precinct are subject to a recount under section 204C.35 or 204C.36, or are subject to postelection review under section 206.89, the election judges from that precinct are not eligible to participate in conducting a recount or postelection review in that precinct.

Sec. 61. Minnesota Statutes 2018, section 206.89, subdivision 2, is amended to read:

**Subd. 2. Selection for review; notice.** At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section. In jurisdictions where ranked-choice voting is used, the date, time, and place for postelection review must be set by the county auditor at least 30 days before the election. The postelection review must not begin before the 11th day after the state general election and must be complete no later than the 18th day after the state general election.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both the ballots counted at the polling place for that precinct and the absentee ballots counted centrally by a ballot board for that precinct. The county canvassing board of a county with fewer than 50,000 registered voters must conduct a postelection review of a total of at least two precincts. The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of a total of at least three precincts. The county canvassing board of a county with over 100,000 registered voters must conduct a review of a total of at least four precincts, or three percent of the total number of precincts in the county, whichever is greater. At least one precinct selected in each county must have had more than 150 votes cast at the general election.

The county auditor must notify the secretary of state of the precincts that have been chosen for review and the time and place the postelection review for that county will be conducted, as soon as the decisions are made. If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the secretary of state may require counties to select by lot additional precincts to meet the congressional district requirement. The secretary of state must post this information on the office website.

Sec. 62. Minnesota Statutes 2018, section 206.89, subdivision 3, is amended to read:

Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the postelection review official as defined in subdivision 1. The postelection review must be conducted of the votes cast for president or governor; United States senator; and United States representative. In jurisdictions where ranked-choice voting is used, the review must also include at least one single-seat ranked-choice voting election and at least one multiple-seat ranked-choice voting election, if such an election occurred. A postelection review of a ranked-choice voting election must be conducted for elections decided most closely in the final round, by percentage. The postelection review official may conduct postelection review of the votes cast for additional offices.

The postelection review must be conducted in public at the location where the voted ballots have been securely stored after the state general election or at another location chosen by the county canvassing board. The postelection review official for each precinct selected must conduct the postelection review and may be assisted by election judges designated by the postelection review official for this purpose. The party balance requirement of section 204B.19 applies to election judges designated for the review. The postelection review must consist of a manual count of the ballots used in the precincts selected and must be performed in the manner provided by section 204C.21. The postelection review must be conducted in the manner provided for recounts under section 204C.361 to the extent practicable, and where ranked-choice voting is used, must include testing of the accumulation software using stored electronic data for those precincts that are not reviewed by manual count. The review must be completed no later than two days before the meeting of the state canvassing board to certify the results of the state general election.

Sec. 63. Minnesota Statutes 2018, section 207A.12, is amended to read:

#### **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

(a) Except as otherwise provided by law, the presidential nomination primary must be conducted, and the results canvassed and returned, in the manner provided by law for the state primary.

~~(b) An individual seeking to vote at the presidential nomination primary must be registered to vote pursuant to section 201.054, subdivision 1. The voter must request the ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section 204C.18, subdivision 1, the election judge must record in the polling place roster the name of the political party whose ballot the voter requested. When posting voter history pursuant to section 201.171, the county auditor must include the name of the political party whose ballot the voter requested. The voter instruction posters, pamphlets, and other informational materials prepared for a presidential primary by the secretary of state pursuant to section 204B.27 must include information about the requirements of this paragraph, including a notice that the voter's choice of a political party's ballot will be recorded and is public information.~~

~~(c) Immediately after the state canvassing board declares the results of the presidential nomination primary, the secretary of state must notify the chair of each party of the results.~~

~~(d) The results of the presidential nomination primary must bind the election of delegates in each party.~~

(b) An individual seeking to vote at the presidential nomination primary must be registered to vote pursuant to section 201.054, subdivision 1. The voter must declare the party for whose candidate the voter wishes to vote. Notwithstanding section 204C.18, subdivision 1, the election judge must record in the polling place roster the name

of the political party the voter declared. When posting voter history under section 201.171, the county auditor must include the name of the political party the voter declared. The voter instruction posters, pamphlets, and other informational materials prepared for a presidential nomination primary by the secretary of state under section 204B.27, must include information about the requirements of this paragraph, including a notice that the voter's choice of a political party will be recorded.

Sec. 64. Minnesota Statutes 2018, section 207A.13, is amended to read:

**207A.13 FORM OF BALLOTS AND ENVELOPES; CANDIDATES ON BALLOT.**

Subdivision 1. **Form of ballots.** (a) Except as provided by law, presidential nomination primary ballots shall be printed in the same manner as state primary ballots as far as practicable. A sufficient number of ~~each ballot~~ ballots shall be printed for each precinct and ward in the state.

(b) There must be ~~separate ballots for the names of the candidates of each political party. Each ballot must be a single ballot for the presidential nomination primary. The ballot shall be headed by the words "Presidential Nomination Primary Ballot." The heading must also indicate the party that appears on the ballot. The presidential nomination primary is exempt from the base rotation requirements of Minnesota Rules, part 8220.0825.~~

(c) If requested by a party chair, the column on the ballot for that party must contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted. If requested by a party chair, the column on the ballot for that party must contain a blank line printed below the other choices on the ballot so that a voter may write in the name of a person who is not listed on the ballot. A request under this paragraph must be submitted to the secretary of state no later than 63 days before the presidential nomination primary.

Subd. 1a. **Form of envelope.** The signature envelope must include:

(1) a place for the voter to select which party the voter will vote for; and

(2) the following statement: "I am in general agreement with the principles of the party for whose candidate I intend to vote."

Subd. 2. **Candidates on the ballot.** (a) Each party must determine which candidates are to be placed on the presidential nomination primary ballot for that party. The chair of each party must submit to the secretary of state the names of the candidates to appear on the ballot ~~for that party~~ no later than 63 days before the presidential nomination primary. Once submitted, changes must not be made to the candidates that will appear on the ballot.

(b) No later than the seventh day before the presidential nomination primary, the chair of each party must submit to the secretary of state the names of write-in candidates, if any, to be counted for that party.

Sec. 65. **[207A.131] BALLOT BOARD; PARTY LISTS; PRIMARY RESULTS.**

Subdivision 1. **Ballot board.** (a) The county auditor must appoint a ballot board to examine the signature envelopes and mark them "accepted" or "rejected" as provided in section 203B.121. For each signature envelope examined, the county auditor, or designee on the ballot board, must record in the polling place roster the name of the political party selected by the voter. If a voter did not select a party or selected more than one party, the ballot board must reject the ballot. The selection of a political party must not be included in the public information list.

(b) After opening a signature envelope, the secrecy envelope must be removed and placed into the pile corresponding to the party selected by the voter on the signature envelope. When the secrecy envelopes are opened, a ballot must be spoiled if:

(1) there are votes for more than one party; or

(2) the party voted for does not correspond to the party in which pile the ballot was placed.

Subd. 2. **Party list.** The secretary of state must maintain a list of each voter who voted in the presidential nomination primary and the party selected by that voter. Information maintained on the list is private data on individuals as defined under section 13.02, subdivision 12, except that the secretary of state must provide to the chair of each major political party a list of voters who selected that party for the most recent presidential nomination primary.

Subd. 3. **Results.** Immediately after the state canvassing board declares the results of the presidential nomination primary, the secretary of state must notify the chair of each party of the results. The results of the presidential nomination primary must bind the election of delegates in each party.

Sec. 66. Minnesota Statutes 2018, section 207A.14, is amended to read:

#### **207A.14 NOTICE OF PRESIDENTIAL NOMINATION PRIMARY; SAMPLE BALLOTS.**

Subdivision 1. **Notice of primary to counties and municipalities.** Twenty weeks before a presidential nomination primary is to be held, the secretary of state shall provide notice to the county auditor of each county of the date of the presidential nomination primary. Within ten days after notification by the secretary of state, each county auditor shall provide notice of the date of the presidential nomination primary to each municipal clerk in the county.

Subd. 2. **Sample ballots.** No later than 70 days before the presidential nomination primary, the secretary of state must supply each county auditor with a sample ~~ballots~~ ballot to be used at the presidential nomination primary. The sample ~~ballots~~ ballot must illustrate the format required for the ballots used in the presidential nomination primary.

Subd. 3. **Notice of primary to public.** At least 15 days before the date of the presidential nomination primary, each municipal clerk shall post a public notice stating the date of the presidential nomination primary, the location of each polling place in the municipality, the hours during which the polling places in the municipality will be open, and information about the requirements of section 207A.12, ~~paragraph (b), including a notice that the voter's choice of a political party's ballot will be recorded and is public information.~~ The county auditor shall post a similar notice in the auditor's office with information for any polling places in unorganized territory in the county. The governing body of a municipality or county may publish the notice in addition to posting it. Failure to give notice does not invalidate the election.

Sec. 67. Minnesota Statutes 2018, section 207A.15, subdivision 2, is amended to read:

Subd. 2. **Reimbursable local expenses.** (a) The secretary of state shall reimburse the counties and municipalities for expenses incurred in the administration of the presidential nomination primary from money contained in the presidential nomination primary elections account. The following expenses are eligible for reimbursement: preparation and printing of ballots; postage for ~~absentee mailing and returning~~ ballots; publication of the sample ballot; ~~preparation of polling places in an amount not to exceed \$150 per polling place; preparation of electronic voting systems in an amount not to exceed \$100 per precinct;~~ compensation for temporary staff or

overtime payments; salaries of election judges; ~~and~~ compensation of county canvassing board members; and other expenses as approved by the secretary of state. The secretary's procedures for approving other expenses are exempt from chapter 14, and section 14.386 does not apply.

(b) Within 60 days after the results of a presidential nomination primary are certified by the State Canvassing Board, the county auditor must submit a request for payment of the costs incurred by the county for conducting the presidential nomination primary, and the municipal clerk must submit a request for payment of the costs incurred by the municipality for conducting the presidential nomination primary. The request for payment must be submitted to the secretary of state, and must be accompanied by an itemized description of actual county or municipal expenditures, including copies of invoices. In addition, the county auditor or municipal clerk must certify that the request for reimbursement is based on actual costs incurred by the county or municipality in the presidential nomination primary.

(c) The secretary of state shall provide each county and municipality with the appropriate forms for requesting payment and certifying expenses under this subdivision. The secretary of state must not reimburse expenses unless the request for payment and certification of costs has been submitted as provided in this subdivision. The secretary of state must complete the issuance of reimbursements to the counties and municipalities no later than 90 days after the results of the presidential nomination primary have been certified by the State Canvassing Board.

Sec. 68. **[208.051] AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.**

The Agreement Among the States to Elect the President by National Popular Vote is enacted into law and entered into with all other states legally joining in it in substantially the following form:

Article I - Membership

Any state of the United States and the District of Columbia may become a member of this agreement by enacting this agreement.

Article II - Right of the People in Member States to

Vote for President and Vice President

Each member state shall conduct a statewide popular election for president and vice president of the United States.

Article III - Manner of Appointing Presidential Electors in Member States

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each state of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a "national popular vote total" for each presidential slate. The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the "national popular vote winner." The presidential elector certifying official of each member state shall certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner. At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within 24 hours to the chief election official of each other member state. The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established



by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress. In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official's own state. If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the appointment of such nominees. The chief election official of each member state shall immediately release to the public all vote counts or statements of votes as they are determined or obtained. This article shall govern the appointment of presidential electors in each member state in any year in which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.

#### Article IV - Other Provisions

This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state. Any member state may withdraw from this agreement, except that a withdrawal occurring six months or less before the end of a president's term shall not become effective until a president or vice president shall have been qualified to serve the next term. The chief executive of each member state shall promptly notify the chief executive of all other states of when this agreement has been enacted and has taken effect in that official's state, when the state has withdrawn from this agreement, and when this agreement takes effect generally. This agreement shall terminate if the electoral college is abolished. If any provision of this agreement is held invalid, the remaining provisions shall not be affected.

#### Article V - Definitions

For purposes of this agreement,

"chief executive" means the governor of a state of the United States or the mayor of the District of Columbia;

"elector slate" means a slate of candidates who have been nominated in a state for the position of presidential elector in association with a presidential slate;

"chief election official" means the state official or body that is authorized to certify the total number of popular votes for each presidential slate;

"presidential elector" means an elector for president and vice president of the United States;

"presidential elector certifying official" means the state official or body that is authorized to certify the appointment of the state's presidential electors;

"presidential slate" means a slate of two persons, the first of whom has been nominated as a candidate for president of the United States and the second of whom has been nominated as a candidate for vice president of the United States, or any legal successors to such persons, regardless of whether both names appear on the ballot presented to the voter in a particular state;

"state" means a state of the United States and the District of Columbia; and

"statewide popular election" means a general election in which votes are cast for presidential slates by individual voters and counted on a statewide basis.

Sec. 69. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to persons to whom the civil right to vote is restored by reason of the persons' release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:

(1) the chief executive officer of each state and local correctional facility shall provide the notice and application to a person being released from the facility following incarceration for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application to all individuals under correctional supervision for a felony-level offense.

Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially as follows:

"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.

Your receipt of this notice today means that your right to vote in Minnesota has been restored. Before you can vote on election day, you still need to register to vote. To register, you may complete a voter registration application and return it to the Office of the Minnesota Secretary of State. You may also register to vote in your polling place on election day. You will not be permitted to cast a ballot until you register to vote. The first time you appear at your polling place to cast a ballot, you may be required to provide proof of your current residence."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of the person's civil right to vote.

Sec. 70. Minnesota Statutes 2018, section 473.408, is amended by adding a subdivision to read:

Subd. 11. **Transit service on election day.** (a) The Metropolitan Council shall provide regular route transit, as defined under section 473.385, subdivision 1, paragraph (b), free of charge on a day a state general election is held.

(b) The requirements under this subdivision apply to operators of regular route transit (1) receiving financial assistance under section 473.388, or (2) operating under section 473.405, subdivision 12.

**EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2020, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 71. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

Subdivision 1. **Restoration.** Except as provided in section 201.014, subdivision 2a, when a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 72. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS; SECRETARY OF STATE.**

(a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving the administration and security of elections as authorized by federal law, including but not limited to any of the following activities:

(1) modernizing, securing, and updating the statewide voter registration system and for cybersecurity upgrades as authorized by federal law;

(2) improving accessibility;

(3) preparing training materials and training local election officials;

(4) implementing security improvements for election systems; and

(5) funding other activities to improve the security of elections.

(b) Any amount earned in interest on the amount appropriated under paragraph (a) is appropriated from the HAVA account to the secretary of state for purposes of improving the administration and security of elections as authorized by federal law.

(c) The appropriations under paragraphs (a) and (b) are onetime and available until March 23, 2023.

(d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for increasing secure access to the statewide voter registration system is deemed: (1) to be money used for carrying out the purposes authorized under the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101; and (2) to be credited toward any match required by those laws.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 73. **APPROPRIATION; EARLY VOTING.**

\$...... in fiscal year 2020 is appropriated from the general fund to the secretary of state to implement early voting requirements of this article.

Sec. 74. **REPEALER; EARLY VOTING.**

Minnesota Statutes 2018, section 203B.081, subdivision 3, is repealed.

Sec. 75. **EFFECTIVE DATE; EARLY VOTING.**

The provisions of this article related to early voting are effective when the secretary of state has certified that:

(1) the statewide voter registration system has been tested and shown to properly allow for the tracking of the information required to conduct early voting, and can handle the expected volume of use; and

(2) precinct voting equipment that can tabulate at least 30 different ballot styles has been certified for use in this state. Upon certification pursuant to this section, the provisions of this act related to early voting apply to all federal, state, and county elections held on August 1, 2019, and thereafter. A jurisdiction may implement the requirements of this act prior to the date provided in this section, if the secretary of state has made the required certifications at least 90 days prior to the date of the election at which early voting will be used.

ARTICLE 2  
CAMPAIGN FINANCE

Section 1. Minnesota Statutes 2018, section 10A.01, subdivision 4, is amended to read:

Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made on behalf of a candidate or a local candidate by an entity other than the ~~candidate's~~ principal campaign committee ~~of the candidate or the local candidate~~, if the expenditure is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of the candidate or local candidate, the candidate's principal campaign committee, or the candidate's or local candidate's agent. An approved expenditure is a contribution to that candidate or local candidate.

Sec. 2. Minnesota Statutes 2018, section 10A.01, subdivision 7, is amended to read:

Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed on the ballot and that may be voted on by:

(1) all voters of the state;

(2) all voters of Hennepin County;

(3) all voters of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(4) all voters of Special School District No. 1.

"Promoting or defeating a ballot question" includes activities, other than lobbying activities, related to qualifying the question for placement on the ballot.

Sec. 3. Minnesota Statutes 2018, section 10A.01, subdivision 9, is amended to read:

Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or a local candidate or for the purpose of promoting or defeating a ballot question.

An expenditure is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

An expenditure made for the purpose of defeating a candidate or a local candidate is considered made for the purpose of influencing the nomination or election of that candidate or local candidate or any opponent of that candidate or local candidate.

Except as provided in clause (1), "expenditure" includes the dollar value of a donation in kind.

"Expenditure" does not include:

(1) noncampaign disbursements as defined in subdivision 26;

(2) services provided without compensation by an individual volunteering personal time on behalf of a candidate or a local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit;

(3) the publishing or broadcasting of news items or editorial comments by the news media; or

(4) an individual's unreimbursed personal use of an automobile owned by the individual and used by the individual while volunteering personal time.

Sec. 4. Minnesota Statutes 2018, section 10A.01, is amended by adding a subdivision to read:

**Subd. 10d. Local candidate.** "Local candidate" means an individual who seeks nomination or election to:

(1) any county office in Hennepin County;

(2) any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(3) the school board in Special School District No. 1.

Sec. 5. Minnesota Statutes 2018, section 10A.01, subdivision 11, is amended to read:

Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, local candidate, or party unit. An allocation by an association of general treasury money to be used for activities that must be or are reported through the association's political fund is considered to be a contribution for the purposes of disclosure required by this chapter.

(b) "Contribution" includes a loan or advance of credit to a political committee, political fund, principal campaign committee, local candidate, or party unit, if the loan or advance of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the political committee, political fund, principal campaign committee, local candidate, or party unit to which the loan or advance of credit was made. If an advance of credit or a loan is forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the loan or advance of credit was made.

(c) "Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit; the publishing or broadcasting of news items or editorial comments by the news media; or an individual's unreimbursed personal use of an automobile owned by the individual while volunteering personal time.

Sec. 6. Minnesota Statutes 2018, section 10A.01, subdivision 16a, is amended to read:

Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

(1) that a communication clearly identifies a candidate or a local candidate and uses words or phrases of express advocacy; or

(2) that a communication when taken as a whole and with limited reference to external events, such as the proximity to the election, is susceptible of no reasonable interpretation other than as an appeal advocating the election or defeat of one or more clearly identified candidates.

**EFFECTIVE DATE.** This section is effective August 1, 2019, except that clause (2) is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 7. Minnesota Statutes 2018, section 10A.01, subdivision 17c, is amended to read:

Subd. 17c. **General treasury money.** "General treasury money" means money that an association other than a principal campaign committee, party unit, or political committee accumulates through membership dues and fees, donations to the association for its general purposes, and income from the operation of a business. General treasury money does not include money collected to influence the nomination or election of candidates or local candidates or to promote or defeat a ballot question.

Sec. 8. Minnesota Statutes 2018, section 10A.01, subdivision 18, is amended to read:

Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate or local candidate, if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent or any local candidate or local candidate's agent. An independent expenditure is not a contribution to that candidate or local candidate. An independent expenditure does not include the act of announcing a formal public endorsement of a candidate or local candidate for public office, unless the act is simultaneously accompanied by an expenditure that would otherwise qualify as an independent expenditure under this subdivision.

Sec. 9. Minnesota Statutes 2018, section 10A.01, subdivision 20, is amended to read:

Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a political committee, political fund, principal campaign committee, local candidate, or party unit.

Sec. 10. Minnesota Statutes 2018, section 10A.01, subdivision 26, is amended to read:

Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

- (1) payment for accounting and legal services;
- (2) return of a contribution to the source;
- (3) repayment of a loan made to the principal campaign committee by that committee;
- (4) return of a public subsidy;
- (5) payment for food, beverages, and necessary utensils and supplies, entertainment, and facility rental for a fund-raising event;
- (6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch as provided in section 10A.173, subdivision 1;
- (7) payment for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities;
- (8) payment for food or a beverage consumed while attending a reception or meeting directly related to legislative duties;

(9) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;

(10) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;

(11) costs of child care for the candidate's children when campaigning;

(12) fees paid to attend a campaign school;

(13) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;

(14) interest on loans paid by a principal campaign committee on outstanding loans;

(15) filing fees;

(16) post-general election holiday or seasonal cards, thank-you notes, or advertisements in the news media mailed or published prior to the end of the election cycle;

(17) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;

(18) contributions to a party unit;

(19) payments for funeral gifts or memorials;

(20) the cost of a magnet less than six inches in diameter containing legislator contact information and distributed to constituents;

(21) costs associated with a candidate attending a political party state or national convention in this state;

(22) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question;

(23) costs paid to a third party for processing contributions made by a credit card, debit card, or electronic check;

(24) a contribution to a fund established to support a candidate's participation in a recount of ballots affecting that candidate's election;

(25) costs paid by a candidate's principal campaign committee for a single reception given in honor of the candidate's retirement from public office after the filing period for affidavits of candidacy for that office has closed;

(26) a donation from a terminating principal campaign committee to the state general fund; ~~and~~

(27) a donation from a terminating principal campaign committee to a county obligated to incur special election expenses due to that candidate's resignation from state office-; and

(28) payment of security-related expenses for a candidate and any immediate family members of the candidate residing in the candidate's household, including but not limited to home security cameras, a home security system, and identity theft monitoring services.

(b) The board must determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

(c) A noncampaign disbursement is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

Sec. 11. Minnesota Statutes 2018, section 10A.01, subdivision 27, is amended to read:

Subd. 27. **Political committee.** "Political committee" means an association whose major purpose is to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question, other than a principal campaign committee, local candidate, or a political party unit.

Sec. 12. Minnesota Statutes 2018, section 10A.01, subdivision 28, is amended to read:

Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary contributions by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question. The term political fund as used in this chapter may also refer to the association acting through its political fund.

Sec. 13. Minnesota Statutes 2018, section 10A.12, subdivision 1, is amended to read:

Subdivision 1. **When required for contributions and approved expenditures.** An association other than a political committee or party unit may not contribute more than \$750 in aggregate in any calendar year to candidates, local candidates, political committees, or party units or make approved expenditures of more than \$750 in aggregate in any calendar year unless the contribution or expenditure is made through a political fund.

Sec. 14. Minnesota Statutes 2018, section 10A.12, subdivision 2, is amended to read:

Subd. 2. **Commingling prohibited.** The contents of an association's political fund may not be commingled with other funds or with the personal funds of an officer or member of the association or the fund. It is not commingling for an association that uses only its own general treasury money to make expenditures and disbursements permitted under section 10A.121, subdivision 1, directly from the depository used for its general treasury money. An association that accepts more than \$1,500 in aggregate in contributions to influence the nomination or election of candidates or local candidates or more than \$5,000 in contributions to promote or defeat a ballot question must establish a separate depository for those contributions.

Sec. 15. Minnesota Statutes 2018, section 10A.121, subdivision 1, is amended to read:

Subdivision 1. **Permitted disbursements.** An independent expenditure political committee or fund, or a ballot question political committee or fund, may:

- (1) pay costs associated with its fund-raising and general operations;
- (2) pay for communications that do not constitute contributions or approved expenditures;
- (3) make contributions to independent expenditure or ballot question political committees or funds;
- (4) make independent expenditures;
- (5) make expenditures to promote or defeat ballot questions;



(6) return a contribution to its source;

(7) for a political fund, record bookkeeping entries transferring the association's general treasury money allocated for political purposes back to the general treasury of the association; ~~and~~

(8) for a political fund, return general treasury money transferred to a separate depository to the general depository of the association; and

(9) make disbursements for electioneering communications.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 16. Minnesota Statutes 2018, section 10A.121, subdivision 2, is amended to read:

Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent expenditure political fund is subject to a civil penalty of up to four times the amount of the contribution or approved expenditure if it does the following:

(1) makes a contribution to a candidate, local candidate, party unit, political committee, or political fund other than an independent expenditure political committee or an independent expenditure political fund; or

(2) makes an approved expenditure.

(b) No other penalty provided in law may be imposed for conduct that is subject to a civil penalty under this section.

Sec. 17. Minnesota Statutes 2018, section 10A.13, subdivision 1, is amended to read:

Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund, principal campaign committee, or party unit must keep an account of:

(1) the sum of all contributions, except any donation in kind valued at \$20 or less, made to the committee, fund, or party unit;

(2) the name and address of each source of a contribution made to the committee, fund, or party unit in excess of \$20, together with the date and amount of each;

(3) each expenditure made by the committee, fund, or party unit, together with the date and amount;

(4) each approved expenditure made on behalf of the committee, fund, or party unit, together with the date and amount; and

(5) the name and address of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions in excess of \$20 have been made, together with the date and amount.

Any individual who knowingly violates this subdivision is subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 18. Minnesota Statutes 2018, section 10A.17, subdivision 4, is amended to read:

Subd. 4. **Independent expenditures.** An individual, political committee, political fund, principal campaign committee, or party unit that independently solicits or accepts contributions or makes independent expenditures on behalf of a candidate or local candidate must publicly disclose that the expenditure is an independent expenditure. All written and broadcast communications with those from whom contributions are independently solicited or accepted or to whom independent expenditures are made on behalf of a candidate or local candidate must contain a statement in substantially the form provided in section 211B.04, subdivision 2. The statement must be on the front page of all written communications and at the end of all broadcast communications made by that individual, political committee, political fund, principal campaign committee, or party unit on the candidate's or local candidate's behalf.

Sec. 19. Minnesota Statutes 2018, section 10A.20, is amended by adding a subdivision to read:

Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee, political fund, or political party unit that during a nongeneral election year:

(1) spends in aggregate more than \$200 to influence the nomination or election of local candidates;

(2) spends in aggregate more than \$200 to make independent expenditures on behalf of local candidates; or

(3) spends in aggregate more than \$200 to promote or defeat ballot questions defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(b) In addition to the reports required under subdivision 2, the entities listed in paragraph (a) must file the following reports in each nongeneral election year:

(1) a first-quarter report covering the calendar year through March 31, which is due April 14;

(2) a report covering the calendar year through May 31, which is due June 14;

(3) a pre-primary-election report due 15 days before the local primary election date specified in section 205.065;

(4) a pre-general-election report due 42 days before the local general election; and

(5) a pre-general-election report due ten days before a local general election.

The reporting obligations in this paragraph begin with the first report due after the reporting period in which the entity reaches the spending threshold specified in paragraph (a).

Sec. 20. Minnesota Statutes 2018, section 10A.20, subdivision 3, is amended to read:

Subd. 3. **Contents of report.** (a) The report required by this section must include each of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall prescribe forms based on filer type indicating which of those items must be included on the filer's report.

(b) The report must disclose the amount of liquid assets on hand at the beginning of the reporting period.

(c) The report must disclose the name, address, employer, or occupation if self-employed, and registration number if registered with the board, of each individual or association that has made one or more contributions to the reporting entity, including the purchase of tickets for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or statewide candidates or more than \$500 for ballot questions, together with the amount and

date of each contribution, and the aggregate amount of contributions within the year from each source so disclosed. A donation in kind must be disclosed at its fair market value. An approved expenditure must be listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors must be listed in alphabetical order. Contributions from the same contributor must be listed under the same name. When a contribution received from a contributor in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of this paragraph, the name, address, and employer, or occupation if self-employed, of the contributor must then be listed on the report.

(d) The report must disclose the sum of contributions to the reporting entity during the reporting period.

(e) The report must disclose each loan made or received by the reporting entity within the year in aggregate in excess of \$200, continuously reported until repaid or forgiven, together with the name, address, occupation, principal place of business, if any, and registration number if registered with the board of the lender and any endorser and the date and amount of the loan. If a loan made to the principal campaign committee of a candidate is forgiven or is repaid by an entity other than that principal campaign committee, it must be reported as a contribution for the year in which the loan was made.

(f) The report must disclose each receipt over \$200 during the reporting period not otherwise listed under paragraphs (c) to (e).

(g) The report must disclose the sum of all receipts of the reporting entity during the reporting period.

(h) The report must disclose the following:

(1) the name, address, and registration number if registered with the board of each individual or association to whom aggregate expenditures, approved expenditures, independent expenditures, and ballot question expenditures, and disbursements for electioneering communications have been made by or on behalf of the reporting entity within the year in excess of \$200, ~~together with~~;

(2) the amount, date, and purpose of each expenditure, including an explanation of how the expenditure was used, ~~and~~;

(3) the name and address of, and office sought by, each candidate or local candidate on whose behalf the expenditure was made, or, in the case of electioneering communications, each candidate identified positively in the communication;

(4) identification of the ballot question that the expenditure was intended to promote or defeat and an indication of whether the expenditure was to promote or to defeat the ballot question; and

(5) in the case of independent expenditures made in opposition to a candidate, local candidate, or electioneering communications in which a candidate is identified negatively, the candidate's or local candidate's name, address, and office sought. A reporting entity making an expenditure on behalf of more than one candidate for state or legislative office must allocate the expenditure among the candidates or local candidates on a reasonable cost basis and report the allocation for each candidate or local candidate. The report must list on separate schedules any independent expenditures made on behalf of local candidates and any expenditures made for ballot questions as defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(i) The report must disclose the sum of all expenditures made by or on behalf of the reporting entity during the reporting period.

(j) The report must disclose the amount and nature of an advance of credit incurred by the reporting entity, continuously reported until paid or forgiven. If an advance of credit incurred by the principal campaign committee of a candidate is forgiven by the creditor or paid by an entity other than that principal campaign committee, it must be reported as a donation in kind for the year in which the advance of credit was made.

(k) The report must disclose the name, address, and registration number if registered with the board of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions have been made that aggregate in excess of \$200 within the year and the amount and date of each contribution. The report must list on separate schedules any contributions made to state candidates' principal campaign committees and any contributions made to local candidates.

(l) The report must disclose the sum of all contributions made by the reporting entity during the reporting period and must separately disclose the sum of all contributions made to local candidates by the reporting entity during the reporting period.

(m) The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom noncampaign disbursements have been made that aggregate in excess of \$200 within the year by or on behalf of the reporting entity and the amount, date, and purpose of each noncampaign disbursement, including an explanation of how the expenditure was used.

(n) The report must disclose the sum of all noncampaign disbursements made within the year by or on behalf of the reporting entity.

(o) The report must disclose the name and address of a nonprofit corporation that provides administrative assistance to a political committee or political fund as authorized by section 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate fair market value of each type of assistance provided to the political committee or political fund during the reporting period.

(p) Legislative, statewide, and judicial candidates, party units, and political committees and funds must itemize contributions that in aggregate within the year exceed \$200 for legislative or statewide candidates or more than \$500 for ballot questions on reports submitted to the board. The itemization must include the date on which the contribution was received, the individual or association that provided the contribution, and the address of the contributor. Additionally, the itemization for a donation in kind must provide a description of the item or service received. Contributions that are less than the itemization amount must be reported as an aggregate total.

(q) Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees to promote or defeat a ballot question must itemize expenditures and noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports submitted to the board. The itemization must include the date on which the committee made or became obligated to make the expenditure or disbursement, the name and address of the vendor that provided the service or item purchased, and a description of the service or item purchased, including an explanation of how the expenditure was used. Expenditures and noncampaign disbursements must be listed on the report alphabetically by vendor.

**EFFECTIVE DATE.** This section is effective August 1, 2019, except that the amendments related to electioneering communications are effective January 1, 2020, and apply to expenditures and electioneering communications made on or after that date.

Sec. 21. Minnesota Statutes 2018, section 10A.20, subdivision 6a, is amended to read:

Subd. 6a. **Statement of independence.** An individual, political committee, political fund, or party unit filing a report or statement disclosing an independent expenditure under subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures were not made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of any candidate; ~~or any candidate's principal campaign committee or agent; any local candidate or any local candidate's agent.~~

Sec. 22. **[10A.201] ELECTIONEERING COMMUNICATIONS.**

**Subdivision 1. Electioneering communication.** (a) "Electioneering communication" means a communication distributed by television, radio, satellite, the Internet, or cable broadcasting system; by means of printed material, signs, or billboards; through the use of telephone communications; or by electronic communication, including electronic mail or electronic text messaging that:

(1) refers to a clearly identified candidate;

(2) is made within:

(i) 30 days before a primary election or special primary election for the office sought by the candidate; or

(ii) 60 days before a general election or special election for the office sought by the candidate;

(3) is targeted to the relevant electorate; and

(4) is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, a candidate or a candidate's principal campaign committee or agent.

(b) Electioneering communication does not include:

(1) the publishing or broadcasting of news items or editorial comments by the news media;

(2) a communication that constitutes an approved expenditure or an independent expenditure;

(3) a voter guide, which is a pamphlet or similar printed material, intended to help voters compare candidates' positions on a set of issues, as long as each of the following is true:

(i) the guide does not focus on a single issue or a narrow range of issues, but includes questions and subjects sufficient to encompass major issues of interest to the entire electorate;

(ii) the questions and any other description of the issues are clear and unbiased in both their structure and content;

(iii) the questions posed and provided to the candidates are identical to those included in the guide;

(iv) each candidate included in the guide is given a reasonable amount of time and the same opportunity as other candidates to respond to the questions;

(v) if the candidate is given limited choices for an answer to a question, for example: "support," "oppose," "yes," or "no," the candidate is also given an opportunity, subject to reasonable limits, to explain the candidate's position in the candidate's own words; the fact that a candidate provided an explanation is clearly indicated in the guide; and the guide clearly indicates that the explanations will be made available for public inspection, subject to reasonable conditions;

(vi) answers included in the guide are those provided by the candidates in response to questions, the candidates' answers are unedited, and the answers appear in close proximity to the question to which they respond;

(vii) if the guide includes candidates' positions based on information other than responses provided directly by the candidate, the positions are based on recorded votes or public statements of the candidates and are presented in an unedited and unbiased manner; and

(viii) the guide includes all major party candidates for each office listed in the guide;

(4) a candidate forum or debate hosted by one or more nonprofit organizations that does not endorse, support, or oppose candidates, as long as each of the following is true:

(i) the forum or debate includes the participation of at least two candidates for each office featured;

(ii) the forum or debate is structured so that it does not promote one candidate or one candidate's issues of interest over another; and

(iii) candidates are selected for participation in the forum or debate based on preestablished, objective criteria;

(5) any other communication specified in board rules or advisory opinions as being excluded from the definition of electioneering communication; or

(6) a communication that:

(i) refers to a clearly identified candidate who is an incumbent member of the legislature or a constitutional officer;

(ii) refers to a clearly identified issue that is or was before the legislature in the form of an introduced bill; and

(iii) is made when the legislature is in session or within ten days after the last day of a regular session of the legislature.

(c) A communication that meets the requirements of paragraph (a) but is made with the authorization or express or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, a candidate's principal campaign committee, or a candidate's agent is an approved expenditure.

(d) Distributing a voter guide questionnaire, survey, or similar document to candidates and communications with candidates limited to obtaining their responses, without more, do not constitute communications that would result in the voter guide being an approved expenditure on behalf of the candidate.

**Subd. 2. Targeted to relevant electorate.** (a) For purposes of this section, a communication that refers to a clearly identified candidate is targeted to the relevant electorate if the communication is distributed to or can be received by more than 1,500 persons in the district the candidate seeks to represent, in the case of a candidate for the house of representatives, senate, or a district court judicial office or by more than 6,000 persons in the state, in the case of a candidate for constitutional office or appellate court judicial office. When determining the number of persons to whom a communication in the form of printed material, telephone communication, electronic mail, or electronic text messaging is distributed, an association may exclude communications distributed to its own members.

(b) A communication consisting of printed materials, other than signs, billboards, or advertisements published in the print media, is targeted to the relevant electorate if it meets the requirements of paragraph (a) and is distributed to voters by means of United States mail or through direct delivery to a resident's home or business.

**Subd. 3. Disclosure of electioneering communications.** (a) Electioneering communications made by a political committee, a party unit, or a principal campaign committee must be disclosed on the periodic reports of receipts and expenditures filed by the association on the schedule and in accordance with the terms of section 10A.20.

(b) An association other than a political committee, party unit, or principal campaign committee may register a political fund with the board and disclose its electioneering communications on the reports of receipts and expenditures filed by the political fund. If it does so, it must disclose its disbursements for electioneering communications on the schedule and in accordance with the terms of section 10A.20.

(c) An association that does not disclose its disbursements for electioneering communications under paragraph (a) or (b) must disclose its electioneering communications according to the requirements of subdivision 4.

**Subd. 4. Statement required for electioneering communications.** (a) Except for associations providing disclosure as specified in subdivision 3, paragraph (a) or (b), every person who makes a disbursement for the costs of producing or distributing electioneering communications that aggregate more than \$1,500 in a calendar year must, within 24 hours of each disclosure date, file with the board a disclosure statement containing the information described in this subdivision.

(b) Each statement required to be filed under this section must contain the following information:

(1) the names of: (i) the association making the disbursement; (ii) any person exercising direction or control over the activities of the association with respect to the disbursement; and (iii) the custodian of the financial records of the association making the disbursement;

(2) the address of the association making the disbursement;

(3) the amount of each disbursement of more than \$200 during the period covered by the statement, a description of the purpose of the disbursement, and the identification of the person to whom the disbursement was made;

(4) the names of the candidates identified or to be identified in the communication;

(5) if the disbursements were paid out of a segregated bank account that consists of funds donated specifically for electioneering communications, the name and address of each person who gave the association more than \$200 in aggregate to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date; and

(6) if the disbursements for electioneering communications were made using general treasury money of the association, an association that has paid more than \$5,000 in aggregate for electioneering communications during the calendar year must file with its disclosure statement a written statement that includes the name, address, and amount attributable to each person that paid the association membership dues or fees, or made donations to the association that, in total, aggregate more than \$5,000 of the money used by the association for electioneering communications. The statement must also include the total amount of the disbursements for electioneering communications attributable to persons not subject to itemization under this clause. The statement must be certified as true by an officer of the association that made the disbursements for the electioneering communications.

(c) To determine the amount of the membership dues or fees, or donations made by a person to an association and attributable to the association's disbursements for electioneering communications, the association must separately prorate the total disbursements made for electioneering communications during the calendar year over all general treasury money received during the calendar year.

(d) If the amount spent for electioneering communications exceeds the amount of general treasury money received by the association during that year:

(1) the electioneering communications must be attributed first to all receipts of general treasury money received during the calendar year in which the electioneering communications were made;

(2) any amount of current year electioneering communications that exceeds the total of all receipts of general treasury money during the current calendar year must be prorated over all general treasury money received in the preceding calendar year; and

(3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject electioneering communications, no further allocation is required.

(e) After a portion of the general treasury money received by an association from a person has been designated as the source of a disbursement for electioneering communications, that portion of the association's general treasury money received from that person may not be designated as the source of any other disbursement for electioneering communications or as the source for any contribution to an independent expenditure political committee or fund.

**Subd. 5. Disclosure date.** For purposes of this section, the term "disclosure date" means the earlier of:

(1) the first date on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made disbursements for the direct costs of producing or distributing one or more electioneering communication aggregating in excess of \$1,500; or

(2) any other date during the same calendar year on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made disbursements for the direct costs of distributing one or more electioneering communication aggregating in excess of \$1,500 since the most recent disclosure date.

**Subd. 6. Contracts to disburse.** For purposes of this section, a person shall be treated as having made a disbursement if the person has entered into an obligation to make the disbursement.

**Subd. 7. Statement of attribution.** (a) An electioneering communication must include a statement of attribution.

(1) For communications distributed by printed material, signs, and billboards, the statement must say, in conspicuous letters: "Paid for by [association name] [address]."

(2) For communications distributed by television, radio, satellite, or cable broadcasting system, the statement must be included at the end of the communication and must orally state at a volume and speed that a person of ordinary hearing can comprehend: "The preceding communication was paid for by the [association name]."

(3) For communications distributed by telephone, the statement must precede the communication and must orally state at a volume and speed that a person of ordinary hearing can comprehend: "The following communication is paid for by the [association name]."



(b) If the communication is paid for by an association registered with the board, the statement of attribution must use the association's name as it is registered with the board. If the communication is paid for by an association not registered with the board, the statement of attribution must use the association's name as it is disclosed to the board on the association's disclosure statement associated with the communication.

Subd. 8. **Failure to file; penalty.** (a) If a person fails to file a statement required by this section by the date the statement is due, the board may impose a late filing fee of \$50 per day, not to exceed \$1,000, commencing the day after the statement was due.

(b) The board must send notice by certified mail to a person who fails to file a statement within ten business days after the statement was due that the person may be subject to a civil penalty for failure to file the statement. A person who fails to file the statement within seven days after the certified mail notice was sent by the board is subject to a civil penalty imposed by the board of up to \$1,000.

(c) An association that provides disclosure under section 10A.20 rather than under this section is subject to the late filing fee and civil penalty provisions of section 10A.20 and is not subject to the penalties provided in this subdivision.

(d) An association that makes electioneering communications under this section and willfully fails to provide the statement required by subdivision 4, paragraph (b), clause (6), within the time specified is subject to an additional civil penalty of up to four times the amount of the electioneering communications disbursements that should have been included on the statement.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 23. Minnesota Statutes 2018, section 10A.244, is amended to read:

**10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.**

Subdivision 1. **Election of voluntary inactive status.** An association that has a political fund registered under this chapter may elect to have the fund placed on voluntary inactive status if the following conditions are met:

(1) the association makes a written request for inactive status;

(2) the association has filed all periodic reports required by this chapter and has received no contributions into its political fund and made no expenditures or disbursements, including disbursements for electioneering communications, through its political fund since the last date included on the association's most recent report; and

(3) the association has satisfied all obligations to the state for late filing fees and civil penalties imposed by the board or the board has waived this requirement.

Subd. 2. **Effect of voluntary inactive status.** After an association has complied with the requirements of subdivision 1:

(1) the board must notify the association that its political fund has been placed in voluntary inactive status and of the terms of this section;

(2) the board must stop sending the association reports, forms, and notices of report due dates that are periodically sent to entities registered with the board;

(3) the association is not required to file periodic disclosure reports for its political fund as otherwise required under this chapter;

(4) the association may not accept contributions into its political fund and may not make expenditures, contributions, or disbursements, including disbursements for electioneering communications, through its political fund; and

(5) if the association maintains a separate depository account for its political fund, it may continue to pay bank service charges and receive interest paid on that account while its political fund is in inactive status.

**Subd. 3. Resumption of active status or termination.** (a) An association that has placed its political fund in voluntary inactive status may resume active status upon written notice to the board.

(b) A political fund placed in voluntary inactive status must resume active status within 14 days of the date that it has accepted contributions or made expenditures, contributions, or disbursements, including disbursements for electioneering communications, that aggregate more than \$750 since the political fund was placed on inactive status. If, after meeting this threshold, the association does not notify the board that its fund has resumed active status, the board may place the association's political fund in active status and notify the association of the change in status.

(c) An association that has placed its political fund in voluntary inactive status may terminate the registration of the fund without returning it to active status.

**Subd. 4. Penalty for financial activity while in voluntary inactive status.** If an association fails to notify the board of its political fund's resumption of active status under subdivision 3, the board may impose a civil penalty of \$50 per day, not to exceed \$1,000 commencing on the 15th calendar day after the fund resumed active status.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 24. Minnesota Statutes 2018, section 10A.25, subdivision 3a, is amended to read:

Subd. 3a. **Independent expenditures and electioneering communications.** The principal campaign committee of a candidate must not make independent expenditures or disbursements for electioneering communications. If the principal campaign committee of a candidate makes a contribution to an independent expenditure committee or independent expenditure fund on or after January 1 of the year the candidate's office will appear on the ballot, the independent expenditure committee or independent expenditure fund must not make an independent expenditure for that candidate.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 25. Minnesota Statutes 2018, section 10A.27, subdivision 15, is amended to read:

Subd. 15. **Contributions or use of general treasury money.** (a) An association may, if not prohibited by other law, contribute its general treasury money to an independent expenditure or ballot question political committee or fund, including its own independent expenditure or ballot question political committee or fund, without complying with subdivision 13.

(b) Before the day when the recipient committee or fund's next report must be filed with the board under section 10A.20, subdivision 2 or 5, an association that has contributed more than \$5,000 in aggregate to independent expenditure political committees or funds during the calendar year or has contributed more than \$5,000 in aggregate

to ballot question political committees or funds during the calendar year must provide in writing to the recipient's treasurer a statement that includes the name, address, and amount attributable to each person that paid the association dues or fees, or made donations to the association that, in total, aggregate more than \$5,000 of the contribution from the association to the independent expenditure or ballot question political committee or fund. The statement must also include the total amount of the contribution attributable to persons not subject to itemization under this section. The statement must be certified as true by an officer of the donor association.

(c) To determine the amount of membership dues or fees, or donations made by a person to an association and attributable to the association's contribution to the independent expenditure or ballot question political committee or fund, the donor association must: separately prorate the total independent expenditures and ballot question expenditures made during the calendar year over all general treasury money received during the calendar year.

~~(1) apply a pro rata calculation to all unrestricted dues, fees, and contributions received by the donor association in the calendar year; or~~

~~(2) as provided in paragraph (d), identify the specific individuals or associations whose dues, fees, or contributions are included in the contribution to the independent expenditure political committee or fund.~~

~~(d) Dues, fees, or contributions from an individual or association must be identified in a contribution to an independent expenditure political committee or fund under paragraph (c), clause (2), if:~~

~~(1) the individual or association has specifically authorized the donor association to use the individual's or association's dues, fees, or contributions for this purpose; or~~

~~(2) the individual's or association's dues, fees, or contributions to the donor association are unrestricted and the donor association designates them as the source of the subject contribution to the independent expenditure political committee or fund.~~

(d) If the amount contributed to independent expenditure and ballot question political committees or funds in a calendar year exceeds the amount of general treasury money received by the association during that year:

(1) the contributions must be attributed first to all receipts of general treasury money received during the calendar year in which the contributions were made;

(2) any amount of current-year contributions that exceeds the total of all receipts of general treasury money during the current calendar year must be prorated over all general treasury money received in the preceding calendar year; and

(3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject independent expenditures and ballot question expenditures, no further allocation is required.

(e) After a portion of the general treasury money received by an association from a person has been designated as the source of a contribution to an independent expenditure or ballot question political committee or fund, that portion of the association's general treasury money received from that person may not be designated as the source of any other contribution to an independent expenditure or ballot question political committee or fund, or as the source of funds for a disbursement for electioneering communications made by that association.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 26. Minnesota Statutes 2018, section 383B.041, is amended to read:

**383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS.**

Subdivision 1. **Hennepin County candidates.** Sections 383B.041 to 383B.058 apply to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin County, having a population of 75,000 or more, and for school board elections in the Special School District No. 1, Minneapolis, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07 do not apply to the financing of campaigns for elections subject to the provisions of sections 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin County. These candidates are subject to the provisions of chapter 211A.

Subd. 2. **Political subdivision candidates.** Candidates for elected city, school board, park commissioner, and other political subdivision offices within Hennepin County shall file campaign disclosure forms with the filing officer for the political subdivision for which the candidate is seeking office. These candidates are subject to the provisions of chapter 211A.

Subd. 3. **Political committees, political funds, and independent expenditures.** (a) The provisions of chapter 10A apply to political committees as defined in section 10A.01, subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent expenditures as defined in section 10A.01, subdivision 18, related to:

(1) a campaign for the nomination or election of a candidate for:

(i) a county office in Hennepin County;

(ii) a city office in a home rule charter or statutory city located wholly within Hennepin County with a population of 75,000 or more; or

(iii) the school board in Special School District No. 1; and

(2) a ballot question or proposition that may be voted on by:

(i) all voters in Hennepin County;

(ii) all voters of a home rule charter or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(iii) all voters in Special School District No. 1.

(b) The provisions of chapter 211A apply to a campaign for nomination or election for an office in the following political subdivisions:

(1) a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) a school district located wholly within Hennepin County other than Special School District No. 1.

(c) The provisions of chapter 211A apply to a ballot question or proposition that may be voted on by:

(1) all voters of a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) all voters of a school district located wholly within Hennepin County other than Special School District No. 1.

**Subd. 4. Local ordinances and charters superseded.** This section supersedes the provisions of any ordinance or resolution of a political subdivision within Hennepin County or any existing special law or home rule charter provision of a political subdivision within Hennepin County requiring disclosure of information related to the financing of election campaigns.

**Subd. 5. Economic interest disclosure; Special School District No. 1.** Every candidate for school board in Special School District No. 1, Minneapolis, must file an original statement of economic interest with the school district within 14 days of the filing of an affidavit or petition to appear on the ballot. An elected official in Special School District No. 1, Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with the school district for every year that the individual serves in office. An original and annual statement must contain the information listed in section 10A.09, subdivision 5. The provisions of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this subdivision.

Sec. 27. **REPEALER.**

Minnesota Statutes 2018, sections 10A.15, subdivision 6; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

### ARTICLE 3 CENSUS AND REDISTRICTING

Section 1. **[2.032] REDISTRICTING COMMISSION.**

**Subdivision 1. Commission membership; duties.** In each year ending in one, a redistricting commission is created to draw the boundaries of congressional and legislative districts in accordance with the principles established in section 2.035. The commission consists of 12 public members, to be appointed in the manner provided in subdivision 2, and five retired judges of the appellate or district courts of this state who have not served in a party-designated or party-endorsed position, such as legislator, to be appointed in the manner provided in subdivision 3.

**Subd. 2. Public members; appointment.** (a) The secretary of state shall supervise the appointment of public members to the redistricting commission.

(b) By January 15 of each year ending in zero, the secretary of state shall open a widely publicized process that encourages eligible residents of this state to apply for membership on the redistricting commission. The secretary of state shall solicit recommendations for appointment to the redistricting commission from nongovernmental organizations with an interest in the elections process.

(c) The secretary of state shall provide an application form which must be designed to show: (1) that an applicant meets the requirements of this subdivision; (2) that the application must be submitted under oath affirming the truthfulness of its contents under penalty of perjury; and (3) the applicant's demographic information, such as gender, race, ethnicity, and age.

(d) The following persons are not eligible to serve as a commissioner:

(1) a person who is not eligible to vote;

(2) a person under a contract with, or who serves as a consultant or staff to, or who has an immediate family relationship with the governor, a member of the legislature, or a member of congress; and

(3) a person, or member of the person's immediate family, who has done any of the following during the ten years immediately preceding the date of application:

(i) has been appointed to, elected to, or a candidate for federal or state office;

(ii) served as an officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective federal or state office;

(iii) served as an elected or appointed member of a political party state central committee;

(iv) registered as a federal, state, or local lobbyist or principal;

(v) served as paid congressional or legislative staff; or

(vi) violated the candidate contribution limits in section 10A.27.

(e) For purposes of this subdivision, a member of a person's immediate family means a sibling, spouse, parent or stepparent, child or stepchild, or in-law.

(f) The secretary of state shall process applications as they are received and remove from the applicant pool any person not eligible to serve as a commissioner and notify the person of the reason they were removed. To be considered, applications must be received by September 15 of the year ending in zero. An applicant must provide with the application two positive references from community leaders or groups that promote civic engagement with whom the applicant has worked and demonstrate that the applicant:

(1) has experience with outreach to community groups to encourage civic participation with an emphasis on historically disenfranchised groups; or

(2) has an interest in or experience with government, elections, or civic life.

(g) The secretary of state shall, based on a review of the applications, prepare a list of 120 applicant finalists who have demonstrated based on their application an ability to be impartial and respect the diversity of this state's many communities. The list must, to the extent practicable, reflect the gender, socioeconomic, age, racial, language, ethnic, and geographic diversity of the state.

(h) The list must include:

(1) 40 applicant finalists identifying with the largest major political party in Minnesota;

(2) 40 applicant finalists identifying with the second largest major political party in Minnesota; and

(3) 40 applicant finalists identifying their political party preference as belonging to a party not described in clause (1) or (2) or to no party.

For purposes of this paragraph, the two largest political parties are the parties whose candidates received the greatest and second greatest number of votes at the most recent two gubernatorial elections.

(i) By December 15 of the year ending in zero, the secretary of state shall give the list of finalists and their applications to the majority and minority leaders of the senate, the speaker of the house, and the minority leader of the house of representatives. At an open meeting, each of the four leaders shall remove 21 applicant finalists from the list: seven applicant finalists identifying their political party preference with the majority party in the house of representatives, seven applicant finalists identifying their political party preference with the minority party in the house of representatives, and seven applicant finalists who identified their political party preference with a party different than the majority party in the house of representatives and the minority party of the house of representatives or with no party. The leaders shall remove applicants one at a time in the order listed above, unless the leaders agree to a different order.

(j) By January 15 of each year ending in one, after the process of removing applicants from the list is completed, each of the four leaders of the house of representatives and senate shall give the list of finalists and their applications to the secretary of state. The secretary of state shall randomly draw four names from the remaining applicants identifying their political party preference as belonging to the majority party of the house of representatives, four identifying their political party preference as belonging to the minority party of the house of representatives, and four identifying their political party preference as belonging to a different party than the majority party in the house of representatives and the minority party of the house of representatives or to no party. These 12 persons shall serve as public member commissioners.

(k) The secretary of state's actions under this subdivision are not subject to chapter 14.

Subd. 3. **Retired judges; appointment.** By January 15 of each year ending in one, the four leaders of the house of representatives and senate shall each appoint one retired judge, after consulting with each other in an effort to attain geographic balance in their appointments. If the legislative leaders do not make the appointment by the deadline, the chief justice of the supreme court shall make the appointment by January 22 of that year. The director of the Legislative Coordinating Commission shall convene a meeting of the four retired judges by January 29 of that year. The four retired judges shall then appoint the fifth retired judge by a vote of at least three judges.

Subd. 4. **Code of conduct.** (a) In performing their duties, the five retired judges serving as commissioners shall abide by the Code of Judicial Conduct and are considered judicial officers as defined in section 609.415.

(b) Public members of the commission exercise the function of a public officer as defined in section 609.415.

Subd. 5. **Removal; filling vacancies.** (a) A commissioner can be removed with two-thirds vote of the commission after notice and a hearing for reasons that would justify recall of a state official under section 211C.02.

(b) The commission must remove a commissioner who participates in a communication that violates subdivision 8.

(c) Except for vacancies filled by the chief justice, vacancies on the commission must be filled by the appointing authority that made the initial appointment within 30 days after the vacancy occurs. The appointing authority for public members is the secretary of state and must be filled by drawing from the same partisan pool as the vacant position. If no applicants in the pool are available for service, the secretary of state shall establish a new pool, as provided in subdivision 2.

Subd. 6. **Open records.** The commission is subject to chapter 13, except that a plan is not public data until it has been submitted to the commission for its consideration.

Subd. 7. **Open meetings.** The commission is subject to chapter 13D.

Subd. 8. **Certain communications prohibited.** (a) Commissioners and commission staff must not communicate with anyone except other commissioners or staff regarding the content of a plan. The prohibition under this paragraph does not apply to open meetings of the commission.

(b) A commissioner may not direct, request, suggest, or recommend an interpretation of a districting principle or a change to a district boundary to commission staff except during open meetings of the commission. Commission staff shall report to the commission attempts made to exert influence over the staff's role in the drafting of plans.

Subd. 9. **Lobbyist registration.** Action of the commission to submit a redistricting plan to the legislature is an administrative action for purposes of section 10A.01, subdivision 21, requiring certain persons to register as a lobbyist.

Subd. 10. **Compensation and expenses.** Commissioners must be compensated for their commission activity as provided in section 15.059, subdivision 3.

Subd. 11. **Plans submitted to commission.** The commission shall adopt a schedule for interested persons to submit proposed plans and to respond to plans proposed by others. The commission shall also adopt standards to govern the format of plans submitted. The schedule and standards adopted by the commission under this subdivision are not rules. Chapter 14 and section 14.386 do not apply to this section.

Subd. 12. **Public hearings.** The commission shall hold at least one public hearing in each congressional district before adopting the first congressional and legislative district plans. The commission must ask for input on defining communities of interest for consideration. The commission must publish on its website preliminary drafts of the congressional and legislative district plans and each preliminary draft's accompanying reports at least one week before a hearing required under this subdivision and allow the public at least 30 days to submit comments after publication.

Subd. 13. **Deadlines.** (a) By April 30 of each year ending in one, the commission shall submit plans to the legislature for congressional and legislative districts. Each plan must be accompanied by a report summarizing information and testimony received by the commission in the course of the hearings and including any comments and conclusions the commissioners deem appropriate on the information and testimony received at the hearings or otherwise presented. Any plan submitted to the legislature must be approved by an affirmative vote of at least 13 members of the commission.

(b) The legislature intends that a bill be introduced to enact each plan and that the bill be brought to a vote in either the senate or the house of representatives under a procedure or rule permitting no amendments except those of a purely corrective nature, not less than one week after the report of the commission was received and made available to the members of the legislature. The legislature further intends that the bill be brought to a vote in the second body within one week after final passage in the first body under a similar procedure or rule. If either the senate or the house of representatives fails to approve a first plan submitted by the commission, within one week after the failure the secretary of the senate or the chief clerk of the house of representatives must notify the commission of the failure, including any information that the senate or house of representatives may direct by resolution regarding reasons why the plan was not approved. If the governor vetoes a plan, the veto message serves as the notice.

(c) The commission shall submit a second plan within two weeks after the commission received the notice, unless by then the legislature has adjourned the regular session in the year ending in one, in which case the second plan must be submitted to the legislature at the opening of its regular session in the year ending in two. The legislature intends that a second plan be considered by the legislature under the same procedure as provided for a first plan under paragraph (b).



(d) If the commission fails to submit a plan by either of these two deadlines, the legislature may proceed to enact a plan in place of the missing plan without waiting for the commission to submit a plan.

(e) If the secretary of the senate or the chief clerk of the house of representatives notifies the commission that a second plan has failed, or the governor vetoes a second plan, the commission shall submit a third plan within two weeks after the commission received the notice, unless by then the legislature has adjourned the regular session in the year ending in one, in which case the third plan must be submitted to the legislature at the opening of its regular session in the year ending in two. The third plan is subject to the same procedure as provided for first and second plans under paragraph (b).

Final approval of all plans, whether enacted by the legislature or as provided by order of the court, must take place no later than the date provided in section 204B.14, subdivision 1a.

Subd. 14. **Data used.** (a) To draw congressional and legislative districts, the commission shall use, at a minimum, census data representing the entire population of Minnesota.

(b) The commission shall use redistricting population data that includes data for persons who are incarcerated reflecting their residence to be their last known residential address before incarceration.

Subd. 15. **Expiration.** (a) The commission expires when both congressional and legislative redistricting plans have been enacted into law or adopted by order of the court and any legal challenges to the plans have been resolved.

(b) If use of a plan is enjoined after the commission expires, the court enjoining the plan may direct that a new commission be appointed under this section to draft a remedial plan for presentation to the legislature in accordance with deadlines established by order of the court.

## Sec. 2. **[2.035] DISTRICTING PRINCIPLES.**

Subdivision 1. **Application.** The principles in this section apply to congressional and legislative districts.

Subd. 2. **Prohibited information.** (a) No plan shall be drawn to purposefully favor or disfavor a political party or candidate.

(b) Information regarding registered voters, political affiliation, voting history, and demographics shall be sequestered from the Redistricting Commission for the initial phase of the process, but may be used to test for compliance with the goals in subdivision 3 and reports described in section 2.036, subdivision 4.

Subd. 3. **Priority of principles.** Redistricting commissioners appointed under section 2.032 shall adhere to the principles in subdivisions 4 to 12 when drawing congressional and legislative districts. Where it is not possible to fully comply with the principles contained below, a redistricting plan shall give priority to those principles in the order in which they are listed, except to the extent that doing so would violate federal or state law.

Subd. 4. **Population equality.** (a) Congressional districts must be as nearly equal in population as practicable.

(b) Legislative districts must be substantially equal in population. The population of a legislative district must not deviate from the ideal by more than one percent.

Subd. 5. **Contiguity.** The districts must be contiguous allowing for easy travel throughout the district. Contiguity by water is sufficient if the water is not a serious obstacle to travel within the district. Districts with areas that touch only at a point are not contiguous.

Subd. 6. **Minority representation.** (a) Each district must be drawn in compliance with all state and federal laws. A district must not be drawn with either the purpose or effect of diluting, denying, or abridging the right of any citizen of the United States to vote on account of race, ethnicity, or membership in a language minority group, whether by themselves or when voting in concert with other people.

(b) Racial, ethnic, and language minorities must have an equal opportunity to participate in the political process and elect candidates of their choice. Racial, ethnic, and language minorities who constitute less than a voting-age majority of a district must have an opportunity to substantially influence the outcome of an election.

Subd. 7. **Communities of interest.** District boundaries shall recognize communities of interest. A community of interest is a contiguous population sharing common social and economic interests that should be included within a single district for purposes of the community's effective and fair representation. Communities of interest include but are not limited to geographic areas where there are clearly recognizable similarities of social, cultural, ethnic, economic, or other interests. Examples of shared interests are those common to an urban area, rural area, industrial area, or agricultural area and those common to areas in which the people share similar living standards, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

Subd. 8. **Political subdivisions.** Counties, cities, and municipalities should be preserved to the greatest extent possible and in compliance with the other principles to preserve rather than divide them among multiple districts.

Subd. 9. **Incumbents.** The residence of incumbents shall not be taken into consideration in the development or approval of a proposed plan.

Subd. 10. **Compactness.** Compactness must be measured by using one or more statistical tests and must be compact.

Subd. 11. **Partisan symmetry and bias.** A district must not be drawn in a manner that unduly favors or disfavors any political party. The commission shall use judicial standards and the best available scientific and statistical methods to assess whether a plan unduly favors or disfavors a political party.

Subd. 12. **Numbering.** (a) Congressional district numbers must begin with district one in the southeast corner of the state and end with the district with the highest number in the northeast corner of the state.

(b) Legislative districts must be numbered in a regular series, beginning with house district 1A in the northwest corner of the state and proceeding across the state from west to east, north to south. In a county that includes more than one whole senate district, the districts must be numbered consecutively.

**Sec. 3. [2.036] LEGISLATIVE COORDINATING COMMISSION; REDISTRICTING.**

Subdivision 1. **Administrative support.** The Legislative Coordinating Commission shall provide administrative support to the Redistricting Commission.

Subd. 2. **Database.** The geographic areas and population counts used in maps, tables, and legal descriptions of congressional and legislative districts considered by the legislature must be those used by the Geographic Information Services (GIS) Office of the Legislative Coordinating Commission. The population counts shall be the block population counts provided to the state under Public Law 94-171 after each decennial census, subject to correction of any errors acknowledged by the United States Census Bureau. The GIS Office must make the database available to the public on the GIS Office website.

Subd. 3. **Publication; consideration of plans.** A redistricting plan must not be considered for adoption by the senate or house of representatives until the redistricting plan's block equivalency file has been submitted to the GIS Office in a form prescribed by the GIS Office. The block equivalency file must show the district to which each census block has been assigned. The GIS Office shall publish each plan submitted to it on the GIS Office website.

Subd. 4. **Reports.** Publication of a plan must include the following reports:

(1) a population equality report, listing each district in the plan, its population as the total number of persons, and deviations from the ideal as both a number of persons and as a percentage of the population. The report must also show the populations of the largest and smallest districts and the overall range of deviations of the districts;

(2) a contiguity report, listing each district that is noncontiguous either because two areas of a district do not touch or because they are linked by a point;

(3) a minority voting-age population report, listing for each district the voting age population of each racial or language minority and the total minority voting age population, according to the categories recommended by the United States Department of Justice. The report must also highlight each district with 30 percent or more total minority population;

(4) a communities of interest report, if the chief author of a plan asserts that it preserves a community of interest, maps of the plan must include a layer identifying the census blocks within the community of interest. Publication of the plan must also include a report that lays out the research and process used to identify the communities of interest and lists the district or districts to which the community of interest has been assigned. The report must include the number of communities of interest that are split and the number of times the communities were split;

(5) a political subdivision splits report, listing the split counties, cities, towns, unorganized territories, and precincts, and the district to which each portion of a split subdivision is assigned. The report must also show the number of subdivisions split and the number of times a subdivision is split;

(6) a plan components report, listing for each district the names and populations of the counties within it and, where a county is split between or among districts, the names and populations of the portion of the split county and each of the split county's whole or partial cities, townships, unorganized territories, and precincts within each district.

(7) a measures of compactness report, listing for each district at least the results of the Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle, Ehrenburg, Length-Width, measures of compactness. The report must also state for all the districts in a plan the sum of its perimeters and the mean of its other measurements. The commission may consider other tests of compactness; and

(8) a partisan bias report, listing multiple measures of partisan symmetry or other measures of partisan bias as accepted in political science literature and the best available scientific and statistical methods.

#### **Sec. 4. [204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

Subdivision 1. **Redistricting plan standards; Redistricting Commission.** The principles provided in section 2.035 must be applied to the redistricting of:

(1) county commissioner districts, county park districts, and soil and water conservation supervisor districts in counties with a population greater than 100,000; and

(2) wards in cities with a population greater than 75,000.

Subd. 2. **Population variance.** The minimum population variance permitted for county districts and wards may be up to 1.5 percent of the mean population for all districts or wards in a redistricting plan adopted as provided in this section.

Subd. 3. **Procedure.** Redistricting plans required by this section shall be prepared and adopted by the charter commission, or where such a commission does not exist, by a redistricting commission of no fewer than seven and no more than 15 members appointed by the chief judge of the district court in which a majority of the population of the affected jurisdiction reside. Members of a commission appointed under this subdivision must meet the qualification standards for a public member of the Redistricting Commission as described in section 2.032, subdivision 2, paragraph (d).

Sec. 5. **ACCESS TO MULTIUNIT FACILITIES BY UNITED STATES CENSUS EMPLOYEES.**

Subdivision 1. **Access required.** It is unlawful for a person, either directly or indirectly, to deny access to an apartment house, dormitory, nursing home, manufactured home park, other multiple unit facility used as a residence, or an area in which two or more single-family dwellings are located on private roadways, to an employee of the United States Census who displays a current, valid census credential and who is engaged in official census business. An employee granted access under this section must be permitted to leave census materials for residents at their doors, except that the manager of a nursing home may direct that the materials be left at a central location within the facility. The materials must be left in an orderly manner.

Subd. 2. **Limitations.** This section does not prohibit:

(1) denial of admittance into a particular apartment, room, manufactured home, or personal residential unit;

(2) in the case of a nursing home or a registered housing with services establishment providing assisted living services meeting the requirements of Minnesota Statutes, section 144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;

(3) limiting visits to a reasonable number of census employees or reasonable hours;

(4) requiring a prior appointment to gain access to the facility; or

(5) denial of admittance to or expulsion of an individual employee from a multiple unit dwelling for good cause.

Subd. 3. **Compliance with federal law.** A person in compliance with United States Code, title 13, section 223, and any guidance or rules adopted by the United States Department of Commerce, Bureau of the Census, governing access to a facility described in subdivision 1 is considered to be in compliance with the requirements of this section.

Subd. 4. **Applicability.** This section is effective from January 1 to December 31 in any year during which a decennial census is conducted under the authority of the United States Constitution, article 1, section 2.

Sec. 6. **APPROPRIATIONS.**

Subdivision 1. **Legislative Coordinating Commission.** \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the general fund to the Legislative Coordinating Commission for costs associated with implementing this article. These are onetime appropriations.

Subd. 2. **Secretary of State.** \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the general fund to the secretary of state for costs associated with implementing this article. These are onetime appropriations."

Delete the title and insert:

"A bill for an act relating to elections; making policy and technical changes to various election and campaign finance related provisions; providing automatic voter registration; restoring the voting rights of persons with felony convictions; providing early voting; authorizing automatic absentee ballot delivery; authorizing ranked-choice voting; adopting the National Popular Vote Interstate Compact; modifying campaign finance reporting requirements for Hennepin County elections and certain political subdivisions in Hennepin County; modifying definition of expressly advocating; requiring reporting of electioneering communications; establishing a redistricting commission; appropriating money; amending Minnesota Statutes 2018, sections 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, by adding a subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivisions 1, 2; 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, by adding a subdivision; 10A.244; 10A.25, subdivision 3a; 10A.27, subdivision 15; 13.607, by adding a subdivision; 123B.09, subdivision 5b; 174.24, by adding a subdivision; 201.014, by adding a subdivision; 201.022, subdivision 1; 201.071, subdivision 1; 201.091, subdivision 4; 201.161; 203B.001; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 5; 203B.05, subdivision 1; 203B.06, subdivisions 1, 3; 203B.081, subdivision 1; 203B.085; 203B.121, subdivisions 1, 2, 3, 5, by adding a subdivision; 204B.28, subdivision 2; 204B.35, by adding a subdivision; 204B.45, subdivisions 1, 2; 204C.03, by adding a subdivision; 204C.10; 204C.15, subdivision 1; 204C.24, subdivision 1; 204D.19, subdivision 2; 204D.195; 204D.22, subdivision 3; 204D.23, subdivision 2; 205.13, subdivision 2; 206.58, subdivision 1; 206.61, by adding a subdivision; 206.80; 206.82, subdivision 1; 206.83; 206.86, by adding a subdivision; 206.89, subdivisions 2, 3; 207A.12; 207A.13; 207A.14; 207A.15, subdivision 2; 383B.041; 473.408, by adding a subdivision; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 2; 10A; 201; 203B; 204B; 204D; 206; 207A; 208; 243; proposing coding for new law as Minnesota Statutes, chapter 204E; repealing Minnesota Statutes 2018, sections 10A.15, subdivision 6; 203B.081, subdivision 3; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; 383B.057."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1658, A bill for an act relating to human services; expanding liability insurance coverage for licensed foster home providers; amending Minnesota Statutes 2018, section 245.814, subdivisions 2, 3.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1719, A bill for an act relating to human services; modifying drug testing provisions for MFIP and general assistance; amending Minnesota Statutes 2018, sections 256D.024, subdivision 1; 256J.26, subdivision 1; 609B.425, subdivision 2; 609B.435, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 14, strike "as a condition of continued eligibility"

Page 1, line 15, delete "may" and insert "or tribe must"

Page 2, line 10, strike "as a condition of continued eligibility"

Page 2, line 11, delete "may" and insert "or tribe must"

Page 3, lines 5 and 6, reinstate the stricken language

Page 3, line 7, reinstate the stricken "after July 1, 1997, may, if otherwise eligible, receive food stamps or food support" and insert a period and reinstate the stricken "the"

Page 3, line 8, reinstate the stricken "convicted applicant or participant" and insert "may be" and reinstate the stricken "subject to random drug testing"

Page 3, line 9, reinstate the stricken ". Following a positive test for an illegal controlled substance,"

Page 3, line 10, after the stricken colon, insert "the county or tribe must provide resources and referrals to drug treatment programs."

Page 3, line 28, reinstate the stricken language and delete the new language

Page 4, lines 10 and 22, delete "may" and insert "or tribe must"

Page 4, line 20, strike everything after "testing"

Page 4, line 21, strike "MFIP benefits"

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 1855, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 3; establishing a redistricting commission to adopt congressional and legislative district boundaries following each federal decennial census.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, article IV, section 3, will read:

Sec. 3. ~~At its first session~~ (a) After each enumeration of the inhabitants of this state made by the authority of the United States, ~~the legislature~~ a commission shall have the power to prescribe the bounds of congressional and legislative districts. The commission consists of five retired judges of the appellate or district courts of this state who have not served in a party-designated or party-endorsed position, such as legislator, and 12 public members. By January 15 of each year ending in one, after consulting with each other in an effort to attain geographic balance in their appointments, the majority and minority leaders of the senate and the speaker and minority leader of the house of representatives shall each appoint one retired judge. If any of the four leaders fails to make an appointment by the deadline, the supreme court must fill the vacancy by January 22 of that year. The four retired judges shall meet by January 29 of that year and, by a vote of at least three retired judges, choose the fifth retired judge. A public member must be eligible to vote but must not have been deeply engaged in partisan politics during the previous decade. The public members must be appointed in a manner provided by law.

(b) After notice and a hearing, by a vote of at least 12 of its members, including at least one retired judge, the commission may remove a commissioner, for reasons that would justify recall of a state official other than a judge under article VIII, section 6. Except for vacancies filled by the supreme court, vacancies on the commission must be filled within 30 days after the vacancy occurs by the appointing authority that made the initial appointment.

(c) The commission shall hold at least one public hearing in each congressional district before adopting the first redistricting plans. The commission must request advice on how to define communities of interest. The commission must publish on its website a preliminary draft of each plan and their accompanying reports at least one week before the hearing and accept comments on each plan for at least one week after the hearing.

(d) The commission shall file with the secretary of state plans prescribing the bounds of congressional and legislative districts by September 1 of the year ending in one. Adoption of a plan requires the affirmative vote of at least 12 members of the commission, including at least one retired judge. The distribution of votes required from various categories of public members must be provided by law. If the commission fails to adopt a plan by the deadline, the supreme court shall adopt a replacement for the missing plan by February 1 of the year ending in two.

(e) The legislature may amend a redistricting plan adopted by the commission, but must do so by a two-thirds vote of the legislators elected to each house. Any amendment must pass both houses by the end of the 30th calendar day of the first session convened after the commission adopts a plan. After that day, the plan, with any legislative amendments, constitutes the state districting law.

(f) The commission expires when congressional and legislative redistricting plans are enacted into law or adopted by court order and any legal challenges to the plans have been resolved. If use of a plan is enjoined after the commission expires, the court enjoining the plan may direct that a new commission be appointed under this section to draft a remedial plan for presentation to the secretary of state in accordance with deadlines established by order of the court.

(g) Districts must not be drawn with either the purpose or effect of denying or abridging the right of any citizen of the United States to vote on account of race or membership in a language minority group. The districts must ensure that members of the minority have a realistic opportunity to elect candidates of their choice, where a concentration of a racial or language minority population makes that possible and can be done in compliance with the other principles in this section.

(h) Senators shall be chosen by single districts of convenient contiguous territory.

(i) Districts should be compact.

(j) A county, city, town, or precinct must not be divided into more than one district except as necessary to meet equal population requirements or to form districts that are composed of convenient, contiguous, and compact territory. When a county, city, town, or precinct must be divided into more than one district, it must be divided into as few districts as possible.

(k) Districts should attempt to preserve identifiable communities of interest.

(l) A district or plan must not be drawn with the intent or effect of unduly favoring or disfavoring a political party.

(m) A district or plan must not be drawn with the intent to protect or defeat an incumbent.

(n) Districts should be drawn to encourage electoral competition.

(o) The statewide proportion of districts whose voters have historically favored each political party should not be significantly smaller than the statewide proportion of votes the candidates of the party have historically received, nor should a majority of districts have a majority of voters who have historically favored a minority party. Both proportions must be based on statewide state and federal partisan general election results during the last ten years.

(p) No representative district shall be divided in the formation of a senate district.

(q) The senate districts shall be numbered in a regular series.

(r) Where it is not possible to fully comply with the principles in this section, a redistricting plan must give priority to those principles in the order in which they are listed, except to the extent that doing so would violate federal law.

Sec. 2. **SUBMISSION TO VOTERS.**

The proposed amendment must be submitted to the people at the 2020 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to transfer from the legislature to an independent redistricting commission the power to draw congressional and legislative districts?"

Yes.....  
No.....""

Delete the title and insert:

"A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 3; establishing a redistricting commission to prescribe the boundaries of congressional and legislative districts following each federal decennial census; establishing districting principles for congressional and legislative plans."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.



Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1882, A bill for an act relating to natural resources; modifying restrictions on commercial fishing areas to provide for invasive species control; amending Minnesota Statutes 2018, section 97C.815, subdivision 2.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1883, A bill for an act relating to education; foster care; requiring a student in foster care to be enrolled in school; requiring a report on foster youth school enrollment; amending Minnesota Statutes 2018, section 257.0725; proposing coding for new law in Minnesota Statutes, chapter 120A.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1898, A bill for an act relating to health; creating a public awareness campaign on the health dangers of using skin lightening creams containing mercury; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 1960, A bill for an act relating to commerce; making technical changes to various provisions administered by the Department of Commerce; amending Minnesota Statutes 2018, sections 45A.01, subdivision 7; 58A.03, subdivision 2; 72B.03, subdivision 2; 80A.84; 82B.195, subdivision 2; 115C.11; 332.37; 332A.07, subdivision 1; 332B.04, by adding a subdivision.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 2018, A bill for an act relating to pari-mutuel horse racing; modifying licensing, reporting, and other regulatory provisions of the Racing Commission; amending Minnesota Statutes 2018, sections 240.01, by adding a subdivision; 240.02, subdivisions 2, 6; 240.08, subdivision 5; 240.10; 240.12; 240.13, subdivision 5; 240.131, subdivision 7; 240.135; 240.16, subdivisions 1, 2; 240.18, subdivisions 2, 3; 240.22; 240.27.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 2051, A bill for an act relating to insurance; making changes to conform with certain model regulations; amending Minnesota Statutes 2018, section 60A.1291, subdivisions 1, 15, 18, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
ANNUAL FINANCIAL REPORTING AND AUDIT

Section 1. Minnesota Statutes 2018, section 60A.1291, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** The definitions in this subdivision apply to this section.

(a) "Accountant" and "independent public accountant" mean an independent certified public accountant or accounting firm in good standing with the American Institute of Certified Public Accountants and in all states in which the accountant or firm is licensed or is required to be licensed to practice. For Canadian and British companies, the term means a Canadian-chartered or British-chartered accountant.

(b) "Affiliate" or "affiliated" means a person that directly or indirectly through one or more intermediaries controls, is controlled by, or is under common control with a person.

~~(b)~~ (c) "Audit committee" means a committee or equivalent body established by the board of directors of an entity for the purpose of overseeing the accounting and financial reporting processes of an insurer or group of insurers, and the internal audit function of an insurer or group of insurers, if applicable, and external audits of financial statements of the insurer or group of insurers. The audit committee of any entity that controls a group of insurers may be deemed to be the audit committee for one or more of these controlled insurers solely for the purposes of this section at the election of the controlling person under subdivision 15, paragraph (e). If an audit committee is not designated by the insurer, the insurer's entire board of directors constitutes the audit committee.

(d) "Audited financial report" means the report described in subdivision 4.

~~(e)~~ (e) "Indemnification" means an agreement of indemnity or a release from liability where the intent or effect is to shift or limit in any manner the potential liability of the person or firm for failure to adhere to applicable auditing or professional standards, whether or not resulting in part from knowing of other misrepresentations made by the insurer or its representatives.

~~(d)~~ (f) "Independent board member" has the same meaning as described in subdivision 15, paragraph (c).

(g) "Internal audit function" means a person or persons that provide independent, objective and reasonable assurance designed to add value and improve an organization's operations and accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

~~(e)~~ (h) "Internal control over financial reporting" means a process effected by an entity's board of directors, management, and other personnel designed to provide reasonable assurance regarding the reliability of the financial statements, for example, those items specified in subdivision 4, paragraphs (a), clauses (2) to (6), (b), and (c), and includes those policies and procedures that:

(1) pertain to the maintenance of records that, in reasonable detail, accurately and fairly reflect the transactions and dispositions of assets;

(2) provide reasonable assurance that transactions are recorded as necessary to permit preparation of the financial statements, for example, those items specified in subdivision 4, paragraphs (a), clauses (2) to (6), (b), and (c), and that receipts and expenditures are being made only in accordance with authorizations of management and directors; and

(3) provide reasonable assurance regarding prevention or timely detection of unauthorized acquisition, use, or disposition of assets that could have a material effect on the financial statements, for example, those items specified in subdivision 4, paragraphs (a), clauses (2) to (6), (b), and (c).

~~(i)~~ (i) "SEC" means the United States Securities and Exchange Commission.

~~(j)~~ (j) "Section 404" means Section 404 of the Sarbanes-Oxley Act of 2002 and the SEC's rules and regulations promulgated under it.

~~(k)~~ (k) "Section 404 report" means management's report on "internal control over financial reporting" as defined by the SEC and the related attestation report of the independent certified public accountant as described in paragraph (a).

~~(l)~~ (l) "SOX compliant entity" means an entity that either is required to be compliant with, or voluntarily is compliant with, all of the following provisions of the Sarbanes-Oxley Act of 2002: (i) the preapproval requirements of Section 201 (section 10A(i) of the Securities Exchange Act of 1934); (ii) the audit committee independence requirements of Section 301 (section 10A(m)(3) of the Securities Exchange Act of 1934); and (iii) the internal control over financial reporting requirements of Section 404 (Item 308 of SEC Regulation S-K).

Sec. 2. Minnesota Statutes 2018, section 60A.1291, subdivision 15, is amended to read:

Subd. 15. **Requirements for audit committee.** (a) The audit committee must be directly responsible for the appointment, compensation, and oversight of the work of any accountant including resolution of disagreements between management and the accountant regarding financial reporting for the purpose of preparing or issuing the audited financial report or related work pursuant to this section. Each accountant shall report directly to the audit committee.

(b) The audit committee of an insurer or group of insurers is responsible for overseeing the insurer's internal audit function and granting the person or persons performing the function suitable authority and resources to fulfill their responsibilities if required by subdivision 15a.

~~(c)~~ (c) Each member of the audit committee must be a member of the board of directors of the insurer or a member of the board of directors of an entity elected pursuant to paragraph ~~(e)~~ (f) and subdivision 1, paragraph ~~(b)~~ (c).

~~(d)~~ (d) In order to be considered independent for purposes of this section, a member of the audit committee may not, other than in his or her capacity as a member of the audit committee, the board of directors, or any other board committee, accept any consulting, advisory, or other compensatory fee from the entity or be an affiliated person of the entity or any subsidiary of the entity. However, if law requires board participation by otherwise nonindependent members, that law shall prevail and such members may participate in the audit committee and be designated as independent for audit committee purposes, unless they are an officer or employee of the insurer or one of its affiliates.

~~(d)~~ (e) If a member of the audit committee ceases to be independent for reasons outside the member's reasonable control, that person, with notice by the responsible entity to the state, may remain an audit committee member of the responsible entity until the earlier of the next annual meeting of the responsible entity or one year from the occurrence of the event that caused the member to be no longer independent.

~~(e)~~ (f) To exercise the election of the controlling person to designate the audit committee for purposes of this section, the ultimate controlling person shall provide written notice to the commissioners of the affected insurers. Notification must be made timely before the issuance of the statutory audit report and include a description of the basis for the election. The election can be changed through notice to the commissioner by the insurer, which shall include a description of the basis for the change. The election remains in effect for perpetuity, until rescinded.

~~(f)~~ (g) The audit committee shall require the accountant that performs for an insurer any audit required by this section to timely report to the audit committee in accordance with the requirements of SAS No. 114, The Auditor's Communication with Those Charged with Governance, or its replacement, including:

(1) all significant accounting policies and material permitted practices;

(2) all material alternative treatments of financial information within statutory accounting principles that have been discussed with management officials of the insurer, ramifications of the use of the alternative disclosures and treatments, and the treatment preferred by the accountant; and

(3) other material written communications between the accountant and the management of the insurer, such as any management letter or schedule of unadjusted differences.

~~(g)~~ (h) If an insurer is a member of an insurance holding company system, the reports required by paragraph ~~(f)~~ (g) may be provided to the audit committee on an aggregate basis for insurers in the holding company system, provided that any substantial differences among insurers in the system are identified to the audit committee.

~~(h)~~ (i) The proportion of independent audit committee members shall meet or exceed the following criteria:

(1) for companies with prior calendar year direct written and assumed premiums \$0 to \$300,000,000, no minimum requirements;

(2) for companies with prior calendar year direct written and assumed premiums over \$300,000,000 to \$500,000,000, majority of members must be independent; and

(3) for companies with prior calendar year direct written and assumed premiums over \$500,000,000, 75 percent or more must be independent.

~~(i)~~ (j) An insurer with direct written and assumed premium, excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, less than \$500,000,000 may make application to the commissioner for a waiver from the requirements of this subdivision based upon hardship. The insurer shall file, with its annual statement filing, the approval for relief from this subdivision with the states that it is licensed in or doing business in and the NAIC. If the nondomestic state accepts electronic filing with the NAIC, the insurer shall file the approval in an electronic format acceptable to the NAIC.

This subdivision does not apply to foreign or alien insurers licensed in this state or an insurer that is a SOX compliant entity or a direct or indirect wholly owned subsidiary of a SOX compliant entity.

Sec. 3. Minnesota Statutes 2018, section 60A.1291, is amended by adding a subdivision to read:

Subd. 15a. **Internal audit function requirements.** (a) An insurer is exempt from the requirements of this section if:

(1) the insurer has annual direct written and unaffiliated assumed premium, including international direct and assumed premium but excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, less than \$500,000,000; and

(2) if the insurer is a member of a group of insurers, the group has annual direct written and unaffiliated assumed premium including international direct and assumed premium, but excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, less than \$1,000,000,000.

(b) The insurer or group of insurers shall establish an internal audit function providing independent, objective, and reasonable assurance to the audit committee and insurer management regarding the insurer's governance, risk management, and internal controls. This assurance shall be provided by performing general and specific audits, reviews, and tests and by employing other techniques deemed necessary to protect assets, evaluate control effectiveness and efficiency, and evaluate compliance with policies and regulations.

(c) In order to ensure that internal auditors remain objective, the internal audit function must be organizationally independent. Specifically, the internal audit function will not defer ultimate judgment on audit matters to others, and shall appoint an individual to head the internal audit function who will have direct and unrestricted access to the board of directors. Organizational independence does not preclude dual-reporting relationships.

(d) The head of the internal audit function shall report to the audit committee regularly, but no less than annually, on the periodic audit plan, factors that may adversely impact the internal audit function's independence or effectiveness, material findings from completed audits and the appropriateness of corrective actions implemented by management as a result of audit findings.

(e) If an insurer is a member of an insurance holding company system or included in a group of insurers, the insurer may satisfy the internal audit function requirements set forth in this section at the ultimate controlling parent level, an intermediate holding company level or the individual legal entity level.

**EFFECTIVE DATE.** The requirements of this subdivision are effective January 1, 2020. If an insurer or group of insurers that is exempt from this subdivision no longer qualifies for that exemption, it shall have one year after the year the threshold is exceeded to comply with the requirements of this subdivision.

## ARTICLE 2 INSURANCE HOLDING COMPANY SYSTEMS

Section 1. Minnesota Statutes 2018, section 60D.15, is amended by adding a subdivision to read:

Subd. 4b. **Groupwide supervisor.** The regulatory official authorized to engage in conducting and coordinating groupwide supervision activities who is determined or acknowledged by the commissioner under section 60D.217 to have sufficient significant contacts with the internationally active insurance group.

Sec. 2. Minnesota Statutes 2018, section 60D.15, is amended by adding a subdivision to read:

Subd. 6a. **Internationally active insurance group.** An insurance holding company system that (1) includes an insurer registered under section 60D.19; and (2) meets the following criteria: (i) premiums written in at least three countries, (ii) the percentage of gross premiums written outside the United States is at least ten percent of the

insurance holding company system's total gross written premiums, and (iii) based on a three-year rolling average, the total assets of the insurance holding company system are at least \$50,000,000,000 or the total gross written premiums of the insurance holding company system are at least \$10,000,000,000.

Sec. 3. **[60D.217] GROUPWIDE SUPERVISION OF INTERNATIONALLY ACTIVE INSURANCE GROUPS.**

(a) The commissioner is authorized to act as the groupwide supervisor for any internationally active insurance group in accordance with the provisions of this section. However, the commissioner may otherwise acknowledge another regulatory official as the groupwide supervisor where the internationally active insurance group:

(1) does not have substantial insurance operations in the United States;

(2) has substantial insurance operations in the United States, but not in this state; or

(3) has substantial insurance operations in the United States and this state, but the commissioner has determined pursuant to the factors set forth in subsections (b) and (f) that the other regulatory official is the appropriate groupwide supervisor.

An insurance holding company system that does not otherwise qualify as an internationally active insurance group may request that the commissioner make a determination or acknowledgment as to a groupwide supervisor pursuant to this section.

(b) In cooperation with other state, federal, and international regulatory agencies, the commissioner will identify a single groupwide supervisor for an internationally active insurance group. The commissioner may determine that the commissioner is the appropriate groupwide supervisor for an internationally active insurance group that conducts substantial insurance operations concentrated in this state. However, the commissioner may acknowledge that a regulatory official from another jurisdiction is the appropriate groupwide supervisor for the internationally active insurance group. The commissioner shall consider the following factors when making a determination or acknowledgment under this subsection:

(1) the place of domicile of the insurers within the internationally active insurance group that hold the largest share of the group's written premiums, assets, or liabilities;

(2) the place of domicile of the top-tiered insurer(s) in the insurance holding company system of the internationally active insurance group;

(3) the location of the executive offices or largest operational offices of the internationally active insurance group;

(4) whether another regulatory official is acting or is seeking to act as the groupwide supervisor under a regulatory system that the commissioner determines to be:

(i) substantially similar to the system of regulation provided under the laws of this state; or

(ii) otherwise sufficient in terms of providing for groupwide supervision, enterprise risk analysis, and cooperation with other regulatory officials; and

(5) whether another regulatory official acting or seeking to act as the groupwide supervisor provides the commissioner with reasonably reciprocal recognition and cooperation.

However, a commissioner identified under this section as the groupwide supervisor may determine that it is appropriate to acknowledge another supervisor to serve as the groupwide supervisor. The acknowledgment of the groupwide supervisor shall be made after consideration of the factors listed in clauses (1) to (5), and shall be made in cooperation with and subject to the acknowledgment of other regulatory officials involved with supervision of members of the internationally active insurance group, and in consultation with the internationally active insurance group.

(c) Notwithstanding any other provision of law, when another regulatory official is acting as the groupwide supervisor of an internationally active insurance group, the commissioner shall acknowledge that regulatory official as the groupwide supervisor. However, in the event of a material change in the internationally active insurance group that results in:

(1) the internationally active insurance group's insurers domiciled in this state holding the largest share of the group's premiums, assets, or liabilities; or

(2) this state being the place of domicile of the top-tiered insurer(s) in the insurance holding company system of the internationally active insurance group,

the commissioner shall make a determination or acknowledgment as to the appropriate groupwide supervisor for such an internationally active insurance group pursuant to subsection (b).

(d) Pursuant to section 60D.21, the commissioner is authorized to collect from any insurer registered pursuant to section 60D.19 all information necessary to determine whether the commissioner may act as the groupwide supervisor of an internationally active insurance group or if the commissioner may acknowledge another regulatory official to act as the groupwide supervisor. Prior to issuing a determination that an internationally active insurance group is subject to groupwide supervision by the commissioner, the commissioner shall notify the insurer registered pursuant to section 60D.19 and the ultimate controlling person within the internationally active insurance group. The internationally active insurance group shall have not less than 30 days to provide the commissioner with additional information pertinent to the pending determination. The commissioner shall publish in the State Register and on the department's website the identity of internationally active insurance groups that the commissioner has determined are subject to groupwide supervision by the commissioner.

(e) If the commissioner is the groupwide supervisor for an internationally active insurance group, the commissioner is authorized to engage in any of the following groupwide supervision activities:

(1) assess the enterprise risks within the internationally active insurance group to ensure that:

(i) the material financial condition and liquidity risks to the members of the internationally active insurance group that are engaged in the business of insurance are identified by management; and

(ii) reasonable and effective mitigation measures are in place; or

(2) request, from any member of an internationally active insurance group subject to the commissioner's supervision, information necessary and appropriate to assess enterprise risk, including but not limited to information about the members of the internationally active insurance group regarding:

(i) governance, risk assessment, and management;

(ii) capital adequacy; and

(iii) material intercompany transactions;

(3) coordinate and, through the authority of the regulatory officials of the jurisdictions where members of the internationally active insurance group are domiciled, compel development and implementation of reasonable measures designed to ensure that the internationally active insurance group is able to timely recognize and mitigate enterprise risks to members of such internationally active insurance group that are engaged in the business of insurance;

(4) communicate with other state, federal and international regulatory agencies for members within the internationally active insurance group and share relevant information subject to the confidentiality provisions of section 60D.22, through supervisory colleges as set forth in section 60D.215 or otherwise;

(5) enter into agreements with or obtain documentation from any insurer registered under section 60D.19, any member of the internationally active insurance group, and any other state, federal, and international regulatory agencies for members of the internationally active insurance group, providing the basis for or otherwise clarifying the commissioner's role as groupwide supervisor, including provisions for resolving disputes with other regulatory officials. Such agreements or documentation shall not serve as evidence in any proceeding that any insurer or person within an insurance holding company system not domiciled or incorporated in this state is doing business in this state or is otherwise subject to jurisdiction in this state; and

(6) other groupwide supervision activities, consistent with the authorities and purposes enumerated above, as considered necessary by the commissioner.

(f) If the commissioner acknowledges that another regulatory official from a jurisdiction that is not accredited by the NAIC is the groupwide supervisor, the commissioner is authorized to reasonably cooperate, through supervisory colleges or otherwise, with groupwide supervision undertaken by the groupwide supervisor, provided that:

(1) the commissioner's cooperation is in compliance with the laws of this state; and

(2) the regulatory official acknowledged as the groupwide supervisor also recognizes and cooperates with the commissioner's activities as a groupwide supervisor for other internationally active insurance groups where applicable. Where such recognition and cooperation is not reasonably reciprocal, the commissioner is authorized to refuse recognition and cooperation.

(g) The commissioner is authorized to enter into agreements with or obtain documentation from any insurer registered under section 60D.19, any affiliate of the insurer, and other state, federal, and international regulatory agencies for members of the internationally active insurance group, that provide the basis for or otherwise clarify a regulatory official's role as groupwide supervisor.

(h) A registered insurer subject to this section shall be liable for and shall pay the reasonable expenses of the commissioner's participation in the administration of this section, including the engagement of attorneys, actuaries, and any other professionals and all reasonable travel expenses.

### ARTICLE 3 RISK-BASED CAPITAL TREND TEST FOR HEALTH ORGANIZATIONS

Section 1. Minnesota Statutes 2018, section 60A.51, is amended by adding a subdivision to read:

Subd. 2a. **Excess of capital.** An excess of capital (net worth) over the amount produced by the risk-based capital requirements contained in sections 60A.50 to 60A.592 and the formulas, schedules, and instructions referenced in sections 60A.50 to 60A.592 is desirable in the business of health insurance. Health organizations should seek to maintain capital above the RBC levels required by sections 60A.50 to 60A.592. Additional capital is useful in the insurance business and helps to secure a health organization against various risk inherent in or affecting the business of insurance and not accounted for or only partially measured by the risk-based capital requirements contained in sections 60A.50 to 60A.592.



Sec. 2. Minnesota Statutes 2018, section 60A.52, subdivision 1, is amended to read:

Subdivision 1. **Definition.** "Company action level event" means the following events:

(1) the filing of an RBC report by a health organization that indicates that the health organization's total adjusted capital is greater than or equal to its regulatory action level RBC but less than its company action level RBC. If a health organization has total adjusted capital greater than or equal to its company action level RBC but less than the product of its authorized control level RBC multiplied by three, and triggers the trend test determined in accordance with the trend test calculation included in the health RBC instructions;

(2) notification by the commissioner to the health organization of an adjusted RBC report that indicates an event in clause (1), provided the health organization does not challenge the adjusted RBC report under section 60A.56; or

(3) if, pursuant to section 60A.56, a health organization challenges an adjusted RBC report that indicates the event in clause (1), the notification by the commissioner to the health organization that the commissioner has, after a hearing, rejected the health organization's challenge.

#### ARTICLE 4 CORPORATE GOVERNANCE ANNUAL DISCLOSURE

Section 1. **[60A.1391] CORPORATE GOVERNANCE ANNUAL DISCLOSURE.**

**Subdivision 1. Purpose and scope.** (a) The purpose of sections 60A.142 to 60A.149 is to:

(1) provide the commissioner a summary of an insurer or insurance group's corporate governance structure, policies, and practices to permit the commissioner to gain and maintain an understanding of the insurer's corporate governance framework; and

(2) outline the requirements for completing a corporate governance annual disclosure with the commissioner.

(b) Nothing in this section shall be construed to limit the commissioner's authority, or the rights or obligations of third parties.

(c) The requirements of this section apply to all insurers domiciled in this state.

**Subd. 2. Definitions.** (a) For purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Commissioner" means the commissioner of commerce.

(c) "Corporate Governance Annual Disclosure (CGAD)" means a confidential report filed by the insurer or insurance group according to this section.

(d) "Insurance group" means those insurers and affiliates included within an insurance holding company system as defined in section 60D.15, subdivision 5.

(e) "Insurer" has the meaning given in section 60A.705, subdivision 4, except that it does not include agencies, authorities, or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia, or a state or political subdivision of a state.

(f) "ORSA summary report" means the report filed under section 60D.54.

(g) "Senior management" means any corporate officer responsible for reporting information to the board of directors at regular intervals or providing this information to shareholders or regulators and shall include, for example and without limitation, the Chief Executive Officer (CEO), Chief Financial Officer (CFO), Chief Operations Officer (COO), Chief Procurement Officer (CPO), Chief Legal Officer (CLO), Chief Information Officer (CIO), Chief Technology Officer (CTO), Chief Revenue Officer (CRO), Chief Visionary Officer (CVO), or any other "C" level executive.

**Subd. 3. Disclosure and filing requirements.** (a) An insurer, or the insurance group of which the insurer is a member, shall, no later than June 1 of each calendar year, submit to the commissioner a Corporate Governance Annual Disclosure (CGAD) that contains the information described in subdivision 4. Notwithstanding any request from the commissioner made pursuant to paragraph (c), if the insurer is a member of an insurance group, the insurer shall submit the report required by this section to the commissioner of the lead state for the insurance group, in accordance with the laws of the lead state, as determined by the procedures outlined in the most recent Financial Analysis Handbook adopted by the NAIC.

(b) The CGAD must include a signature of the insurer or insurance group's chief executive officer or corporate secretary attesting to the best of that individual's belief and knowledge that the insurer has implemented the corporate governance practices and that a copy of the disclosure has been provided to the insurer's or the insurance group's board of directors or the appropriate committee thereof.

(c) An insurer not required to submit a CGAD under this section shall do so upon the commissioner's request.

(d) For purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level, or the individual legal entity level, depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group is encouraged to make the CGAD disclosures at the level at which the insurer's or insurance group's risk appetite is determined, or at which the earnings, capital, liquidity, operations, and reputation of the insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised, or the level at which legal liability for failure of general corporate governance duties would be placed. If the insurer or insurance group determines the level of reporting based on these criteria, it shall indicate which of the three criteria was used to determine the level of reporting and explain any subsequent changes in level of reporting.

(e) The review of the CGAD and any additional requests for information shall be made through the lead state as determined by the procedures within the most recent Financial Analysis Handbook referenced in paragraph (a). If the CGAD is completed at the insurance group level, then it must be filed with the lead state of the group as determined by the procedures outlined in the most recent Financial Analysis Handbook adopted by the NAIC. In these instances, a copy of the CGAD must also be provided to the chief regulatory official of any state in which the insurance group has a domestic insurer, upon request.

(f) Insurers providing information substantially similar to the information required under this section in other documents provided to the commissioner, including proxy statements filed in conjunction with Form B requirements, or other state or federal filings provided to this department shall not be required to duplicate that information in the CGAD, but shall be required to clearly cross-reference the location of the relevant information within the CGAD and attach the referenced document in which the information is included if not already filed with or available to the regulator.

(g) Each year following the initial filing of the CGAD, the insurer or insurance group shall file an amended version of the previously filed CGAD indicating where changes have been made. If no changes were made in the information or activities reported by the insurer or insurance group, the filing should so state.

Subd. 4. **Contents of Corporate Governance Annual Disclosure.** (a) The insurer or insurance group shall have discretion regarding the appropriate format for providing the information required by this section, provided the CGAD shall contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies, and practices. The commissioner may request additional information deemed material and necessary to provide the commissioner with a clear understanding of the corporate governance policies, the reporting or information system, or controls implementing those policies. Documentation and supporting information shall be maintained and made available upon examination or upon request of the commissioner.

(b) The insurer or insurance group shall be as descriptive as possible in completing the CGAD, with inclusion of attachments or example documents that are used in the governance process, as these may provide a means to demonstrate the strengths of their governance framework and practices.

(c) The CGAD shall describe the insurer's or insurance group's corporate governance framework and structure including consideration of the following:

(1) the board and various committees thereof ultimately responsible for overseeing the insurer or insurance group and the level(s) at which that oversight occurs (e.g., ultimate control level, intermediate holding company, legal entity, etc.). The insurer or insurance group shall describe and discuss the rationale for the current board size and structure; and

(2) the duties of the board and each of its significant committees and how they are governed (e.g., bylaws, charters, informal mandates, etc.), as well as how the board's leadership is structured, including a discussion of the roles of Chief Executive Officer and Chairman of the Board within the organization.

(d) The insurer or insurance group shall describe the policies and practices of the most senior governing entity and significant committees thereof, including a discussion of the following factors:

(1) how the qualifications, expertise, and experience of each board member meet the needs of the insurer or insurance group;

(2) how an appropriate amount of independence is maintained on the board and its significant committees;

(3) the number of meetings held by the board and its significant committees over the past year as well as the information on director attendance;

(4) how the insurer or insurance group identifies, nominates, and elects members to the board and its committees. The discussion should include, for example:

(i) whether the nomination committee is in place to identify and select individuals for consideration;

(ii) whether term limits are placed on directors;

(iii) how the election and reelection processes function; and

(iv) whether a board diversity policy is in place and if so, how it functions; and

(5) the processes in place for the board to evaluate its performance and the performance of its committees, as well as any recent measures taken to improve performance, including any board or committee training programs that have been put in place.

(e) The insurer or insurance group shall describe the policies and practices for directing senior management, including a description of the following factors:

(1) any processes or practices (i.e., sustainability standards) to determine whether officers and key persons in control functions have the appropriate background, experience, and integrity to fulfill their prospective roles, including:

(i) identification of the specific positions for which suitability standards have been developed and a description of the standards employed; and

(ii) any changes in an officer's or key person's suitability as outlined by the insurer's or insurance group's standards and procedures to monitor and evaluate such changes;

(2) the insurer's or insurance group's code of business conduct and ethics, the discussion of which considers, for example:

(i) compliance with laws, rules, and regulations; and

(ii) proactive reporting of any illegal or unethical behavior;

(3) the insurer's or insurance group's processes for performance evaluation, compensation, and corrective action to ensure effective senior management throughout the organization, including a description of the general objectives of significant compensation programs and what the programs are designed to reward. The description shall include sufficient detail to allow the commissioner to understand how the organization ensures that compensation programs do not encourage or reward excessive risk taking. Elements to be discussed may include, for example:

(i) the board's role in overseeing management compensation programs and practices;

(ii) the various elements of compensation awarded in the insurer's or insurance group's compensation programs and how the insurer or insurance group determines and calculates the amount of each element of compensation paid;

(iii) how compensation programs are related to both company and individual performance over time;

(iv) whether compensation programs include risk adjustments and how those adjustments are incorporated into the programs for employees at different levels;

(v) any clawback provisions built into the programs to recover awards or payments if the performance measures upon which they are based are restated or otherwise adjusted; and

(vi) any other factors relevant in understanding how the insurer or insurance group monitors its compensation policies to determine whether its risk management objectives are met by incentivizing its employees; and

(4) the insurer's or insurance group's plans for CEO and senior management succession.

(f) The insurer or insurance group shall describe the processes by which the board, its committees, and senior management ensure an appropriate amount of oversight to the critical risk areas impacting the insurer's business activities, including a discussion of:

(1) how oversight and management responsibilities are delegated between the board, its committees, and senior management;

(2) how the board is kept informed of the insurer's strategic plans, the associated risks, and steps that senior management is taking to monitor and manage those risks; and

(3) how reporting responsibilities are organized for each critical risk area. The description should allow the commissioner to understand the frequency at which information on each critical risk area is reported to and reviewed by senior management and the board. This description may include, for example, the following critical risk areas of the insurer:

(i) risk management processes (an ORSA Summary Report filer may refer to its ORSA Summary Report pursuant to the Risk Management and Own Risk and Solvency Assessment Model Act);

(ii) actuarial function;

(iii) investment decision-making processes;

(iv) reinsurance decision-making processes;

(v) business strategy and finance decision-making processes;

(vi) compliance function;

(vii) financial reporting and internal auditing; and

(viii) market conduct decision-making processes.

**Subd. 5. Confidentiality.** (a) Documents, materials, or other information, including the CGAD, in the possession or control of the department that are obtained by, created by, or disclosed to the commissioner or any other person under this section are recognized by this state as being confidential, protected nonpublic, and containing trade secrets. Those documents, materials, or other information are classified as confidential, protected nonpublic, or both, are not subject to subpoena, and are not subject to discovery or admissible in evidence in any private civil action. However, the commissioner may use the documents, materials, or other information in the furtherance of a regulatory or legal action brought as a part of the commissioner's official duties. The commissioner shall not otherwise make the documents, materials, or other information public without the prior written consent of the insurer. Nothing in this section shall be construed to require written consent of the insurer before the commissioner may share or receive confidential documents, materials, or other CGAD-related information pursuant to paragraph (c) below to assist in the performance of the commissioner's regular duties.

(b) Neither the commissioner nor any person who received documents, materials, or other CGAD-related information, through examination or otherwise, while acting under the authority of the commissioner, or with whom the documents, materials, or other information are shared pursuant to this section are permitted or required to testify in any private civil action concerning documents, materials, or information subject to this subdivision that are classified as confidential, protected nonpublic, or both.

(c) In order to assist in the performance of the commissioner's regulatory duties, the commissioner:

(1) may, upon request, share documents, materials, or other CGAD-related information, including the confidential, protected nonpublic, and privileged documents, materials, or information subject to this subdivision, with other state, federal, and international financial regulatory agencies, including members of any supervisory college as defined in section 60D.215, with the NAIC, and with third-party consultants pursuant to subdivision 7, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, material, or other information and has verified in writing the legal authority to maintain confidentiality; and

(2) may receive documents, materials, or other CGAD-related information, including otherwise confidential, protected nonpublic, and privileged documents, materials, or information, from regulatory officials of other state, federal, and international financial regulatory agencies, including members of any supervisory college as defined in section 60D.215 and from the NAIC, and shall maintain as confidential, protected nonpublic, or privileged any documents, materials, or information received with notice or the understanding that it is confidential, protected nonpublic, or privileged under the laws of the jurisdiction that is the source of the document, material, or information.

(d) The sharing of information and documents by the commissioner pursuant to this section shall not constitute a delegation of regulatory authority or rulemaking, and the commissioner is solely responsible for the administration, execution, and enforcement of the provisions of this section.

(e) No waiver of any applicable privilege or claim of confidentiality in the documents, trade-secret materials, or other CGAD-related information shall occur as a result of disclosure of such CGAD-related information or documents to the commissioner under this subdivision or as a result of sharing as authorized under this section.

**Subd. 6. NAIC and third-party consultants.** (a) The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants, and other experts not otherwise a part of the commissioner's staff as may be reasonably necessary to assist the commissioner in reviewing the CGAD and related information or the insurer's compliance with this section.

(b) Any person retained under paragraph (a) shall be under the direction and control of the commissioner and shall act in a purely advisory capacity.

(c) The NAIC and third-party consultants shall be subject to the same confidentiality standards and requirements as the commissioner.

(d) As part of the retention process, a third-party consultant shall verify to the commissioner, with notice to the insurer, that it is free of a conflict of interest and that it has internal procedures in place to monitor compliance with a conflict and to comply with the confidentiality standards and requirements of this section.

(e) A written agreement with the NAIC or a third-party consultant governing sharing and use of information provided pursuant to this section shall contain the following provisions and expressly require the written consent of the insurer prior to making public information provided under this section:

(1) specific procedures and protocols for maintaining the confidentiality and security of CGAD-related information shared with the NAIC or a third-party consultant pursuant to this section;

(2) procedures and protocols for sharing by the NAIC only with other state regulators from states in which the insurance group has domiciled insurers. The agreement shall provide that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, materials, or other information and has verified in writing the legal authority to maintain confidentiality;

(3) a provision specifying that ownership of the CGAD-related information shared with the NAIC or a third-party consultant remains with the department and the NAIC's or third-party consultant's use of the information is subject to the direction of the commissioner;

(4) a provision that prohibits the NAIC or a third-party consultant from storing the information shared pursuant to this section in a permanent database after the underlying analysis is completed;

(5) a provision requiring the NAIC or third-party consultant to provide prompt notice to the commissioner and to the insurer or insurance group regarding any subpoena, request for disclosure, or request for production of the insurer's CGAD-related information; and

(6) a requirement that the NAIC or a third-party consultant to consent to intervention by an insurer in any judicial or administrative action in which the NAIC or a third-party consultant may be required to disclose confidential information about the insurer shared with the NAIC or a third-party consultant pursuant to this section.

Subd. 7. **Sanctions.** Any insurer failing, without just cause, to timely file the CGAD as required in this section shall be required to pay a penalty of \$1,000 for each day's delay, to be recovered by the commissioner and to be paid into the general fund of this state. The commissioner may reduce the penalty if the insurer demonstrates to the commissioner that the imposition of the penalty would constitute a financial hardship to the insurer.

**EFFECTIVE DATE.** This section is effective on January 1, 2020. The first filing of the CGAD shall be in 2020.

## ARTICLE 5 MEDICARE SUPPLEMENT INSURANCE

Section 1. Minnesota Statutes 2018, section 62A.3099, is amended by adding a subdivision to read:

Subd. 18a. **Newly eligible individual.** "Newly eligible individual" means an individual who is eligible for Medicare on or after January 1, 2020, because the individual:

(1) has attained age 65 on or after January 2020; or

(2) although under age 65, is entitled to or deemed eligible for benefits under Medicare Part A by reason of disability or otherwise.

Sec. 2. Minnesota Statutes 2018, section 62A.31, subdivision 1, is amended to read:

Subdivision 1. **Policy requirements.** No individual or group policy, certificate, subscriber contract issued by a health service plan corporation regulated under chapter 62C, or other evidence of accident and health insurance the effect or purpose of which is to supplement Medicare coverage, including to supplement coverage under Medicare Advantage plans established under Medicare Part C, issued or delivered in this state or offered to a resident of this state shall be sold or issued to an individual covered by Medicare unless the requirements in subdivisions 1a to ~~4~~ 1v are met.

Sec. 3. Minnesota Statutes 2018, section 62A.31, is amended by adding a subdivision to read:

Subd. 1v. **Medicare Part B deductible.** A Medicare supplemental policy or certificate must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 4. Minnesota Statutes 2018, section 62A.315, is amended to read:

### **62A.315 EXTENDED BASIC MEDICARE SUPPLEMENT PLAN; COVERAGE.**

(a) The extended basic Medicare supplement plan must have a level of coverage so that it will be certified as a qualified plan pursuant to section 62E.07, and will provide:

(1) coverage for all of the Medicare Part A inpatient hospital deductible and coinsurance amounts, and 100 percent of all Medicare Part A eligible expenses for hospitalization not covered by Medicare;

(2) coverage for the daily co-payment amount of Medicare Part A eligible expenses for the calendar year incurred for skilled nursing facility care;

(3) coverage for the coinsurance amount or in the case of hospital outpatient department services paid under a prospective payment system, the co-payment amount, of Medicare eligible expenses under Medicare Part B regardless of hospital confinement, and the Medicare Part B deductible amount;

(4) 80 percent of the usual and customary hospital and medical expenses and supplies described in section 62E.06, subdivision 1, not to exceed any charge limitation established by the Medicare program or state law, the usual and customary hospital and medical expenses and supplies, described in section 62E.06, subdivision 1, while in a foreign country; and prescription drug expenses, not covered by Medicare. An outpatient prescription drug benefit must not be included for sale or issuance in a Medicare supplement policy or certificate issued on or after January 1, 2006;

(5) coverage for the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells as defined under federal regulations under Medicare Parts A and B, unless replaced in accordance with federal regulations;

(6) 100 percent of the cost of immunizations not otherwise covered under Part D of the Medicare program and routine screening procedures for cancer, including mammograms and pap smears;

(7) preventive medical care benefit: coverage for the following preventive health services not covered by Medicare:

(i) an annual clinical preventive medical history and physical examination that may include tests and services from clause (ii) and patient education to address preventive health care measures;

(ii) preventive screening tests or preventive services, the selection and frequency of which is determined to be medically appropriate by the attending physician.

Reimbursement shall be for the actual charges up to 100 percent of the Medicare-approved amount for each service as if Medicare were to cover the service as identified in American Medical Association current procedural terminology (AMA CPT) codes to a maximum of \$120 annually under this benefit. This benefit shall not include payment for any procedure covered by Medicare;

(8) coverage of cost sharing for all Medicare Part A eligible hospice care and respite care expenses; and

(9) coverage for cost sharing for Medicare Part A or B home health care services and medical supplies.

(b) An extended basic Medicare supplement plan must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 5. Minnesota Statutes 2018, section 62A.316, is amended to read:

**62A.316 BASIC MEDICARE SUPPLEMENT PLAN; COVERAGE.**

(a) The basic Medicare supplement plan must have a level of coverage that will provide:

(1) coverage for all of the Medicare Part A inpatient hospital coinsurance amounts, and 100 percent of all Medicare part A eligible expenses for hospitalization not covered by Medicare, after satisfying the Medicare Part A deductible;



(2) coverage for the daily co-payment amount of Medicare Part A eligible expenses for the calendar year incurred for skilled nursing facility care;

(3) coverage for the coinsurance amount, or in the case of outpatient department services paid under a prospective payment system, the co-payment amount, of Medicare eligible expenses under Medicare Part B regardless of hospital confinement, subject to the Medicare Part B deductible amount;

(4) 80 percent of the hospital and medical expenses and supplies incurred during travel outside the United States as a result of a medical emergency;

(5) coverage for the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells as defined under federal regulations under Medicare Parts A and B, unless replaced in accordance with federal regulations;

(6) 100 percent of the cost of immunizations not otherwise covered under Part D of the Medicare program and routine screening procedures for cancer screening including mammograms and pap smears;

(7) 80 percent of coverage for all physician prescribed medically appropriate and necessary equipment and supplies used in the management and treatment of diabetes not otherwise covered under Part D of the Medicare program. Coverage must include persons with gestational, type I, or type II diabetes. Coverage under this clause is subject to section 62A.3093, subdivision 2;

(8) coverage of cost sharing for all Medicare Part A eligible hospice care and respite care expenses; and

(9) coverage for cost sharing for Medicare Part A or B home health care services and medical supplies subject to the Medicare Part B deductible amount.

(b) The following benefit riders must be offered with this plan:

(1) coverage for all of the Medicare Part A inpatient hospital deductible amount;

(2) 100 percent of the Medicare Part B excess charges coverage for all of the difference between the actual Medicare Part B charges as billed, not to exceed any charge limitation established by the Medicare program or state law, and the Medicare-approved Part B charge;

(3) coverage for all of the Medicare Part B annual deductible; and

(4) preventive medical care benefit coverage for the following preventative health services not covered by Medicare:

(i) an annual clinical preventive medical history and physical examination that may include tests and services from item (ii) and patient education to address preventive health care measures;

(ii) preventive screening tests or preventive services, the selection and frequency of which is determined to be medically appropriate by the attending physician.

Reimbursement shall be for the actual charges up to 100 percent of the Medicare-approved amount for each service, as if Medicare were to cover the service as identified in American Medical Association current procedural terminology (AMA CPT) codes, to a maximum of \$120 annually under this benefit. This benefit shall not include payment for a procedure covered by Medicare.

(c) A basic Medicare supplement plan must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 6. Minnesota Statutes 2018, section 62A.3161, is amended to read:

**62A.3161 MEDICARE SUPPLEMENT PLAN WITH 50 PERCENT COVERAGE.**

(a) The Medicare supplement plan with 50 percent coverage must have a level of coverage that will provide:

(1) 100 percent of Medicare Part A hospitalization coinsurance plus coverage for 365 days after Medicare benefits end;

(2) coverage for 50 percent of the Medicare Part A inpatient hospital deductible amount per benefit period until the out-of-pocket limitation is met as described in clause (8);

(3) coverage for 50 percent of the coinsurance amount for each day used from the 21st through the 100th day in a Medicare benefit period for posthospital skilled nursing care eligible under Medicare Part A until the out-of-pocket limitation is met as described in clause (8);

(4) coverage for 50 percent of cost sharing for all Medicare Part A eligible expenses and respite care until the out-of-pocket limitation is met as described in clause (8);

(5) coverage for 50 percent, under Medicare Part A or B, of the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells, as defined under federal regulations, unless replaced according to federal regulations, until the out-of-pocket limitation is met as described in clause (8);

(6) except for coverage provided in this clause, coverage for 50 percent of the cost sharing otherwise applicable under Medicare Part B, after the policyholder pays the Medicare Part B deductible, until the out-of-pocket limitation is met as described in clause (8);

(7) coverage of 100 percent of the cost sharing for Medicare Part B preventive services and diagnostic procedures for cancer screening described in section 62A.30 after the policyholder pays the Medicare Part B deductible; and

(8) coverage of 100 percent of all cost sharing under Medicare Parts A and B for the balance of the calendar year after the individual has reached the out-of-pocket limitation on annual expenditures under Medicare Parts A and B of \$4,000 in 2006, indexed each year by the appropriate inflation adjustment by the secretary of the United States Department of Health and Human Services.

(b) A Medicare supplement plan with 50 percent coverage must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 7. Minnesota Statutes 2018, section 62A.3162, is amended to read:

**62A.3162 MEDICARE SUPPLEMENT PLAN WITH 75 PERCENT COVERAGE.**

(a) The basic Medicare supplement plan with 75 percent coverage must have a level of coverage that will provide:

(1) 100 percent of Medicare Part A hospitalization coinsurance plus coverage for 365 days after Medicare benefits end;

(2) coverage for 75 percent of the Medicare Part A inpatient hospital deductible amount per benefit period until the out-of-pocket limitation is met as described in clause (8);

(3) coverage for 75 percent of the coinsurance amount for each day used from the 21st through the 100th day in a Medicare benefit period for posthospital skilled nursing care eligible under Medicare Part A until the out-of-pocket limitation is met as described in clause (8);

(4) coverage for 75 percent of cost sharing for all Medicare Part A eligible expenses and respite care until the out-of-pocket limitation is met as described in clause (8);

(5) coverage for 75 percent, under Medicare Part A or B, of the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells, as defined under federal regulations, unless replaced according to federal regulations until the out-of-pocket limitation is met as described in clause (8);

(6) except for coverage provided in this clause, coverage for 75 percent of the cost sharing otherwise applicable under Medicare Part B after the policyholder pays the Medicare Part B deductible until the out-of-pocket limitation is met as described in clause (8);

(7) coverage of 100 percent of the cost sharing for Medicare Part B preventive services and diagnostic procedures for cancer screening described in section 62A.30 after the policyholder pays the Medicare Part B deductible; and

(8) coverage of 100 percent of all cost sharing under Medicare Parts A and B for the balance of the calendar year after the individual has reached the out-of-pocket limitation on annual expenditures under Medicare Parts A and B of \$2,000 in 2006, indexed each year by the appropriate inflation adjustment by the Secretary of the United States Department of Health and Human Services.

(b) A Medicare supplement plan with 75 percent coverage must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 8. Minnesota Statutes 2018, section 62A.3163, is amended to read:

**62A.3163 MEDICARE SUPPLEMENT PLAN WITH 50 PERCENT PART A DEDUCTIBLE COVERAGE.**

(a) The Medicare supplement plan with 50 percent Medicare Part A deductible coverage must have a level of coverage that will provide:

(1) 100 percent of Medicare Part A hospitalization coinsurance plus coverage for 365 days after Medicare benefits end;

(2) coverage for 50 percent of the Medicare Part A inpatient hospital deductible amount per benefit period;

(3) coverage for the coinsurance amount for each day used from the 21st through the 100th day in a Medicare benefit period for posthospital skilled nursing care eligible under Medicare Part A;

(4) coverage for cost sharing for all Medicare Part A eligible hospice and respite care expenses;

(5) coverage under Medicare Part A or B for the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells, as defined under federal regulations;

(6) coverage for 100 percent of the cost sharing otherwise applicable under Medicare Part B, after the policyholder pays the Medicare Part B deductible;

(7) coverage of 100 percent of the cost sharing for Medicare Part B preventive services and diagnostic procedures for cancer screening described in section 62A.30 after the policyholder pays the Medicare Part B deductible;

(8) coverage of 80 percent of the hospital and medical expenses and supplies incurred during travel outside of the United States as a result of a medical emergency; and

(9) coverage for 100 percent of the Medicare Part A or B home health care services and medical supplies after the policyholder pays the Medicare Part B deductible.

(b) A Medicare supplement plan with 50 percent Part A deductible coverage must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 9. Minnesota Statutes 2018, section 62A.3164, is amended to read:

**62A.3164 MEDICARE SUPPLEMENT PLAN WITH \$20 AND \$50 CO-PAYMENT MEDICARE PART B COVERAGE.**

(a) The Medicare supplement plan with \$20 and \$50 co-payment Medicare Part B coverage must have a level of coverage that will provide:

(1) 100 percent of Medicare Part A hospitalization coinsurance plus coverage for 365 days after Medicare benefits end;

(2) coverage for the Medicare Part A inpatient hospital deductible amount per benefit period;

(3) coverage for the coinsurance amount for each day used from the 21st through the 100th day in a Medicare benefit period for posthospital skilled nursing care eligible under Medicare Part A;

(4) coverage for the cost sharing for all Medicare Part A eligible hospice and respite care expenses;

(5) coverage for Medicare Part A or B of the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells, as defined under federal regulations, unless replaced according to federal regulations;

(6) coverage for 100 percent of the cost sharing otherwise applicable under Medicare Part B except for the lesser of \$20 or the Medicare Part B coinsurance or co-payment for each covered health care provider office visit and the lesser of \$50 or the Medicare Part B coinsurance or co-payment for each covered emergency room visit; however, this co-payment shall be waived if the insured is admitted to any hospital and the emergency visit is subsequently covered as a Medicare Part A expense;

(7) coverage of 100 percent of the cost sharing for Medicare Part B preventive services and diagnostic procedures for cancer screening described in section 62A.30 after the policyholder pays the Medicare Part B deductible;

(8) coverage of 80 percent of the hospital and medical expenses and supplies incurred during travel outside of the United States as a result of a medical emergency; and

(9) coverage for Medicare Part A or B home health care services and medical supplies after the policyholder pays the Medicare Part B deductible.

(b) A Medicare supplement plan with \$20 and \$50 co-payment Medicare Part B coverage must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual. No portion of the co-payment referenced in this paragraph may be applied to a Medicare Part B deductible.

Sec. 10. Minnesota Statutes 2018, section 62A.3165, is amended to read:

**62A.3165 MEDICARE SUPPLEMENT PLAN WITH HIGH DEDUCTIBLE COVERAGE.**

(a) The Medicare supplement plan will pay 100 percent coverage upon payment of the annual high deductible. The annual deductible shall consist of out-of-pocket expenses, other than premiums, for services covered. This plan must have a level of coverage that will provide:

(1) 100 percent of Medicare Part A hospitalization coinsurance plus coverage for 365 days after Medicare benefits end;

(2) coverage for 100 percent of the Medicare Part A inpatient hospital deductible amount per benefit period;

(3) coverage for 100 percent of the coinsurance amount for each day used from the 21st through the 100th day in a Medicare benefit period for posthospital skilled nursing care eligible under Medicare Part A;

(4) coverage for 100 percent of cost sharing for all Medicare Part A eligible expenses and respite care;

(5) coverage for 100 percent, under Medicare Part A or B, of the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells, as defined under federal regulations, unless replaced according to federal regulations;

(6) except for coverage provided in this clause, coverage for 100 percent of the cost sharing otherwise applicable under Medicare Part B;

(7) coverage of 100 percent of the cost sharing for Medicare Part B preventive services and diagnostic procedures for cancer screening described in section 62A.30 after the policyholder pays the Medicare Part B deductible;

(8) coverage of 100 percent of the hospital and medical expenses and supplies incurred during travel outside of the United States as a result of a medical emergency;

(9) coverage for 100 percent of Medicare Part A and B home health care services and medical supplies; and

(10) the basis for the deductible shall be \$1,860 and shall be adjusted annually from 2010 by the secretary of the United States Department of Health and Human Services to reflect the change in the Consumer Price Index for all urban consumers for the 12-month period ending with August of the preceding year, and rounded to the nearest multiple of \$10.

(b) A Medicare supplement plan with high deductible coverage must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 11. Minnesota Statutes 2018, section 62A.318, subdivision 17, is amended to read:

Subd. 17. **Types of plans.** (a) Medicare select policies and certificates offered by the issuer must provide the coverages specified in sections 62A.315 to 62A.3165. Before a Medicare select policy or certificate is sold or issued in this state, the applicant must be provided with an explanation of coverage for each of the coverages specified in sections 62A.315 to 62A.3165 and must be provided with the opportunity of purchasing such coverage if offered by the issuer. The basic plan may also include any of the optional benefit riders authorized by section 62A.316. Preventive care provided by Medicare select policies or certificates must be provided as set forth in section 62A.315 or 62A.316, except that the benefits are as defined in chapter 62D.

(b) Medicare select policies and certificates must provide the benefits contained in this section, but must not provide coverage for 100 percent or any portion of the Medicare Part B deductible to a newly eligible individual.

Sec. 12. Minnesota Statutes 2018, section 62E.07, is amended to read:

**62E.07 QUALIFIED MEDICARE SUPPLEMENT PLAN.**

(a) Any plan which provides benefits may be certified as a qualified Medicare supplement plan if the plan is designed to supplement Medicare and provides coverage of 100 percent of the deductibles required under Medicare, with exclusion under paragraph (b) for any part of the Medicare Part B deductible, and 80 percent of the charges for covered services described in section 62E.06, subdivision 1, which charges are not paid by Medicare. The coverage shall include a limitation of \$1,000 per person on total annual out-of-pocket expenses for the covered services.

(b) Any plan sold or issued to a newly eligible individual, as defined in section 62A.3099, subdivision 18a, that provides benefits may be certified as a qualified Medicare supplemental plan if the plan is designed to supplement Medicare and provides coverage of 100 percent of the deductibles, with the exception of coverage of:

(1) 100 percent or any portion of the Medicare Part B deductible; and

(2) 80 percent of the charges for covered services, as provided under section 62E.06, subdivision 6, that are charges not paid by Medicare.

The coverage must include a \$1,000 per person limitation on total annual out-of-pocket expenses for the covered services.

Sec. 13. **EFFECTIVE DATE.**

Sections 1 to 12 are effective the day following final enactment. The coverage requirements provided by this act in sections 1 to 12 apply to Medicare supplemental policies or certificates sold or issued on or after January 1, 2020, to a newly eligible individual."

Delete the title and insert:

"A bill for an act relating to insurance; making changes to conform with certain model regulations; making federally conforming changes to supplemental Medicare coverage; amending Minnesota Statutes 2018, sections 60A.1291, subdivisions 1, 15, by adding a subdivision; 60A.51, by adding a subdivision; 60A.52, subdivision 1; 60D.15, by adding subdivisions; 62A.3099, by adding a subdivision; 62A.31, subdivision 1, by adding a subdivision; 62A.315; 62A.316; 62A.3161; 62A.3162; 62A.3163; 62A.3164; 62A.3165; 62A.318, subdivision 17; 62E.07; proposing coding for new law in Minnesota Statutes, chapters 60A; 60D."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 2145, A bill for an act relating to game and fish; requiring license to take muskellunge; amending Minnesota Statutes 2018, sections 97A.445, subdivisions 1, 1a; 97A.451, subdivisions 2, 5; 97A.475, subdivisions 6, 7; 97A.485, subdivision 6; 97C.301, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, after line 14, insert:

"Sec. 4. Minnesota Statutes 2018, section 97A.451, subdivision 2a, is amended to read:

Subd. 2a. **Residents age 16 or 17; muskellunge or spearing.** Residents age 16 or over and under age 18 may take muskellunge without a muskellunge license and fish by spearing without a spearing license but must possess a fishing license under section 97A.475, subdivision 6, clause (7)."

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 2154, A bill for an act relating to lawful gambling; modifying regulatory provisions of the Gambling Control Board; making clarifying, conforming, and technical changes; amending Minnesota Statutes 2018, sections 349.12, subdivision 2; 349.17, subdivision 6; 349.181, subdivision 5; 349.19, subdivisions 1, 2.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 2171, A bill for an act relating to health; directing the commissioner of health to convene one or more working groups to examine links between health disparities and educational achievement for children from American Indian communities and communities of color; requiring a report; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 2258, A bill for an act relating to natural resources; prohibiting use of certain conservation materials; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103F.

Reported the same back with the following amendments:

Page 1, line 7, delete "a"

Page 1, delete lines 15 and 16

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 2267, A bill for an act relating to environment; providing for carpet product stewardship program; requiring a report; amending Minnesota Statutes 2018, sections 13.7411, subdivision 4; 115A.142; proposing coding for new law in Minnesota Statutes, chapter 115A.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 8, line 25, delete "to 3" and insert "and 2"

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 2321, A bill for an act relating to natural resources; prohibiting purchase or sale of right to kill privately-owned big game; proposing coding for new law in Minnesota Statutes, chapter 97B.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.



Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 2398, A bill for an act relating to aeronautics; modifying provisions governing airport zoning; amending Minnesota Statutes 2018, sections 360.013, by adding a subdivision; 360.017, subdivision 1; 360.021, subdivision 1; 360.062; 360.063, subdivisions 1, 3; 360.064, subdivision 1; 360.065, subdivision 1; 360.066, subdivision 1; 360.067, by adding a subdivision; 360.071, subdivision 2; 360.305, subdivision 6; 394.22, by adding a subdivision; 394.23; 394.231; 394.25, subdivision 3; 462.352, by adding a subdivision; 462.355, subdivision 1; 462.357, subdivision 9, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 360; repealing Minnesota Statutes 2018, sections 360.063, subdivision 4; 360.065, subdivision 2; 360.066, subdivisions 1a, 1b.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Persell from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 2442, A bill for an act relating to game and fish; allowing use of night vision equipment while hunting coyote or fox; establishing civil penalties; amending Minnesota Statutes 2018, sections 97A.421, by adding a subdivision; 97B.086.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 85, 286, 495, 682, 1065, 1386, 1408, 1571, 1882, 1883, 1960, 2051 and 2154 were read for the second time.

## **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Huot and Bierman introduced:

H. F. No. 2603, A bill for an act relating to transportation; appropriating money to construct a roundabout on marked Trunk Highway 3 in Rosemount; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Ways and Means.

Liebling introduced:

H. F. No. 2604, A bill for an act relating to human services; requiring a report on the cost of producing legislatively mandated reports.

The bill was read for the first time and referred to the Committee on Ways and Means.

Liebling introduced:

H. F. No. 2605, A bill for an act relating to human services; requiring deposit of background study fees to the special revenue fund; amending Minnesota Statutes 2018, section 245C.10, subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10, 11, 12, 13.

The bill was read for the first time and referred to the Committee on Ways and Means.

Liebling introduced:

H. F. No. 2606, A bill for an act relating to health; appropriating money to the commissioner of health for public health services.

The bill was read for the first time and referred to the Committee on Ways and Means.

McDonald introduced:

H. F. No. 2607, A bill for an act relating to capital investment; appropriating money for infrastructure improvements in the city of Annandale; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Ways and Means.

Sundin, Ecklund and Swedzinski introduced:

H. F. No. 2608, A bill for an act relating to natural resources; facilitating integration of aggregate mapping information into county comprehensive planning process; appropriating money; amending Minnesota Statutes 2018, section 84.94, subdivision 3, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Ways and Means.

Heintzeman introduced:

H. F. No. 2609, A bill for an act relating to game and fish; expanding use of crossbows during firearms deer season; amending Minnesota Statutes 2018, section 97B.036.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Pinto introduced:

H. F. No. 2610, A bill for an act relating to early education finance; modifying school readiness aid; amending Minnesota Statutes 2018, section 124D.16, subdivision 2.

The bill was read for the first time and referred to the Committee on Ways and Means.

Pelowski, Poppe, Gunther, Anderson and Davids introduced:

H. F. No. 2611, A bill for an act relating to public safety; transferring money to the disaster assistance contingency account.

The bill was read for the first time and referred to the Committee on Ways and Means.

Loeffler, Marquart, Hertaus and Draskowski introduced:

H. F. No. 2612, A bill for an act relating to taxation; sales and use; amending the requirements for imposition and use of local sales and use taxes; amending Minnesota Statutes 2018, section 297A.99, subdivisions 1, 2, 3, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Haley introduced:

H. F. No. 2613, A bill for an act relating to health insurance; establishing a pilot program in southeastern Minnesota that requires health plan companies to develop and implement a shared savings incentive program.

The bill was read for the first time and referred to the Committee on Commerce.

McDonald, Baker, Erickson, Theis, Koznick, Lucero, Mekeland, Albright and Garofalo introduced:

H. F. No. 2614, A bill for an act relating to employment; creating a two-tiered minimum wage for tipped employees; amending Minnesota Statutes 2018, section 177.24, subdivision 1; repealing Minnesota Statutes 2018, section 177.24, subdivision 2.

The bill was read for the first time and referred to the Committee on Labor.

Runbeck, Bennett, Her and Xiong, J., introduced:

H. F. No. 2615, A bill for an act relating to workforce development; appropriating money for career and technical education.

The bill was read for the first time and referred to the Committee on Ways and Means.

Schultz introduced:

H. F. No. 2616, A bill for an act relating to human services; establishing an integrated health care, services, and supports partnership demonstration project; establishing a long-term care access fund; proposing coding for new law in Minnesota Statutes, chapters 16A; 256B.

The bill was read for the first time and referred to the Committee on Ways and Means.

Schultz introduced:

H. F. No. 2617, A bill for an act relating to human services; establishing additional reimbursement for out-of-home placements; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 477A.

The bill was read for the first time and referred to the Committee on Taxes.

Stephenson introduced:

H. F. No. 2618, A bill for an act relating to energy; establishing a demonstration grant program to purchase electric school buses; appropriating money.

The bill was read for the first time and referred to the Committee on Ways and Means.

Schultz, Olson, Koegel and Becker-Finn introduced:

H. F. No. 2619, A bill for an act relating to capital investment; appropriating money for renovation of AB Anderson Hall at the University of Minnesota, Duluth campus; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Ways and Means.

Drazkowski introduced:

H. F. No. 2620, A bill for an act relating to taxation; property; establishing property tax exemption for charitable farmland; amending Minnesota Statutes 2018, section 272.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Nornes introduced:

H. F. No. 2621, A bill for an act relating to local government aid; appropriating money for a grant to Otter Tail County for debt service on a building in Fergus Falls.

The bill was read for the first time and referred to the Committee on Taxes.

Mahoney introduced:

H. F. No. 2622, A bill for an act relating to workforce development; mandating a biannual inventory of workforce development programs; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116L.

The bill was read for the first time and referred to the Committee on Ways and Means.

Mahoney introduced:

H. F. No. 2623, A bill for an act relating to workforce development; creating the Minnesota technology training account in the special revenue fund; appropriating money in the account for training in digital technology; transferring funds from the excess surplus in the assigned risk plan; proposing coding for new law in Minnesota Statutes, chapter 116L.

The bill was read for the first time and referred to the Committee on Ways and Means.

Schomacker introduced:

H. F. No. 2624, A bill for an act relating to capital investment; appropriating money for reconstruction of marked Trunk Highway 75 in Luverne; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Ways and Means.

Long introduced:

H. F. No. 2625, A bill for an act relating to solar energy; amending operational aspects of community solar gardens; creating a new category of community solar gardens; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 216B.1641; 216B.2422, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Ways and Means.

Nornes introduced:

H. F. No. 2626, A bill for an act relating to capital investment; appropriating money for improvements to the Fergus Falls armory; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Ways and Means.

Gomez introduced:

H. F. No. 2627, A bill for an act relating to state government; appropriating money for a grant to Red Lake Band of Chippewa Indians to purchase certain property to provide shelter to residents of the Hiawatha Homeless Encampment.

The bill was read for the first time and referred to the Committee on Ways and Means.

Davids introduced:

H. F. No. 2628, A bill for an act relating to taxation; corporate franchise; modifying due dates for estimated tax payments; amending Minnesota Statutes 2018, section 289A.26, subdivisions 2, 3.

The bill was read for the first time and referred to the Committee on Taxes.

Dehn, Pierson and Vang introduced:

H. F. No. 2629, A bill for an act relating to state lands; allowing county boards to spend net proceeds from sale of tax-forfeited land for certain purposes; amending Minnesota Statutes 2018, section 282.08.

The bill was read for the first time and referred to the Committee on Taxes.

Pryor introduced:

H. F. No. 2630, A bill for an act relating to pensions; authorizing a service credit purchase.

The bill was read for the first time and referred to the Committee on Government Operations.

Nelson introduced:

H. F. No. 2631, A bill for an act relating to retirement; increasing the limits for contributions by governmental subdivisions to supplemental pension funds and other retirement funds on behalf of laborers, plumbers and pipefitters, and operating engineers who are covered by collective bargaining agreements; authorizing limited contributions to supplemental pension funds and other retirement funds on behalf of other building trades employees; amending Minnesota Statutes 2018, sections 353.01, subdivision 10; 356.24, subdivision 1.

The bill was read for the first time and referred to the Committee on Government Operations.

Murphy, by request, introduced:

H. F. No. 2632, A bill for an act relating to retirement; Minnesota State Retirement System administrative revisions; establishing application filing procedures; clarifying voting rights of unclassified plan members; establishing rights upon partial repayment of a refund; payment of contributions for retroactive coverage elected by employees of the Department of Military Affairs and the Fire Marshal Division; making other changes of an administrative nature; amending Minnesota Statutes 2018, sections 3A.02, by adding a subdivision; 352.03, subdivisions 1, 1b; 352.113, subdivision 2; 352.115, subdivision 7, by adding a subdivision; 352.23; 352.85, subdivision 4; 352.87, subdivision 8; 352B.08, by adding a subdivision; 352D.05, subdivision 3; 352F.04, subdivision 1; 490.126, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 2018, section 352F.06.

The bill was read for the first time and referred to the Committee on Government Operations.

Murphy, by request, introduced:

H. F. No. 2633, A bill for an act relating to retirement; Public Employees Retirement Association phased retirement option; eliminating expiration of the program and annual renewal requirement; clarifying language; amending Minnesota Statutes 2018, section 353.371, subdivisions 1, 2, 3, 4, 5, 6, 7; repealing Minnesota Statutes 2018, section 353.371, subdivision 8.

The bill was read for the first time and referred to the Committee on Government Operations.

Daniels introduced:

H. F. No. 2634, A bill for an act relating to occupational licensing; creating the Board of Sign Language Interpreters and Transliterators; requiring licensure; authorizing rulemaking; providing penalties; amending Minnesota Statutes 2018, section 546.44, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 156B.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mann and Morrison introduced:

H. F. No. 2635, A bill for an act relating to health; authorizing pharmacists to prescribe self-administered hormonal contraceptives, tobacco and nicotine cessation medications and products, opiate antagonists, and travel medications; amending Minnesota Statutes 2018, sections 151.01, subdivisions 23, 27, by adding a subdivision; 256B.0625, subdivision 13h; proposing coding for new law in Minnesota Statutes, chapter 151.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Olson and Schultz introduced:

H. F. No. 2636, A bill for an act relating to port authorities; allowing the Seaway Port Authority of Duluth to conduct meetings by telephone or other electronic means; amending Minnesota Statutes 2018, section 469.074, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Government Operations.

Mann and Liebling introduced:

H. F. No. 2637, A bill for an act relating to health; providing an exemption from provider conflict of interest restrictions for infusion drugs; amending Minnesota Statutes 2018, section 62J.23, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce.

**REPORT FROM THE COMMITTEE ON RULES  
AND LEGISLATIVE ADMINISTRATION**

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Thursday, March 21, 2019 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 10, 679, 680, 892 and 1503.

**MOTIONS AND RESOLUTIONS**

Dettmer moved that the name of Boe be added as an author on H. F. No. 69. The motion prevailed.

Freiberg moved that the name of Brand be added as an author on H. F. No. 99. The motion prevailed.

Dettmer moved that the name of Morrison be added as an author on H. F. No. 204. The motion prevailed.

Bennett moved that the name of Runbeck be added as an author on H. F. No. 246. The motion prevailed.

Halverson moved that the name of Persell be added as an author on H. F. No. 284. The motion prevailed.

Kunesh-Podein moved that the name of Huot be added as an author on H. F. No. 292. The motion prevailed.

Lien moved that the name of Zerwas be added as an author on H. F. No. 356. The motion prevailed.

Brand moved that the name of Pierson be added as an author on H. F. No. 422. The motion prevailed.

Franson moved that the names of Miller, Layman, Koznick, Anderson, Robbins, Fabian, Neu, Zerwas, Petersburg, Gruenhagen, Baker, Johnson, Munson, Runbeck, Hertaus, Haley, Bennett and Heintzeman be added as authors on H. F. No. 445. The motion prevailed.

O'Neill moved that the name of Bahner be added as an author on H. F. No. 464. The motion prevailed.

Urdahl moved that the name of Fischer be added as an author on H. F. No. 478. The motion prevailed.

O'Neill moved that the name of Bahner be added as an author on H. F. No. 480. The motion prevailed.

Howard moved that the name of Brand be added as an author on H. F. No. 485. The motion prevailed.

Elkins moved that the name of Edelson be added as an author on H. F. No. 511. The motion prevailed.

Hausman moved that the name of Xiong, J., be added as an author on H. F. No. 543. The motion prevailed.

Runbeck moved that the name of Lucero be added as an author on H. F. No. 618. The motion prevailed.

Tabke moved that the name of Mariani be added as an author on H. F. No. 681. The motion prevailed.



Mann moved that the name of Mariani be added as an author on H. F. No. 684. The motion prevailed.

Cantrell moved that the name of Bierman be added as an author on H. F. No. 724. The motion prevailed.

Quam moved that the name of Fabian be added as an author on H. F. No. 855. The motion prevailed.

Stephenson moved that the name of Munson be added as an author on H. F. No. 892. The motion prevailed.

Hornstein moved that the names of Carlson, L.; Christensen and Freiberg be added as authors on H. F. No. 895. The motion prevailed.

Edelson moved that the name of Demuth be added as an author on H. F. No. 910. The motion prevailed.

Moller moved that the name of Mariani be added as an author on H. F. No. 932. The motion prevailed.

Bierman moved that the name of Hassan be added as an author on H. F. No. 964. The motion prevailed.

Dauids moved that the name of Pierson be added as an author on H. F. No. 994. The motion prevailed.

Zerwas moved that the name of Lucero be added as an author on H. F. No. 1000. The motion prevailed.

Mann moved that the name of Schultz be added as an author on H. F. No. 1011. The motion prevailed.

Moran moved that the name of Demuth be added as an author on H. F. No. 1056. The motion prevailed.

Hausman moved that the name of Mariani be added as an author on H. F. No. 1151. The motion prevailed.

Tabke moved that the name of Lesch be added as an author on H. F. No. 1156. The motion prevailed.

Ecklund moved that the name of Morrison be added as an author on H. F. No. 1189. The motion prevailed.

Wagenius moved that the name of Bierman be added as an author on H. F. No. 1239. The motion prevailed.

Baker moved that the name of Becker-Finn be added as an author on H. F. No. 1247. The motion prevailed.

Cantrell moved that the name of Mariani be added as an author on H. F. No. 1257. The motion prevailed.

Lippert moved that the names of Fischer and Brand be added as authors on H. F. No. 1299. The motion prevailed.

Wazlawik moved that the name of Becker-Finn be added as an author on H. F. No. 1341. The motion prevailed.

Christensen moved that the name of Lillie be added as an author on H. F. No. 1342. The motion prevailed.

Erickson moved that the name of Huot be added as an author on H. F. No. 1370. The motion prevailed.

Marquart moved that the name of Kresha be added as an author on H. F. No. 1391. The motion prevailed.

Poppe moved that the name of Pierson be added as an author on H. F. No. 1417. The motion prevailed.

Poppe moved that the name of Pierson be added as an author on H. F. No. 1418. The motion prevailed.

Poppe moved that the name of Pierson be added as an author on H. F. No. 1419. The motion prevailed.

Davnie moved that the name of Koznick be added as an author on H. F. No. 1504. The motion prevailed.

Olson moved that the name of Ecklund be added as an author on H. F. No. 1533. The motion prevailed.

Wolgammott moved that his name be stricken as an author on H. F. No. 1666. The motion prevailed.

Sandstede moved that the name of Layman be added as an author on H. F. No. 1699. The motion prevailed.

Youakim moved that the names of Pryor and Nornes be added as authors on H. F. No. 1782. The motion prevailed.

Ecklund moved that the names of Hamilton and Torkelson be added as authors on H. F. No. 1839. The motion prevailed.

Wolgammott moved that the name of Anderson be added as an author on H. F. No. 1871. The motion prevailed.

Lesch moved that the name of Stephenson be added as an author on H. F. No. 1941. The motion prevailed.

Loeffler moved that the name of Sauke be added as an author on H. F. No. 1967. The motion prevailed.

Lesch moved that the name of Dettmer be added as an author on H. F. No. 1971. The motion prevailed.

Christensen moved that the name of Bernardy be added as an author on H. F. No. 1982. The motion prevailed.

Huot moved that the name of Bierman be added as an author on H. F. No. 1993. The motion prevailed.

Hansen moved that the names of Mariani and Lee be added as authors on H. F. No. 2070. The motion prevailed.

Moran moved that the name of Fischer be added as an author on H. F. No. 2114. The motion prevailed.

Kresha moved that the name of Dettmer be added as an author on H. F. No. 2144. The motion prevailed.

Sundin moved that the name of Vang be added as an author on H. F. No. 2180. The motion prevailed.

Vang moved that the name of Gomez be added as an author on H. F. No. 2248. The motion prevailed.

Xiong, J., moved that the name of Lesch be added as an author on H. F. No. 2285. The motion prevailed.

Jurgens moved that the name of Davids be added as an author on H. F. No. 2317. The motion prevailed.

Huot moved that the name of Cantrell be added as an author on H. F. No. 2328. The motion prevailed.

Vang moved that the name of Gomez be added as an author on H. F. No. 2345. The motion prevailed.

Loeffler moved that the name of Her be added as an author on H. F. No. 2349. The motion prevailed.

Garofalo moved that the name of Lippert be added as an author on H. F. No. 2461. The motion prevailed.

Sundin moved that the name of Howard be added as an author on H. F. No. 2467. The motion prevailed.

Pierson moved that the names of Vang, Urdahl and Dehn be added as authors on H. F. No. 2500. The motion prevailed.

Sandell moved that the name of Kresha be added as an author on H. F. No. 2531. The motion prevailed.

Vang moved that the name of Gomez be added as an author on H. F. No. 2541. The motion prevailed.

Vang moved that the name of Xiong, J., be added as an author on H. F. No. 2545. The motion prevailed.

Hassan moved that the names of Vang and Xiong, J., be added as authors on H. F. No. 2546. The motion prevailed.

Robbins moved that the name of Demuth be added as an author on H. F. No. 2565. The motion prevailed.

Halverson moved that the name of Dehn be added as an author on H. F. No. 2571. The motion prevailed.

Xiong, T., moved that the name of Xiong, J., be added as an author on H. F. No. 2580. The motion prevailed.

Morrison moved that the name of Dehn be added as an author on H. F. No. 2581. The motion prevailed.

Gomez moved that the name of Xiong, J., be added as an author on H. F. No. 2587. The motion prevailed.

Xiong, T., moved that the name of Xiong, J., be added as an author on H. F. No. 2596. The motion prevailed.

Xiong, T., moved that the name of Xiong, J., be added as an author on H. F. No. 2597. The motion prevailed.

Dettmer moved that H. F. No. 492, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

Murphy moved that H. F. No. 2387 be recalled from the Committee on Government Operations and be re-referred to the Committee on Taxes. The motion prevailed.

Miller was excused for the remainder of today's session.

#### MOTION TO SUSPEND RULES

Pursuant to House rule 4.30, Davids moved that the rules be so far suspended so that S. F. No. 761 be recalled from the Committee on Ways and Means, be given its second reading and be placed on the General Register.

A roll call was requested and properly seconded.

The question was taken on the Davids motion and the roll was called. There were 46 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albright	Davids	Gunther	Kiel	O'Neill	Scott
Anderson	Demuth	Haley	Koznick	Petersburg	Swedzinski
Backer	Dettmer	Hamilton	Kresha	Pierson	Torkelson
Baker	Erickson	Heinrich	Layman	Poston	Urdahl
Bennett	Fabian	Heintzeman	Lueck	Quam	Vogel
Boe	Franson	Hertaus	McDonald	Robbins	Zerwas
Daniels	Garofalo	Johnson	Nornes	Runbeck	
Daudt	Gruenhagen	Jurgens	O'Driscoll	Schomacker	

Those who voted in the negative were:

Acomb	Dehn	Howard	Long	Olson	Vang
Bahner	Drazkowski	Huot	Lucero	Pelowski	Wagenius
Bahr	Ecklund	Klevorn	Mahoney	Persell	Wazlawik
Becker-Finn	Edelson	Koegel	Mann	Pinto	Winkler
Bernardy	Elkins	Kotzya-Witthuhn	Mariani	Poppe	Wolgamott
Bierman	Fischer	Kunesh-Podein	Marquart	Pryor	Xiong, J.
Brand	Freiberg	Lee	Masin	Richardson	Xiong, T.
Cantrell	Gomez	Lesch	Mekeland	Sandell	Youakim
Carlson, A.	Halverson	Liebling	Moller	Sandstede	Spk. Hortman
Carlson, L.	Hansen	Lien	Morrison	Sauke	
Christensen	Hassan	Lillie	Munson	Schultz	
Clafin	Hausman	Lippert	Murphy	Stephenson	
Considine	Her	Lislegard	Nelson	Sundin	
Davnie	Hornstein	Loeffler	Noor	Tabke	

The motion did not prevail.

#### ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 3:30 p.m., Thursday, March 21, 2019. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:30 p.m., Thursday, March 21, 2019.

PATRICK D. MURPHY, Chief Clerk, House of Representatives