

1.1 moves to amend H.F. No. 894 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 ABSENTEE VOTING

1.5 Section 1. Minnesota Statutes 2012, section 203B.02, subdivision 1, is amended to read:

1.6 Subdivision 1. ~~Unable to go to polling place~~ **Absentee voting; eligibility.** (a) Any
1.7 eligible voter who reasonably expects to be unable to go to the polling place on election
1.8 day in the precinct where the individual maintains residence because of absence from the
1.9 precinct; illness, including isolation or quarantine under sections 144.419 to 144.4196
1.10 or United States Code, title 42, sections 264 to 272; disability; religious discipline;
1.11 observance of a religious holiday; or service as an election judge in another precinct may
1.12 vote by absentee ballot as provided in sections 203B.04 to 203B.15.

1.13 (b) ~~If the governor has declared an emergency and filed the declaration with the~~
1.14 ~~secretary of state under section 12.31, and the declaration states that the emergency has~~
1.15 ~~made it difficult for voters to go to the polling place on election day, any voter in a~~
1.16 ~~precinct covered by the declaration may vote by absentee ballot as provided in sections~~
1.17 ~~203B.04 to 203B.15.~~

1.18 Sec. 2. Minnesota Statutes 2012, section 203B.04, subdivision 1, is amended to read:

1.19 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by
1.20 subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for
1.21 any election may be submitted at any time not less than one day before the day of that
1.22 election. The county auditor shall prepare absentee ballot application forms in the format
1.23 provided by the secretary of state and shall furnish them to any person on request. By
1.24 January 1 of each even-numbered year, the secretary of state shall make the forms to be

2.1 used available to auditors through electronic means. An application submitted pursuant to
2.2 this subdivision shall be in writing and shall be submitted to:

2.3 (1) the county auditor of the county where the applicant maintains residence; or

2.4 (2) the municipal clerk of the municipality, or school district if applicable, where
2.5 the applicant maintains residence.

2.6 (b) An application shall be approved if it is timely received, signed and dated by
2.7 the applicant, contains the applicant's name and residence and mailing addresses, date
2.8 of birth, and at least one of the following:

2.9 (1) the applicant's Minnesota driver's license number;

2.10 (2) Minnesota state identification card number;

2.11 (3) the last four digits of the applicant's Social Security number; or

2.12 (4) a statement that the applicant does not have any of these numbers.

2.13 (c) To be approved, the application ~~must state that the applicant is eligible to vote by~~
2.14 ~~absentee ballot for one of the reasons specified in section 203B.02,~~ and must contain an oath
2.15 that the information contained on the form is accurate, that the applicant is applying on the
2.16 applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

2.17 (d) An applicant's full date of birth, Minnesota driver's license or state identification
2.18 number, and the last four digits of the applicant's Social Security number must not be
2.19 made available for public inspection. An application may be submitted to the county
2.20 auditor or municipal clerk by an electronic facsimile device. An application mailed or
2.21 returned in person to the county auditor or municipal clerk on behalf of a voter by a
2.22 person other than the voter must be deposited in the mail or returned in person to the
2.23 county auditor or municipal clerk within ten days after it has been dated by the voter and
2.24 no later than six days before the election. The absentee ballot applications or a list of
2.25 persons applying for an absentee ballot may not be made available for public inspection
2.26 until the close of voting on election day.

2.27 (e) An application under this subdivision may contain an application under
2.28 subdivision 5 to automatically receive an absentee ballot application.

2.29 Sec. 3. Minnesota Statutes 2012, section 203B.04, subdivision 5, is amended to read:

2.30 Subd. 5. **Permanent illness or disability absentee voter status.** (a) An eligible
2.31 voter ~~who reasonably expects to be permanently unable to go to the polling place on~~
2.32 ~~election day because of illness or disability~~ may apply to a county auditor or municipal
2.33 clerk ~~under this section~~ to automatically receive an absentee ballot application before each
2.34 election, other than an election by mail conducted under section 204B.45, and to have the
2.35 status as a permanent absentee voter indicated on the voter's registration record.

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

3.4 (1) the voter's written request;

3.5 (2) the voter's death;

3.6 (3) return of an absentee ballot as undeliverable; or

3.7 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
3.8 registration system.

3.9 ~~(b)~~ (c) The secretary of state shall adopt rules governing procedures under this
3.10 subdivision.

3.11 Sec. 4. Minnesota Statutes 2012, section 203B.06, subdivision 1, is amended to read:

3.12 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
3.13 clerk shall prepare and print a sufficient number of blank application forms for absentee
3.14 ballots. The county auditor or municipal clerk shall deliver a blank application form to
3.15 any voter who requests one pursuant to section 203B.04. Blank application forms must be
3.16 mailed to eligible voters who have requested an application pursuant to section 203B.04,
3.17 subdivision 5 ~~or 6~~, at least 60 days before:

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

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

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

3.25 (4) any election held in conjunction with an election described in clauses (1) to (3);
3.26 or at least 45 days before any other primary or other election for which a primary is not held.

3.27 Sec. 5. Minnesota Statutes 2012, section 203B.121, subdivision 2, is amended to read:

3.28 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot
3.29 board shall take possession of all return envelopes delivered to them in accordance with
3.30 section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district
3.31 clerk, two or more members of the ballot board shall examine each return envelope and
3.32 shall mark it accepted or rejected in the manner provided in this subdivision. Election
3.33 judges performing the duties in this section must be of different major political parties,

4.1 unless they are exempt from that requirement under section 205.075, subdivision 4, or
4.2 section 205A.10, subdivision 2.

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

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

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

4.9 (3) the voter's Minnesota driver's license, state identification number, or the last four
4.10 digits of the voter's Social Security number are the same as the number provided on the
4.11 voter's application for ballots. If the number does not match the number as submitted on
4.12 the application, or if a number was not submitted on the application, the election judges
4.13 must compare the signature, if provided, by the applicant to determine whether the ballots
4.14 were returned by the same person to whom they were transmitted;

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

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

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

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

4.23 (c)(1) If a majority of the members of the ballot board examining a return envelope
4.24 find that an absentee voter has failed to meet one of the requirements provided in
4.25 paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the
4.26 word "Rejected," list the reason for the rejection on the envelope, and return it to the
4.27 county auditor. There is no other reason for rejecting an absentee ballot beyond those
4.28 permitted by this section. Failure to place the ballot within the security envelope before
4.29 placing it in the outer white envelope is not a reason to reject an absentee ballot.

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

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

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

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

5.9 (2) the reason for rejection; and

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

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

5.14 Sec. 6. Minnesota Statutes 2012, section 203B.121, subdivision 3, is amended to read:

5.15 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal
5.16 clerk must immediately record that a voter's absentee ballot has been accepted. After the
5.17 close of business on the ~~fourth~~ seventh day before the election, a voter whose record
5.18 indicates that an absentee ballot has been accepted must not be permitted to cast another
5.19 ballot at that election. In a state primary, general, or state special election for federal or
5.20 state office, the auditor or clerk must also record this information in the statewide voter
5.21 registration system.

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

5.26 (1) by the county auditor or municipal clerk before election day;

5.27 (2) by the ballot board before election day; or

5.28 (3) by the election judges at the polling place on election day.

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

5.32 Sec. 7. Minnesota Statutes 2012, section 203B.121, subdivision 4, is amended to read:

5.33 Subd. 4. **Opening of envelopes.** After the close of business on the ~~fourth~~ seventh
5.34 day before the election, the ballots from return envelopes marked "Accepted" may be

6.1 opened, duplicated as needed in the manner provided in section 206.86, subdivision 5,
 6.2 initialed by the members of the ballot board, and deposited in the appropriate ballot box. If
 6.3 more than one ballot is enclosed in the ballot envelope, the ballots must be returned in the
 6.4 manner provided by section 204C.25 for return of spoiled ballots, and may not be counted.

6.5 Sec. 8. **EXPLANATION OF ABSENTEE BALLOT CHANGES; COUNTY**
 6.6 **AUDITOR DUTIES.**

6.7 No later than 60 days prior to the date of the state primary in 2014, each county
 6.8 auditor shall mail an explanation of the changes to the permanent and ongoing absentee
 6.9 balloting process and a permanent absentee voter application to every voter with ongoing
 6.10 absentee ballot status in the county auditor's county. Each county auditor shall also mail
 6.11 this explanation to every voter in the county auditor's county with permanent absentee
 6.12 ballot status on the voter's voter record as of the effective date of this act. A voter must
 6.13 return the application to maintain the voter's status as a permanent absentee voter.

6.14 Upon receipt of a completed application, the county auditor shall scan and retain an
 6.15 image of the application until the permanent absentee voter's status ends.

6.16 Sec. 9. **REPEALER.**

6.17 Minnesota Statutes 2012, section 203B.04, subdivision 6, is repealed.

6.18 Sec. 10. **EFFECTIVE DATE; APPLICABILITY.**

6.19 This article is effective January 1, 2014, and applies to voting at elections conducted
 6.20 on the date of the state primary in 2014 and thereafter.

6.21 **ARTICLE 2**

6.22 **ELECTION ADMINISTRATION**

6.23 Section 1. **[2.495] FORTY-NINTH DISTRICT.**

6.24 Subdivision 1. **Senate district.** Senate District 49 consists of that district as
 6.25 described in the order of the Minnesota Special Redistricting Panel in Hippert v. Ritchie,
 6.26 No. A11-152 (February 21, 2012).

6.27 Subd. 2. **House of representatives districts.** Notwithstanding the order of the
 6.28 Minnesota Special Redistricting Panel in Hippert v. Ritchie, No. A11-152 (February 21,
 6.29 2012), Senate District 49 is divided into two house of representatives districts as follows:

6.30 (a) House of Representatives District 49A consists of the district as described in
 6.31 that order, with the modification contained in file L49A-2, on file with the Geographic

7.1 Information Systems Office of the Legislative Coordinating Commission and published on
 7.2 its Web site on March 28, 2012.

7.3 (b) House of Representatives District 49B consists of the district as described in
 7.4 that order, with the modification contained in file L49B-2, on file with the Geographic
 7.5 Information Systems Office of the Legislative Coordinating Commission and published on
 7.6 its Web site on March 28, 2012.

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

7.8 Sec. 2. Minnesota Statutes 2012, section 103C.225, subdivision 3, is amended to read:

7.9 Subd. 3. **Referendum.** ~~(a) Within 60 days after the petition is received by the state~~
 7.10 ~~board, it shall give due notice of the holding of a referendum, schedule the referendum at~~
 7.11 ~~the next general election, and cooperate with county election officials to accomplish the~~
 7.12 ~~election in the most expedient manner. Upon receipt of a petition, the state board shall~~
 7.13 ~~provide written notice to the secretary of state and the county auditor of each county in~~
 7.14 ~~which the district is located no later than 74 days before the state general election. The~~
 7.15 ~~notice must include the date of the election and the title and text of the question to be~~
 7.16 ~~placed on the ballot. Prior to the referendum, the state board shall facilitate the preparation~~
 7.17 ~~of a plan to continue the administration of the powers, duties, and responsibilities of the~~
 7.18 ~~district, including the functions of the district board.~~

7.19 ~~(b) The question shall be submitted by ballots, upon which the words "For terminating~~
 7.20 ~~the existence of~~ appear on the ballot in the following form: "Shall the (name
 7.21 of the soil and water conservation district to be here inserted)" and "Against terminating
 7.22 the existence of the (name of the soil and water conservation district to be here
 7.23 inserted)" shall be printed, with a square before each proposition and a direction to insert
 7.24 an X mark in the square before one or the other be terminated?".

7.25 (c) Only eligible voters in the district may vote in the referendum.

7.26 (d) Informalities in the conduct of the referendum or matters relating to the
 7.27 referendum do not invalidate the referendum, or result of the referendum, if due notice has
 7.28 been given and the referendum has been fairly conducted.

7.29 (e) The state board shall publish the result of the referendum.

7.30 Sec. 3. Minnesota Statutes 2012, section 103C.305, subdivision 3, is amended to read:

7.31 Subd. 3. **Ballots.** Ballots shall be prepared by the county auditor. The names of
 7.32 candidates shall be placed on the ~~"canary ballot" described in section 204D.11, subdivision~~
 7.33 ~~3~~ state general election ballot. The office title printed on the ballot must be either "Soil

8.1 and Water Conservation District Supervisor" or "Conservation District Supervisor," based
8.2 upon the district from which the supervisor is to be elected.

8.3 Sec. 4. Minnesota Statutes 2012, section 201.061, subdivision 3, is amended to read:

8.4 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may
8.5 register on election day by appearing in person at the polling place for the precinct in
8.6 which the individual maintains residence, by completing a registration application, making
8.7 an oath in the form prescribed by the secretary of state and providing proof of residence.
8.8 An individual may prove residence for purposes of registering by:

8.9 (1) presenting a driver's license or Minnesota identification card issued pursuant
8.10 to section 171.07;

8.11 (2) presenting any document approved by the secretary of state as proper
8.12 identification;

8.13 (3) presenting one of the following:

8.14 (i) a current valid student identification card from a postsecondary educational
8.15 institution in Minnesota, if a list of students from that institution has been prepared under
8.16 section 135A.17 and certified to the county auditor in the manner provided in rules of
8.17 the secretary of state; or

8.18 (ii) a current student fee statement that contains the student's valid address in the
8.19 precinct together with a picture identification card; or

8.20 (4) having a voter who is registered to vote in the precinct, or who is an employee
8.21 employed by and working in a residential facility in the precinct and vouching for a
8.22 resident in the facility, sign an oath in the presence of the election judge vouching that the
8.23 voter or employee personally knows that the individual is a resident of the precinct. A voter
8.24 who has been vouched for on election day may not sign a proof of residence oath vouching
8.25 for any other individual on that election day. A voter who is registered to vote in the
8.26 precinct may sign up to ~~15~~ 15 proof-of-residence oaths on any election day. This limitation
8.27 does not apply to an employee of a residential facility described in this clause. The
8.28 secretary of state shall provide a form for election judges to use in recording the number
8.29 of individuals for whom a voter signs proof-of-residence oaths on election day. The
8.30 form must include space for the maximum number of individuals for whom a voter may
8.31 sign proof-of-residence oaths. For each proof-of-residence oath, the form must include
8.32 a statement that the voter is registered to vote in the precinct, personally knows that the
8.33 individual is a resident of the precinct, and is making the statement on oath. The form must
8.34 include a space for the voter's printed name, signature, telephone number, and address.

9.1 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be
9.2 attached to the voter registration application.

9.3 (b) The operator of a residential facility shall prepare a list of the names of its
9.4 employees currently working in the residential facility and the address of the residential
9.5 facility. The operator shall certify the list and provide it to the appropriate county auditor
9.6 no less than 20 days before each election for use in election day registration.

9.7 (c) "Residential facility" means transitional housing as defined in section 256E.33,
9.8 subdivision 1; a supervised living facility licensed by the commissioner of health under
9.9 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
9.10 5; a residence registered with the commissioner of health as a housing with services
9.11 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by
9.12 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence
9.13 licensed by the commissioner of human services to provide a residential program as
9.14 defined in section 245A.02, subdivision 14; a residential facility for persons with a
9.15 developmental disability licensed by the commissioner of human services under section
9.16 252.28; group residential housing as defined in section 256I.03, subdivision 3; a shelter
9.17 for battered women as defined in section 611A.37, subdivision 4; or a supervised
9.18 publicly or privately operated shelter or dwelling designed to provide temporary living
9.19 accommodations for the homeless.

9.20 (d) For tribal band members, an individual may prove residence for purposes of
9.21 registering by:

9.22 (1) presenting an identification card issued by the tribal government of a tribe
9.23 recognized by the Bureau of Indian Affairs, United States Department of the Interior, that
9.24 contains the name, address, signature, and picture of the individual; or

9.25 (2) presenting an identification card issued by the tribal government of a tribe
9.26 recognized by the Bureau of Indian Affairs, United States Department of the Interior, that
9.27 contains the name, signature, and picture of the individual and also presenting one of the
9.28 documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

9.29 (e) A county, school district, or municipality may require that an election judge
9.30 responsible for election day registration initial each completed registration application.

9.31 Sec. 5. Minnesota Statutes 2012, section 201.071, subdivision 2, is amended to read:

9.32 Subd. 2. **Instructions.** A registration application shall be accompanied by
9.33 instructions specifying the manner and method of registration, the qualifications for
9.34 voting, the penalties for false registration, and the availability of registration and voting
9.35 assistance for elderly and disabled individuals and residents of health care facilities and

10.1 hospitals. The instructions must indicate that if the voter does not have a valid Minnesota
10.2 driver's license or identification card, the last four digits of the voter's Social Security
10.3 number must be provided, unless the voter does not have a Social Security number. If,
10.4 prior to election day, a person requests the instructions in Braille, ~~on cassette tape~~ audio
10.5 format, or in a version printed in 16-point bold type with 24-point leading, the county
10.6 auditor shall provide them in the form requested. The secretary of state shall prepare
10.7 Braille and ~~eassette~~ audio copies and make them available.

10.8 Sec. 6. Minnesota Statutes 2012, section 201.091, subdivision 8, is amended to read:

10.9 Subd. 8. **Registration places.** Each county auditor shall designate a number of
10.10 public buildings in those political subdivisions of the county where preregistration of
10.11 voters is allowed as provided in section 201.061, subdivision 1, where eligible voters may
10.12 register to vote. ~~At least one public building must be designated for each 30,000 residents~~
10.13 ~~of the county. At least one telecommunications device for the deaf must be available for~~
10.14 ~~voter registration information in each county seat and in every city of the first, second,~~
10.15 ~~and third class.~~

10.16 An adequate supply of registration applications and instructions must be maintained
10.17 at each designated location, and a designated individual must be available there to accept
10.18 registration applications and transmit them to the county auditor.

10.19 A person who, because of disability, needs assistance in order to determine eligibility
10.20 or to register must be assisted by a designated individual. Assistance includes but is not
10.21 limited to reading the registration form and instructions and filling out the registration
10.22 form as directed by the eligible voter.

10.23 Sec. 7. Minnesota Statutes 2012, section 201.12, subdivision 3, is amended to read:

10.24 Subd. 3. **Moved out of state.** If any nonforwardable mailing from an election
10.25 official is returned as undeliverable but with a permanent forwarding address outside this
10.26 state, the county auditor shall promptly mail to the voter at the voter's new address a notice
10.27 advising the voter that the voter's status in the statewide voter registration system will be
10.28 changed to "inactive" unless the voter notifies the county auditor within 21 days that the
10.29 voter is retaining the former address as the voter's address of residence. If the voter's
10.30 record is challenged due to a felony conviction, lack of United States citizenship, legal
10.31 incompetence, or court-ordered revocation of voting rights of persons under guardianship,
10.32 the county auditor must not mail this notice. If the notice is not received by the deadline,
10.33 the county auditor shall change the voter's status to "inactive" in the statewide voter
10.34 registration system.

11.1 Sec. 8. Minnesota Statutes 2012, section 201.13, subdivision 1a, is amended to read:

11.2 Subd. 1a. **Social Security Administration; other reports of deceased residents.**

11.3 The secretary of state ~~shall~~ may determine if any of the persons listed on the Social
11.4 Security Death Index or reported as deceased by the vital records department of another
11.5 state are registered to vote and prepare a list of those registrants for each county auditor.

11.6 The county auditor shall change the status of those registrants to "deceased" in the
11.7 statewide voter registration system.

11.8 Sec. 9. Minnesota Statutes 2012, section 201.14, is amended to read:

11.9 **201.14 COURT ADMINISTRATOR OF DISTRICT COURT; REPORT**
11.10 **CHANGES OF NAMES.**

11.11 The state court administrator shall regularly report by electronic means to the
11.12 secretary of state the name, address, and, if available, driver's license or state identification
11.13 card number of each individual, 18 years of age or over, whose name was changed since
11.14 the last report, by marriage, divorce, or any order or decree of the court. The secretary of
11.15 state shall determine if any of the persons in the report are registered to vote under their
11.16 previous name and shall prepare a list of those registrants for each county auditor. Upon
11.17 receipt of the list, the county auditor shall make the change in the voter's record and mail
11.18 to the voter the notice of registration required by section 201.121, subdivision 2. A notice
11.19 must not be mailed if the voter's record is challenged due to a felony conviction, lack of
11.20 United States citizenship, legal incompetence, or court-ordered revocation of voting rights
11.21 of persons under guardianship.

11.22 Sec. 10. Minnesota Statutes 2012, section 202A.14, subdivision 1, is amended to read:

11.23 Subdivision 1. **Time and manner of holding; postponement.** (a) In every state
11.24 general election year, beginning at 7:00 p.m. on the date established pursuant to paragraph
11.25 (b), there shall be held for every election precinct a party caucus in the manner provided
11.26 in sections 202A.14 to 202A.19.

11.27 (b)(1) The chairs of the two largest major political parties shall jointly submit to
11.28 the secretary of state, no later than March 1 of each odd-numbered year, the single date
11.29 on which the two parties have agreed to conduct their precinct caucuses in the next
11.30 even-numbered year.

11.31 (2) ~~On March 1 of each odd-numbered year~~ Within two business days after the
11.32 parties have agreed on a single date on which to conduct their precinct caucuses, the
11.33 secretary of state shall publicly announce the official state precinct caucus date for the
11.34 following general election year.

12.1 (3) If the chairs of the two largest major political parties do not jointly submit a
12.2 single date for conducting their precinct caucuses as provided in this paragraph, then
12.3 for purposes of the next general election year, the first Tuesday in February shall be
12.4 considered the day of a major political party precinct caucus and sections 202A.19 and
12.5 202A.192 shall only apply on that date.

12.6 (4) For purposes of this paragraph, the two largest major political parties shall be the
12.7 parties whose candidates for governor received the greatest and second greatest number of
12.8 votes at the most recent gubernatorial election.

12.9 (c) In the event of severe weather a major political party may request the secretary of
12.10 state to postpone caucuses. If a major political party makes a request, or upon the secretary
12.11 of state's own initiative, after consultation with all major political parties and on the advice
12.12 of the federal Weather Bureau and the Department of Transportation, the secretary of state
12.13 may declare precinct caucuses to be postponed for a week in counties where weather
12.14 makes travel especially dangerous. The secretary of state shall submit a notice of the
12.15 postponement to news media covering the affected counties by 6:00 p.m. on the scheduled
12.16 day of the caucus. A postponed caucus may also be postponed pursuant to this subdivision.

12.17 Sec. 11. Minnesota Statutes 2012, section 203B.05, subdivision 1, is amended to read:

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

12.20 (1) the county auditor of that county has designated the clerk to administer them; or

12.21 (2) the clerk has given the county auditor of that county notice of intention to
12.22 administer them.

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

12.25 A clerk of a city that is located in more than one county may only administer the
12.26 provisions of sections 203B.04 to 203B.15 if the clerk has been designated by each of
12.27 the county auditors or has provided notice to each of the county auditors that the city will
12.28 administer absentee voting. A clerk may only administer the provisions of sections 203B.04
12.29 to 203B.15 if the clerk has technical capacity to access the statewide voter registration
12.30 system in the secure manner prescribed by the secretary of state. The secretary of state
12.31 must identify hardware, software, security, or other technical prerequisites necessary to
12.32 ensure the security, access controls, and performance of the statewide voter registration
12.33 system. A clerk must receive training approved by the secretary of state on the use of the
12.34 statewide voter registration system before administering this section. A clerk may not use
12.35 the statewide voter registration system until the clerk has received the required training.

13.1 The county auditor must notify the secretary of state of any municipal clerk who will be
13.2 administering the provisions of this section and the duties that the clerk will administer.

13.3 Sec. 12. Minnesota Statutes 2012, section 203B.08, subdivision 3, is amended to read:

13.4 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a
13.5 county auditor or municipal clerk, that official shall stamp or initial and date the return
13.6 envelope and place it in a secure location with other return envelopes received by that
13.7 office. Within five days after receipt, the county auditor or municipal clerk shall deliver to
13.8 the ballot board all ballots received, except that during the 14 days immediately preceding
13.9 an election, the county auditor or municipal clerk shall deliver all ballots received to
13.10 the ballot board within three days. Ballots received on election day either (1) after 3:00
13.11 p.m., if delivered by an agent; or (2) after the last mail delivery, if delivered by another
13.12 method, shall be marked as received late by the county auditor or municipal clerk, and
13.13 must not be delivered to the ballot board.

13.14 Sec. 13. Minnesota Statutes 2012, section 203B.081, is amended to read:

13.15 **203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.**

13.16 An eligible voter may vote by absentee ballot in the office of the county auditor and
13.17 at any other polling place designated by the county auditor during the 46 days before: the
13.18 election, except as provided in this subdivision.

13.19 ~~(1) a regularly scheduled election for federal, state, county, city, or school board~~
13.20 ~~office;~~

13.21 ~~(2) a special election for a federal or county office; and~~

13.22 ~~(3) an election held in conjunction with an election described in clauses (1) and (2),~~

13.23 ~~and~~ Voters casting absentee ballots in person for a town election held in March may

13.24 do so during the 30 days before ~~any other~~ the election. The county auditor shall make
13.25 such designations at least 14 weeks before the election. At least one voting booth in each
13.26 polling place must be made available by the county auditor for this purpose. The county
13.27 auditor must also make available at least one electronic ballot marker in each polling place
13.28 that has implemented a voting system that is accessible for individuals with disabilities
13.29 pursuant to section 206.57, subdivision 5.

13.30 Sec. 14. Minnesota Statutes 2012, section 203B.121, subdivision 1, is amended to read:

13.31 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each
13.32 county, municipality, and school district with responsibility to accept and reject absentee
13.33 ballots must, by ordinance or resolution, establish a ballot board. The board must consist

14.1 of a sufficient number of election judges trained in the handling of absentee ballots and
14.2 appointed as provided in sections 204B.19 to 204B.22. The board may include ~~staff~~
14.3 ~~trained as election judges~~ deputy county auditors or deputy city clerks who have received
14.4 training in the processing and counting of absentee ballots.

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

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

14.9 Sec. 15. Minnesota Statutes 2012, section 203B.121, subdivision 2, is amended to read:

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

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

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

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

14.24 (3) the voter's Minnesota driver's license, state identification number, or the last four
14.25 digits of the voter's Social Security number are the same as the number provided on the
14.26 voter's application for ballots. If the number does not match the number as submitted on
14.27 the application, or if a number was not submitted on the application, the election judges
14.28 must compare the signature provided by the applicant to determine whether the ballots
14.29 were returned by the same person to whom they were transmitted;

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

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

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

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

15.3 (c)(1) If a majority of the members of the ballot board examining a return envelope
15.4 find that an absentee voter has failed to meet one of the requirements provided in
15.5 paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the
15.6 word "Rejected," list the reason for the rejection on the envelope, and return it to the
15.7 county auditor. There is no other reason for rejecting an absentee ballot beyond those
15.8 permitted by this section. Failure to place the ballot within the security envelope before
15.9 placing it in the outer white envelope is not a reason to reject an absentee ballot.

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

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

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

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

15.25 (2) the reason for rejection; and

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

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

15.30 Sec. 16. Minnesota Statutes 2012, section 203B.121, subdivision 5, is amended to read:

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

15.33 (1) remove the ballots from the ballot box at the end of the day;

16.1 (2) without inspecting the ballots, ensure that the number of ballots removed from
16.2 the ballot box is equal to the number of voters whose absentee ballots were accepted
16.3 that day; and

16.4 (3) seal and secure all voted and unvoted ballots present in that location at the end
16.5 of the day.

16.6 (b) After the polls have closed on election day, two members of the ballot board
16.7 must count the ballots, tabulating the vote in a manner that indicates each vote of the voter
16.8 and the total votes cast for each candidate or question. In state primary and state general
16.9 elections, the results must indicate the total votes cast for each candidate or question in each
16.10 precinct and report the vote totals tabulated for each precinct. ~~The count shall be public.~~
16.11 ~~No vote totals from ballots may be made public before the close of voting on election day~~
16.12 must be recorded on a summary statement in substantially the same format as provided in
16.13 section 204C.26. The ballot board shall submit at least one completed summary statement
16.14 to the county auditor or municipal clerk. The county auditor or municipal clerk may
16.15 require the ballot board to submit a sufficient number of completed summary statements to
16.16 comply with the provisions of section 204C.27, or the county auditor or municipal clerk
16.17 may certify reports containing the details of the ballot board summary statement to the
16.18 recipients of the summary statements designated in section 204C.27.

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

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

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

16.34 Sec. 17. Minnesota Statutes 2012, section 203B.227, is amended to read:

16.35 **203B.227 WRITE-IN ABSENTEE BALLOT.**

17.1 (a) A voter described in section 203B.16, subdivision 1, may use ~~a state write-in~~
17.2 ~~absentee ballot or~~ the federal write-in absentee ballot to vote in any federal, state, or local
17.3 election. In a state or local election, a vote for a political party without specifying the
17.4 name of a candidate must not be counted.

17.5 (b) If a voter submits a Federal Write-in Absentee Ballot for which a Federal Post
17.6 Card Application was not received, the Federal Write-in Absentee Ballot serves as a voter
17.7 registration, for voters who are eligible to register, in lieu of the voter's Federal Post Card
17.8 Application. If the voter has not already voted and the accompanying certificate is properly
17.9 completed, the absentee ballot board must accept the Federal Write-in Absentee Ballot.

17.10 Sec. 18. Minnesota Statutes 2012, section 203B.28, is amended to read:

17.11 **203B.28 POSTELECTION REPORT TO LEGISLATURE.**

17.12 By ~~March 1, 2011, and by~~ January 15 of every odd-numbered year thereafter, the
17.13 secretary of state shall provide to the chair and ranking minority members of the legislative
17.14 committees with jurisdiction over elections a statistical report related to absentee voting
17.15 in the most recent general election cycle. The statistics must be organized by county
17.16 ~~and precinct~~, and include:

17.17 (1) the number of absentee ballots transmitted to voters;

17.18 (2) the number of absentee ballots returned by voters;

17.19 (3) the number of absentee ballots that were rejected, categorized by the reason
17.20 for rejection;

17.21 (4) the number of absentee ballots submitted pursuant to sections 203B.16 to
17.22 203B.27, along with the number of returned ballots that were accepted, rejected, and
17.23 the reason for any rejections; and

17.24 (5) the number of absentee ballots that were not counted because the ballot return
17.25 envelope was received after the deadlines provided in this chapter.

17.26 Sec. 19. Minnesota Statutes 2012, section 204B.04, is amended by adding a
17.27 subdivision to read:

17.28 Subd. 4. **Prohibition on multiple candidacy.** A candidate who files an affidavit
17.29 of candidacy for an office to be elected at the general election may not subsequently file
17.30 another affidavit of candidacy for any other office to be elected on the date of that general
17.31 election.

17.32 Sec. 20. Minnesota Statutes 2012, section 204B.18, subdivision 2, is amended to read:

18.1 Subd. 2. **Ballot boxes.** ~~Each polling place shall be provided with one ballot box for~~
18.2 ~~each kind of ballot to be cast at the election. The boxes shall be substantially the same color~~
18.3 ~~as the ballots to be deposited in them.~~ Each box shall be of sufficient size and shall have a
18.4 sufficient opening to receive and contain all the ballots likely to be deposited in it. ~~When~~
18.5 ~~buff or goldenrod ballot boxes are required, a separate box must be provided for each school~~
18.6 ~~district for which ballots are to be cast at that polling place. The number and name of the~~
18.7 ~~school district must appear conspicuously on the top of each buff or goldenrod ballot box.~~

18.8 Sec. 21. Minnesota Statutes 2012, section 204B.22, subdivision 1, is amended to read:

18.9 Subdivision 1. **Minimum number required.** (a) A minimum of four election
18.10 judges shall be appointed for each precinct, ~~except as provided by subdivision 2 in the~~
18.11 state general election. In all other elections, a minimum of three election judges shall
18.12 be appointed for each precinct. In a combined polling place under section 204B.14,
18.13 subdivision 2, at least one judge must be appointed from each municipality in the
18.14 combined polling place, provided that not less than three judges shall be appointed for
18.15 each combined polling place. The appointing authorities may appoint election judges for
18.16 any precinct in addition to the number required by this subdivision including additional
18.17 election judges to count ballots after voting has ended.

18.18 (b) An election judge may serve for all or part of election day, at the discretion of the
18.19 appointing authority, as long as the minimum number of judges required is always present.
18.20 The head election judge designated under section 204B.20 must serve for all of election day
18.21 and be present in the polling place unless another election judge has been designated by the
18.22 head election judge to perform the functions of the head election judge during any absence.

18.23 Sec. 22. Minnesota Statutes 2012, section 204B.22, subdivision 2, is amended to read:

18.24 Subd. 2. **Exception.** A minimum of three election judges shall be appointed in
18.25 precincts not using electronic voting equipment. ~~One additional election judge shall~~
18.26 ~~be appointed for each 150 votes cast in that precinct at the last similar election and in~~
18.27 precincts with fewer than 500 registered voters as of 14 weeks before the state primary.

18.28 Sec. 23. Minnesota Statutes 2012, section 204B.28, subdivision 1, is amended to read:

18.29 Subdivision 1. **Meeting with election officials.** At least 12 weeks before each
18.30 regularly scheduled town general election conducted in March, and at least 18 weeks
18.31 before all other general elections, each county auditor shall conduct a meeting or otherwise
18.32 communicate with local election officials to review the procedures for the election. The
18.33 county auditor may require the head election judges in the county to attend this meeting.

19.1 Sec. 24. Minnesota Statutes 2012, section 204B.32, subdivision 1, is amended to read:

19.2 Subdivision 1. **Payment.** (a) The secretary of state shall pay the compensation for
19.3 presidential electors, the cost of printing ~~the pink paper~~ ballots, and all necessary expenses
19.4 incurred by the secretary of state in connection with elections.

19.5 (b) The counties shall pay the compensation prescribed in section 204B.31, clauses
19.6 (b) and (c), the cost of printing the ~~canary ballots, the white ballots, the pink~~ state general
19.7 election ballots when machines are used, the state partisan primary ballots, and the
19.8 state and county nonpartisan primary ballots, all necessary expenses incurred by county
19.9 auditors in connection with elections, and the expenses of special county elections.

19.10 (c) Subject to subdivision 2, the municipalities shall pay the compensation prescribed
19.11 for election judges and sergeants at arms, the cost of printing the municipal ballots,
19.12 providing ballot boxes, providing and equipping polling places and all necessary expenses
19.13 of the municipal clerks in connection with elections, except special county elections.

19.14 (d) The school districts shall pay the compensation prescribed for election judges
19.15 and sergeants-at-arms, the cost of printing the school district ballots, providing ballot
19.16 boxes, providing and equipping polling places and all necessary expenses of the school
19.17 district clerks in connection with school district elections not held in conjunction with
19.18 state elections. When school district elections are held in conjunction with state elections,
19.19 the school district shall pay the costs of printing the school district ballots, providing ballot
19.20 boxes and all necessary expenses of the school district clerk.

19.21 All disbursements under this section shall be presented, audited, and paid as in
19.22 the case of other public expenses.

19.23 Sec. 25. Minnesota Statutes 2012, section 204B.33, is amended to read:

19.24 **204B.33 NOTICE OF FILING.**

19.25 (a) At least ~~15~~ 16 weeks before the state primary, the secretary of state shall notify
19.26 each county auditor of the offices to be voted for in that county at the next state general
19.27 election for which candidates file with the secretary of state. The notice shall include
19.28 the time and place of filing for those offices. Within ten days after notification by the
19.29 secretary of state, each county auditor shall notify each municipal clerk in the county of
19.30 all the offices to be voted for in the county at that election and the time and place for
19.31 filing for those offices. The county auditors and municipal clerks shall promptly post a
19.32 copy of that notice in their offices.

19.33 (b) At least ~~two weeks~~ one week before the first day to file an affidavit of candidacy,
19.34 the county auditor shall publish a notice stating the first and last dates on which affidavits
19.35 of candidacy may be filed in the county auditor's office and the closing time for filing on

20.1 the last day for filing. The county auditor shall post a similar notice at least ten days before
20.2 the first day to file affidavits of candidacy.

20.3 Sec. 26. Minnesota Statutes 2012, section 204B.35, subdivision 4, is amended to read:

20.4 Subd. 4. **Absentee ballots; preparation; delivery.** At least 46 days before a
20.5 ~~regularly scheduled~~ an election for federal, state, county, city, or school board office
20.6 ~~or a special election for federal office, and at least 30 days before any other election,~~
20.7 ballots necessary to fill applications of absentee voters shall be prepared and delivered to
20.8 the officials who administer the provisions of chapter 203B, except as provided in this
20.9 subdivision. Ballots necessary to fill applications of absentee voters for a town general
20.10 election held in March shall be prepared and delivered to the town clerk at least 30 days
20.11 before the election.

20.12 This section applies to school district elections held on the same day as a statewide
20.13 election or an election for a county or municipality located partially or wholly within
20.14 the school district.

20.15 Sec. 27. Minnesota Statutes 2012, section 204B.36, subdivision 1, is amended to read:

20.16 Subdivision 1. **Type.** All ballots shall be printed with black ink on paper of sufficient
20.17 thickness to prevent the printing from being discernible from the back. ~~All ballots of the~~
20.18 ~~same color shall be substantially uniform in style of printing, size, thickness and shade of~~
20.19 ~~color. When the ballots of a particular color vary in shade, those used in any one precinct~~
20.20 ~~shall be of the same shade.~~ All ballots shall be printed in easily readable type with suitable
20.21 lines dividing candidates, offices, instructions and other matter printed on ballots. The
20.22 name of each candidate shall be printed in capital letters. The same type shall be used for
20.23 the names of all candidates on the same ballot.

20.24 Sec. 28. Minnesota Statutes 2012, section 204B.45, subdivision 1, is amended to read:

20.25 Subdivision 1. **Authorization.** A ~~municipality~~ town of any size or a city having
20.26 fewer than 400 registered voters on June 1 of an election year ~~and, if the town or city is~~
20.27 not located in a metropolitan county as defined by section 473.121₂, may provide balloting
20.28 by mail at any municipal, county, or state election with no polling place other than the
20.29 office of the auditor or clerk or other locations designated by the auditor or clerk. The
20.30 governing body may apply to the county auditor for permission to conduct balloting by
20.31 mail. The county board may provide for balloting by mail in unorganized territory. The
20.32 governing body of any municipality may designate for mail balloting any precinct having
20.33 fewer than ~~50~~ 100 registered voters, subject to the approval of the county auditor.

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

21.3 Sec. 29. Minnesota Statutes 2012, section 204B.45, subdivision 2, is amended to read:

21.4 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be
21.5 given at least ~~six~~ ten weeks prior to the election. Not more than 46 days nor later than
21.6 14 days before a regularly scheduled election ~~for federal, state, county, city, or school~~
21.7 ~~board office or a special election for federal office~~ and not more than 30 days nor later
21.8 than 14 days before any other election, the auditor shall mail ballots by nonforwardable
21.9 mail to all voters registered in the town or unorganized territory. No later than 14 days
21.10 before the election, the auditor must make a subsequent mailing of ballots to those voters
21.11 who register to vote after the initial mailing but before the 20th day before the election.
21.12 Eligible voters not registered at the time the ballots are mailed may apply for ballots as
21.13 provided in chapter 203B. Ballot return envelopes, with return postage provided, must
21.14 be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in
21.15 person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot
21.16 board to examine the mail and absentee ballot return envelopes and mark them "accepted"
21.17 or "rejected" within three days of receipt if there are 14 or fewer days before election
21.18 day, or within five days of receipt if there are more than 14 days before election day.
21.19 The board may consist of staff trained as election judges who need not be affiliated with
21.20 a major political party. Election judges performing the duties in this section must be of
21.21 different major political parties, unless they are exempt from that requirement under
21.22 section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at
21.23 least five days before the election, the ballots in the envelope must remain sealed and the
21.24 auditor or clerk shall provide the voter with a replacement ballot and return envelope in
21.25 place of the spoiled ballot. If the ballot is rejected within five days of the election, the
21.26 envelope must remain sealed and the official in charge of the ballot board must attempt to
21.27 contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been
21.28 rejected. The official must document the attempts made to contact the voter.

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

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

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

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

22.6 Sec. 30. Minnesota Statutes 2012, section 204B.46, is amended to read:

22.7 **204B.46 MAIL ELECTIONS; QUESTIONS.**

22.8 A county, municipality, or school district submitting questions to the voters at a
22.9 special election may conduct an election by mail with no polling place other than the office
22.10 of the auditor or clerk. No offices may be voted on at a mail election. Notice of the election
22.11 must be given to the county auditor at least ~~53~~ 74 days prior to the election. This notice
22.12 shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail
22.13 ballot procedures must be posted at least six weeks prior to the election. Not more than ~~30~~
22.14 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by
22.15 nonforwardable mail to all voters registered in the county, municipality, or school district.
22.16 No later than 14 days before the election, the auditor or clerk must make a subsequent
22.17 mailing of ballots to those voters who register to vote after the initial mailing but before
22.18 the 20th day before the election. Eligible voters not registered at the time the ballots are
22.19 mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint
22.20 a ballot board to examine the mail and absentee ballot return envelopes and mark them
22.21 "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before
22.22 election day, or within five days of receipt if there are more than 14 days before election
22.23 day. The board may consist of staff trained as election judges who need not be affiliated
22.24 with a major political party. Election judges performing the duties in this section must be
22.25 of different major political parties, unless they are exempt from that requirement under
22.26 section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at
22.27 least five days before the election, the ballots in the envelope must remain sealed and the
22.28 auditor or clerk must provide the voter with a replacement ballot and return envelope in
22.29 place of the spoiled ballot. If the ballot is rejected within five days of the election, the
22.30 envelope must remain sealed and the official in charge of the ballot board must attempt to
22.31 contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been
22.32 rejected. The official must document the attempts made to contact the voter.

22.33 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
22.34 indicate that the voter has already cast a ballot in that election. After the close of business
22.35 on the fourth day before the election, the ballots from return envelopes marked "Accepted"

23.1 may be opened, duplicated as needed in the manner provided by section 206.86,
 23.2 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

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

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

23.8 Sec. 31. Minnesota Statutes 2012, section 204C.14, is amended to read:

23.9 **204C.14 UNLAWFUL VOTING; PENALTY.**

23.10 No individual shall intentionally:

23.11 (a) misrepresent the individual's identity in applying for a ballot, depositing a ballot in
 23.12 a ballot box or attempting to vote by means of a voting machine or electronic voting system;

23.13 (b) vote more than once at the same election;

23.14 (c) put a ballot in a ballot box for any illegal purpose;

23.15 (d) give more than one ballot of the same kind ~~and color~~ to an election judge to
 23.16 be placed in a ballot box;

23.17 (e) aid, abet, counsel or procure another to go into any precinct for the purpose
 23.18 of voting in that precinct, knowing that the other individual is not eligible to vote in
 23.19 that precinct; or

23.20 (f) aid, abet, counsel or procure another to do any act in violation of this section.

23.21 A violation of this section is a felony.

23.22 Sec. 32. Minnesota Statutes 2012, section 204C.15, subdivision 1, is amended to read:

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

23.26 The election judges shall mark the ballots as directed by the voter and in as secret a manner
 23.27 as circumstances permit. ~~If the voter is deaf or cannot speak English or understand it when~~

23.28 ~~it is spoken, the election judges may select two individuals who are members of different~~
 23.29 ~~major political parties to provide assistance. The individuals shall assist the voter in~~

23.30 ~~marking the ballots.~~ A voter in need of assistance may alternatively obtain the assistance of

23.31 any individual the voter chooses. Only the following persons may not provide assistance

23.32 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of

23.33 the voter's union, or a candidate for election. The person who assists the voter shall,

23.34 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot

24.1 as directed by the voter. No person who assists another voter as provided in the preceding
 24.2 sentence shall mark the ballots of more than three voters at one election. Before the ballots
 24.3 are deposited, the voter may show them privately to an election judge to ascertain that they
 24.4 are marked as the voter directed. An election judge or other individual assisting a voter
 24.5 shall not in any manner request, persuade, induce, or attempt to persuade or induce the
 24.6 voter to vote for any particular political party or candidate. The election judges or other
 24.7 individuals who assist the voter shall not reveal to anyone the name of any candidate for
 24.8 whom the voter has voted or anything that took place while assisting the voter.

24.9 Sec. 33. Minnesota Statutes 2012, section 204C.19, subdivision 2, is amended to read:

24.10 Subd. 2. **Ballots; order of counting.** Except as otherwise provided in this
 24.11 subdivision, the ballot boxes shall be opened, the votes counted, and the total declared ~~one~~
 24.12 ~~box at a time in the following order: the white box, the pink box, the canary box, the light~~
 24.13 ~~green box, the blue box, the buff box, the goldenrod box, the gray box, and then the other~~
 24.14 ~~kinds of ballots voted at the election. If enough election judges are available to provide~~
 24.15 ~~counting teams of four or more election judges for each box, more than one box may be~~
 24.16 ~~opened and counted at the same time.~~ The election judges on each counting team shall be
 24.17 evenly divided between the major political parties. The numbers entered on the summary
 24.18 sheet shall not be considered final until the ballots in all the boxes have been counted and
 24.19 corrections have been made if ballots have been deposited in the wrong boxes.

24.20 Sec. 34. Minnesota Statutes 2012, section 204C.25, is amended to read:

24.21 **204C.25 DISPOSITION OF BALLOTS.**

24.22 After the count and the summary statements have been completed, in the presence
 24.23 of all the election judges, the counted, defective, and blank ballots shall be placed in
 24.24 envelopes ~~marked or printed to distinguish the color of the ballots contained,~~ and the
 24.25 envelopes shall be sealed. The election judges shall sign each envelope over the sealed part
 24.26 so that the envelope cannot be opened without disturbing the continuity of the signatures.
 24.27 The number ~~and kind~~ of ballots in each envelope, the name of the town or city, and the
 24.28 name of the precinct shall be plainly written upon the envelopes. The number and name of
 24.29 the district must be plainly written on envelopes containing school district ballots. The
 24.30 spoiled ballots shall be placed in separate envelopes and returned with the unused ballots
 24.31 to the county auditor or municipal or school district clerk from whom they were received.

24.32 Sec. 35. Minnesota Statutes 2012, section 204C.27, is amended to read:

24.33 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

25.1 One or more of the election judges in each precinct shall deliver two sets of
 25.2 summary statements; all spoiled ~~white, pink, canary, and gray~~ ballots; and the envelopes
 25.3 containing the ~~white, pink, canary, and gray~~ ballots either directly to the municipal clerk
 25.4 for transmittal to the county auditor's office or directly to the county auditor's office as
 25.5 soon as possible after the vote counting is completed but no later than 24 hours after the
 25.6 end of the hours for voting. One or more election judges shall deliver the remaining set
 25.7 of summary statements and returns, all unused and spoiled municipal and school district
 25.8 ballots, the envelopes containing municipal and school district ballots, and all other things
 25.9 furnished by the municipal or school district clerk, to the municipal or school district
 25.10 clerk's office within 24 hours after the end of the hours for voting. The municipal or school
 25.11 district clerk shall return all polling place rosters and completed voter registration cards to
 25.12 the county auditor within 48 hours after the end of the hours for voting.

25.13 Sec. 36. Minnesota Statutes 2012, section 204C.35, subdivision 1, is amended to read:

25.14 Subdivision 1. **Automatic Publicly funded recounts.** (a) In a state primary when
 25.15 the difference between the votes cast for the candidates for nomination to:

25.16 (1) a state legislative office is less than one-half of one percent of the total number of
 25.17 votes counted for that nomination or is ten votes or less and the total number of votes cast
 25.18 for the nomination is 400 votes or less; or

25.19 (2) a statewide federal office, state constitutional office, statewide judicial office,
 25.20 congressional office, ~~state legislative office,~~ or district judicial office;

25.21 (4) is less than ~~one-half~~ the smaller of 3,000 votes or one-quarter of one percent of
 25.22 the total number of votes counted for that nomination; or

25.23 (2) is ten votes or less and the total number of votes cast for the nomination is 400
 25.24 votes or less;

25.25 and the difference determines the nomination, the canvassing board with responsibility
 25.26 for declaring the results for that office shall manually recount the vote upon receiving a
 25.27 written request from the candidate whose nomination is in question.

25.28 Immediately following the meeting of the board that has responsibility for
 25.29 canvassing the results of the nomination, the filing officer must notify the candidate that
 25.30 the candidate has the option to request a recount of the votes at no cost to the candidate.
 25.31 This written request must be received by the filing officer no later than 48 hours after the
 25.32 canvass of the primary for which the recount is being sought.

25.33 (b) In a state general election when the difference between the votes of a candidate
 25.34 who would otherwise be declared elected to:

26.1 (1) a state legislative office is less than one-half of one percent of the total number of
 26.2 votes counted for that office or is ten votes or less and the total number of votes cast for
 26.3 the office is 400 votes or less; or

26.4 (2) a statewide federal office, state constitutional office, statewide judicial office,
 26.5 congressional office, ~~state legislative office,~~ or district judicial office and the votes of
 26.6 any other candidate for that office:

26.7 (1) is less than ~~one-half~~ the smaller of 3,000 votes or one-quarter of one percent of
 26.8 the total number of votes counted for that office; or

26.9 (2) is ten votes or less if the total number of votes cast for the office is 400 votes or less,
 26.10 the canvassing board shall manually recount the votes upon receiving a written request
 26.11 from the candidate whose election is in question.

26.12 Immediately following the meeting of the board that has responsibility for
 26.13 canvassing the results of the general election, the filing officer must notify the candidate
 26.14 that the candidate has the option to request a recount of the votes at no cost to the
 26.15 candidate. This written request must be received by the filing officer no later than 48 hours
 26.16 after the canvass of the election for which the recount is being sought.

26.17 (c) A recount must not delay any other part of the canvass. The results of the recount
 26.18 must be certified by the canvassing board as soon as possible.

26.19 (d) Time for notice of a contest for an office which is recounted pursuant to this section
 26.20 shall begin to run upon certification of the results of the recount by the canvassing board.

26.21 ~~(e) A losing candidate may waive a recount required pursuant to this section by~~
 26.22 ~~filing a written notice of waiver with the canvassing board.~~

26.23 Sec. 37. Minnesota Statutes 2012, section 204C.35, is amended by adding a
 26.24 subdivision to read:

26.25 Subd. 4. **Filing officer.** For the purposes of this section, the secretary of state is
 26.26 the filing officer for candidates for all federal offices and for state offices voted on in
 26.27 more than one county. The county auditor is the filing officer for state offices voted on
 26.28 in only one county.

26.29 Sec. 38. Minnesota Statutes 2012, section 204C.36, subdivision 1, is amended to read:

26.30 Subdivision 1. **Required Publicly funded recounts.** (a) Except as provided in
 26.31 ~~paragraph~~ paragraphs (b) and (c), a losing candidate for nomination or election to a
 26.32 county, municipal, or school district office may request a recount of the votes cast for
 26.33 the nomination or election to that office if the difference between the vote cast for that
 26.34 candidate and for a winning candidate for nomination or election is less than ~~one-half~~

27.1 one-quarter of one percent of the total votes counted for that office. In case of offices where
 27.2 two or more seats are being filled from among all the candidates for the office, the ~~one-half~~
 27.3 one-quarter of one percent difference is between the elected candidate with the fewest votes
 27.4 and the candidate with the most votes from among the candidates who were not elected.

27.5 (b) A losing candidate for nomination or election to a county, municipal, or school
 27.6 district office may request a recount of the votes cast for nomination or election to that
 27.7 office if the difference between the votes cast for that candidate and for a winning
 27.8 candidate for nomination or election is less than one-half of one percent, and the total
 27.9 number of votes cast for the nomination or election of all candidates is more than 400
 27.10 but less than 50,000. In cases of offices where two or more seats are being filled from
 27.11 among all the candidates for the office, the one-half of one percent difference is between
 27.12 the elected candidate with the fewest votes and the candidate with the most votes from
 27.13 among the candidates who were not elected.

27.14 ~~(b)~~ (c) A losing candidate for nomination or election to a county, municipal, or
 27.15 school district office may request a recount of the votes cast for nomination or election
 27.16 to that office if the difference between the vote cast for that candidate and for a winning
 27.17 candidate for nomination or election is ten votes or less, and the total number of votes cast
 27.18 for the nomination or election of all candidates is no more than 400. In cases of offices
 27.19 where two or more seats are being filled from among all the candidates for the office,
 27.20 the ten vote difference is between the elected candidate with the fewest votes and the
 27.21 candidate with the most votes from among the candidates who were not elected.

27.22 ~~(e)~~ (d) Candidates for county offices shall file a written request for the recount with
 27.23 the county auditor. Candidates for municipal or school district offices shall file a written
 27.24 request with the municipal or school district clerk as appropriate. All requests shall be filed
 27.25 during the time for notice of contest of the primary or election for which a recount is sought.

27.26 ~~(d)~~ (e) Upon receipt of a request made pursuant to this section, the county auditor
 27.27 shall recount the votes for a county office at the expense of the county, the governing
 27.28 body of the municipality shall recount the votes for a municipal office at the expense of
 27.29 the municipality, and the school board of the school district shall recount the votes for a
 27.30 school district office at the expense of the school district.

27.31 Sec. 39. Minnesota Statutes 2012, section 204D.08, subdivision 6, is amended to read:

27.32 Subd. 6. **State and county nonpartisan primary ballot.** The state and county
 27.33 nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary
 27.34 Ballot." It shall be printed ~~on canary paper~~ in the manner provided in the rules of the

28.1 secretary of state. The names of candidates for nomination to the Supreme Court, Court of
28.2 Appeals, district court, and all county offices shall be placed on this ballot.

28.3 No candidate whose name is placed on the state and county nonpartisan primary
28.4 ballot shall be designated or identified as the candidate of any political party or in any
28.5 other manner except as expressly provided by law.

28.6 Sec. 40. Minnesota Statutes 2012, section 204D.09, subdivision 2, is amended to read:

28.7 Subd. 2. **Sample ballot.** At least ~~two weeks~~ 46 days before the state primary the
28.8 county auditor shall prepare a sample ~~state partisan primary ballot and a sample state and~~
28.9 ~~county nonpartisan primary~~ ballot for each precinct for public inspection and transmit an
28.10 electronic copy of these sample ballots to the secretary of state. The names of ~~all of the~~
28.11 candidates to be voted for in the county shall be placed on the sample ballots, with the
28.12 names of the candidates for each office arranged in the base rotation as determined by
28.13 section 206.61, subdivision 5. ~~Only one sample state partisan primary ballot and one~~
28.14 ~~sample state and county nonpartisan ballot shall be prepared for any county~~. The county
28.15 auditor shall post the sample ballots in a conspicuous place in the auditor's office and shall
28.16 cause them to be published at least one week before the state primary in at least one
28.17 newspaper of general circulation in the county.

28.18 Sec. 41. Minnesota Statutes 2012, section 204D.11, subdivision 1, is amended to read:

28.19 Subdivision 1. **White State general election ballot; rules.** The names of
28.20 the candidates for all ~~partisan~~ state and federal offices, all proposed constitutional
28.21 amendments, all county offices and questions, and all judicial offices voted on at the state
28.22 general election shall be placed on a single ballot ~~printed on white paper which that~~ shall
28.23 be known as the "white state general election ballot." This ballot shall be prepared by the
28.24 county auditor subject to the rules of the secretary of state. The secretary of state shall
28.25 adopt rules for preparation and time of delivery of the ~~white~~ white state general election ballot.

28.26 Sec. 42. Minnesota Statutes 2012, section 204D.11, subdivision 4, is amended to read:

28.27 Subd. 4. **Special federal white ballot.** (a) The names of all candidates for the
28.28 offices of president and vice-president of the United States and senator and representative
28.29 in Congress shall be placed on a ballot ~~printed on white paper which that~~ shall be known
28.30 as the "special federal ~~white~~ ballot."

28.31 (b) This ballot shall be prepared by the county auditor in the same manner as
28.32 the white state general election ballot and shall be subject to the rules adopted by the
28.33 secretary of state pursuant to subdivision 1. This ballot must be prepared and furnished

29.1 in accordance with the federal Uniformed and Overseas Citizens Absentee Voting Act,
29.2 United States Code, title 42, section 1973ff.

29.3 (c) The special federal ~~white~~ ballot shall be the only ballot sent to citizens of
29.4 the United States who are eligible to vote by absentee ballot for federal candidates in
29.5 Minnesota.

29.6 Sec. 43. Minnesota Statutes 2012, section 204D.11, subdivision 5, is amended to read:

29.7 Subd. 5. **Ballot headings.** The ~~white, pink, and special federal white~~ ballot
29.8 containing the offices and questions in subdivisions 1 and 4, shall be headed with the
29.9 words "State General Election Ballot." The ~~canary ballot shall be headed with the words~~
29.10 "~~County and Judicial Nonpartisan General Election Ballot.~~"

29.11 Sec. 44. Minnesota Statutes 2012, section 204D.11, subdivision 6, is amended to read:

29.12 Subd. 6. **Gray Judicial ballot.** When the ~~canary ballot would be longer than 30~~
29.13 ~~inches or when~~ it would not be possible to place all offices on a single ballot card for the
29.14 state general election, the judicial offices ~~that should be placed on the canary ballot~~ may be
29.15 placed instead on a separate gray judicial ballot. The gray judicial ballot shall be prepared
29.16 by the county auditor in the manner provided in the rules of the secretary of state.

29.17 The gray judicial ballot must be headed with the words: "Judicial Nonpartisan
29.18 General Election Ballot." Separate ballot boxes must be provided for these gray judicial
29.19 ballots.

29.20 Sec. 45. Minnesota Statutes 2012, section 204D.13, subdivision 3, is amended to read:

29.21 Subd. 3. **Nominees by petition; placement on ballot.** The names of candidates
29.22 nominated by petition for a partisan office voted on at the state general election shall be
29.23 placed on the ~~white~~ state general election ballot after the names of the candidates for that
29.24 office who were nominated at the state primary. ~~Prior to the state primary~~ No later than
29.25 11 weeks before the state general election, the secretary of state shall determine by lot
29.26 the order of candidates nominated by petition. The drawing of lots must be by political
29.27 party or principle. The political party or political principle of the candidate as stated on
29.28 the petition shall be placed after the name of a candidate nominated by petition. The word
29.29 "nonpartisan" shall not be used to designate any partisan candidate whose name is placed
29.30 on the ~~white~~ state general election ballot by nominating petition.

29.31 Sec. 46. Minnesota Statutes 2012, section 204D.14, subdivision 1, is amended to read:

30.1 Subdivision 1. **Rotation of names.** The names of candidates for nonpartisan offices
 30.2 on the ~~canary~~ state general election ballot and the judicial nonpartisan general election
 30.3 ballot shall be rotated in the manner provided for rotation of names on state partisan
 30.4 primary ballots by section 204D.08, subdivision 3.

30.5 Sec. 47. Minnesota Statutes 2012, section 204D.14, subdivision 3, is amended to read:

30.6 Subd. 3. **Uncontested judicial offices.** Judicial offices for a specific court for
 30.7 which there is only one candidate filed must appear after all other judicial offices for that
 30.8 same court on the ~~canary~~ ballot.

30.9 Sec. 48. Minnesota Statutes 2012, section 204D.15, subdivision 3, is amended to read:

30.10 Subd. 3. **Sample ~~pink~~ ballot; constitutional amendments.** Four weeks before the
 30.11 state general election the secretary of state shall file sample copies of the ~~pink ballot~~
 30.12 portion of the state general election ballot that contains the proposed constitutional
 30.13 amendments in the Secretary of State's Office for public inspection. Three weeks before
 30.14 the state general election the secretary of state shall ~~mail~~ transmit sample copies of the
 30.15 ~~pink sample~~ ballot to each county auditor. Each auditor shall post the sample ballot in a
 30.16 conspicuous place in the auditor's office.

30.17 Sec. 49. Minnesota Statutes 2012, section 204D.16, is amended to read:

30.18 **204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING;**
 30.19 **PUBLICATION.**

30.20 ~~Two weeks before the state general election the county auditor shall prepare sample~~
 30.21 ~~copies of the white and canary ballots and~~ At least 46 days before the state general
 30.22 election, the county auditor shall post copies of these sample ballots and a sample of the
 30.23 ~~pink ballot~~ for each precinct in the auditor's office for public inspection and transmit an
 30.24 electronic copy of these sample ballots to the secretary of state. No earlier than 15 days
 30.25 and no later than two days before the state general election the county auditor shall cause
 30.26 ~~the a sample white and canary ballots~~ state general election ballot to be published in at
 30.27 least one newspaper of general circulation in the county.

30.28 Sec. 50. Minnesota Statutes 2012, section 204D.165, is amended to read:

30.29 **204D.165 SAMPLE BALLOTS TO SCHOOLS.**

30.30 ~~Notwithstanding any contrary provisions in section 204D.09 or 204D.16,~~ The county
 30.31 auditor, two weeks before the applicable primary or general election, shall provide one
 30.32 copy of the an appropriate sample ~~partisan primary, nonpartisan primary, canary, white,~~

31.1 ~~or pink~~ ballot to a school district upon request. The school district may have the sample
31.2 ballots reproduced at its expense for classroom educational purposes and for educational
31.3 activities authorized under section 204B.27, subdivision 7.

31.4 Sec. 51. Minnesota Statutes 2012, section 204D.19, subdivision 2, is amended to read:

31.5 Subd. 2. **Special election when legislature will be in session.** Except for
31.6 vacancies in the legislature which occur at any time between the last day of session in an
31.7 odd-numbered year and the 40th day prior to the opening day of session in the succeeding
31.8 even-numbered year, when a vacancy occurs and the legislature will be in session so
31.9 that the individual elected as provided by this section could take office and exercise the
31.10 duties of the office immediately upon election, the governor shall issue within five days
31.11 after the vacancy occurs a writ calling for a special election. The special election shall
31.12 be held as soon as possible, consistent with the notice requirements of section 204D.22,
31.13 subdivision 3, but in no event more than 35 days after the issuance of the writ. A special
31.14 election must not be held during the four days before or the four days after a holiday as
31.15 defined in section 645.44, subdivision 5.

31.16 Sec. 52. Minnesota Statutes 2012, section 205.02, subdivision 2, is amended to read:

31.17 Subd. 2. **City elections.** In all statutory and home rule charter cities, the primary,
31.18 general and special elections held for choosing city officials and deciding public questions
31.19 relating to the city shall be held as provided in this chapter, except that sections 205.065,
31.20 subdivisions 4 to 6; 205.07, subdivision 3; 205.10; 205.121; and 205.17, ~~subdivisions 2~~
31.21 ~~and subdivision 3~~, do not apply to a city whose charter provides the manner of holding
31.22 its primary, general or special elections.

31.23 Sec. 53. Minnesota Statutes 2012, section 205.10, subdivision 3, is amended to read:

31.24 Subd. 3. **Prohibition.** No special election authorized under subdivision 1 may be
31.25 held within ~~40~~ 56 days after the state general election.

31.26 Sec. 54. Minnesota Statutes 2012, section 205.13, subdivision 1a, is amended to read:

31.27 Subd. 1a. **Filing period.** In a city nominating candidates at a primary, an affidavit of
31.28 candidacy for a city office voted on in November must be filed no more than 84 days nor
31.29 less than 70 days before the city primary. In municipalities that do not hold a primary, an
31.30 affidavit of candidacy must be filed no more than 70 days and not less than 56 days before
31.31 the municipal general election held in March in any year, or a special election not held in
31.32 conjunction with another election, and no more than 98 days nor less than 84 days before

32.1 the municipal general election held in November of any year. The municipal clerk's office
 32.2 must be open for filing from 1:00 p.m. to 5:00 p.m. on the last day of the filing period.

32.3 Sec. 55. Minnesota Statutes 2012, section 205.13, is amended by adding a subdivision
 32.4 to read:

32.5 Subd. 7. **Write-in candidates for city offices.** The governing body of any city
 32.6 may, by resolution, require that a candidate for a city office who wants write-in votes for
 32.7 the candidate to be counted file a written request with the city clerk no later than the
 32.8 seventh day before the general election. The filing officer shall provide copies of the
 32.9 form to make the request.

32.10 Sec. 56. Minnesota Statutes 2012, section 205.16, subdivision 4, is amended to read:

32.11 Subd. 4. **Notice to auditor.** At least ~~67~~ 74 days before every municipal election held
 32.12 ~~in conjunction with a regularly scheduled primary for federal, state, county, city, or school~~
 32.13 ~~board office or a special primary for federal office, at least 74 days before every municipal~~
 32.14 ~~election held in connection with a regularly scheduled general election for federal, state,~~
 32.15 ~~county, city, or school board office or a special election for federal office, and at least 53~~
 32.16 ~~days before any other municipal election, the municipal clerk shall provide a written notice~~
 32.17 ~~to the county auditor, including the date of the election, the offices to be voted on at the~~
 32.18 ~~election, and the title and language for each ballot question to be voted on at the election.~~
 32.19 ~~At least 67~~ 74 days before every municipal election held ~~in conjunction with a regularly~~
 32.20 ~~scheduled primary for federal, state, county, city, or school board office or a special~~
 32.21 ~~primary for federal office, at least 74 days before a regularly scheduled general election for~~
 32.22 ~~federal, state, county, city, or school board office or a special election for federal office, and~~
 32.23 ~~at least 46 days before any other election, the municipal clerk must provide written notice~~
 32.24 ~~to the county auditor of any special election canceled under section 205.10, subdivision 6.~~

32.25 Sec. 57. Minnesota Statutes 2012, section 205.16, subdivision 5, is amended to read:

32.26 Subd. 5. **Notice to secretary of state.** At least ~~67~~ 74 days before every municipal
 32.27 ~~election held in conjunction with a regularly scheduled primary for federal, state, county,~~
 32.28 ~~city, or school board office or a special primary for federal office, at least 74 days before~~
 32.29 ~~every municipal election held in conjunction with a regularly scheduled general election~~
 32.30 ~~for federal, state, county, city, or school board office or a special election for federal office,~~
 32.31 ~~and at least 46 days before any other municipal election for which a notice is provided~~
 32.32 ~~to the county auditor under subdivision 4, the county auditor shall provide a notice of~~

33.1 the election to the secretary of state, in a manner and including information prescribed
33.2 by the secretary of state.

33.3 Sec. 58. Minnesota Statutes 2012, section 205.17, subdivision 1, is amended to read:

33.4 Subdivision 1. ~~Second, third, and fourth class cities; towns~~ **Municipal offices;**
33.5 **questions; general election ballot.** In all statutory and home rule charter cities ~~of the~~
33.6 ~~second, third, and fourth class,~~ and in all towns, ~~for the municipal general election,~~ the
33.7 municipal clerk shall have printed ~~on light green paper~~ the official ballot containing the
33.8 names of all candidates for municipal offices and municipal ballot questions. The ballot
33.9 shall be printed in quantities of 25, 50, or 100, shall be headed "City or Town Election
33.10 Ballot," shall state the name of the city or town and the date of the election, and shall
33.11 conform in other respects to the ~~white ballot used at the state general election~~ ballot. The
33.12 names shall be arranged on city ballots in the manner provided for the state elections. On
33.13 town ballots names of the candidates for each office shall be arranged either:

- 33.14 (1) alphabetically according to the candidates' surnames; or
33.15 (2) in the manner provided for state elections if the town electors chose at the town's
33.16 annual meeting to arrange the names in that way for at least two consecutive years.

33.17 Sec. 59. Minnesota Statutes 2012, section 205.17, subdivision 3, is amended to read:

33.18 Subd. 3. **Primary ballots.** The municipal primary ballot ~~in cities of the second,~~
33.19 ~~third, and fourth class and towns and the nonpartisan primary ballot in cities of the first~~
33.20 ~~class shall conform as far as practicable with the municipal general election ballot except~~
33.21 ~~that it shall be printed on light green paper.~~ No blank spaces shall be provided for writing
33.22 in the names of candidates. ~~The partisan primary ballot in cities of the first class shall~~
33.23 ~~conform as far as practicable with the state partisan primary ballot.~~

33.24 Sec. 60. Minnesota Statutes 2012, section 205A.04, is amended by adding a
33.25 subdivision to read:

33.26 Subd. 3. **Change in year of general election.** The school board may, by resolution,
33.27 change the year in which the school district general election will be held. The resolution
33.28 must be approved no later than four weeks before the first day to file affidavits of
33.29 candidacy for the general election. A plan for the orderly transition to the new election
33.30 year must be included in the resolution. The terms of school board members may be
33.31 lengthened or shortened by one year as a part of the transition process.

33.32 Sec. 61. Minnesota Statutes 2012, section 205A.05, subdivision 1, is amended to read:

34.1 Subdivision 1. **Questions.** Special elections must be held for a school district on a
34.2 question on which the voters are authorized by law to pass judgment. The school board
34.3 may on its own motion call a special election to vote on any matter requiring approval of
34.4 the voters of a district. Upon petition filed with the school board of 50 or more voters of
34.5 the school district or five percent of the number of voters voting at the preceding school
34.6 district general election, whichever is greater, the school board shall by resolution call
34.7 a special election to vote on any matter requiring approval of the voters of a district. A
34.8 question is carried only with the majority in its favor required by law. The election officials
34.9 for a special election are the same as for the most recent school district general election
34.10 unless changed according to law. Otherwise, special elections must be conducted and the
34.11 returns made in the manner provided for the school district general election. A special
34.12 election may not be held during the ~~30~~ 56 days before and the ~~30~~ 56 days after ~~the state a~~
34.13 regularly scheduled primary, ~~during the 30 days before and the 40 days after the state or~~
34.14 ~~general election. In addition, a special election may not be held during the 20 days before~~
34.15 ~~and the 20 days after any regularly scheduled election of a municipality~~ conducted wholly
34.16 or partially within the school district. Notwithstanding any other law to the contrary, the
34.17 time period in which a special election must be conducted under any other law may be
34.18 extended by the school board to conform with the requirements of this subdivision.

34.19 Sec. 62. Minnesota Statutes 2012, section 205A.05, subdivision 2, is amended to read:

34.20 Subd. 2. **Vacancies in school district offices.** Special elections shall be held in
34.21 school districts in conjunction with school district primary and general elections to fill
34.22 vacancies in elective school district offices. When more than one vacancy exists in an
34.23 office elected at-large, voters must be instructed to vote for up to the number of vacancies
34.24 to be filled.

34.25 Sec. 63. Minnesota Statutes 2012, section 205A.06, is amended by adding a
34.26 subdivision to read:

34.27 Subd. 6. **Write-in candidates.** The governing body of any school district may, by
34.28 resolution, require that a candidate for school district office who wants write-in votes
34.29 for the candidate to be counted file a written request with the filing office for the office
34.30 sought no later than the seventh day before the general election. The filing officer shall
34.31 provide copies of the form to make the request.

34.32 Sec. 64. Minnesota Statutes 2012, section 205A.07, subdivision 3, is amended to read:

35.1 Subd. 3. **Notice to auditor.** At least ~~67~~ 74 days before every school district election
35.2 ~~held in conjunction with a regularly scheduled primary for federal, state, county, city, or~~
35.3 ~~school board office or a special primary for federal office, at least 74 days before every~~
35.4 ~~school district election held in conjunction with a regularly scheduled general election for~~
35.5 ~~federal, state, county, city, or school board office or a special election for federal office,~~
35.6 ~~and at least 53 days before any other school district election, the school district clerk shall~~
35.7 provide a written notice to the county auditor of each county in which the school district is
35.8 located. The notice must include the date of the election, the offices to be voted on at the
35.9 election, and the title and language for each ballot question to be voted on at the election.
35.10 For the purposes of meeting the timelines of this section, in a bond election, a notice,
35.11 including a proposed question, may be provided to the county auditor before receipt of a
35.12 review and comment from the commissioner of education and before actual initiation of
35.13 the election. At least ~~67~~ 74 days before every school district election ~~held in conjunction~~
35.14 ~~with a regularly scheduled primary for federal, state, county, city, or school board office or~~
35.15 ~~a special primary for federal office, at least 74 days before an election held in conjunction~~
35.16 ~~with a regularly scheduled general election for federal, state, county, city, or school board~~
35.17 ~~office or a special election for federal office, and at least 46 days before any other election,~~
35.18 the school district clerk must provide written notice to the county auditor of any special
35.19 election canceled under section 205A.05, subdivision 3.

35.20 Sec. 65. Minnesota Statutes 2012, section 205A.07, subdivision 3a, is amended to read:

35.21 Subd. 3a. **Notice to commissioner of education.** At least ~~67~~ 74 days before every
35.22 school district election ~~held in conjunction with a regularly scheduled primary for federal,~~
35.23 ~~state, county, city, or school board office or a special primary for federal office, at least 74~~
35.24 ~~days before every school district election held in conjunction with a regularly scheduled~~
35.25 ~~general election for federal, state, county, city, or school board office or a special election~~
35.26 ~~for federal office, and at least 49 days before any other school district election, under~~
35.27 section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the school district clerk shall
35.28 provide a written notice to the commissioner of education. The notice must include the
35.29 date of the election and the title and language for each ballot question to be voted on at the
35.30 election. At least ~~67~~ 74 days before every school district election ~~held in conjunction with~~
35.31 ~~a regularly scheduled primary for federal, state, county, city, or school board office or a~~
35.32 ~~special primary for federal office, at least 74 days before every school district election~~
35.33 ~~held in conjunction with a regularly scheduled general election for federal, state, county,~~
35.34 ~~city, or school board office or a special election for federal office, and at least 46 days~~
35.35 ~~before any other school district election, the school district clerk must provide a written~~

36.1 notice to the commissioner of education of any special election canceled under section
36.2 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided
36.3 in a written notice to the commissioner in a timely manner.

36.4 Sec. 66. Minnesota Statutes 2012, section 205A.07, subdivision 3b, is amended to read:

36.5 Subd. 3b. **Notice to secretary of state.** At least ~~67~~ 74 days before every school
36.6 district election held in conjunction with a regularly scheduled primary for federal, state,
36.7 county, city, or school board office or a special primary for federal office, at least 74
36.8 days before every school district election held in conjunction with a regularly scheduled
36.9 general election for federal, state, county, city, or school board office or a special election
36.10 for federal office, and at least 46 days before any other school district election for which
36.11 a notice is provided to the county auditor under subdivision 3, the county auditor shall
36.12 provide a notice of the election to the secretary of state, in a manner and including
36.13 information prescribed by the secretary of state.

36.14 Sec. 67. Minnesota Statutes 2012, section 205A.08, subdivision 1, is amended to read:

36.15 Subdivision 1. **Buff General election ballot.** The names of all candidates for offices
36.16 and all ballot questions to be voted on at a school district general election must be placed
36.17 on a single ballot ~~printed on buff paper and known as the "buff ballot."~~.

36.18 Sec. 68. Minnesota Statutes 2012, section 206.61, subdivision 4, is amended to read:

36.19 Subd. 4. **Order of candidates.** On the "State Partisan Primary Ballot" prepared for
36.20 primary elections, and on the white state general election ballot prepared for the general
36.21 election, the order of the names of nominees or names of candidates for election shall be
36.22 the same as required for paper ballots. More than one column or row may be used for the
36.23 same office or party. Electronic ballot display and audio ballot readers must conform to
36.24 the candidate order on the optical scan ballot used in the precinct.

36.25 Sec. 69. Minnesota Statutes 2012, section 206.89, subdivision 2, is amended to read:

36.26 Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the
36.27 county canvassing board in each county must set the date, time, and place for the
36.28 postelection review of the state general election to be held under this section.

36.29 At the canvass of the state general election, the county canvassing boards must select
36.30 the precincts to be reviewed by lot. ~~Ballots counted centrally by a ballot board shall be~~
36.31 ~~considered one precinct eligible to be selected for purposes of this subdivision.~~ The county
36.32 canvassing board of a county with fewer than 50,000 registered voters must conduct a

37.1 postelection review of a total of at least two precincts. The county canvassing board of a
37.2 county with between 50,000 and 100,000 registered voters must conduct a review of a total
37.3 of at least three precincts. The county canvassing board of a county with over 100,000
37.4 registered voters must conduct a review of a total of at least four precincts, or three percent
37.5 of the total number of precincts in the county, whichever is greater. At least one precinct
37.6 selected in each county must have had more than 150 votes cast at the general election.

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

37.13 Sec. 70. Minnesota Statutes 2012, section 206.89, subdivision 3, is amended to read:

37.14 Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint
37.15 the postelection review official as defined in subdivision 1. The postelection review must
37.16 be conducted of the votes cast for president or governor; ~~United States senator; and United~~
37.17 ~~States representative.~~ The postelection review official may conduct postelection review of
37.18 the votes cast for additional offices.

37.19 The postelection review must be conducted in public at the location where the
37.20 voted ballots have been securely stored after the state general election or at another
37.21 location chosen by the county canvassing board. The postelection review official for
37.22 each precinct selected must conduct the postelection review and may be assisted by
37.23 election judges designated by the postelection review official for this purpose. The party
37.24 balance requirement of section 204B.19 applies to election judges designated for the
37.25 review. The postelection review must consist of a manual count of the ballots used in the
37.26 precincts selected and must be performed in the manner provided by section 204C.21.
37.27 The postelection review must be conducted in the manner provided for recounts under
37.28 section 204C.361 to the extent practicable. The review must be completed no later
37.29 than two days before the meeting of the state canvassing board to certify the results of
37.30 the state general election.

37.31 Sec. 71. Minnesota Statutes 2012, section 206.895, is amended to read:

37.32 **206.895 SECRETARY OF STATE MONITOR.**

37.33 The secretary of state must monitor and evaluate election procedures in precincts
37.34 subject to the audit provided for in section 206.89 in at least ~~four precincts~~ one precinct in

38.1 each congressional district. The precincts must be chosen by lot by the State Canvassing
38.2 Board at its meeting to canvass the state general election.

38.3 Sec. 72. Minnesota Statutes 2012, section 206.90, subdivision 6, is amended to read:

38.4 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card
38.5 on which all ballot information is included must be printed in black ink on white colored
38.6 material except that marks not to be read by the automatic tabulating equipment may be
38.7 printed in another color ink. In state elections, a single ballot title must be used, as provided
38.8 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. In odd-numbered years
38.9 when both municipal and school district offices or questions appear on the ballot, the
38.10 single ballot title "City (or Town) and School District Ballot" must be used.

38.11 On the front of the ballot must be printed the words "Official Ballot" and the date of
38.12 the election and lines for the initials of at least two election judges.

38.13 When optical scan ballots are used, the offices to be elected must appear in the
38.14 following order: federal offices; state legislative offices; constitutional offices; proposed
38.15 constitutional amendments; county offices and questions; municipal offices and questions;
38.16 school district offices and questions; special district offices and questions; and judicial
38.17 offices.

38.18 On optical scan ballots, the names of candidates and the words "yes" and "no" for
38.19 ballot questions must be printed as close to their corresponding vote targets as possible.

38.20 The line on an optical scan ballot for write-in votes must contain the words "write-in,
38.21 if any."

38.22 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the
38.23 instructions to voters must include a statement that reads substantially as follows: "THIS
38.24 BALLOT CARD CONTAINS A PARTISAN BALLOT AND A NONPARTISAN
38.25 BALLOT. ON THE PARTISAN BALLOT YOU ARE PERMITTED TO VOTE FOR
38.26 CANDIDATES OF ONE POLITICAL PARTY ONLY." If a primary ballot contains
38.27 political party columns on both sides of the ballot, the instructions to voters must include a
38.28 statement that reads substantially as follows: "ADDITIONAL POLITICAL PARTIES ARE
38.29 PRINTED ON THE OTHER SIDE OF THIS BALLOT. VOTE FOR ONE POLITICAL
38.30 PARTY ONLY." At the bottom of each political party column on the primary ballot, the
38.31 ballot must contain a statement that reads substantially as follows: "CONTINUE VOTING
38.32 ON THE NONPARTISAN BALLOT." The instructions in section 204D.08, subdivision 4,
38.33 do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio
38.34 ballot readers must follow the order of offices and questions on the optical scan or paper
38.35 ballot used in the same precinct, or the sample ballot posted for that precinct.

39.1 Sec. 73. Minnesota Statutes 2012, section 208.04, subdivision 1, is amended to read:

39.2 Subdivision 1. **Form of presidential ballots.** When presidential electors and
 39.3 alternates are to be voted for, a vote cast for the party candidates for president and vice
 39.4 president shall be deemed a vote for that party's electors and alternates as filed with the
 39.5 secretary of state. The secretary of state shall certify the names of all duly nominated
 39.6 presidential and vice presidential candidates to the county auditors of the counties of
 39.7 the state. Each county auditor, subject to the rules of the secretary of state, shall cause
 39.8 the names of the candidates of each major political party and the candidates nominated
 39.9 by petition to be printed in capital letters, set in type of the same size and style as for
 39.10 candidates on the state ~~white~~ general election ballot, before the party designation. To the
 39.11 left of, and on the same line with the names of the candidates for president and vice
 39.12 president, near the margin, shall be placed a square or box, in which the voters may
 39.13 indicate their choice by marking an "X."

39.14 The form for the presidential ballot and the relative position of the several candidates
 39.15 shall be determined by the rules applicable to other state officers. The state ballot, with
 39.16 the required heading, shall be printed on the same piece of paper and shall be below the
 39.17 presidential ballot with a blank space between one inch in width.

39.18 Sec. 74. Minnesota Statutes 2012, section 208.04, subdivision 2, is amended to read:

39.19 Subd. 2. **Applicable rules.** The rules for preparation, state contribution to the cost
 39.20 of printing, and delivery of presidential ballots are the same as the rules for ~~white~~ state
 39.21 general election ballots under section 204D.11, subdivision 1.

39.22 Sec. 75. Minnesota Statutes 2012, section 211B.045, is amended to read:

39.23 **211B.045 NONCOMMERCIAL SIGNS EXEMPTION.**

39.24 ~~In any municipality, whether or not the municipality has an ordinance that regulates~~
 39.25 ~~the size or number of noncommercial signs;~~ All noncommercial signs of any size may be
 39.26 posted in any number ~~from~~ beginning 46 days before the state primary in a state general
 39.27 election year until ten days following the state general election. Municipal ordinances
 39.28 may regulate the size and number of noncommercial signs at other times.

39.29 Sec. 76. Minnesota Statutes 2012, section 211B.37, is amended to read:

39.30 **211B.37 COSTS ASSESSED.**

39.31 Except as otherwise provided in section 211B.36, subdivision 3, the chief
 39.32 administrative law judge shall assess the cost of considering complaints filed under
 39.33 section 211B.32 as provided in this section. Costs of complaints relating to a statewide

40.1 ballot question or an election for a statewide or legislative office must be assessed against
40.2 the appropriation from the general fund to the general account of the state elections
40.3 campaign fund in section 10A.31, subdivision 4. Costs of complaints relating to any
40.4 other ballot question or elective office must be assessed ~~against the county or counties in~~
40.5 ~~which the election is held. Where the election is held in more than one county, the chief~~
40.6 ~~administrative law judge shall apportion the assessment among the counties in proportion~~
40.7 ~~to their respective populations within the election district to which the complaint relates~~
40.8 ~~according to the most recent decennial federal census~~ paid from appropriations to the
40.9 office for this purpose.

40.10 Sec. 77. Minnesota Statutes 2012, section 340A.416, subdivision 2, is amended to read:

40.11 Subd. 2. **Ballot question.** The form of the question of the referendum under this
40.12 section must be ~~on a separate ballot and must allow the voters to vote either "for license"~~
40.13 ~~or "against license."~~ either "Shall the city issue ... intoxicating liquor licenses?" or "Shall
40.14 the city discontinue issuing intoxicating liquor licenses?".

40.15 Sec. 78. Minnesota Statutes 2012, section 340A.416, subdivision 3, is amended to read:

40.16 Subd. 3. **Effect of election results.** If a majority of persons voting on the
40.17 referendum question vote ~~"against license,"~~ to discontinue issuing licenses, the city may
40.18 not issue intoxicating liquor licenses until the results of the referendum have been reversed
40.19 at a subsequent election where the question has been submitted as provided in this section.

40.20 Sec. 79. Minnesota Statutes 2012, section 340A.602, is amended to read:

40.21 **340A.602 CONTINUATION.**

40.22 In any city in which the report of the operations of a municipal liquor store has
40.23 shown a net loss prior to interfund transfer in any two of three consecutive years, the
40.24 city council shall, not more than 45 days prior to the end of the fiscal year following
40.25 the three-year period, hold a public hearing on the question of whether the city shall
40.26 continue to operate a municipal liquor store. Two weeks' notice, written in clear and easily
40.27 understandable language, of the hearing must be printed in the city's official newspaper.
40.28 Following the hearing the city council may on its own motion or shall upon petition of five
40.29 percent or more of the registered voters of the city, submit to the voters at a general or
40.30 special municipal election the question of whether the city shall continue or discontinue
40.31 municipal liquor store operations by a date which the city council shall designate. The
40.32 date designated by the city council must not be more than 30 months following the date

41.1 of the election. The form of the question shall be: "Shall the city of (name) discontinue
 41.2 operating the municipal liquor store on (Month xx, 2xxx)?".

41.3 Sec. 80. Minnesota Statutes 2012, section 375.20, is amended to read:

41.4 **375.20 BALLOT QUESTIONS.**

41.5 If the county board may do an act, incur a debt, appropriate money for a purpose,
 41.6 or exercise any other power or authority, only if authorized by a vote of the people, the
 41.7 question may be submitted at a special or general election, by a resolution specifying the
 41.8 matter or question to be voted upon. If the question is to authorize the appropriation of
 41.9 money, creation of a debt, or levy of a tax, it shall state the amount. Notice of the election
 41.10 shall be given as in the case of special elections. If the question submitted is adopted, the
 41.11 board shall pass an appropriate resolution to carry it into effect. In the election the form
 41.12 of the ballot shall be: "~~In favor of~~ Shall (here state the substance of the resolution to be
 41.13 submitted)?, Yes No.....," ~~with a square opposite each of the words "yes" and "no," in~~
 41.14 ~~one of which the voter shall mark an "X" to indicate a choice.~~ The county board may call
 41.15 a special county election upon a question to be held within ~~60~~ 74 days after a resolution to
 41.16 that effect is adopted by the county board. Upon the adoption of the resolution the county
 41.17 auditor shall post and publish notices of the election, as required by section 204D.22,
 41.18 subdivisions 2 and 3. The election shall be conducted and the returns canvassed in the
 41.19 manner prescribed by sections 204D.20 to 204D.27, so far as practicable.

41.20 Sec. 81. Minnesota Statutes 2012, section 447.32, subdivision 2, is amended to read:

41.21 Subd. 2. **Elections.** Except as provided in this chapter, the Minnesota Election Law
 41.22 applies to hospital district elections, as far as practicable. Regular elections must be held
 41.23 in each hospital district at the same time, in the same election precincts, and at the same
 41.24 polling places as general elections of state and county officers. It may establish the whole
 41.25 district as a single election precinct or establish two or more different election precincts and
 41.26 polling places for the elections. If there is more than one precinct, the boundaries of the
 41.27 election precincts and the locations of the polling places must be defined in the notice of
 41.28 election, either in full or by reference to a description or map on file in the office of the clerk.

41.29 Special elections may be called by the hospital board to vote on any matter required
 41.30 by law to be submitted to the voters. A special election may not be conducted either
 41.31 during the ~~30~~ 56 days before ~~and the 30 days after the state~~ or the 56 days after a regularly
 41.32 scheduled primary or state general election, ~~or during the 20 days before and the 20 days~~
 41.33 ~~after the regularly scheduled election of any municipality~~ conducted wholly or partially
 41.34 within the hospital district. Special elections must be held within the election precinct or

42.1 precincts and at the polling place or places designated by the board. In the case of the
 42.2 first election of officers of a new district, precincts and polling places must be set by the
 42.3 governing body of the most populous city or town included in the district.

42.4 Advisory ballots may be submitted by the hospital board on any question it wishes,
 42.5 concerning the affairs of the district, but only at a regular election or at a special election
 42.6 required for another purpose.

42.7 Sec. 82. Minnesota Statutes 2012, section 447.32, subdivision 3, is amended to read:

42.8 Subd. 3. **Election notices.** At least two weeks before the first day to file affidavits
 42.9 of candidacy, the clerk of the district shall publish a notice stating the first and last day
 42.10 on which affidavits of candidacy may be filed, the places for filing the affidavits and the
 42.11 closing time of the last day for filing. The clerk shall post a similar notice in at least one
 42.12 conspicuous place in each city and town in the district at least ten days before the first
 42.13 day to file affidavits of candidacy.

42.14 At least ~~53~~ 74 days prior to every hospital district election, the hospital district clerk
 42.15 shall provide a written notice to the county auditor of each county in which the hospital
 42.16 district is located. The notice must include the date of the election, the offices to be voted
 42.17 on at the election, and the title and language for each ballot question to be voted on at the
 42.18 election. ~~At least 46 days before a hospital district election for which a notice is provided~~
 42.19 ~~to the county auditor under this subdivision;~~ The county auditor shall immediately provide
 42.20 a notice to the secretary of state in a manner and including information prescribed by
 42.21 the secretary of state.

42.22 The notice of each election must be posted in at least one public and conspicuous
 42.23 place within each city and town included in the district at least ~~ten days~~ two weeks before
 42.24 the election. It must be published in the official newspaper of the district or, if a paper has
 42.25 not been designated, in a legal newspaper having general circulation within the district, at
 42.26 least two weeks before the election. Failure to give notice does not invalidate the election
 42.27 of an officer of the district. A voter may contest a hospital district election in accordance
 42.28 with chapter 209. Chapter 209 applies to hospital district elections.

42.29 Sec. 83. Minnesota Statutes 2012, section 447.32, subdivision 4, is amended to read:

42.30 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a
 42.31 candidate for the hospital board shall file an affidavit of candidacy for the election either as
 42.32 member at large or as a member representing the city or town where the candidate resides.
 42.33 The affidavit of candidacy must be filed with the city or town clerk not more than ~~91~~ 98 days
 42.34 nor less than ~~77~~ 84 days before the first Tuesday after the first Monday in November of the

43.1 year in which the general election is held. The city or town clerk must forward the affidavits
43.2 of candidacy to the clerk of the hospital district or, for the first election, the clerk of the
43.3 most populous city or town immediately after the last day of the filing period. A candidate
43.4 may withdraw from the election by filing an affidavit of withdrawal with the clerk of the
43.5 district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

43.6 The governing body of any hospital district may, by resolution, require that a
43.7 candidate for hospital district office who wants write-in votes for the candidate to be
43.8 counted file a written request with the filing officer for the office sought no later than the
43.9 seventh day before the general election. The filing officer shall provide copies of the
43.10 form to make the request.

43.11 Voting must be by secret ballot. The clerk shall prepare, at the expense of the
43.12 district, necessary ballots for the election of officers. Ballots must be ~~printed on tan paper~~
43.13 ~~and~~ prepared as provided in the rules of the secretary of state. The ballots must be marked
43.14 and initialed by at least two judges as official ballots and used exclusively at the election.
43.15 Any proposition to be voted on may be printed on the ballot provided for the election
43.16 of officers. The hospital board may also authorize the use of voting systems subject to
43.17 chapter 206. Enough election judges may be appointed to receive the votes at each
43.18 polling place. The election judges shall act as clerks of election, count the ballots cast,
43.19 and submit them to the board for canvass.

43.20 After canvassing the election, the board shall issue a certificate of election to the
43.21 candidate who received the largest number of votes cast for each office. The clerk shall
43.22 deliver the certificate to the person entitled to it in person or by certified mail. Each person
43.23 certified shall file an acceptance and oath of office in writing with the clerk within 30
43.24 days after the date of delivery or mailing of the certificate. The board may fill any office
43.25 as provided in subdivision 1 if the person elected fails to qualify within 30 days, but
43.26 qualification is effective if made before the board acts to fill the vacancy.

43.27 Sec. 84. Laws 1963, chapter 276, section 2, subdivision 2, as amended by Laws 1992,
43.28 chapter 534, section 1, is amended to read:

43.29 ~~Subd. 2. One third of the members of the first hospital board shall be appointed for a~~
43.30 ~~term to expire one year from December 31 next following such appointment, one third~~
43.31 ~~for a term to expire two years from such date, and one third for a term to expire three~~
43.32 ~~years from such date. Successors to the original board members shall each be elected for~~
43.33 ~~terms of three years, and all members shall hold office until their successors are elected~~
43.34 ~~and qualify. Terms of all members shall expire on December 31. In case of a vacancy~~
43.35 ~~on the hospital board, whether due to death, removal from the district, inability to serve,~~

44.1 ~~resignation, or other cause the majority of the remaining members of the hospital board,~~
 44.2 ~~at its next regular or special meeting, shall make an appointment to fill such vacancy for~~
 44.3 ~~the then unexpired term. The election of successors to the original board members shall~~
 44.4 ~~be elected by popular vote of the qualified voters in the hospital district. Hospital board~~
 44.5 ~~elections shall be conducted as provided in Minnesota Statutes, section 447.32. The~~
 44.6 ~~hospital board shall, by resolution, adopt a plan for the orderly transition to the new~~
 44.7 ~~election schedule. The resolution must be approved no later than four weeks before the~~
 44.8 ~~first day to file affidavits of candidacy for the general election. The terms of school board~~
 44.9 ~~members may be lengthened or shortened by one year as a part of the transition process.~~

44.10 Sec. 85. **APPROPRIATION.**

44.11 \$...... is appropriated from the general fund in fiscal year 2014 to the secretary of
 44.12 state to develop functionality within the statewide voter registration system to facilitate
 44.13 the processing and tracking of mail ballots.

44.14 Sec. 86. **REPEALER.**

44.15 (a) Minnesota Statutes 2012, sections 204B.42; 204D.11, subdivisions 2 and 3;
 44.16 205.17, subdivisions 2 and 4; and 205A.08, subdivision 4, are repealed.

44.17 (b) Minnesota Statutes 2012, section 2.484, are repealed.

44.18 **ARTICLE 3**

44.19 **LOSS AND RESTORATION OF VOTING RIGHTS**

44.20 Section 1. Minnesota Statutes 2012, section 13.851, subdivision 10, is amended to read:

44.21 Subd. 10. **Felony sentenee offender data; voter registration.** The use and
 44.22 classification of felony sentenee offender data made available to the secretary of state
 44.23 is governed by section 201.157.

44.24 Sec. 2. Minnesota Statutes 2012, section 201.054, is amended by adding a subdivision
 44.25 to read:

44.26 Subd. 1a. **Invalid registrations; notice to voter.** If the county auditor has reason
 44.27 to believe based upon records provided by another public entity that an individual who
 44.28 has submitted a voter registration application is not eligible to vote, the county auditor
 44.29 must notify the individual of the reason that the individual's eligibility is in question
 44.30 and that the individual will not be registered to vote unless the individual reaffirms the
 44.31 individual's eligibility in writing.

45.1 Sec. 3. Minnesota Statutes 2012, section 201.054, subdivision 2, is amended to read:

45.2 Subd. 2. **Prohibitions; penalty; affirmative defense.** (a) No individual shall
45.3 intentionally:

45.4 (a) (1) cause or attempt to cause the individual's name to be registered in any
45.5 precinct if the individual is not eligible to vote;

45.6 (b) (2) cause or attempt to cause the individual's name to be registered for the
45.7 purpose of voting in more than one precinct;

45.8 (c) (3) misrepresent the individual's identity when attempting to register to vote; or

45.9 (d) (4) aid, abet, counsel, or procure any other individual to violate this subdivision.

45.10 ~~A violation of this subdivision is a felony.~~

45.11 An individual who violates clause (1) but does not subsequently cast a ballot is guilty of a

45.12 misdemeanor. An individual who violates clause (1) and subsequently casts a ballot is

45.13 guilty of a felony. All other violations of this subdivision are a felony.

45.14 (b) It is an affirmative defense to a prosecution for violation of paragraph (a), clause
45.15 (1), if the individual:

45.16 (1) requested, in writing, that the county auditor of the county where the individual
45.17 resides withdraw the registration, and the request was made before any complaint was
45.18 filed alleging a violation of paragraph (a), clause (1); and

45.19 (2) did not vote at an election between the time the registration application was
45.20 submitted and the time the individual requested the registration be withdrawn.

45.21 Sec. 4. Minnesota Statutes 2012, section 201.157, is amended to read:

45.22 **201.157 USE OF DEPARTMENT OF CORRECTIONS DATA.**

45.23 ~~Subdivision 1. **Access to data.** As required by the Help America Vote Act of 2002,~~
45.24 ~~Public Law 107-252,~~ (a) The commissioner of corrections shall make electronic data

45.25 available to the secretary of state on individuals 18 years of age or older who are currently:

45.26 (1) serving felony sentences under the commissioner's jurisdiction; or

45.27 (2) on probation for felony offenses that would result in the loss of civil rights, as
45.28 indicated by the statewide supervision system established under section 241.065.

45.29 The data must include the name, date of birth, last known residential address that is
45.30 not a correctional facility, and, if available, corrections' state identification number, and if
45.31 available, and the driver's license or state identification card number, and, if an individual
45.32 has completed the sentence, the date of discharge.

45.33 (b) The secretary of state must determine if any data newly indicates that:

45.34 (1) an individual with an active voter registration in the statewide voter registration
45.35 system is currently serving a felony sentence under the commissioner's jurisdiction or is on

46.1 probation for a felony offense that would result in the loss of civil rights and the individual's
46.2 voter record does not already have a challenged status due to a felony conviction;

46.3 (2) an individual with an active voter registration in the statewide voter registration
46.4 system who is currently serving a felony sentence under the commissioner's jurisdiction or
46.5 who is on probation for a felony offense that would result in the loss of civil rights appears
46.6 to have registered to vote or to have voted during a period when the individual's civil
46.7 rights were revoked; and

46.8 (3) an individual with a voter record that has a challenged status due to a felony
46.9 conviction who was serving a felony sentence under the commissioner's jurisdiction
46.10 or who has been on probation for a felony offense that would result in the loss of civil
46.11 rights has been discharged from a sentence.

46.12 The secretary of state shall prepare a list of the registrants included under clause (1),
46.13 (2), or (3) for each county auditor. For individuals under clause (1), the county auditor
46.14 shall challenge the individual's record in the statewide voter registration system. The
46.15 county auditor must provide information to the county attorney about individuals under
46.16 clause (2) for the county attorney's investigation. For individuals under clause (3), the
46.17 county auditor must determine if the challenge status should be removed from the voter
46.18 record for the individual, and if so, must remove the challenge.

46.19 The secretary of state must make the required determinations and provide the
46.20 required lists to the county auditors at least monthly.

46.21 For each state general election that occurs prior to the statewide voter registration
46.22 system being programmed to generate lists as required by this section, the secretary of
46.23 state must make the determination and provide lists to the county auditors between 30 and
46.24 60 days before the election and again between six and ten weeks after the election. In the
46.25 year following that state election, the secretary of state must make this determination and
46.26 provide lists to the county auditors again as part of the annual list maintenance.

46.27 Subd. 2. Notice to affected individuals. (a) Between 60 and 65 days prior to a state
46.28 general election, the Department of Corrections shall provide to the secretary of state a list
46.29 of offenders, who, at the time the list is prepared, are on supervised release or probation for
46.30 a felony offense that resulted in the loss of civil rights. The list shall also include former
46.31 offenders who the data indicates were discharged from all felony-level sentences since the
46.32 previous list was provided in accordance with this subdivision and who are not serving a
46.33 felony-level sentence at the time the list is prepared. The data must include the offender's
46.34 name; date of birth; last known residential address that is not a correctional facility; if
46.35 available, corrections state identification number and driver's license or state identification
46.36 card number; and if an offender has completed the sentence, the date the discharge occurred.

47.1 (b) The secretary of state shall use the data provided in paragraph (a) to mail written
47.2 notices at least one month prior to a state general election, as follows:

47.3 (1) a notice to each individual on probation for a felony offense that would result
47.4 in the loss of civil rights, informing the individual that registration or voting while on
47.5 probation for the offense is itself a felony offense and may result in the loss of the
47.6 individual's probation status; and

47.7 (2) a notice to each individual who has completed a term of probation resulting in
47.8 the loss of civil rights and who has no new felony conviction, that the individual's right
47.9 to vote has been restored.

47.10 Subd. 3. **Data.** Data on offenders submitted to the secretary of state under this
47.11 section are private data on individuals as defined in section 13.02, subdivision 12, and
47.12 may be used or disseminated only for purposes authorized by this section.

47.13 Sec. 5. Minnesota Statutes 2012, section 201.275, is amended to read:

47.14 **201.275 INVESTIGATIONS; PROSECUTIONS.**

47.15 ~~A county attorney who law enforcement agency that is notified by affidavit of an~~
47.16 ~~alleged violation of this chapter shall promptly investigate. If there is probable cause for~~
47.17 ~~instituting a prosecution, the county attorney shall proceed ~~by complaint or present the~~~~
47.18 ~~charge, with whatever evidence has been found, to the grand jury. A county attorney~~
47.19 ~~who refuses or intentionally fails to faithfully perform this or any other duty imposed by~~
47.20 ~~this chapter is guilty of a misdemeanor and upon conviction shall forfeit office. The~~
47.21 ~~county attorney, under the penalty of forfeiture of office, shall prosecute all violations of~~
47.22 ~~this chapter except violations of this section; if, however, a complainant withdraws an~~
47.23 ~~allegation under this chapter, the county attorney is not required to proceed with the~~
47.24 ~~prosecution in accordance with the second edition of the National Prosecution Standards~~
47.25 ~~published by the National District Attorneys Association.~~

47.26 Sec. 6. Minnesota Statutes 2012, section 203B.06, subdivision 3, is amended to read:

47.27 **Subd. 3. Delivery of ballots.** (a) The commissioner of corrections must provide the
47.28 secretary of state with a list of the names and mailing addresses of state adult correctional
47.29 facilities. An application for an absentee ballot that provides an address included on the list
47.30 provided by the commissioner of corrections must not be accepted and an absentee ballot
47.31 must not be provided to the applicant. The county auditor or municipal clerk must promptly
47.32 transmit a copy of the application to the county attorney. The Department of Corrections
47.33 must implement procedures to ensure that absentee ballots issued under chapter 203B are
47.34 not received or mailed by offenders incarcerated at state adult correctional facilities.

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

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

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

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

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

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

48.26 **EFFECTIVE DATE.** This section is effective June 15, 2013.

48.27 Sec. 7. Minnesota Statutes 2012, section 204C.14, is amended to read:

48.28 **204C.14 UNLAWFUL VOTING; PENALTY.**

48.29 Subdivision 1. **Violations; penalty.** No individual shall intentionally:

48.30 (a) misrepresent the individual's identity in applying for a ballot, depositing a ballot in
48.31 a ballot box or attempting to vote by means of a voting machine or electronic voting system;

48.32 (b) vote more than once at the same election;

48.33 (c) put a ballot in a ballot box for any illegal purpose;

49.1 (d) give more than one ballot of the same kind and color to an election judge to
49.2 be placed in a ballot box;

49.3 (e) aid, abet, counsel or procure another to go into any precinct for the purpose
49.4 of voting in that precinct, knowing that the other individual is not eligible to vote in
49.5 that precinct; or

49.6 (f) aid, abet, counsel or procure another to do any act in violation of this section.

49.7 A violation of this section is a felony.

49.8 Subd. 2. **Signature on roster as evidence of intent.** For purposes of proving a
49.9 violation of this section, the signature of an individual on a polling place roster is prima
49.10 facie evidence of the intent of the individual to vote at that election.

49.11 Sec. 8. Minnesota Statutes 2012, section 241.065, subdivision 2, is amended to read:

49.12 Subd. 2. **Establishment.** The Department of Corrections shall administer and
49.13 maintain a computerized data system for the purpose of assisting criminal justice agencies
49.14 in monitoring and enforcing the conditions of conditional release imposed on criminal
49.15 offenders by a sentencing court or the commissioner of corrections. The adult data and
49.16 juvenile data as defined in section 260B.171 in the statewide supervision system are
49.17 private data as defined in section 13.02, subdivision 12, but are accessible to criminal
49.18 justice agencies as defined in section 13.02, subdivision 3a, to the Minnesota sex offender
49.19 program as provided in section 246B.04, subdivision 3, to public defenders as provided in
49.20 section 611.272, to all trial courts and appellate courts, and to criminal justice agencies in
49.21 other states in the conduct of their official duties. Adult data in the statewide supervision
49.22 system are accessible to the secretary of state for the purposes described in section 201.157.

49.23 Sec. 9. **[244.25] NOTICE OF LOSS OF VOTING RIGHTS.**

49.24 Whenever an adult felon is placed on probation supervision, the individual must be
49.25 provided a written notice, included in the probation agreement, that the individual may not
49.26 register to vote or cast a ballot in any election during the period of felony supervision. The
49.27 individual must acknowledge, by signature, receipt of the notice. A copy of the notice and
49.28 signature must be placed in the felon's probation supervision file.

49.29 Sec. 10. **APPROPRIATION.**

49.30 (a) \$..... is appropriated in fiscal year 2014 and \$..... is appropriated in fiscal year
49.31 2015 to the secretary of state to administer this act. Of these amounts, \$..... is added to
49.32 the base budget of the secretary of state.

50.1 (b) \$..... is appropriated in fiscal year 2014 and \$..... is appropriated in fiscal year
50.2 2015 to the commissioner of corrections to administer this act. Of this amount, \$..... is
50.3 added to the base budget of the Department of Corrections.

50.4 **ARTICLE 4**

50.5 **ELECTRONIC ROSTERS**

50.6 Section 1. **ELECTRONIC ROSTER PILOT PROJECT.**

50.7 Subdivision 1. **Established.** A pilot project is established to explore the use of
50.8 electronic rosters in conducting elections. Jurisdictions participating in the project may
50.9 use electronic rosters to process election day registration, to verify the registration status
50.10 of preregistered voters, or both. The pilot project shall apply to general elections for home
50.11 rule charter or statutory cities conducted in participating cities in 2013. The standards for
50.12 conducting the pilot project are as provided in this section.

50.13 Subd. 2. **Participating cities.** Precincts located in Minneapolis, Minnetonka,
50.14 Moorhead, Saint Anthony, Saint Paul, and Saint Peter may participate in the project. In
50.15 participating cities, individual precincts shall be selected by the head elections official
50.16 within each jurisdiction.

50.17 Subd. 3. **Certification of technology.** In participating cities, an electronic roster and
50.18 the computer it is run on must:

50.19 (1) be able to be loaded with a data file that includes voter registration data in a file
50.20 format prescribed by the secretary of state;

50.21 (2) allows for data to be exported in a file format prescribed by the secretary of state;

50.22 (3) allow for data to be entered manually or by scanning a Minnesota driver's license
50.23 or identification card to populate a voter registration application that would be printed
50.24 and signed and dated by the voter;

50.25 (4) provide for a printed voter's signature certificate, containing the voter's name,
50.26 address of residence, date of birth, voter identification number, the oath required by
50.27 Minnesota Statutes, section 204C.10, and a space for the voter's original signature;

50.28 (5) immediately alert the election judge if the roster indicates that a voter has already
50.29 voted, or the voter's registration status is challenged;

50.30 (6) provide immediate instructions on how to resolve a particular type of challenge
50.31 when a voter's record is challenged; and

50.32 (7) perform any other functions necessary for the efficient and secure administration
50.33 of the election, as determined by the secretary of state.

51.1 Subd. 4. **Minnesota election law; other law.** Except as provided in this section, the
51.2 provisions of the Minnesota Election Law apply to this pilot project, so far as practicable.
51.3 Voters participating in the safe at home program must be allowed to vote pursuant to
51.4 Minnesota Statutes, section 5B.06. Nothing in this section shall be construed to amend
51.5 absentee voting provisions in Minnesota Statutes, chapter 203B.

51.6 Subd. 5. **Election records retention.** All voter's signature certificates and voter
51.7 registration applications printed from a roster shall be retained pursuant to section 204B.40.

51.8 Subd. 6. **Election day.** Participating precincts may use electronic rosters for
51.9 election day registration, to verify registration status of preregistered voters, or both. In
51.10 jurisdictions using electronic rosters to verify registration status of preregistered voters,
51.11 the election judges shall also use a paper roster.

51.12 Subd. 7. **Evaluation.** The secretary of state must provide for an evaluation of the
51.13 pilot project and must report to the legislative committees with jurisdiction over elections
51.14 by February 15, 2014. The report must include:

51.15 (1) a description of the technology that was used and explanation of how that
51.16 technology was selected;

51.17 (2) the process used for implementing electronic poll books;

51.18 (3) a description of training that was conducted for election judges and other election
51.19 officials in precincts that used electronic poll books;

51.20 (4) the number of voters who voted in each precinct using electronic poll books;

51.21 (5) comments or feedback from election judges or others in a precinct using
51.22 electronic poll books;

51.23 (6) the costs associated with the use of electronic poll books, broken down by precinct;

51.24 (7) comments or feedback from the participating cities and counties regarding data
51.25 transfers and other exchanged of information; and

51.26 (8) any other feedback or recommendations the secretary of state believes are
51.27 relevant to evaluating the pilot project.

51.28 Subd. 8. **Expiration.** The authorization for this pilot project expires upon
51.29 submission of the report as provided in subdivision 7.

51.30 Sec. 2. **ELECTRONIC ROSTER TASK FORCE.**

51.31 Subdivision 1. **Membership.** (a) The Electronic Roster Task Force consists of the
51.32 following 15 members:

- 52.1 (1) the director of the Department of Public Safety, Division of Vehicle Services, or
 52.2 designee;
- 52.3 (2) the secretary of state, or designee;
- 52.4 (3) an individual designated by the secretary of state, from the elections division in
 52.5 the Office of the Secretary of State;
- 52.6 (4) the chief information officer of the state of Minnesota, or designee;
- 52.7 (5) one county auditor appointed by the Minnesota Association of County Officers;
- 52.8 (6) one town election official appointed by the Minnesota Association of Townships;
- 52.9 (7) one city election official appointed by the League of Minnesota Cities;
- 52.10 (8) one school district election official appointed by the Minnesota School Boards
 52.11 Association;
- 52.12 (9) one representative appointed by the speaker of the house of representatives;
- 52.13 (10) one representative appointed by the minority leader of the house of
 52.14 representatives;
- 52.15 (11) one senator appointed by the senate majority leader;
- 52.16 (12) one senator appointed by the senate minority leader;
- 52.17 (13) one individual, appointed by the governor, familiar with electronic roster
 52.18 technology but who does not represent a specific vendor of the technology; and
- 52.19 (14) two election judges appointed by the governor.
- 52.20 (b) Any vacancy shall be filled by appointment of the appointing authority for the
 52.21 vacating member.
- 52.22 (c) Members shall be appointed by June 1, 2013.
- 52.23 Subd. 2. **Duties.** (a) The task force must research the following issues:
- 52.24 (1) electronic roster technology, including different types of electronic rosters;
- 52.25 (2) the ability to use photographs received from the Department of Vehicle Services;
- 52.26 (3) the ability to add photographs to the roster on election day;
- 52.27 (4) data security in electronic rosters, the statewide voter registration system, and the
 52.28 Department of Vehicle Services;
- 52.29 (5) reliability of Department of Vehicle Services data, including the ability to match
 52.30 names and photographs without duplication;
- 52.31 (6) ability of precincts across the state to connect an electronic roster to a secure
 52.32 network to access the statewide voter registration system; and
- 52.33 (7) direct and indirect costs associated with using electronic rosters.
- 52.34 (b) The task force must prepare a report summarizing its findings and listing
 52.35 recommendations based on its research. The report shall include suggested legislation if
 52.36 the task force believes legislation is necessary.

53.1 Subd. 3. **First meeting.** (a) The secretary of state, or the secretary's designee, must
 53.2 convene the initial meeting of the task force by July 1, 2013. The members of the task force
 53.3 must elect a chair and a vice-chair from the members of the task force at the first meeting.

53.4 (b) Members of the task force shall be compensated at the rate of \$55 a day spent on
 53.5 task force activities, when authorized by the task force, plus expenses in the same manner
 53.6 and amount as authorized by the commissioner's plan adopted under Minnesota Statutes,
 53.7 section 43A.18, subdivision 2. Members who, as a result of time spent attending task force
 53.8 meetings, incur child care expenses that would not otherwise have been incurred, may
 53.9 be reimbursed for those expenses upon council or committee authorization. Legislative
 53.10 members of the task force shall receive compensation pursuant to Minnesota Statutes,
 53.11 section 3.099 for activities related to the task force. Members who are state employees,
 53.12 not including legislators, must not receive the daily compensation for activities that occur
 53.13 during working hours for which they are compensated by the state.

53.14 (c) The Legislative Coordinating Commission shall provide staff support, as needed,
 53.15 to facilitate the task force's work.

53.16 Subd. 4. **Report.** The task force shall submit its report to the chairs and ranking
 53.17 minority members of the legislative committees with primary jurisdiction over elections
 53.18 by February 15, 2014.

53.19 Sec. 3. **APPROPRIATION.**

53.20 (a) \$..... is appropriated from the general fund to the secretary of state to carry
 53.21 out the requirements of section 1.

53.22 (b) \$..... is appropriated to the Legislative Coordinating Commission for the
 53.23 purposes of the task force established in section 2.

53.24 Sec. 4. **EFFECTIVE DATE.**

53.25 This article is effective the day following final enactment.

53.26 **ARTICLE 5**

53.27 **VACANCIES IN NOMINATION**

53.28 Section 1. Minnesota Statutes 2012, section 204B.13, subdivision 1, is amended to read:

53.29 Subdivision 1. ~~Death or withdrawal~~ **Partisan office.** (a) A vacancy in nomination
 53.30 ~~may~~ for a partisan office must be filled in the manner provided by this section. A vacancy
 53.31 in nomination exists for a partisan office when:—(1) a major political party candidate
 53.32 ~~or nonpartisan candidate who was nominated at a primary dies or files an affidavit of~~
 53.33 ~~withdrawal as provided in section 204B.12, subdivision 2a; or(2) a candidate for a~~

54.1 ~~nonpartisan office, for which one or two candidates filed,~~ who has been nominated in
 54.2 accordance with section 204D.03, subdivision 3, or 204D.10, subdivision 1:

54.3 (1) dies;

54.4 (2) withdraws as provided in section 204B.12, subdivision 1-; or

54.5 (3) withdraws by filing an affidavit of withdrawal, as provided in paragraph (b), at
 54.6 least one day prior to the general election with the same official who received the affidavit
 54.7 of candidacy.

54.8 (b) An affidavit of withdrawal filed under paragraph (a), clause (3), must state that
 54.9 the candidate has been diagnosed with a catastrophic illness that will permanently and
 54.10 continuously incapacitate the candidate and prevent the candidate from performing the
 54.11 duties of the office sought, if elected. The affidavit must be accompanied by a certificate
 54.12 verifying the candidate's illness meets the requirements of this paragraph, signed by at
 54.13 least two licensed physicians. The affidavit and certificate may be filed by the candidate
 54.14 or the candidate's legal guardian.

54.15 Sec. 3. Minnesota Statutes 2012, section 204B.13, subdivision 2, is amended to read:

54.16 Subd. 2. **Partisan office; nomination by party; special election.** (a) ~~A vacancy in~~
 54.17 ~~nomination for partisan office shall be filled as provided in this subdivision. Except as~~
 54.18 ~~provided in subdivision 5, a major political party has the authority to~~ may fill a vacancy
 54.19 in nomination of that party's candidate as defined in subdivision 1, clause (1) or (3) by
 54.20 filing a one nomination certificate with the same official who received the affidavits of
 54.21 candidacy for that office.

54.22 ~~(b) A major political party may provide in its governing rules a procedure, including~~
 54.23 ~~designation of an appropriate committee, to fill vacancies~~ a vacancy in nomination for ~~all~~
 54.24 ~~offices elected statewide~~ any federal or state partisan office. The nomination certificate
 54.25 shall be prepared under the direction of and executed by the chair and secretary of the
 54.26 political party and filed within ~~seven days after the vacancy in nomination occurs or~~
 54.27 ~~before the 14th day before the general election, whichever is sooner. If the vacancy in~~
 54.28 ~~nomination occurs through the candidate's death or catastrophic illness, the nomination~~
 54.29 ~~certificate must be filed within seven days after the vacancy in nomination occurs but no~~
 54.30 ~~later than four days before the general election~~ the timelines established in this section.
 54.31 When filing the certificate the chair and secretary ~~when filing the certificate~~ shall attach an
 54.32 affidavit stating that the newly nominated candidate has been selected under the rules of
 54.33 the party and that the individuals signing the certificate and making the affidavit are the
 54.34 chair and secretary of the party.

55.1 (b) In the case of a vacancy in nomination for partisan office that occurs on or before
55.2 the 79th day before the general election, the major political party must file the nomination
55.3 certificate no later than 71 days before the general election. The name of the candidate
55.4 nominated by the party must appear on the general election ballot.

55.5 (c) Except as provided in subdivision 5, in the case of a vacancy in nomination for
55.6 a partisan office that occurs after the 79th day before the general election, the general
55.7 election ballot shall remain unchanged, but the county and state canvassing boards must
55.8 not certify the vote totals for that office from the general election, and the office must be
55.9 filled at a special election held in accordance with this section. Except for the vacancy
55.10 in nomination, all other candidates whose names appeared on the general election ballot
55.11 for the office must appear on the special election ballot for the office. New affidavits of
55.12 candidacy or nominating petitions may not be accepted, and there must not be a primary to
55.13 fill the vacancy in nomination. The major political party may file a nomination certificate
55.14 as provided in paragraph (a), no later than seven days after the general election. On the
55.15 date of the general election, the county auditor or municipal clerk shall post a notice in
55.16 each precinct affected by a vacancy in nomination under this paragraph, informing voters
55.17 of the reason for the vacancy in nomination and the procedures for filling the vacancy in
55.18 nomination and conducting a special election as required by this section.

55.19 Sec. 4. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
55.20 to read:

55.21 Subd. 2a. **Partisan office; filing period.** A vacancy in nomination for a partisan
55.22 office due to a withdrawal of a candidate under section 204B.12, subdivision 1, may
55.23 be filled in the manner provided in sections 204B.06, 204B.09, and 204B.11, except
55.24 that all documents and fees required by those sections must be filed within five days
55.25 after the vacancy in nomination occurs. There must be a two-day period for withdrawal
55.26 of candidates after the last day for filing.

55.27 If there is more than one candidate at the end of the withdrawal period to fill
55.28 the vacancy in nomination, the candidates' names must appear on the primary ballot.
55.29 Otherwise, the candidate's name must appear on the general election ballot.

55.30 Sec. 5. Minnesota Statutes 2012, section 204B.13, subdivision 5, is amended to read:

55.31 Subd. 5. **Candidates for governor and lieutenant governor.** (a) If a vacancy in
55.32 nomination for a major political party occurs in the race for governor, the political party
55.33 must nominate the candidates for both governor and lieutenant governor. If a vacancy
55.34 in nomination for a major political party occurs in the race for lieutenant governor,

56.1 the candidate for governor ~~determined under this section~~ shall select the candidate for
 56.2 lieutenant governor. ~~If a vacancy in nomination occurs in the race for lieutenant governor,~~
 56.3 ~~due to a vacancy in nomination for governor or due to the withdrawal or death of the~~
 56.4 ~~candidate for lieutenant governor, the candidate for governor shall select the candidate for~~
 56.5 ~~lieutenant governor as provided in this subdivision.~~

56.6 (b) For a vacancy in nomination for lieutenant governor that occurs on or before the
 56.7 16th 79th day before the general election, the name of the lieutenant governor candidate
 56.8 must be submitted by the governor candidate to the filing officer ~~within seven days after~~
 56.9 ~~the vacancy occurs, or before the 14th day before the general election, whichever is sooner~~
 56.10 no later than 71 days before the general election. If the vacancy in nomination ~~occurs~~
 56.11 ~~through the death or catastrophic illness of the candidate for lieutenant governor occurs~~
 56.12 after the 79th day before the general election, the candidate for governor shall submit the
 56.13 name of the new lieutenant governor candidate to the secretary of state within seven days
 56.14 after the vacancy in nomination ~~occurs but no later than four days before the general~~
 56.15 ~~election. If the vacancy in nomination occurs through the death or catastrophic illness~~
 56.16 ~~of the candidate for governor, the new candidate for governor shall submit the name of~~
 56.17 ~~the lieutenant governor candidate within seven days after the vacancy in nomination for~~
 56.18 ~~governor is filled under section 204B.13, subdivision 2, but no later than four days before~~
 56.19 ~~the general election.~~ occurs, but no changes may be made to the general election ballots.

56.20 Sec. 6. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
 56.21 to read:

56.22 Subd. 7. **Date of special election.** If a special election is required under this section,
 56.23 the governor shall issue a writ calling for a special election to be conducted on the second
 56.24 Tuesday in February of the year following the year the vacancy in nomination occurred.
 56.25 Except where otherwise provided in this section, the writ shall be issued and the special
 56.26 election conducted according to the requirements of sections 204D.22 to 204D.27.

56.27 Sec. 7. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
 56.28 to read:

56.29 Subd. 8. **Absentee voters.** At least 46 days, but no more than 50 days, before a
 56.30 special election conducted under this section, the county auditor shall transmit an absentee
 56.31 ballot for the special election to each applicant for an absentee ballot whose application
 56.32 for an absentee ballot for the preceding general election was recorded under section
 56.33 203B.04 or 203B.17. New applicants for an absentee ballot may be provided a ballot
 56.34 in the manner specified in chapter 203B.

57.1 Sec. 8. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
57.2 to read:

57.3 Subd. 9. **Appropriation.** In the case of a statewide special election under this
57.4 section, the amount necessary is appropriated to the secretary of state to cover costs
57.5 incurred by the state, county, and municipal governments to conduct the special election.

57.6 Sec. 9. [204B.131] VACANCY IN NOMINATION; NONPARTISAN OFFICE.

57.7 Subdivision 1. **Applicability.** A vacancy in nomination for a nonpartisan office
57.8 must be filled in the manner provided by this section. A vacancy in nomination for a
57.9 nonpartisan office exists when:

57.10 (1) a candidate for any nonpartisan office, for which one or two candidates filed,
57.11 withdraws as provided in section 204B.12, subdivision 1; or

57.12 (2) a candidate for any nonjudicial nonpartisan office, for which only one or two
57.13 candidates filed or who was nominated at a primary, dies more than 84 days before the
57.14 date of the general election.

57.15 Subd. 2. **Procedure for filling vacancy.** A vacancy in nomination for a nonpartisan
57.16 office may be filled by filing an affidavit of candidacy and paying a filing fee, or by filing
57.17 an affidavit of candidacy and filing a petition in place of a filing fee, in the manner
57.18 provided in sections 204B.06, 204B.09, and 204B.11. All documents and fees required by
57.19 this subdivision must be filed within five days after the vacancy in nomination occurs.

57.20 There must be a two-day period for withdrawal of candidates after the last day for filing.

57.21 If the vacancy in nomination resulted from a withdrawal during the withdrawal
57.22 period held on the 68th to 69th day before the primary, and if, at the end of the withdrawal
57.23 period to fill the vacancy in nomination, there are more than two candidates, the
57.24 candidates' names must appear on the primary ballot. In all other cases, the candidates'
57.25 names must appear on the general election ballot.

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

57.27 Sec. 10. Minnesota Statutes 2012, section 204D.19, is amended by adding a
57.28 subdivision to read:

57.29 Subd. 6. **Writ when vacancy results from vacancy in nomination.** If a vacancy in
57.30 office is due to a vacancy in nomination under section 204B.13, the governor shall issue a
57.31 writ in the manner provided in that section.

57.32 Sec. 11. **REPEALER.**

58.1 (a) Minnesota Statutes 2012, sections 204B.12, subdivision 2a; and 204B.13,
58.2 subdivision 6, are repealed.

58.3 (b) Minnesota Statutes 2012, section 204B.13, subdivision 4, are repealed.

58.4 Sec. 13. **EFFECTIVE DATE.**

58.5 This article is effective the day following final enactment.

58.6 **ARTICLE 6**

58.7 **COUNTY GOVERNMENT STRUCTURE**

58.8 Section 1. **KANDIYOHI COUNTY AUDITOR-TREASURER AND RECORDER**
58.9 **MAY BE APPOINTED.**

58.10 Subdivision 1. **Authorization to make office appointive.** Notwithstanding
58.11 Minnesota Statutes, section 382.01, upon adoption of a resolution by the Kandiyohi
58.12 County Board of Commissioners, the offices of county auditor-treasurer and county
58.13 recorder are not elective but must be filled by appointment by the county board as
58.14 provided in the resolution.

58.15 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of
58.16 a resolution by the county board of commissioners and subject to subdivisions 3 and 4,
58.17 the duties of an elected official required by statute whose office is made appointive as
58.18 authorized by this section must be discharged by the county board of commissioners
58.19 acting through a department head appointed by the board for that purpose. Reorganization,
58.20 reallocation, delegation, or other administrative change or transfer does not diminish,
58.21 prohibit, or avoid the discharge of duties required by statute.

58.22 Subd. 3. **Incumbents to complete term.** The person elected at the last general
58.23 election to an office made appointive under this section must serve in that capacity and
58.24 perform the duties, functions, and responsibilities required by statute until the completion
58.25 of the term of office to which the person was elected or until a vacancy occurs in the
58.26 office, whichever occurs earlier.

58.27 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption
58.28 of a resolution to provide for the appointment of the county auditor-treasurer and the
58.29 county recorder, the county board must publish a proposed resolution notifying the
58.30 public of its intent to consider the issue once each week for two consecutive weeks in the
58.31 official publication of the county. Following publication and prior to formally adopting
58.32 the resolution, the county board shall provide an opportunity at its next regular meeting
58.33 for public comment relating to the issue. After the public comment opportunity, at the

59.1 same meeting or a subsequent meeting, the county board of commissioners may adopt
59.2 a resolution that provides for the appointment of the county auditor-treasurer and the
59.3 county recorder as permitted in this section. The resolution must be approved by at least
59.4 80 percent of the members of the county board. The resolution may take effect 60 days
59.5 after it is adopted, or at a later date stated in the resolution, unless a petition is filed as
59.6 provided in paragraph (b).

59.7 (b) Within 60 days after the county board adopts the resolution, a petition requesting
59.8 a referendum may be filed with the county auditor-treasurer. The petition must be signed
59.9 by at least ten percent of the registered voters of the county. The petition must meet
59.10 the requirements of the secretary of state, as provided in Minnesota Statutes, section
59.11 204B.071, and any rules adopted to implement that section. If the petition is sufficient, the
59.12 question of appointing the county auditor-treasurer and recorder must be placed on the
59.13 ballot at a regular or special election. If a majority of the voters of the county voting on
59.14 the question vote in favor of appointment, the resolution may be implemented.

59.15 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution
59.16 to provide for the election of an office made an appointed position under this section, but
59.17 not until at least three years after the office was made an appointed position. The county
59.18 board must publish a proposed resolution notifying the public of its intent to consider the
59.19 issue once each week for two consecutive weeks in the official publication of the county.
59.20 Following publication and before formally adopting the resolution, the county board must
59.21 provide an opportunity at its next regular meeting for public comment relating to the
59.22 issue. After the public comment hearing, the county board may adopt the resolution. The
59.23 resolution must be approved by at least 60 percent of the members of the county board and
59.24 is effective August 1 following adoption of the resolution.

59.25 (b) The question of whether an office made an appointed position under this section
59.26 must be made an elected office must be placed on the ballot at the next general election if:

59.27 (1) the position has been an appointed position for at least three years;

59.28 (2) a petition signed by at least ten percent of the registered voters of the county
59.29 is filed with the office of the county auditor-treasurer by August 1 of the year in which
59.30 the general election is held; and

59.31 (3) the petition meets the requirements of the secretary of state, as provided in
59.32 Minnesota Statutes, section 204B.071, and any rules adopted to implement that section.
59.33 If a majority of the voters of the county voting on the question vote in favor of making
59.34 the office an elected position, the election for the office must be held at the next regular
59.35 or special election.

60.1 **EFFECTIVE DATE.** This section is effective the day after the Kandiyohi County
60.2 Board of Commissioners and its chief clerical officer timely complete their compliance
60.3 with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

60.4 Sec. 2. **LAKE COUNTY AUDITOR-TREASURER AND RECORDER MAY**
60.5 **BE APPOINTED.**

60.6 Subdivision 1. **Authorization to make office appointive.** Notwithstanding
60.7 Minnesota Statutes, section 382.01, upon adoption of a resolution by the Lake County
60.8 Board of Commissioners, the offices of county auditor-treasurer and county recorder are not
60.9 elective but must be filled by appointment by the county board as provided in the resolution.

60.10 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of
60.11 a resolution by the county board of commissioners and subject to subdivisions 3 and 4,
60.12 the duties of an elected official required by statute whose office is made appointive as
60.13 authorized by this section must be discharged by the county board of commissioners
60.14 acting through a department head appointed by the board for that purpose. Reorganization,
60.15 reallocation, delegation, or other administrative change or transfer does not diminish,
60.16 prohibit, or avoid the discharge of duties required by statute.

60.17 Subd. 3. **Incumbents to complete term.** The person elected at the last general
60.18 election to an office made appointive under this section must serve in that capacity and
60.19 perform the duties, functions, and responsibilities required by statute until the completion
60.20 of the term of office to which the person was elected or until a vacancy occurs in the
60.21 office, whichever occurs earlier.

60.22 Subd. 4. **Publishing resolution; petition, referendum.** (a) Before the adoption
60.23 of a resolution to provide for the appointment of the county auditor-treasurer and the
60.24 county recorder, the county board must publish a proposed resolution notifying the
60.25 public of its intent to consider the issue once each week for two consecutive weeks in the
60.26 official publication of the county. Following publication and prior to formally adopting
60.27 the resolution, the county board shall provide an opportunity at its next regular meeting
60.28 for public comment relating to the issue. After the public comment opportunity, at the
60.29 same meeting or a subsequent meeting, the county board of commissioners may adopt
60.30 a resolution that provides for the appointment of the county auditor-treasurer and the
60.31 county recorder as permitted in this section. The resolution must be approved by at least
60.32 80 percent of the members of the county board. The resolution may take effect 60 days

61.1 after it is adopted, or at a later date stated in the resolution, unless a petition is filed as
61.2 provided in paragraph (b).

61.3 (b) Within 60 days after the county board adopts the resolution, a petition requesting
61.4 a referendum may be filed with the county auditor-treasurer. The petition must be signed
61.5 by at least ten percent of the registered voters of the county. The petition must meet
61.6 the requirements of the secretary of state, as provided in Minnesota Statutes, section
61.7 204B.071, and any rules adopted to implement that section. If the petition is sufficient, the
61.8 question of appointing the county auditor-treasurer and recorder must be placed on the
61.9 ballot at a regular or special election. If a majority of the voters of the county voting on
61.10 the question vote in favor of appointment, the resolution may be implemented.

61.11 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution
61.12 to provide for the election of an office made an appointed position under this section, but
61.13 not until at least three years after the office was made an appointed position. The county
61.14 board must publish a proposed resolution notifying the public of its intent to consider the
61.15 issue once each week for two consecutive weeks in the official publication of the county.
61.16 Following publication and before formally adopting the resolution, the county board must
61.17 provide an opportunity at its next regular meeting for public comment relating to the
61.18 issue. After the public comment hearing, the county board may adopt the resolution. The
61.19 resolution must be approved by at least 60 percent of the members of the county board and
61.20 is effective August 1 following adoption of the resolution.

61.21 (b) The question of whether an office made an appointed position under this section
61.22 must be made an elected office must be placed on the ballot at the next general election if:

61.23 (1) the position has been an appointed position for at least three years;

61.24 (2) a petition signed by at least ten percent of the registered voters of the county
61.25 is filed with the office of the county auditor-treasurer by August 1 of the year in which
61.26 the general election is held; and

61.27 (3) the petition meets the requirements of the secretary of state, as provided in
61.28 Minnesota Statutes, section 204B.071, and any rules adopted to implement that section.
61.29 If a majority of the voters of the county voting on the question vote in favor of making
61.30 the office an elected position, the election for the office must be held at the next regular
61.31 or special election.

61.32 **EFFECTIVE DATE.** This section is effective the day after the Lake County Board
61.33 of Commissioners and its chief clerical officer timely complete their compliance with
61.34 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

62.1 Sec. 3. **CLAY COUNTY AUDITOR-TREASURER AND RECORDER MAY**
62.2 **BE APPOINTED.**

62.3 Subdivision 1. **Authorization to make office appointive.** Notwithstanding
62.4 Minnesota Statutes, section 382.01, upon adoption of a resolution by the Clay County
62.5 Board of Commissioners, the offices of county auditor-treasurer and county recorder are not
62.6 elective but must be filled by appointment by the county board as provided in the resolution.

62.7 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of
62.8 a resolution by the county board of commissioners and subject to subdivisions 3 and 4,
62.9 the duties of an elected official required by statute whose office is made appointive as
62.10 authorized by this section must be discharged by the county board of commissioners
62.11 acting through a department head appointed by the board for that purpose. Reorganization,
62.12 reallocation, delegation, or other administrative change or transfer does not diminish,
62.13 prohibit, or avoid the discharge of duties required by statute.

62.14 Subd. 3. **Incumbents to complete term.** The person elected at the last general
62.15 election to an office made appointive under this section must serve in that capacity and
62.16 perform the duties, functions, and responsibilities required by statute until the completion
62.17 of the term of office to which the person was elected or until a vacancy occurs in the
62.18 office, whichever occurs earlier.

62.19 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption
62.20 of a resolution to provide for the appointment of the county auditor-treasurer and the
62.21 county recorder, the county board must publish a proposed resolution notifying the
62.22 public of its intent to consider the issue once each week for two consecutive weeks in the
62.23 official publication of the county. Following publication and prior to formally adopting
62.24 the resolution, the county board shall provide an opportunity at its next regular meeting
62.25 for public comment relating to the issue. After the public comment opportunity, at the
62.26 same meeting or a subsequent meeting, the county board of commissioners may adopt
62.27 a resolution that provides for the appointment of the county auditor-treasurer and the
62.28 county recorder as permitted in this section. The resolution must be approved by at least
62.29 80 percent of the members of the county board. The resolution may take effect 60 days
62.30 after it is adopted, or at a later date stated in the resolution, unless a petition is filed as
62.31 provided in paragraph (b).

62.32 (b) Within 60 days after the county board adopts the resolution, a petition requesting
62.33 a referendum may be filed with the county auditor-treasurer. The petition must be signed
62.34 by at least ten percent of the registered voters of the county. The petition must meet

63.1 the requirements of the secretary of state, as provided in Minnesota Statutes, section
63.2 204B.071, and any rules adopted to implement that section. If the petition is sufficient, the
63.3 question of appointing the county auditor-treasurer and recorder must be placed on the
63.4 ballot at a regular or special election. If a majority of the voters of the county voting on
63.5 the question vote in favor of appointment, the resolution may be implemented.

63.6 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution
63.7 to provide for the election of an office made an appointed position under this section, but
63.8 not until at least three years after the office was made an appointed position. The county
63.9 board must publish a proposed resolution notifying the public of its intent to consider the
63.10 issue once each week for two consecutive weeks in the official publication of the county.
63.11 Following publication and before formally adopting the resolution, the county board must
63.12 provide an opportunity at its next regular meeting for public comment relating to the
63.13 issue. After the public comment hearing, the county board may adopt the resolution. The
63.14 resolution must be approved by at least 60 percent of the members of the county board and
63.15 is effective August 1 following adoption of the resolution.

63.16 (b) The question of whether an office made an appointed position under this section
63.17 must be made an elected office must be placed on the ballot at the next general election if:

63.18 (1) the position has been an appointed position for at least three years;

63.19 (2) a petition signed by at least ten percent of the registered voters of the county
63.20 is filed with the office of the county auditor-treasurer by August 1 of the year in which
63.21 the general election is held; and

63.22 (3) the petition meets the requirements of the secretary of state, as provided in
63.23 Minnesota Statutes, section 204B.071, and any rules adopted to implement that section.
63.24 If a majority of the voters of the county voting on the question vote in favor of making
63.25 the office an elected position, the election for the office must be held at the next regular
63.26 or special election.

63.27 **EFFECTIVE DATE.** This section is effective the day after the Clay County Board
63.28 of Commissioners and its chief clerical officer timely complete their compliance with
63.29 Minnesota Statutes, section 645.021, subdivisions 2 and 3."

63.30 Amend the title accordingly