

1.1 moves to amend H.F. No. 729 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 **"ARTICLE 1**

1.4 **ELECTION ADMINISTRATION**

1.5 Section 1. Minnesota Statutes 2016, section 123B.09, subdivision 5b, is amended to read:

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

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

2.1 making the appointment. If a valid petition is filed according to the requirements of this
2.2 paragraph, the appointment by the school board is ineffective and the board must name a
2.3 new appointee as provided in paragraph (a).

2.4 Sec. 2. Minnesota Statutes 2016, section 201.225, subdivision 2, is amended to read:

2.5 Subd. 2. **Technology requirements.** An electronic roster must:

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

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

2.9 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
2.10 identification card to locate a voter record or populate a voter registration application that
2.11 would be ~~printed and~~ signed and dated by the voter. The ~~printed~~ registration application
2.12 can be either a printed form, labels printed with voter information to be affixed to a preprinted
2.13 form, ~~or~~ a combination of both, or an electronic record that the voter signs electronically.
2.14 If the registration application is an electronic record signed electronically, the electronic
2.15 roster must provide for a printed copy of the application indicating that the registration
2.16 application was signed electronically by the voter;

2.17 (4) allow an election judge to update data that was populated from a scanned driver's
2.18 license or identification card;

2.19 (5) cue an election judge to ask for and input data that is not populated from a scanned
2.20 driver's license or identification card that is otherwise required to be collected from the voter
2.21 or an election judge;

2.22 (6) immediately alert the election judge if the voter has provided information that indicates
2.23 that the voter is not eligible to vote;

2.24 (7) immediately alert the election judge if the electronic roster indicates that a voter has
2.25 already voted in that precinct, the voter's registration status is challenged, or it appears the
2.26 voter resides in a different precinct;

2.27 (8) provide immediate instructions on how to resolve a particular type of challenge when
2.28 a voter's record is challenged;

2.29 (9) provide for a ~~printed~~ voter signature certificate, containing the voter's name, address
2.30 of residence, date of birth, voter identification number, the oath required by section 204C.10,
2.31 and a space for the voter's original signature. The ~~printed~~ voter signature certificate can be
2.32 either a printed form ~~or~~ a label printed with the voter's information to be affixed to the oath,

3.1 or an electronic record that the voter signs electronically. If the voter signature certificate
3.2 is an electronic record signed electronically, the electronic roster must provide for a printed
3.3 copy of the certificate indicating that the certificate was signed electronically by the voter;

3.4 (10) contain only preregistered voters within the precinct, and not contain preregistered
3.5 voter data on voters registered outside of the precinct;

3.6 (11) be only networked within the polling location on election day, except for the purpose
3.7 of updating absentee ballot records;

3.8 (12) meet minimum security, reliability, and networking standards established by the
3.9 Office of the Secretary of State in consultation with the Office of MN.IT Services;

3.10 (13) be capable of providing a voter's correct polling place; and

3.11 (14) perform any other functions necessary for the efficient and secure administration
3.12 of the participating election, as determined by the secretary of state.

3.13 Electronic rosters used only for election day registration do not need to comply with clauses
3.14 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
3.15 to comply with clauses (4) and (5).

3.16 Sec. 3. Minnesota Statutes 2016, section 201.225, subdivision 4, is amended to read:

3.17 Subd. 4. **Election records retention.** All voter signature certificates and voter registration
3.18 applications printed from an electronic roster must be retained pursuant to section 204B.40.
3.19 The electronic rosters must print voter signature certificates and voter registration applications
3.20 on material that will remain legible through the period prescribed by section 204B.40. All
3.21 voter signature certificates and voter registration applications signed electronically must be
3.22 retained pursuant to sections 204B.40 and 325L.12. Data on election day registrants and
3.23 voter history must be uploaded to the statewide voter registration system for processing by
3.24 county auditors.

3.25 Sec. 4. Minnesota Statutes 2016, section 201.225, subdivision 5, is amended to read:

3.26 Subd. 5. **Election day.** (a) Precincts may use electronic rosters for election day
3.27 registration, to process preregistered voters, or both. The ~~printed~~ election day registration
3.28 applications must be reviewed when electronic records are processed in the statewide voter
3.29 registration system. The election judges shall determine the number of ballots to be counted
3.30 by counting the number of original voter signature certificates or the number of voter receipts.

4.1 (b) Each precinct using electronic rosters shall have a paper backup system approved
4.2 by the secretary of state present at the polling place to use in the event that the election
4.3 judges are unable to use the electronic roster.

4.4 Sec. 5. Minnesota Statutes 2016, section 203B.081, subdivision 3, is amended to read:

4.5 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot
4.6 counter and ballot box for use by the voters ~~during the seven days before the election~~. If a
4.7 ballot counter and ballot box is provided, a voter must be given the option either (1) to vote
4.8 using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner
4.9 provided in this subdivision. When providing these options, the county auditor must inform
4.10 the voter that choosing to cast an absentee ballot in the manner provided in this subdivision
4.11 prohibits the voter from submitting a replacement absentee ballot at a later date.

4.12 (b) If a voter chooses to vote in the manner provided in this subdivision, the voter must
4.13 state the voter's name, address, and date of birth to the county auditor or municipal clerk.
4.14 The voter shall sign a voter's certificate, which must include the voter's name, identification
4.15 number, and the certification required by section 201.071, subdivision 1. The certificate
4.16 must also include the following statement: "I understand that my absentee ballot will be
4.17 counted as cast today, and that I cannot submit a replacement absentee ballot to change my
4.18 votes at a later date." The signature of an individual on the voter's certificate and the issuance
4.19 of a ballot to the individual is evidence of the intent of the individual to vote at that election.

4.20 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately
4.21 retire to a voting station or other designated location in the polling place to mark the ballot.
4.22 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter
4.23 may return it to the election official in exchange for a new ballot. After completing the
4.24 ballot, the voter shall deposit the ballot into the ballot box.

4.25 (d) The election official must immediately record that the voter has voted in the manner
4.26 provided in section 203B.121, subdivision 3.

4.27 (e) The election duties required by this subdivision must be performed by the county
4.28 auditor, municipal clerk, or a deputy of the auditor or clerk.

4.29 Sec. 6. Minnesota Statutes 2016, section 204B.09, subdivision 3, is amended to read:

4.30 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
4.31 wants write-in votes for the candidate to be counted must file a written request with the
4.32 filing office for the office sought not more than 84 days before the primary and no later

5.1 than the seventh day before the general election. The filing officer shall provide copies of
5.2 the form to make the request. No written request shall be accepted later than 5:00 p.m. on
5.3 the last day for filing a written request.

5.4 (b) A candidate for president of the United States who files a request under this
5.5 subdivision must include the name of a candidate for vice-president of the United States.
5.6 The request must also include the name of at least one candidate for presidential elector.
5.7 The total number of names of candidates for presidential elector on the request may not
5.8 exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

5.9 (c) A candidate for governor who files a request under this subdivision must include the
5.10 name of a candidate for lieutenant governor.

5.11 Sec. 7. Minnesota Statutes 2016, section 204B.13, subdivision 1, is amended to read:

5.12 Subdivision 1. **Partisan office.** (a) A vacancy in nomination for a partisan office must
5.13 be filled in the manner provided by this section. A vacancy in nomination exists for a partisan
5.14 office when a major political party candidate who has been nominated in accordance with
5.15 section 204D.03, subdivision 3, or 204D.10, subdivision 1:

5.16 (1) dies;

5.17 (2) withdraws by filing an affidavit of withdrawal, as provided in paragraph (b), at least
5.18 one day prior to the general election with the same official who received the affidavit of
5.19 candidacy; or

5.20 (3) is determined to be ineligible to hold the office the candidate is seeking, pursuant to
5.21 a court order issued under section 204B.44.

5.22 (b) An affidavit of withdrawal filed under paragraph (a), clause ~~(3)~~ (2), must state that
5.23 the candidate has been diagnosed with a catastrophic illness that will permanently and
5.24 continuously incapacitate the candidate and prevent the candidate from performing the
5.25 duties of the office sought, if elected. The affidavit must be accompanied by a certificate
5.26 verifying the candidate's illness meets the requirements of this paragraph, signed by at least
5.27 two licensed physicians. The affidavit and certificate may be filed by the candidate or the
5.28 candidate's legal guardian.

5.29 Sec. 8. Minnesota Statutes 2016, section 204B.16, subdivision 1a, is amended to read:

5.30 Subd. 1a. **Notice to voters.** If the location of a polling place has been changed, the
5.31 governing body establishing the polling place shall send to every affected household with
5.32 at least one registered voter in the precinct a nonforwardable mailed notice stating the

6.1 location of the new polling place at least 25 days before the next election. The secretary of
 6.2 state shall prepare a sample of this notice. A notice that is returned as undeliverable must
 6.3 be forwarded immediately to the county auditor. This subdivision does not apply to a polling
 6.4 place location that is changed on election day under section ~~204B.17~~ 204B.175.

6.5 Sec. 9. [204B.49] "I VOTED" STICKERS.

6.6 The secretary of state, county auditor, municipal clerk, school district clerk, or an election
 6.7 judge may provide a sticker containing the words "I VOTED," and nothing more, to an
 6.8 individual who:

6.9 (1) has successfully deposited a ballot into a ballot box, under section 203B.081,
 6.10 subdivision 3, or 204C.13, subdivision 5;

6.11 (2) is provided an absentee ballot under section 203B.07, subdivision 1, or 203B.21,
 6.12 subdivision 2; or

6.13 (3) is provided a ballot by mail under section 204B.45 or 204B.46.

6.14 Sec. 10. Minnesota Statutes 2016, section 204C.32, subdivision 2, is amended to read:

6.15 Subd. 2. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's~~
 6.16 ~~office~~ at a public meeting space located in the Capitol complex area seven days after the
 6.17 state primary to canvass the certified copies of the county canvassing board reports received
 6.18 from the county auditors. Immediately after the canvassing board declares the results, the
 6.19 secretary of state shall certify the names of the nominees to the county auditors. The secretary
 6.20 of state shall mail to each nominee a notice of nomination.

6.21 Sec. 11. Minnesota Statutes 2016, section 204C.33, subdivision 3, is amended to read:

6.22 Subd. 3. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's~~
 6.23 ~~office~~ at a public meeting space located in the Capitol complex area on the third Tuesday
 6.24 following the state general election to canvass the certified copies of the county canvassing
 6.25 board reports received from the county auditors and shall prepare a report that states:

6.26 ~~(a)~~ (1) the number of individuals voting in the state and in each county;

6.27 ~~(b)~~ (2) the number of votes received by each of the candidates, specifying the counties
 6.28 in which they were cast; and

6.29 ~~(c)~~ (3) the number of votes counted for and against each constitutional amendment,
 6.30 specifying the counties in which they were cast.

7.1 All members of the State Canvassing Board shall sign the report and certify its
 7.2 correctness. The State Canvassing Board shall declare the result within three days after
 7.3 completing the canvass.

7.4 Sec. 12. Minnesota Statutes 2016, section 205.065, subdivision 5, is amended to read:

7.5 Subd. 5. **Results.** ~~(a)~~ The municipal primary shall be conducted and the returns made
 7.6 in the manner provided for the state primary so far as practicable. ~~If the primary is conducted:~~

7.7 ~~(1) only within that municipality, a~~ The canvass may be conducted on either the second
 7.8 or third day after the primary; ~~or~~

7.9 ~~(2) in conjunction with the state primary, the canvass must be conducted on the third~~
 7.10 ~~day after the primary, except as otherwise provided in paragraph (b).~~

7.11 The governing body of the municipality shall canvass the returns, and the two candidates
 7.12 for each office who receive the highest number of votes, or a number of candidates equal
 7.13 to twice the number of individuals to be elected to the office, who receive the highest number
 7.14 of votes, shall be the nominees for the office named. Their names shall be certified to the
 7.15 municipal clerk who shall place them on the municipal general election ballot without
 7.16 partisan designation and without payment of an additional fee.

7.17 ~~(b) Following a municipal primary as described in paragraph (a), clause (2), a canvass~~
 7.18 ~~may be conducted on the second day after the primary if the county auditor of each county~~
 7.19 ~~in which the municipality is located agrees to administratively review the municipality's~~
 7.20 ~~primary voting statistics for accuracy and completeness within a time that permits the canvass~~
 7.21 ~~to be conducted on that day.~~

7.22 Sec. 13. Minnesota Statutes 2016, section 205.07, subdivision 1, is amended to read:

7.23 Subdivision 1. **Date of election.** The municipal general election in each city shall be
 7.24 held on the first Tuesday after the first Monday in November in every even-numbered year.
 7.25 Notwithstanding any provision of law to the contrary and subject to the provisions of this
 7.26 section, the governing body of a city may, by ordinance passed at a regular meeting held
 7.27 ~~before June 1 of any year, elect to~~ at least 180 calendar days before the first day to file for
 7.28 candidacy in the next municipal election, decide to hold the election on the first Tuesday
 7.29 after the first Monday in November in ~~each~~ either an even- or odd-numbered year. A city
 7.30 may hold elections in either the even-numbered year or the odd-numbered year, but not
 7.31 both. When a city changes its elections from one year to another, and does not provide for
 7.32 the expiration of terms by ordinance, the term of an incumbent expiring at a time when no

8.1 municipal election is held in the months immediately prior to expiration is extended until
8.2 the date for taking office following the next scheduled municipal election. If the change
8.3 results in having three council members to be elected at a succeeding election, the two
8.4 individuals receiving the highest vote shall serve for terms of four years and the individual
8.5 receiving the third highest number of votes shall serve for a term of two years. To provide
8.6 an orderly transition to the odd or even year election plan, the governing body of the city
8.7 may adopt supplementary ordinances regulating initial elections and officers to be chosen
8.8 at the elections and shortening or lengthening the terms of incumbents and those elected at
8.9 the initial election. The term of office for the mayor may be either two or four years. The
8.10 term of office of council members is four years. Whenever the time of the municipal election
8.11 is changed, the city clerk immediately shall notify in writing the county auditor and secretary
8.12 of state of the change of date. Thereafter the municipal general election shall be held on the
8.13 first Tuesday after the first Monday in November in each odd-numbered or even-numbered
8.14 year until the ordinance is revoked and notification of the change is made. A municipal
8.15 general election scheduled to be held in an odd-numbered year may be postponed for
8.16 inclement weather as provided in section 205.105.

8.17 Sec. 14. Minnesota Statutes 2016, section 205A.05, subdivision 2, is amended to read:

8.18 Subd. 2. **Vacancies in school district offices.** Special elections to fill vacancies in
8.19 elective school district offices shall be held in school districts pursuant to section ~~123B.095~~
8.20 123B.09. When more than one vacancy exists in an office elected at-large, voters must be
8.21 instructed to vote for up to the number of vacancies to be filled.

8.22 Sec. 15. Minnesota Statutes 2016, section 208.04, subdivision 1, is amended to read:

8.23 Subdivision 1. **Form of presidential ballots.** When presidential electors and alternates
8.24 are to be voted for, a vote cast for the party candidates for president and vice president shall
8.25 be deemed a vote for that party's electors and alternates as filed with the secretary of state.
8.26 The secretary of state shall certify the names of all duly nominated presidential and vice
8.27 presidential candidates to the county auditors of the counties of the state. Each county
8.28 auditor, subject to the rules of the secretary of state, shall cause the names of the candidates
8.29 of each major political party and the candidates nominated by petition to be ~~printed in capital~~
8.30 ~~letters,~~ set in type of the same size and style as for candidates on the state general election
8.31 ballot, before the party designation. To the left of, and on the same line with the names of
8.32 the candidates for president and vice president, near the margin, shall be placed ~~a square or~~
8.33 ~~box~~ an oval or similar target shape, in which the voters may indicate their choice ~~by marking~~
8.34 an "X."

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

9.5 Sec. 16. Minnesota Statutes 2016, section 211B.11, subdivision 1, is amended to read:

9.6 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
9.7 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
9.8 a polling place or within 100 feet of the building in which a polling place is situated, or
9.9 anywhere on the public property on which a polling place is situated, on primary or election
9.10 day to vote for or refrain from voting for a candidate or ballot question. A person may not
9.11 provide political badges, political buttons, or other political insignia to be worn at or about
9.12 the polling place on the day of a primary or election. A political badge, political button, or
9.13 other political insignia may not be worn at or about the polling place on primary or election
9.14 day. This section applies to areas established by the county auditor or municipal clerk for
9.15 absentee voting as provided in chapter 203B.

9.16 ~~The secretary of state, county auditor, municipal clerk, or school district clerk may~~
9.17 ~~provide stickers which contain the words "I VOTED" and nothing more. Election judges~~
9.18 ~~may offer a sticker of this type to each voter who has signed the polling place roster or voter~~
9.19 ~~signature certificate~~ Nothing in this subdivision prohibits the distribution of "I VOTED"
9.20 stickers as provided in section 204B.49.

9.21 ARTICLE 2

9.22 UNIFORM SPECIAL ELECTIONS

9.23 Section 1. Minnesota Statutes 2016, section 103B.545, subdivision 2, is amended to read:

9.24 Subd. 2. **Election.** The county board or joint county authority shall conduct a special
9.25 election ~~in July or August after receiving the referendum petition~~ on a date authorized in
9.26 section 205.10, subdivision 3a. The special election must be held within the proposed lake
9.27 improvement district. The county auditor shall administer the special election.

9.28 Sec. 2. Minnesota Statutes 2016, section 123A.46, subdivision 12, is amended to read:

9.29 Subd. 12. **Election date.** If an election is required under subdivision 11, then before the
9.30 expiration of a 45 day period after the date of the order for dissolution and attachment, the
9.31 auditor shall set a date and call the election by filing a written order for the election and
9.32 serving a copy of the order personally or by mail on the clerk of the district in which the

10.1 election is to be held. The ~~date shall be not less than 15 nor more than 30 days after the date~~
10.2 ~~of the order, upon which date~~ a special election shall be held in the district proposed for
10.3 dissolution and must be held on a date authorized in section 205A.05, subdivision 1a. The
10.4 auditor shall post and publish notice of the election according to law. Upon receipt of the
10.5 notice, the board shall conduct the election.

10.6 Sec. 3. Minnesota Statutes 2016, section 123B.63, subdivision 3, is amended to read:

10.7 Subd. 3. **Capital project levy referendum.** (a) A district may levy the local tax rate
10.8 approved by a majority of the electors voting on the question to provide funds for an approved
10.9 project. The election must take place no more than five years before the estimated date of
10.10 commencement of the project. The referendum must be held on a date ~~set by the board~~
10.11 authorized by section 205A.05, subdivision 1a. A district must meet the requirements of
10.12 section 123B.71 for projects funded under this section. If a review and comment is required
10.13 under section 123B.71, subdivision 8, a referendum for a project not receiving a positive
10.14 review and comment by the commissioner must be approved by at least 60 percent of the
10.15 voters at the election.

10.16 (b) The referendum may be called by the school board and may be held:

10.17 (1) separately, before an election for the issuance of obligations for the project under
10.18 chapter 475; or

10.19 (2) in conjunction with an election for the issuance of obligations for the project under
10.20 chapter 475; or

10.21 (3) notwithstanding section 475.59, as a conjunctive question authorizing both the capital
10.22 project levy and the issuance of obligations for the project under chapter 475. Any obligations
10.23 authorized for a project may be issued within five years of the date of the election.

10.24 (c) The ballot must provide a general description of the proposed project, state the
10.25 estimated total cost of the project, state whether the project has received a positive or negative
10.26 review and comment from the commissioner, state the maximum amount of the capital
10.27 project levy as a percentage of net tax capacity, state the amount that will be raised by that
10.28 local tax rate in the first year it is to be levied, and state the maximum number of years that
10.29 the levy authorization will apply.

10.30 The ballot must contain a textual portion with the information required in this section
10.31 and a question stating substantially the following:

10.32 "Shall the capital project levy proposed by the board of School District No.
10.33 be approved?"

11.1 If approved, the amount provided by the approved local tax rate applied to the net tax
11.2 capacity for the year preceding the year the levy is certified may be certified for the number
11.3 of years, not to exceed ten, approved.

11.4 (d) If the district proposes a new capital project to begin at the time the existing capital
11.5 project expires and at the same maximum tax rate, the general description on the ballot may
11.6 state that the capital project levy is being renewed and that the tax rate is not being increased
11.7 from the previous year's rate. An election to renew authority under this paragraph may be
11.8 called at any time that is otherwise authorized by this subdivision. The ballot notice required
11.9 under section 275.60 may be modified to read:

11.10 "BY VOTING YES ON THIS BALLOT QUESTION, YOU ARE VOTING TO RENEW
11.11 AN EXISTING CAPITAL PROJECTS REFERENDUM THAT IS SCHEDULED TO
11.12 EXPIRE."

11.13 (e) In the event a conjunctive question proposes to authorize both the capital project
11.14 levy and the issuance of obligations for the project, appropriate language authorizing the
11.15 issuance of obligations must also be included in the question.

11.16 (f) The district must notify the commissioner of the results of the referendum.

11.17 Sec. 4. Minnesota Statutes 2016, section 126C.17, subdivision 11, is amended to read:

11.18 Subd. 11. **Referendum date.** (a) Except for a referendum held under paragraph (b), any
11.19 referendum under this section held on a day other than the first Tuesday after the first
11.20 Monday in November must be conducted by mail in accordance with section 204B.46 and
11.21 held on a date authorized by section 205A.05, subdivision 1a. Notwithstanding subdivision
11.22 9, paragraph (b), to the contrary, in the case of a referendum conducted by mail under this
11.23 paragraph, the notice required by subdivision 9, paragraph (b), must be prepared and delivered
11.24 by first-class mail at least 20 days before the referendum.

11.25 (b) In addition to the referenda allowed in subdivision 9, clause (a), the commissioner
11.26 may grant authority to a district to hold a referendum on a ~~different day~~ date authorized by
11.27 section 205A.05, subdivision 1a, if the district is in statutory operating debt and has an
11.28 approved plan or has received an extension from the department to file a plan to eliminate
11.29 the statutory operating debt.

11.30 (c) The commissioner must approve, deny, or modify each district's request for a
11.31 referendum levy on a different day within 60 days of receiving the request from a district.

12.1 Sec. 5. Minnesota Statutes 2016, section 128D.05, subdivision 2, is amended to read:

12.2 Subd. 2. **Time of change.** A proposed change in election years adopted under subdivision
12.3 1 is effective 240 days after passage and publication or at a later date fixed in the proposal.
12.4 Within 180 days after passage and publication of the proposal, a petition requesting a
12.5 referendum on the proposal may be filed with the school district clerk. The petition must
12.6 be signed by eligible voters equal in number to five percent of the total number of votes
12.7 cast in the city of Minneapolis at the most recent state general election. If the requisite
12.8 petition is filed within the prescribed period, the proposal does not become effective until
12.9 it is approved by a majority of the voters voting on the question at a general or special
12.10 election held ~~at least 60 days after submission of the petition~~ on a date authorized by section
12.11 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its
12.12 action in adopting the proposal.

12.13 Sec. 6. Minnesota Statutes 2016, section 205.07, subdivision 3, is amended to read:

12.14 Subd. 3. **Effect of ordinance; referendum.** An ordinance changing the year of the
12.15 municipal election is effective 240 days after passage and publication or at a later date fixed
12.16 in the ordinance. Within 180 days after passage and publication of the ordinance, a petition
12.17 requesting a referendum on the ordinance may be filed with the city clerk. The petition shall
12.18 be signed by eligible voters equal in number to ten percent of the total number of votes cast
12.19 in the city at the last municipal general election. If the requisite petition is filed within the
12.20 prescribed period, the ordinance shall not become effective until it is approved by a majority
12.21 of the voters voting on the question at a general or special election held ~~at least 60 days~~
12.22 ~~after submission of the petition~~ on a date authorized by section 205.10, subdivision 3a. If
12.23 the petition is filed, the governing body may reconsider its action in adopting the ordinance.

12.24 Sec. 7. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to
12.25 read:

12.26 Subd. 3a. **Special election dates.** (a) Except as allowed in paragraph (b) and subdivision
12.27 4, a special election held in a city or town must be held on one of the following dates: the
12.28 second Tuesday in February, the second Tuesday in April, the second Tuesday in May, the
12.29 second Tuesday in August, or the first Tuesday after the first Monday in November. A home
12.30 rule charter city must not designate additional dates in its charter.

12.31 (b) A special election may be held on a date other than those designated in paragraph
12.32 (a) if the special election is held in response to an emergency or disaster. "Emergency"
12.33 means an unforeseen combination of circumstances that calls for immediate action to prevent

13.1 a disaster from developing or occurring. "Disaster" means a situation that creates an actual
13.2 or imminent serious threat to the health and safety of persons or a situation that has resulted
13.3 or is likely to result in catastrophic loss to property or the environment.

13.4 Sec. 8. Minnesota Statutes 2016, section 205A.05, subdivision 1, is amended to read:

13.5 Subdivision 1. **Questions.** ~~(a)~~ Special elections must be held for a school district on a
13.6 question on which the voters are authorized by law to pass judgment. The school board may
13.7 on its own motion call a special election to vote on any matter requiring approval of the
13.8 voters of a district. Upon petition filed with the school board of 50 or more voters of the
13.9 school district or five percent of the number of voters voting at the preceding school district
13.10 general election, whichever is greater, the school board shall by resolution call a special
13.11 election to vote on any matter requiring approval of the voters of a district. A question is
13.12 carried only with the majority in its favor required by law. The election officials for a special
13.13 election are the same as for the most recent school district general election unless changed
13.14 according to law. Otherwise, special elections must be conducted and the returns made in
13.15 the manner provided for the school district general election.

13.16 ~~(b) A special election may not be held:~~

13.17 ~~(1) during the 56 days before and the 56 days after a regularly scheduled primary or~~
13.18 ~~general election conducted wholly or partially within the school district;~~

13.19 ~~(2) on the date of a regularly scheduled town election or annual meeting in March~~
13.20 ~~conducted wholly or partially within the school district; or~~

13.21 ~~(3) during the 30 days before or the 30 days after a regularly scheduled town election~~
13.22 ~~in March conducted wholly or partially within the school district.~~

13.23 ~~(c) Notwithstanding any other law to the contrary, the time period in which a special~~
13.24 ~~election must be conducted under any other law may be extended by the school board to~~
13.25 ~~conform with the requirements of this subdivision.~~

13.26 Sec. 9. Minnesota Statutes 2016, section 205A.05, is amended by adding a subdivision to
13.27 read:

13.28 Subd. 1a. **Special election dates.** (a) Except as allowed in paragraph (b), a special
13.29 election held in a school district must be held on one of the following dates: the second
13.30 Tuesday in February, the second Tuesday in April, the second Tuesday in May, the second
13.31 Tuesday in August, or the first Tuesday after the first Monday in November.

14.1 (b) A special election may be held on a date other than those designated in paragraph
 14.2 (a) if the special election is held in response to an emergency or disaster. "Emergency"
 14.3 means an unforeseen combination of circumstances that calls for immediate action to prevent
 14.4 a disaster from developing or occurring. "Disaster" means a situation that creates an actual
 14.5 or imminent serious threat to the health and safety of persons or a situation that has resulted
 14.6 or is likely to result in catastrophic loss to property or the environment.

14.7 Sec. 10. Minnesota Statutes 2016, section 216B.46, is amended to read:

14.8 **216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION.**

14.9 Any municipality which desires to acquire the property of a public utility as authorized
 14.10 under the provisions of section 216B.45 may determine to do so by resolution of the
 14.11 governing body of the municipality taken after a public hearing of which at least 30 days'
 14.12 published notice shall be given as determined by the governing body. The determination
 14.13 shall become effective when ratified by a majority of the qualified electors voting on the
 14.14 question at a special election to be held ~~for that purpose, not less than 60 nor more than 120~~
 14.15 ~~days after the resolution of the governing body of the municipality~~ on a date authorized by
 14.16 section 205.10, subdivision 3a.

14.17 Sec. 11. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

14.18 Subd. 2. **Election.** The town board shall hold a special election within the boundaries
 14.19 of the proposed district ~~not less than 30 nor more than 90 days after receipt of the petition~~
 14.20 on a date authorized by section 205.10, subdivision 3a. The question submitted and voted
 14.21 upon by the property owners within the territory of the proposed district must be phrased
 14.22 substantially as follows:

14.23 "Shall a subordinate service district be established to provide (service or services to be
 14.24 provided) financed by (revenue sources)?"

14.25 If a majority of those voting on the question favor creation of the district, the district
 14.26 shall begin upon certification of the vote by the town clerk. The town clerk shall administer
 14.27 the election.

14.28 Sec. 12. Minnesota Statutes 2016, section 367.33, subdivision 1, is amended to read:

14.29 Subdivision 1. **Election at annual election or special election.** Following the adoption
 14.30 of option A in a town, except a town exercising the powers of a statutory city, the town
 14.31 board may call a special town election to be held ~~not less than 30 nor more than 60 days~~
 14.32 ~~after the annual town election at which the option is adopted~~ on a date authorized by section

15.1 205.10, subdivision 3a, to elect two additional members to the board of supervisors. In lieu
 15.2 of a special election, the town board may determine to elect the additional members at the
 15.3 next annual town election.

15.4 If the town is exercising the powers of a statutory city under section 368.01 or a special
 15.5 law granting substantially similar powers, the town board shall call a special election to be
 15.6 held ~~not less than 30 nor more than 60 days after the annual election~~ on a date authorized
 15.7 by section 205.10, subdivision 3a, at which option A is adopted to elect the two additional
 15.8 supervisors.

15.9 Sec. 13. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

15.10 Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided
 15.11 in subdivision 3, a vacancy in the office of county commissioner may be filled as provided
 15.12 in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to
 15.13 be filled under this subdivision and subdivision 2, it must be filled at a special election. The
 15.14 county board may by resolution call for a special election to be held ~~according to the earliest~~
 15.15 ~~of the following time schedules:~~

15.16 ~~(1) not less than 120 days following the date the vacancy is declared, but no later than~~
 15.17 ~~12 weeks prior to the date of the next regularly scheduled primary election;~~

15.18 ~~(2) concurrently with the next regularly scheduled primary election and general election;~~

15.19 ~~or~~

15.20 ~~(3) no sooner than 120 days following the next regularly scheduled general election~~ on
 15.21 a date authorized by section 205.10, subdivision 3a.

15.22 (b) The person elected at the special election shall take office immediately after receipt
 15.23 of the certificate of election and upon filing the bond and taking the oath of office and shall
 15.24 serve the remainder of the unexpired term. If the county has been reapportioned since the
 15.25 commencement of the term of the vacant office, the election shall be based on the district
 15.26 as reapportioned.

15.27 Sec. 14. Minnesota Statutes 2016, section 375B.07, subdivision 2, is amended to read:

15.28 Subd. 2. **Election.** The county board shall make arrangements for the holding of a special
 15.29 election ~~not less than 30 nor more than 90 days after receipt of the petition~~ on a date
 15.30 authorized by section 205.10, subdivision 3a, within the boundaries of the proposed district.

15.31 The question to be submitted and voted upon by the qualified voters within the territory of
 15.32 the proposed district shall be phrased substantially as follows:

16.1 "Shall a subordinate service district be established in order to provide (service or services
16.2 to be provided) financed by (revenue sources)?"

16.3 If a majority of those voting on the question favor creation of the proposed district, the
16.4 district shall be deemed created upon certification of the vote by the county auditor. The
16.5 county auditor shall administer the election.

16.6 Sec. 15. Minnesota Statutes 2016, section 375B.10, is amended to read:

16.7 **375B.10 WITHDRAWAL; ELECTION.**

16.8 Upon receipt of a petition signed by ten percent of the qualified voters within the territory
16.9 of the subordinate service district requesting the removal of the district, or pursuant to its
16.10 own resolution, the county board shall make arrangements for the holding of a special
16.11 election within the boundaries of the service district ~~not less than 30 nor more than 90 days~~
16.12 ~~after the resolution or receipt of the petition~~ on a date authorized by section 205.10,
16.13 subdivision 3a. The question to be submitted and voted upon by the qualified voters within
16.14 the territory of the district shall be phrased substantially as follows:

16.15 "Shall the subordinate service district presently established be removed and the service
16.16 or services of the county as provided for the service district be discontinued?"

16.17 If a majority of those voting on the question favor the removal and discontinuance of
16.18 the services, the service district shall be removed and the services shall be discontinued
16.19 upon certification of the vote by the county auditor. The county auditor shall administer the
16.20 election.

16.21 Sec. 16. Minnesota Statutes 2016, section 383B.031, subdivision 1, is amended to read:

16.22 Subdivision 1. **More than six months; special election.** Notwithstanding the provisions
16.23 of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of
16.24 Hennepin County more than six months before the general election in which a commissioner
16.25 will next be selected to occupy such seat the county auditor shall, within seven days after
16.26 the vacancy occurs, call a special election within the affected district to fill such vacancy.
16.27 The auditor shall specify a date for the election ~~which shall be between 56 and 77 days after~~
16.28 ~~the vacancy occurred~~ to be held on a date authorized by section 205.10, subdivision 3a.
16.29 Candidates shall file with the county auditor prior to the 35th day before the election. The
16.30 primary election shall be held 14 days before the election. If no more than two candidates
16.31 file for the office, the primary election shall be canceled and the date of the general election
16.32 advanced 14 days.

17.1 Sec. 17. Minnesota Statutes 2016, section 383E.24, subdivision 7, is amended to read:

17.2 Subd. 7. **Referendum.** (a) Upon receipt of a petition signed by five percent of the
17.3 qualified voters within the territory of the proposed service district prior to the effective
17.4 date of its creation as specified in subdivision 6, the creation shall be held in abeyance
17.5 pending a referendum vote of all qualified electors residing within the boundaries of the
17.6 proposed service district.

17.7 (b) The county board shall make arrangements for the holding of a special election ~~not~~
17.8 ~~less than 30 or more than 90 days after receipt of such petition~~ on a date authorized by
17.9 section 205.10, subdivision 3a, and within the boundaries of the proposed taxing district.

17.10 The question to be submitted and voted upon by the qualified voters within the territory of
17.11 the proposed service district shall be phrased substantially as follows:

17.12 "Shall a subordinate service district be established in order to provide (service or services
17.13 to be provided) financed by (revenue sources)?"

17.14 (c) If a majority of those voting on the question favor creation of the proposed subordinate
17.15 service district, the district shall be deemed created upon certification of the vote by the
17.16 county auditor. The county auditor shall administer the election.

17.17 Sec. 18. Minnesota Statutes 2016, section 410.10, subdivision 1, is amended to read:

17.18 Subdivision 1. **Timing; procedure; recall.** Upon delivery of such draft, the council or
17.19 other governing body of the city shall cause the proposed charter to be submitted at the next
17.20 general election thereafter occurring in the city within six months after the delivery of such
17.21 draft, and if there is no general city election occurring in the city within six months after
17.22 the delivery of such draft, then the council or other governing body of the city shall cause
17.23 the proposed charter to be submitted at a special election to be held ~~within 90 days after the~~
17.24 ~~delivery of such draft~~ on a date authorized by section 205.10, subdivision 3a. The council
17.25 or other governing body may call a special election for that purpose only at any time. If the
17.26 election is held at the same time with the general election, the voting places and election
17.27 officers shall be the same for both elections. At any time before the council has fixed the
17.28 date of the election upon the proposed charter, the charter commission may recall it for
17.29 further action; and the council may authorize recall of the charter by the commission at any
17.30 later date prior to the first publication of the proposed charter.

18.1 Sec. 19. Minnesota Statutes 2016, section 447.32, subdivision 2, is amended to read:

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

18.10 Special elections may be called by the hospital board to vote on any matter required by
18.11 law to be submitted to the voters. A special election ~~may not be conducted either during the~~
18.12 ~~56 days before or the 56 days after a regularly scheduled primary or general election,~~
18.13 ~~conducted wholly or partially within the hospital district~~ must be held on a date authorized
18.14 by section 205.10, subdivision 3a. Special elections must be held within the election precinct
18.15 or precincts and at the polling place or places designated by the board. In the case of the
18.16 first election of officers of a new district, precincts and polling places must be set by the
18.17 governing body of the most populous city or town included in the district.

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

18.21 Sec. 20. Minnesota Statutes 2016, section 475.59, is amended to read:

18.22 **475.59 MANNER OF SUBMISSION; NOTICE.**

18.23 Subdivision 1. Generally; notice. When the governing body of a municipality resolves
18.24 to issue bonds for any purpose requiring the approval of the electors, it shall provide for
18.25 submission of the proposition of their issuance at a general or special election or town or
18.26 school district meeting. Notice of such election or meeting shall be given in the manner
18.27 required by law and shall state the maximum amount and the purpose of the proposed issue.
18.28 In any school district, the school board or board of education may, according to its judgment
18.29 and discretion, submit as a single ballot question or as two or more separate questions in
18.30 the notice of election and ballots the proposition of their issuance for any one or more of
18.31 the following, stated conjunctively or in the alternative: acquisition or enlargement of sites,
18.32 acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses,
18.33 remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or
18.34 more existing schoolhouses. In any city, town, or county, the governing body may, according

19.1 to its judgment and discretion, submit as a single ballot question or as two or more separate
19.2 questions in the notice of election and ballots the proposition of their issuance, stated
19.3 conjunctively or in the alternative, for the acquisition, construction, or improvement of any
19.4 facilities at one or more locations.

19.5 Subd. 2. **Election date.** An election to approve issuance of bonds under this section held
19.6 by a municipality or school district must be held on a date authorized in section 205.10,
19.7 subdivision 3a, or 205A.05, subdivision 1a.

19.8 Sec. 21. **REPEALER.**

19.9 Minnesota Statutes 2016, section 205.10, subdivision 3, is repealed.

19.10 Sec. 22. **EFFECTIVE DATE.**

19.11 This act is effective August 1, 2017, and applies to any special elections held on or after
19.12 that date.

19.13 **ARTICLE 3**

19.14 **JUNE PRIMARY**

19.15 Section 1. Minnesota Statutes 2016, section 204B.14, subdivision 2, is amended to read:

19.16 Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute
19.17 at least one election precinct:

19.18 (1) each city ward; and

19.19 (2) each town and each statutory city.

19.20 (b) A single, accessible, combined polling place may be established no later than
19.21 November 1 if a presidential nomination primary is scheduled to occur in the following
19.22 year or ~~May~~ March 1 of any other year:

19.23 (1) for any city of the third or fourth class, any town, or any city having territory in more
19.24 than one county, in which all the voters of the city or town shall cast their ballots;

19.25 (2) for contiguous precincts in the same municipality;

19.26 (3) for up to four contiguous municipalities located entirely outside the metropolitan
19.27 area, as defined by section 200.02, subdivision 24, that are contained in the same county;

19.28 or

19.29 (4) for noncontiguous precincts located in one or more counties.

20.1 Subject to the requirements of paragraph (c), a single, accessible, combined polling place
20.2 may be established after May 1 of any year in the event of an emergency.

20.3 A copy of the ordinance or resolution establishing a combined polling place must be
20.4 filed with the county auditor within 30 days after approval by the governing body. A polling
20.5 place combined under clause (3) must be approved by the governing body of each
20.6 participating municipality. A polling place combined under clause (4) must be approved by
20.7 the governing body of each participating municipality and the secretary of state and may
20.8 be located outside any of the noncontiguous precincts. A municipality withdrawing from
20.9 participation in a combined polling place must do so by filing a resolution of withdrawal
20.10 with the county auditor no later than October 1 if a presidential nomination primary is
20.11 scheduled to occur in the following year or ~~April~~ February 1 of any other year.

20.12 The secretary of state shall provide a separate polling place roster for each precinct
20.13 served by the combined polling place, except that in a precinct that uses electronic rosters
20.14 the secretary of state shall provide separate data files for each precinct. A single set of
20.15 election judges may be appointed to serve at a combined polling place. The number of
20.16 election judges required must be based on the total number of persons voting at the last
20.17 similar election in all precincts to be voting at the combined polling place. Separate ballot
20.18 boxes must be provided for the ballots from each precinct. The results of the election must
20.19 be reported separately for each precinct served by the combined polling place, except in a
20.20 polling place established under clause (2) where one of the precincts has fewer than ten
20.21 registered voters, in which case the results of that precinct must be reported in the manner
20.22 specified by the secretary of state.

20.23 (c) If a local elections official determines that an emergency situation preventing the
20.24 safe, secure, and full operation of a polling place on election day has occurred or is imminent,
20.25 the local elections official may combine two or more polling places for that election pursuant
20.26 to this subdivision. To the extent possible, the polling places must be combined and the
20.27 election conducted according to the requirements of paragraph (b), except that:

20.28 (1) polling places may be combined after May 1 and until the polls close on election
20.29 day;

20.30 (2) any city or town, regardless of size or location, may establish a combined polling
20.31 place under this paragraph;

20.32 (3) the governing body is not required to adopt an ordinance or resolution to establish
20.33 the combined polling place;

21.1 (4) a polling place combined under paragraph (b), clause (3) or (4), must be approved
21.2 by the local election official of each participating municipality;

21.3 (5) the local elections official must immediately notify the county auditor and the
21.4 secretary of state of the combination, including the reason for the emergency combination
21.5 and the location of the combined polling place. As soon as possible, the local elections
21.6 official must also post a notice stating the reason for the combination and the location of
21.7 the combined polling place. The notice must also be posted on the governing board's Web
21.8 site, if one exists. The local elections official must also notify the election judges and request
21.9 that local media outlets publicly announce the reason for the combination and the location
21.10 of the combined polling place; and

21.11 (6) on election day, the local elections official must post a notice in large print in a
21.12 conspicuous place at the polling place where the emergency occurred, if practical, stating
21.13 the location of the combined polling place. The local election official must also post the
21.14 notice, if practical, in a location visible by voters who vote from their motor vehicles as
21.15 provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to
21.16 section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph
21.17 must include a statement that the polling place hours at the combined polling place will be
21.18 extended until the specified time.

21.19 Sec. 2. Minnesota Statutes 2016, section 204B.21, subdivision 1, is amended to read:

21.20 Subdivision 1. **Appointment lists; duties of political parties and secretary of state.**
21.21 On ~~May~~ March 1 in a year in which there is an election for a partisan political office, each
21.22 major political party shall prepare a list of eligible voters to act as election judges in each
21.23 election precinct. The political parties shall furnish the lists electronically to the secretary
21.24 of state, in a format specified by the secretary of state. The secretary of state must combine
21.25 the data received from each political party under this subdivision and must process the data
21.26 to locate the precinct in which the address provided for each potential election judge is
21.27 located. If the data submitted by a political party is insufficient for the secretary of state to
21.28 locate the proper precinct, the associated name must not appear in any list forwarded to an
21.29 appointing authority under this subdivision. The secretary of state shall notify political
21.30 parties of any proposed election judges with addresses that could not be located in a precinct.

21.31 By ~~May~~ March 15, the secretary of state shall furnish electronically to the county auditor
21.32 a list of the appropriate names for each election precinct in the jurisdiction of the appointing
21.33 authority, noting the political party affiliation of each individual on the list. The county
21.34 auditor must promptly forward the appropriate names to the appropriate municipal clerk.

22.1 Sec. 3. Minnesota Statutes 2016, section 204D.03, subdivision 1, is amended to read:

22.2 Subdivision 1. **State primary.** The state primary shall be held on the ~~second~~ first Tuesday
22.3 after the third Monday in August June in each even-numbered year to select the nominees
22.4 of the major political parties for partisan offices and the nominees for nonpartisan offices
22.5 to be filled at the state general election, other than presidential electors.

22.6 Sec. 4. Minnesota Statutes 2016, section 204D.09, subdivision 1, is amended to read:

22.7 Subdivision 1. **Example ballot.** No later than ~~May~~ March 1 of each year, the secretary
22.8 of state shall supply each auditor with a copy of an example ballot to be used at the state
22.9 primary and state general election. The example ballot must illustrate the format required
22.10 for the ballots used in the primary and general elections that year. The county auditor shall
22.11 distribute copies of the example ballot to municipal and school district clerks in municipalities
22.12 and school districts holding elections that year. The official ballot must conform in all
22.13 respects to the example ballot.

22.14 Sec. 5. Minnesota Statutes 2016, section 204D.28, subdivision 5, is amended to read:

22.15 Subd. 5. **Regular state primary.** "Regular state primary" means:

22.16 (a) the state primary at which candidates are nominated for offices elected at the state
22.17 general election; or

22.18 (b) a primary held on the ~~second~~ first Tuesday after the third Monday in August June
22.19 of odd-numbered years.

22.20 Sec. 6. Minnesota Statutes 2016, section 205.065, subdivision 1, is amended to read:

22.21 Subdivision 1. **Establishing primary.** A municipal primary for the purpose of nominating
22.22 elective officers may be held in any city on the ~~second~~ first Tuesday after the third Monday
22.23 in August June of any year in which a municipal general election is to be held for the purpose
22.24 of electing officers. The date of a municipal primary held in an odd-numbered year may be
22.25 postponed for inclement weather as provided in section 205.105.

22.26 Sec. 7. Minnesota Statutes 2016, section 205.065, subdivision 2, is amended to read:

22.27 Subd. 2. **Resolution or ordinance.** The governing body of a city may, by ordinance or
22.28 resolution adopted by ~~April~~ January 15 in the year when a municipal general election is
22.29 held, elect to choose nominees for municipal offices by a primary as provided in this section.
22.30 The resolution or ordinance, when adopted, is effective for all ensuing municipal elections

23.1 until it is revoked. The municipal clerk shall notify the secretary of state and the county
23.2 auditor within 30 days after the adoption of the resolution or ordinance.

23.3 Sec. 8. Minnesota Statutes 2016, section 205A.03, subdivision 1, is amended to read:

23.4 Subdivision 1. **Resolution requiring primary in certain circumstances.** The school
23.5 board of a school district may, by resolution adopted by ~~April~~ January 15 of any year, decide
23.6 to choose nominees for school board by a primary as provided in this section. The resolution,
23.7 when adopted, is effective for all ensuing elections of board members in that school district
23.8 until it is revoked. If the board decides to choose nominees by primary and if there are more
23.9 than two candidates for a specified school board position or more than twice as many school
23.10 board candidates as there are at-large school board positions available, the school district
23.11 must hold a primary.

23.12 Sec. 9. Minnesota Statutes 2016, section 205A.03, subdivision 2, is amended to read:

23.13 Subd. 2. **Date.** The school district primary must be held on the ~~second~~ first Tuesday
23.14 after the third Monday in August ~~June~~ in the year when the school district general election
23.15 is held. The clerk shall give notice of the primary in the manner provided in section 205A.07.
23.16 The date of a school district primary held in an odd-numbered year may be postponed for
23.17 inclement weather as provided in section 205A.055.

23.18 Sec. 10. Minnesota Statutes 2016, section 205A.06, subdivision 1a, is amended to read:

23.19 Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose
23.20 nominees for school board by a primary election, affidavits of candidacy must be filed with
23.21 the school district clerk no earlier than the 84th day and no later than the 70th day before
23.22 the ~~second~~ first Tuesday after the third Monday in August ~~June~~ in the year when the school
23.23 district general election is held. In all other school districts, affidavits of candidacy must be
23.24 filed no earlier than the 98th day and no later than the 84th day before the school district
23.25 general election.

23.26 Sec. 11. Minnesota Statutes 2016, section 205A.11, subdivision 2a, is amended to read:

23.27 Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a notice to
23.28 the voters who will be voting in a combined polling place for a school district special election.
23.29 The notice must include the following information: the date of the election, the hours of
23.30 voting, and the location of the voter's polling place. The notice must be sent by
23.31 nonforwardable mail to every affected household in the school district with at least one

24.1 registered voter. The notice must be mailed no later than 14 days before the election. The
24.2 mailed notice is not required for a school district special election that is held on the ~~second~~
24.3 first Tuesday after the third Monday in August June, the Tuesday following the first Monday
24.4 in November, or for a special election conducted entirely by mail. A notice that is returned
24.5 as undeliverable must be forwarded immediately to the county auditor.

24.6 Sec. 12. Minnesota Statutes 2016, section 206.61, subdivision 5, is amended to read:

24.7 Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation of
24.8 names of candidates must be observed as far as practicable by changing the order of the
24.9 names on an electronic voting system in the various precincts so that each name appears on
24.10 the machines or marking devices used in a municipality substantially an equal number of
24.11 times in the first, last, and in each intermediate place in the list or group in which they
24.12 belong. However, the arrangement of candidates' names must be the same on all voting
24.13 systems used in the same precinct. If the number of names to be alternated exceeds the
24.14 number of precincts, the election official responsible for providing the ballots, in accordance
24.15 with subdivision 1, shall determine by lot the alternation of names.

24.16 If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot
24.17 card, the manner of alternation of candidate names on the paper ballot must be as prescribed
24.18 for optical scan ballots in this subdivision.

24.19 The rules adopted by the secretary of state for the rotation of candidate names must use
24.20 the number of registered voters in each precinct as of 8:00 a.m. on ~~May~~ March 1 of the year
24.21 when the rotation will be made as the basis for determining the rotation of names.

24.22 Sec. 13. Minnesota Statutes 2016, section 206.82, subdivision 2, is amended to read:

24.23 Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting system
24.24 is used and the county auditor of a county in which an electronic voting system is used in
24.25 more than one municipality and the county auditor of a county in which a counting center
24.26 serving more than one municipality is located shall prepare a plan which indicates acquisition
24.27 of sufficient facilities, computer time, and professional services and which describes the
24.28 proposed manner of complying with section 206.80. The plan must be signed, notarized,
24.29 and submitted to the secretary of state more than 60 days before the first election at which
24.30 the municipality uses an electronic voting system. Before ~~May~~ March 1 of each subsequent
24.31 general election year, the clerk or auditor shall submit to the secretary of state notification
24.32 of any changes to the plan on file with the secretary of state. The secretary of state shall
24.33 review each plan for its sufficiency and may request technical assistance from the Office

25.1 of MN.IT Services or other agency which may be operating as the central computer authority.
25.2 The secretary of state shall notify each reporting authority of the sufficiency or insufficiency
25.3 of its plan within 20 days of receipt of the plan. The attorney general, upon request of the
25.4 secretary of state, may seek a district court order requiring an election official to fulfill
25.5 duties imposed by this subdivision or by rules promulgated pursuant to this section.

25.6 Sec. 14. **EFFECTIVE DATE.**

25.7 Sections 1 to 14 are effective January 1, 2018, and apply to elections conducted on or
25.8 after that date.

25.9 **ARTICLE 4**

25.10 **COUNTY OFFICES**

25.11 Section 1. Minnesota Statutes 2016, section 375.08, is amended to read:

25.12 **375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.**

25.13 When a vacancy occurs in the office of an elected county auditor, county treasurer,
25.14 county recorder, sheriff, county attorney, county surveyor, or coroner, the county board
25.15 shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon
25.16 one day's notice from the chair or clerk, which shall be served personally upon each member
25.17 in the same manner as a district court summons. The person appointed shall give the bond
25.18 and take the oath required by law, and serve the remainder of the term, and until a successor
25.19 qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the
25.20 chief deputy or first assistant may perform all the duties and functions of the office until it
25.21 is filled by appointment by the county board.

25.22 Sec. 2. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

25.23 Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided
25.24 in subdivision 3, a vacancy in the office of county commissioner may be filled as provided
25.25 in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to
25.26 be filled under this subdivision and subdivision 2, it must be filled at a special election. The
25.27 county board may by resolution call for a special election to be held according to the earliest
25.28 of the following time schedules:

25.29 (1) not less than 120 days following the date the vacancy is declared, but no later than
25.30 12 weeks prior to the date of the next regularly scheduled primary election;

26.1 (2) concurrently with the next regularly scheduled primary election and general election;
26.2 or

26.3 (3) no sooner than 120 days following the next regularly scheduled general election.

26.4 (b) The person elected at the special election shall take office immediately after receipt
26.5 of the certificate of election and upon filing the bond and taking the oath of office and shall
26.6 serve the remainder of the unexpired term. If the county has been reapportioned since the
26.7 commencement of the term of the vacant office, the election shall be based on the district
26.8 as reapportioned.

26.9 (c) If a special election is required to be held to fill a vacancy in the office of county
26.10 commissioner, the county board may temporarily fill the vacancy by appointment before
26.11 the vacancy is filled by special election. Before making an appointment to temporarily fill
26.12 a vacancy under this subdivision, the board must allow public testimony from persons
26.13 residing in the district in which the vacancy occurs relating to the qualifications of the
26.14 prospective appointee. After the board selects the person to temporarily fill the vacancy,
26.15 the board shall adopt and enter into the minutes of its proceedings a resolution evidencing
26.16 the appointment. The term of the appointment expires when a successor is chosen by special
26.17 election and takes the oath of office.

26.18 Sec. 3. **[375A.1205] APPOINTING COUNTY RECORDERS.**

26.19 Subdivision 1. Authority to appoint county recorder. A county board may appoint
26.20 the county recorder under section 375A.10, subdivision 2, by following the process outlined
26.21 in this section. Notwithstanding section 375A.12, a referendum is not required if the
26.22 appointment is made pursuant to this section. A county board shall only use the authority
26.23 to appoint under the following circumstances:

26.24 (1) there is a vacancy in the office due to resignation or death; or

26.25 (2) there is a signed contract with the county board and the incumbent recorder that
26.26 provides that the incumbent officer will be appointed to the position and retain tenure, pay,
26.27 and benefits equal to or greater than length of service.

26.28 Subd. 2. Responsibility of county officer. At least 104 days before the filing date for
26.29 office under section 204B.09, an elected county officer must notify the county board in
26.30 writing whether the officer will be filing for another term. If the officer indicates in writing
26.31 that the officer will not file for the office and the county board has passed a resolution under
26.32 subdivision 6, affidavits of candidacy will not be accepted for that office and the office will
26.33 not be placed on the ballot.

27.1 Subd. 3. Board controls; may change as long as duties done. Upon adoption of a
27.2 resolution by the county board of commissioners and subject to subdivisions 5 and 6, the
27.3 duties of an elected official required by statute whose office is made appointive as authorized
27.4 by this section must be discharged by the county board of commissioners acting through a
27.5 department head appointed by the board for that purpose. Reorganization, reallocation,
27.6 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
27.7 the discharge of duties required by statute.

27.8 Subd. 4. Discharge or demotion. (a) A county recorder who was elected at the most
27.9 recent election for that office prior to a county board resolution to make the office appointed,
27.10 and is appointed by the county board to the office, may not be involuntarily demoted or
27.11 discharged except for incompetency or misconduct.

27.12 (b) Before demoting or discharging an office holder under this subdivision, the board
27.13 must notify the office holder in writing and state its grounds for the proposed demotion or
27.14 discharge in reasonable detail. Within ten days after receipt of this notification, the office
27.15 holder may make a written request for a hearing before an arbitrator and the request must
27.16 be granted before final action is taken. Failure to request a hearing before an arbitrator
27.17 during this period is considered acquiescence to the board's action. The board may suspend
27.18 an office holder with pay pending the conclusion of the hearing and determination of the
27.19 issues raised in the hearing after charges have been filed which constitute grounds for
27.20 demotion or discharge. If an office holder has been charged with a felony and the underlying
27.21 conduct that is the subject of the felony charge is a ground for a proposed discharge, the
27.22 suspension pending the conclusion of the hearing and determination of the issues may be
27.23 without pay. If a hearing under this subdivision is held, the board must reimburse the office
27.24 holder for any salary or compensation withheld if the final decision of the arbitrator does
27.25 not result in a penalty or discharge of the office holder.

27.26 (c) If the office holder and the board are unable to mutually agree on an arbitrator, the
27.27 board must request from the Bureau of Mediation Services a list of seven persons qualified
27.28 to serve as an arbitrator. If the office holder and the board are unable to mutually agree on
27.29 an arbitrator from the list provided, the parties shall alternately strike names from the list
27.30 until the name of one arbitrator remains. The person remaining after the striking procedure
27.31 must be the arbitrator. If the parties are unable to agree on who shall strike the first name,
27.32 the question must be decided by a flip of a coin. The office holder and the board must share
27.33 equally the costs and fees of the arbitrator except as set forth in paragraph (g).

27.34 (d) The arbitrator shall determine, by a preponderance of the evidence, whether the
27.35 grounds for discharge or demotion exist to support the proposed discharge or demotion. A

28.1 lesser penalty than demotion or discharge may be imposed by the arbitrator only to the
28.2 extent that either party proposes such lesser penalty in the proceeding. In making the
28.3 determination, the arbitration proceeding is governed by sections 572B.15 to 572B.28.

28.4 (e) An arbitration hearing conducted under this subdivision is a meeting for preliminary
28.5 consideration of allegations or charges within the meaning of section 13D.05, subdivision
28.6 3, paragraph (a), and must be closed, unless the office holder requests it to be open.

28.7 (f) The arbitrator's award is final and binding on the parties, subject to sections 572B.18
28.8 to 572B.28.

28.9 (g) In the event the arbitrator rules not to demote or discharge the office holder, the
28.10 board shall pay all of the costs and fees of the arbitrator and the attorney fees of the office
28.11 holder.

28.12 Subd. 5. **Incumbents to complete term.** The person elected at the last general election
28.13 to an office made appointive under this section must serve in that capacity and perform the
28.14 duties, functions, and responsibilities required by statute until the completion of the term
28.15 of office to which the person was elected, or until a vacancy occurs in the office, whichever
28.16 occurs earlier.

28.17 Subd. 6. **Publishing resolution; petition; referendum.** (a) Before the adoption of the
28.18 resolution to provide for the appointment of an office as described in subdivision 1, the
28.19 county board must publish a proposed resolution notifying the public of its intent to consider
28.20 the issue once each week, for two consecutive weeks, in the official publication of the
28.21 county. Following publication and prior to formally adopting the resolution, the county
28.22 board shall provide an opportunity at its next regular meeting for public comment relating
28.23 to the issue. After the public comment opportunity, at the same meeting or a subsequent
28.24 meeting, the county board of commissioners may adopt a resolution that provides for the
28.25 appointment of the office or offices as permitted in this section. The resolution must be
28.26 approved by at least 80 percent of the members of the county board. The resolution may
28.27 take effect 30 days after it is adopted, or at a later date stated in the resolution, unless a
28.28 petition is filed as provided in paragraph (b).

28.29 (b) Except when an office is made appointive under subdivision 1, clause (2), within 30
28.30 days after the county board adopts the resolution, a petition requesting a referendum may
28.31 be filed with the county auditor. The petition must be signed by at least ten percent of the
28.32 registered voters of the county. The petition must meet the requirements of the secretary of
28.33 state, as provided in section 204B.071, and any rules adopted to implement that section. If
28.34 the petition is sufficient, the county board resolution is rescinded.

29.1 Subd. 7. Reverting to elected offices. (a) The county board may adopt a resolution to
 29.2 provide for the election of an office made an appointed position under this section, but not
 29.3 until at least three years after the office was made an appointed position. The county board
 29.4 must publish a proposed resolution notifying the public of its intent to consider the issue
 29.5 once each week, for two consecutive weeks, in the official publication of the county.
 29.6 Following publication and before formally adopting the resolution, the county board must
 29.7 provide an opportunity at its next regular meeting for public comment relating to the issue.
 29.8 After the public comment opportunity, at the same meeting or a subsequent meeting, the
 29.9 county board of commissioners may adopt the resolution. The resolution must be approved
 29.10 by at least 60 percent of the members of the county board and is effective August 1 following
 29.11 adoption of the resolution.

29.12 (b) The question of whether an office made an appointed position under this section
 29.13 must be made an elected office must be placed on the ballot at the next general election if
 29.14 (1) the position has been an appointed position for at least three years; (2) a petition signed
 29.15 by at least ten percent of the registered voters of the county is filed with the office of the
 29.16 county auditor by August 1 of the year in which the general election is held; and (3) the
 29.17 petition meets the requirements of the secretary of state, as provided in section 204B.071,
 29.18 and any rules adopted to implement that section. If a majority of the voters of the county
 29.19 voting on the question vote in favor of making the office an elected position, the election
 29.20 for that office must be held at the next regular or special election.

29.21 Sec. 4. Minnesota Statutes 2016, section 382.01, is amended to read:

29.22 **382.01 OFFICERS ELECTED; TERMS.**

29.23 In every county in this state there shall be elected at the general election in 1918 a county
 29.24 auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner.

29.25 The terms of office of these officers shall be four years and shall begin on the first
 29.26 Monday in January next succeeding their election. They shall hold office until their successors
 29.27 are elected and qualified. Each of these offices shall must be filled by election every four
 29.28 years thereafter, unless an office is consolidated with another county officer or made
 29.29 appointive under chapter 375A or other general or special law.

29.30 Sec. 5. Minnesota Statutes 2016, section 382.02, is amended to read:

29.31 **382.02 VACANCIES, HOW FILLED.**

30.1 Any appointment made to fill a vacancy in any of the offices named in section 382.01
30.2 that has not been made appointive under chapter 375A or other general or special law shall
30.3 be for the balance of such entire term, and be made by the county board.

30.4 Sec. 6. **MORRISON COUNTY RECORDER MAY BE APPOINTED.**

30.5 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
30.6 Statutes, section 382.01, upon adoption of a resolution by the Morrison County Board of
30.7 Commissioners, the office of county recorder is not elective but must be filled by appointment
30.8 by the county board as provided in the resolution.

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

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

30.21 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
30.22 resolution to provide for the appointment of the county recorder, the county board must
30.23 publish a proposed resolution notifying the public of its intent to consider the issue once
30.24 each week for two consecutive weeks in the official publication of the county. Following
30.25 publication and prior to formally adopting the resolution, the county board shall provide an
30.26 opportunity at its next regular meeting for public comment relating to the issue. After the
30.27 public comment opportunity, at the same meeting or a subsequent meeting, the county board
30.28 of commissioners may adopt a resolution that provides for the appointment of the county
30.29 recorder as permitted in this section. The resolution must be approved by at least 80 percent
30.30 of the members of the county board. The resolution may take effect 60 days after it is
30.31 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
30.32 paragraph (b).

30.33 (b) Within 60 days after the county board adopts the resolution, a petition requesting a
30.34 referendum may be filed with the county auditor-treasurer. The petition must be signed by

31.1 at least ten percent of the registered voters of the county. The petition must meet the
 31.2 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,
 31.3 and any rules adopted to implement that section. If the petition is sufficient, the question
 31.4 of appointing the county recorder must be placed on the ballot at a regular or special election.
 31.5 If a majority of the voters of the county voting on the question vote in favor of appointment,
 31.6 the resolution may be implemented.

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

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

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

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

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

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

31.30 Sec. 7. **BENTON COUNTY RECORDER MAY BE APPOINTED.**

31.31 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
 31.32 Statutes, section 382.01, upon adoption of a resolution by the Benton County Board of

32.1 Commissioners, the office of county recorder is not elective but must be filled by appointment
32.2 by the county board as provided in the resolution.

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

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

32.15 Subd. 4. **Publishing resolution; petition, referendum.** (a) Before the adoption of a
32.16 resolution to provide for the appointment of the county recorder, the county board must
32.17 publish a proposed resolution notifying the public of its intent to consider the issue once
32.18 each week for two consecutive weeks in the official publication of the county. Following
32.19 publication and prior to formally adopting the resolution, the county board shall provide an
32.20 opportunity at its next regular meeting for public comment relating to the issue. After the
32.21 public comment opportunity, at the same meeting or a subsequent meeting, the county board
32.22 of commissioners may adopt a resolution that provides for the appointment of the county
32.23 recorder as permitted in this section. The resolution must be approved by at least 80 percent
32.24 of the members of the county board. The resolution may take effect 60 days after it is
32.25 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
32.26 paragraph (b).

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

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

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

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

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

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

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

33.24 Sec. 8. **PINE COUNTY AUDITOR-TREASURER MAY BE APPOINTED.**

33.25 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
33.26 Statutes, section 382.01, upon adoption of a resolution by the Pine County Board of
33.27 Commissioners, the office of county auditor-treasurer is not elective but must be filled by
33.28 appointment by the county board as provided in the resolution.

33.29 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
33.30 resolution by the county board of commissioners and subject to subdivisions 3 and 4, the
33.31 duties of an elected official required by statute whose office is made appointive as authorized
33.32 by this section must be discharged by the county board of commissioners acting through a
33.33 department head appointed by the board for that purpose. Reorganization, reallocation,

34.1 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
34.2 the discharge of duties required by statute.

34.3 Subd. 3. **Incumbent to complete term.** The person elected at the last general election
34.4 to an office made appointive under this section must serve in that capacity and perform the
34.5 duties, functions, and responsibilities required by statute until the completion of the term
34.6 of office to which the person was elected or until a vacancy occurs in the office, whichever
34.7 occurs earlier.

34.8 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
34.9 resolution to provide for the appointment of the county auditor-treasurer, the county board
34.10 must publish a proposed resolution notifying the public of its intent to consider the issue
34.11 once each week for two consecutive weeks in the official publication of the county. Following
34.12 publication and prior to formally adopting the resolution, the county board shall provide an
34.13 opportunity at its next regular meeting for public comment relating to the issue. After the
34.14 public comment opportunity, at the same meeting or a subsequent meeting, the county board
34.15 of commissioners may adopt a resolution that provides for the appointment of the county
34.16 auditor-treasurer as permitted in this section. The resolution must be approved by at least
34.17 80 percent of the members of the county board. The resolution may take effect 60 days after
34.18 it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided
34.19 in paragraph (b).

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

34.28 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
34.29 provide for the election of an office made an appointed position under this section, but not
34.30 until at least three years after the office was made an appointed position. The county board
34.31 must publish a proposed resolution notifying the public of its intent to consider the issue
34.32 once each week for two consecutive weeks in the official publication of the county. Following
34.33 publication and before formally adopting the resolution, the county board must provide an
34.34 opportunity at its next regular meeting for public comment relating to the issue. After the
34.35 public comment hearing, the county board may adopt the resolution. The resolution must

35.1 be approved by at least 60 percent of the members of the county board and is effective
35.2 August 1 following adoption of the resolution.

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

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

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

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

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

35.16 **Sec. 9. STEARNS COUNTY RECORDER MAY BE APPOINTED.**

35.17 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
35.18 Statutes, section 382.01, upon adoption of a resolution by the Stearns County Board of
35.19 Commissioners, the office of county recorder is not elective but must be filled by appointment
35.20 by the county board as provided in the resolution.

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

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

36.1 Subd. 4. **Publishing resolution; petition, referendum.** (a) Before the adoption of a
36.2 resolution to provide for the appointment of the county recorder, the county board must
36.3 publish a proposed resolution notifying the public of its intent to consider the issue once
36.4 each week for two consecutive weeks in the official publication of the county. Following
36.5 publication and prior to formally adopting the resolution, the county board shall provide an
36.6 opportunity at its next regular meeting for public comment relating to the issue. After the
36.7 public comment opportunity, at the same meeting or a subsequent meeting, the county board
36.8 of commissioners may adopt a resolution that provides for the appointment of the county
36.9 recorder as permitted in this section. The resolution must be approved by at least 80 percent
36.10 of the members of the county board. The resolution may take effect 60 days after it is
36.11 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
36.12 paragraph (b).

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

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

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

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

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

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

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

37.11 Sec. 10. **MARSHALL COUNTY RECORDER MAY BE APPOINTED.**

37.12 **Subdivision 1. Authorization to make office appointive.** Notwithstanding Minnesota
 37.13 Statutes, section 382.01, upon adoption of a resolution by the Marshall County Board of
 37.14 Commissioners, the office of county recorder is not elective but must be filled by appointment
 37.15 by the county board as provided in the resolution.

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

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

37.28 **Subd. 4. Publishing resolution; petition, referendum.** (a) Before the adoption of a
 37.29 resolution to provide for the appointment of the county recorder, the county board must
 37.30 publish a proposed resolution notifying the public of its intent to consider the issue once
 37.31 each week for two consecutive weeks in the official publication of the county. Following
 37.32 publication and prior to formally adopting the resolution, the county board shall provide an
 37.33 opportunity at its next regular meeting for public comment relating to the issue. After the

38.1 public comment opportunity, at the same meeting or a subsequent meeting, the county board
38.2 of commissioners may adopt a resolution that provides for the appointment of the county
38.3 recorder as permitted in this section. The resolution must be approved by at least 80 percent
38.4 of the members of the county board. The resolution may take effect 60 days after it is
38.5 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
38.6 paragraph (b).

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

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

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

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

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

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

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

39.4 Sec. 11. **RICE COUNTY AUDITOR-TREASURER AND RECORDER MAY BE**
39.5 **APPOINTED.**

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

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

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

39.22 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
39.23 resolution to provide for the appointment of the county auditor-treasurer and county recorder,
39.24 the county board must publish a proposed resolution notifying the public of its intent to
39.25 consider the issue once each week for two consecutive weeks in the official publication of
39.26 the county. Following publication and prior to formally adopting the resolution, the county
39.27 board shall provide an opportunity at its next regular meeting for public comment relating
39.28 to the issue. After the public comment opportunity, at the same meeting or a subsequent
39.29 meeting, the county board of commissioners may adopt a resolution that provides for the
39.30 appointment of the county auditor-treasurer and county recorder as permitted in this section.
39.31 The resolution must be approved by at least 80 percent of the members of the county board.
39.32 The resolution may take effect 60 days after it is adopted, or at a later date stated in the
39.33 resolution, unless a petition is filed as provided in paragraph (b).

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

40.9 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
40.10 provide for the election of an office made an appointed position under this section, but not
40.11 until at least three years after the office was made an appointed position. The county board
40.12 must publish a proposed resolution notifying the public of its intent to consider the issue
40.13 once each week or two consecutive weeks in the official publication of the county. Following
40.14 publication and before formally adopting the resolution, the county board must provide an
40.15 opportunity at its next regular meeting for public comment relating to the issue. After the
40.16 public comment hearing, the county board may adopt the resolution. The resolution must
40.17 be approved by at least 60 percent of the members of the county board and is effective
40.18 August 1 following adoption of the resolution.

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

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

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

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

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

40.32 Amend the title accordingly