

## State of Minnesota

## HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 979

02/28/2013 Authored by Halverson, Sanders, Uglen, O'Driscoll, Freiberg and others  
The bill was read for the first time and referred to the Committee on Elections  
03/11/2013 Adoption of Report: Pass as Amended and Read Second Time

## A bill for an act

1.1 relating to elections; modifying election procedures; modifying election  
1.2 administration; modifying ballot formatting; adjusting timelines; amending  
1.3 Minnesota Statutes 2012, sections 103C.225, subdivision 3; 103C.305,  
1.4 subdivision 3; 201.071, subdivision 2; 201.091, subdivision 8; 201.12,  
1.5 subdivision 3; 201.13, subdivision 1a; 201.14; 202A.14, subdivision 1; 203B.05,  
1.6 subdivision 1; 203B.08, subdivision 3; 203B.081; 203B.121, subdivisions 2, 5;  
1.7 203B.227; 203B.28; 204B.04, by adding a subdivision; 204B.18, subdivision  
1.8 2; 204B.22, subdivisions 1, 2; 204B.28, subdivision 1; 204B.32, subdivision 1;  
1.9 204B.33; 204B.35, subdivision 4; 204B.36, subdivision 1; 204B.45, subdivision  
1.10 2; 204B.46; 204C.14; 204C.15, subdivision 1; 204C.19, subdivision 2; 204C.25;  
1.11 204C.27; 204D.08, subdivision 6; 204D.09, subdivision 2; 204D.11, subdivisions  
1.12 1, 4, 5, 6; 204D.13, subdivision 3; 204D.14, subdivisions 1, 3; 204D.15,  
1.13 subdivision 3; 204D.16; 204D.165; 204D.19, subdivision 2; 205.02, subdivision  
1.14 2; 205.10, subdivision 3; 205.13, subdivision 1a, by adding a subdivision;  
1.15 205.16, subdivisions 4, 5; 205.17, subdivisions 1, 3; 205A.04, by adding a  
1.16 subdivision; 205A.05, subdivisions 1, 2; 205A.06, by adding a subdivision;  
1.17 205A.07, subdivisions 3, 3a, 3b; 205A.08, subdivision 1; 206.61, subdivision 4;  
1.18 206.89, subdivisions 2, 3; 206.895; 206.90, subdivision 6; 208.04, subdivisions  
1.19 1, 2; 211B.045; 211B.37; 340A.416, subdivisions 2, 3; 340A.602; 375.20;  
1.20 447.32, subdivisions 2, 3, 4; Laws 1963, chapter 276, section 2, subdivision 2,  
1.21 as amended; repealing Minnesota Statutes 2012, sections 204B.42; 204D.11,  
1.22 subdivisions 2, 3; 205.17, subdivisions 2, 4; 205A.08, subdivision 4.  
1.23

1.24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.25 Section 1. Minnesota Statutes 2012, section 103C.225, subdivision 3, is amended to  
1.26 read:

1.27 Subd. 3. **Referendum.** (a) ~~Within 60 days after the petition is received by the state~~  
1.28 ~~board, it shall give due notice of the holding of a referendum, schedule the referendum at~~  
1.29 ~~the next general election, and cooperate with county election officials to accomplish the~~  
1.30 ~~election in the most expedient manner. Upon receipt of a petition, the state board shall~~  
1.31 ~~provide written notice to the secretary of state and the county auditor of each county in~~  
1.32 ~~which the district is located no later than 74 days before the state general election. The~~

2.1 notice must include the date of the election and the title and text of the question to be  
 2.2 placed on the ballot. Prior to the referendum, the state board shall facilitate the preparation  
 2.3 of a plan to continue the administration of the powers, duties, and responsibilities of the  
 2.4 district, including the functions of the district board.

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

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

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

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

2.16 Sec. 2. Minnesota Statutes 2012, section 103C.305, subdivision 3, is amended to read:

2.17 Subd. 3. **Ballots.** Ballots shall be prepared by the county auditor. The names of  
 2.18 candidates shall be placed on the ~~"canary ballot" described in section 204D.11, subdivision~~  
 2.19 ~~3~~ state general election ballot. The office title printed on the ballot must be either "Soil  
 2.20 and Water Conservation District Supervisor" or "Conservation District Supervisor," based  
 2.21 upon the district from which the supervisor is to be elected.

2.22 Sec. 3. Minnesota Statutes 2012, section 201.071, subdivision 2, is amended to read:

2.23 Subd. 2. **Instructions.** A registration application shall be accompanied by  
 2.24 instructions specifying the manner and method of registration, the qualifications for  
 2.25 voting, the penalties for false registration, and the availability of registration and voting  
 2.26 assistance for elderly and disabled individuals and residents of health care facilities and  
 2.27 hospitals. The instructions must indicate that if the voter does not have a valid Minnesota  
 2.28 driver's license or identification card, the last four digits of the voter's Social Security  
 2.29 number must be provided, unless the voter does not have a Social Security number. If,  
 2.30 prior to election day, a person requests the instructions in Braille, ~~on cassette tape~~ audio  
 2.31 format, or in a version printed in 16-point bold type with 24-point leading, the county  
 2.32 auditor shall provide them in the form requested. The secretary of state shall prepare  
 2.33 Braille and ~~eassette~~ audio copies and make them available.

3.1 Sec. 4. Minnesota Statutes 2012, section 201.091, subdivision 8, is amended to read:

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

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

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

3.16 Sec. 5. Minnesota Statutes 2012, section 201.12, subdivision 3, is amended to read:

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

3.28 Sec. 6. Minnesota Statutes 2012, section 201.13, subdivision 1a, is amended to read:

3.29 Subd. 1a. **Social Security Administration; other reports of deceased residents.**  
3.30 The secretary of state ~~shall~~ may determine if any of the persons listed on the Social  
3.31 Security Death Index or reported as deceased by the vital records department of another  
3.32 state are registered to vote and prepare a list of those registrants for each county auditor.  
3.33 The county auditor shall change the status of those registrants to "deceased" in the  
3.34 statewide voter registration system.

4.1 Sec. 7. Minnesota Statutes 2012, section 201.14, is amended to read:

4.2 **201.14 COURT ADMINISTRATOR OF DISTRICT COURT; REPORT**  
4.3 **CHANGES OF NAMES.**

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

4.15 Sec. 8. Minnesota Statutes 2012, section 202A.14, subdivision 1, is amended to read:

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

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

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

4.28 (3) If the chairs of the two largest major political parties do not jointly submit a  
4.29 single date for conducting their precinct caucuses as provided in this paragraph, then  
4.30 for purposes of the next general election year, the first Tuesday in February shall be  
4.31 considered the day of a major political party precinct caucus and sections 202A.19 and  
4.32 202A.192 shall only apply on that date.

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

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

5.9 Sec. 9. Minnesota Statutes 2012, section 203B.05, subdivision 1, is amended to read:

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

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

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

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

5.17 A clerk of a city that is located in more than one county may only administer the  
5.18 provisions of sections 203B.04 to 203B.15 if the clerk has been designated by each of  
5.19 the county auditors or has provided notice to each of the county auditors that the city will  
5.20 administer absentee voting. A clerk may only administer the provisions of sections 203B.04  
5.21 to 203B.15 if the clerk has technical capacity to access the statewide voter registration  
5.22 system in the secure manner prescribed by the secretary of state. The secretary of state  
5.23 must identify hardware, software, security, or other technical prerequisites necessary to  
5.24 ensure the security, access controls, and performance of the statewide voter registration  
5.25 system. A clerk must receive training approved by the secretary of state on the use of the  
5.26 statewide voter registration system before administering this section. A clerk may not use  
5.27 the statewide voter registration system until the clerk has received the required training.

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

5.30 Sec. 10. Minnesota Statutes 2012, section 203B.08, subdivision 3, is amended to read:

5.31 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a  
5.32 county auditor or municipal clerk, that official shall stamp or initial and date the return  
5.33 envelope and place it in a secure location with other return envelopes received by that  
5.34 office. Within five days after receipt, the county auditor or municipal clerk shall deliver to

6.1 the ballot board all ballots received, except that during the 14 days immediately preceding  
6.2 an election, the county auditor or municipal clerk shall deliver all ballots received to  
6.3 the ballot board within three days. Ballots received on election day either (1) after 3:00  
6.4 p.m., if delivered by an agent; or (2) after the last mail delivery, if delivered by another  
6.5 method, shall be marked as received late by the county auditor or municipal clerk, and  
6.6 must not be delivered to the ballot board.

6.7 Sec. 11. Minnesota Statutes 2012, section 203B.081, is amended to read:

6.8 **203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.**

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

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

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

6.15 ~~(3) an election held in conjunction with an election described in clauses (1) and (2);~~

6.16 and Voters casting absentee ballots in person for a town election held in March may  
6.17 do so during the 30 days before any other the election. The county auditor shall make  
6.18 such designations at least 14 weeks before the election. At least one voting booth in each  
6.19 polling place must be made available by the county auditor for this purpose. The county  
6.20 auditor must also make available at least one electronic ballot marker in each polling place  
6.21 that has implemented a voting system that is accessible for individuals with disabilities  
6.22 pursuant to section 206.57, subdivision 5.

6.23 Sec. 12. Minnesota Statutes 2012, section 203B.121, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

7.32 (d) The official in charge of the absentee ballot board must mail the voter a written  
7.33 notice of absentee ballot rejection between six and ten weeks following the election. If the  
7.34 official determines that the voter has otherwise cast a ballot in the election, no notice is  
7.35 required. If an absentee ballot arrives after the deadline for submission provided by this

8.1 chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A  
8.2 notice of absentee ballot rejection must contain the following information:

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

8.5 (2) the reason for rejection; and

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

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

8.10 Sec. 13. Minnesota Statutes 2012, section 203B.121, subdivision 5, is amended to read:

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

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

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

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

8.19 (b) After the polls have closed on election day, two members of the ballot board  
8.20 must count the ballots, tabulating the vote in a manner that indicates each vote of the voter  
8.21 and the total votes cast for each candidate or question. In state primary and state general  
8.22 elections, the results must indicate the total votes cast for each candidate or question in each  
8.23 precinct and report the vote totals tabulated for each precinct. The count ~~shall be public.~~  
8.24 ~~No vote totals from ballots may be made public before the close of voting on election day~~  
8.25 must be recorded on a summary statement in substantially the same format as provided in  
8.26 section 204C.26. The ballot board shall submit at least one completed summary statement  
8.27 to the county auditor or municipal clerk. The county auditor or municipal clerk may  
8.28 require the ballot board to submit a sufficient number of completed summary statements to  
8.29 comply with the provisions of section 204C.27, or the county auditor or municipal clerk  
8.30 may certify reports containing the details of the ballot board summary statement to the  
8.31 recipients of the summary statements designated in section 204C.27.

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



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

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

9.12 Sec. 14. Minnesota Statutes 2012, section 203B.227, is amended to read:

9.13 **203B.227 WRITE-IN ABSENTEE BALLOT.**

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

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

9.23 Sec. 15. Minnesota Statutes 2012, section 203B.28, is amended to read:

9.24 **203B.28 POSTELECTION REPORT TO LEGISLATURE.**

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

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

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

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

10.1 (4) the number of absentee ballots submitted pursuant to sections 203B.16 to  
10.2 203B.27, along with the number of returned ballots that were accepted, rejected, and  
10.3 the reason for any rejections; and

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

10.6 Sec. 16. Minnesota Statutes 2012, section 204B.04, is amended by adding a  
10.7 subdivision to read:

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

10.12 Sec. 17. Minnesota Statutes 2012, section 204B.18, subdivision 2, is amended to read:

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

10.20 Sec. 18. Minnesota Statutes 2012, section 204B.22, subdivision 1, is amended to read:

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

10.30 (b) An election judge may serve for all or part of election day, at the discretion of the  
10.31 appointing authority, as long as the minimum number of judges required is always present.  
10.32 The head election judge designated under section 204B.20 must serve for all of election day

11.1 and be present in the polling place unless another election judge has been designated by the  
11.2 head election judge to perform the functions of the head election judge during any absence.

11.3 Sec. 19. Minnesota Statutes 2012, section 204B.22, subdivision 2, is amended to read:

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

11.8 Sec. 20. Minnesota Statutes 2012, section 204B.28, subdivision 1, is amended to read:

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

11.14 Sec. 21. Minnesota Statutes 2012, section 204B.32, subdivision 1, is amended to read:

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

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

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

11.27 (d) The school districts shall pay the compensation prescribed for election judges  
11.28 and sergeants-at-arms, the cost of printing the school district ballots, providing ballot  
11.29 boxes, providing and equipping polling places and all necessary expenses of the school  
11.30 district clerks in connection with school district elections not held in conjunction with  
11.31 state elections. When school district elections are held in conjunction with state elections,  
11.32 the school district shall pay the costs of printing the school district ballots, providing ballot  
11.33 boxes and all necessary expenses of the school district clerk.

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

12.3 Sec. 22. Minnesota Statutes 2012, section 204B.33, is amended to read:

12.4 **204B.33 NOTICE OF FILING.**

12.5 (a) At least ~~15~~ 16 weeks before the state primary, the secretary of state shall notify  
12.6 each county auditor of the offices to be voted for in that county at the next state general  
12.7 election for which candidates file with the secretary of state. The notice shall include  
12.8 the time and place of filing for those offices. Within ten days after notification by the  
12.9 secretary of state, each county auditor shall notify each municipal clerk in the county of  
12.10 all the offices to be voted for in the county at that election and the time and place for  
12.11 filing for those offices. The county auditors and municipal clerks shall promptly post a  
12.12 copy of that notice in their offices.

12.13 (b) At least ~~two weeks~~ one week before the first day to file an affidavit of candidacy,  
12.14 the county auditor shall publish a notice stating the first and last dates on which affidavits  
12.15 of candidacy may be filed in the county auditor's office and the closing time for filing on  
12.16 the last day for filing. The county auditor shall post a similar notice at least ten days before  
12.17 the first day to file affidavits of candidacy.

12.18 Sec. 23. Minnesota Statutes 2012, section 204B.35, subdivision 4, is amended to read:

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

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

12.30 Sec. 24. Minnesota Statutes 2012, section 204B.36, subdivision 1, is amended to read:

12.31 Subdivision 1. **Type.** All ballots shall be printed with black ink on paper of sufficient  
12.32 thickness to prevent the printing from being discernible from the back. ~~All ballots of the~~  
12.33 ~~same color shall be substantially uniform in style of printing, size, thickness and shade of~~

13.1 ~~color. When the ballots of a particular color vary in shade, those used in any one precinct~~  
13.2 ~~shall be of the same shade.~~ All ballots shall be printed in easily readable type with suitable  
13.3 lines dividing candidates, offices, instructions and other matter printed on ballots. The  
13.4 name of each candidate shall be printed in capital letters. The same type shall be used for  
13.5 the names of all candidates on the same ballot.

13.6 Sec. 25. Minnesota Statutes 2012, section 204B.45, subdivision 2, is amended to read:

13.7 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be  
13.8 given at least ~~six~~ ten weeks prior to the election. Not more than 46 days nor later than  
13.9 14 days before a regularly scheduled election ~~for federal, state, county, city, or school~~  
13.10 ~~board office or a special election for federal office~~ and not more than 30 days nor later  
13.11 than 14 days before any other election, the auditor shall mail ballots by nonforwardable  
13.12 mail to all voters registered in the town or unorganized territory. No later than 14 days  
13.13 before the election, the auditor must make a subsequent mailing of ballots to those voters  
13.14 who register to vote after the initial mailing but before the 20th day before the election.  
13.15 Eligible voters not registered at the time the ballots are mailed may apply for ballots as  
13.16 provided in chapter 203B. Ballot return envelopes, with return postage provided, must  
13.17 be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in  
13.18 person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot  
13.19 board to examine the mail and absentee ballot return envelopes and mark them "accepted"  
13.20 or "rejected" within three days of receipt if there are 14 or fewer days before election  
13.21 day, or within five days of receipt if there are more than 14 days before election day.  
13.22 The board may consist of staff trained as election judges who need not be affiliated with  
13.23 a major political party. Election judges performing the duties in this section must be of  
13.24 different major political parties, unless they are exempt from that requirement under  
13.25 section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at  
13.26 least five days before the election, the ballots in the envelope must remain sealed and the  
13.27 auditor or clerk shall provide the voter with a replacement ballot and return envelope in  
13.28 place of the spoiled ballot. If the ballot is rejected within five days of the election, the  
13.29 envelope must remain sealed and the official in charge of the ballot board must attempt to  
13.30 contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been  
13.31 rejected. The official must document the attempts made to contact the voter.

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

14.1 may be opened, duplicated as needed in the manner provided by section 206.86,  
14.2 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

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

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

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

14.10 Sec. 26. Minnesota Statutes 2012, section 204B.46, is amended to read:

14.11 **204B.46 MAIL ELECTIONS; QUESTIONS.**

14.12 A county, municipality, or school district submitting questions to the voters at a  
14.13 special election may conduct an election by mail with no polling place other than the office  
14.14 of the auditor or clerk. No offices may be voted on at a mail election. Notice of the election  
14.15 must be given to the county auditor at least ~~53~~ 74 days prior to the election. This notice  
14.16 shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail  
14.17 ballot procedures must be posted at least six weeks prior to the election. Not more than ~~30~~  
14.18 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by  
14.19 nonforwardable mail to all voters registered in the county, municipality, or school district.  
14.20 No later than 14 days before the election, the auditor or clerk must make a subsequent  
14.21 mailing of ballots to those voters who register to vote after the initial mailing but before  
14.22 the 20th day before the election. Eligible voters not registered at the time the ballots are  
14.23 mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint  
14.24 a ballot board to examine the mail and absentee ballot return envelopes and mark them  
14.25 "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before  
14.26 election day, or within five days of receipt if there are more than 14 days before election  
14.27 day. The board may consist of staff trained as election judges who need not be affiliated  
14.28 with a major political party. Election judges performing the duties in this section must be  
14.29 of different major political parties, unless they are exempt from that requirement under  
14.30 section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at  
14.31 least five days before the election, the ballots in the envelope must remain sealed and the  
14.32 auditor or clerk must provide the voter with a replacement ballot and return envelope in  
14.33 place of the spoiled ballot. If the ballot is rejected within five days of the election, the  
14.34 envelope must remain sealed and the official in charge of the ballot board must attempt to

15.1 contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been  
 15.2 rejected. The official must document the attempts made to contact the voter.

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

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

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

15.13 Sec. 27. Minnesota Statutes 2012, section 204C.14, is amended to read:

15.14 **204C.14 UNLAWFUL VOTING; PENALTY.**

15.15 No individual shall intentionally:

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

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

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

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

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

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

15.26 A violation of this section is a felony.

15.27 Sec. 28. Minnesota Statutes 2012, section 204C.15, subdivision 1, is amended to read:

15.28 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need  
 15.29 for assistance because of inability to read English or physical inability to mark a ballot may  
 15.30 obtain the aid of two election judges who are members of different major political parties.  
 15.31 The election judges shall mark the ballots as directed by the voter and in as secret a manner  
 15.32 as circumstances permit. ~~If the voter is deaf or cannot speak English or understand it when~~  
 15.33 ~~it is spoken, the election judges may select two individuals who are members of different~~  
 15.34 ~~major political parties to provide assistance. The individuals shall assist the voter in~~

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

16.14 Sec. 29. Minnesota Statutes 2012, section 204C.19, subdivision 2, is amended to read:

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

16.25 Sec. 30. Minnesota Statutes 2012, section 204C.25, is amended to read:

16.26 **204C.25 DISPOSITION OF BALLOTS.**

16.27 After the count and the summary statements have been completed, in the presence  
16.28 of all the election judges, the counted, defective, and blank ballots shall be placed in  
16.29 envelopes ~~marked or printed to distinguish the color of the ballots contained,~~ and the  
16.30 envelopes shall be sealed. The election judges shall sign each envelope over the sealed part  
16.31 so that the envelope cannot be opened without disturbing the continuity of the signatures.  
16.32 The number ~~and kind~~ of ballots in each envelope, the name of the town or city, and the  
16.33 name of the precinct shall be plainly written upon the envelopes. The number and name of  
16.34 the district must be plainly written on envelopes containing school district ballots. The



17.1 spoiled ballots shall be placed in separate envelopes and returned with the unused ballots  
 17.2 to the county auditor or municipal or school district clerk from whom they were received.

17.3 Sec. 31. Minnesota Statutes 2012, section 204C.27, is amended to read:

17.4 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

17.5 One or more of the election judges in each precinct shall deliver two sets of  
 17.6 summary statements; all spoiled ~~white, pink, canary, and gray~~ ballots; and the envelopes  
 17.7 containing the ~~white, pink, canary, and gray~~ ballots either directly to the municipal clerk  
 17.8 for transmittal to the county auditor's office or directly to the county auditor's office as  
 17.9 soon as possible after the vote counting is completed but no later than 24 hours after the  
 17.10 end of the hours for voting. One or more election judges shall deliver the remaining set  
 17.11 of summary statements and returns, all unused and spoiled municipal and school district  
 17.12 ballots, the envelopes containing municipal and school district ballots, and all other things  
 17.13 furnished by the municipal or school district clerk, to the municipal or school district  
 17.14 clerk's office within 24 hours after the end of the hours for voting. The municipal or school  
 17.15 district clerk shall return all polling place rosters and completed voter registration cards to  
 17.16 the county auditor within 48 hours after the end of the hours for voting.

17.17 Sec. 32. Minnesota Statutes 2012, section 204D.08, subdivision 6, is amended to read:

17.18 Subd. 6. **State and county nonpartisan primary ballot.** The state and county  
 17.19 nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary  
 17.20 Ballot." It shall be printed ~~on canary paper~~ in the manner provided in the rules of the  
 17.21 secretary of state. The names of candidates for nomination to the Supreme Court, Court of  
 17.22 Appeals, district court, and all county offices shall be placed on this ballot.

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

17.26 Sec. 33. Minnesota Statutes 2012, section 204D.09, subdivision 2, is amended to read:

17.27 Subd. 2. **Sample ballot.** At least ~~two weeks~~ 46 days before the state primary the  
 17.28 county auditor shall prepare a sample ~~state partisan primary ballot and a sample state and~~  
 17.29 ~~county nonpartisan primary~~ ballot for each precinct for public inspection and transmit an  
 17.30 electronic copy of these sample ballots to the secretary of state. The names of ~~all of the~~  
 17.31 candidates to be voted for in the county shall be placed on the sample ballots, with the  
 17.32 names of the candidates for each office arranged in the base rotation as determined by  
 17.33 section 206.61, subdivision 5. ~~Only one sample state partisan primary ballot and one~~

18.1 ~~sample state and county nonpartisan ballot shall be prepared for any county.~~ The county  
18.2 auditor shall post the sample ballots in a conspicuous place in the auditor's office and shall  
18.3 cause them to be published at least one week before the state primary in at least one  
18.4 newspaper of general circulation in the county.

18.5 Sec. 34. Minnesota Statutes 2012, section 204D.11, subdivision 1, is amended to read:

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

18.13 Sec. 35. Minnesota Statutes 2012, section 204D.11, subdivision 4, is amended to read:

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

18.18 (b) This ballot shall be prepared by the county auditor in the same manner as  
18.19 the ~~white~~ white state general election ballot and shall be subject to the rules adopted by the  
18.20 secretary of state pursuant to subdivision 1. This ballot must be prepared and furnished  
18.21 in accordance with the federal Uniformed and Overseas Citizens Absentee Voting Act,  
18.22 United States Code, title 42, section 1973ff.

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

18.26 Sec. 36. Minnesota Statutes 2012, section 204D.11, subdivision 5, is amended to read:

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

18.31 Sec. 37. Minnesota Statutes 2012, section 204D.11, subdivision 6, is amended to read:

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

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

19.9 Sec. 38. Minnesota Statutes 2012, section 204D.13, subdivision 3, is amended to read:

19.10 Subd. 3. **Nominees by petition; placement on ballot.** The names of candidates  
 19.11 nominated by petition for a partisan office voted on at the state general election shall be  
 19.12 placed on the ~~white~~ state general election ballot after the names of the candidates for that  
 19.13 office who were nominated at the state primary. ~~Prior to the state primary~~ No later than  
 19.14 11 weeks before the state general election, the secretary of state shall determine by lot  
 19.15 the order of candidates nominated by petition. The drawing of lots must be by political  
 19.16 party or principle. The political party or political principle of the candidate as stated on  
 19.17 the petition shall be placed after the name of a candidate nominated by petition. The word  
 19.18 "nonpartisan" shall not be used to designate any partisan candidate whose name is placed  
 19.19 on the ~~white~~ state general election ballot by nominating petition.

19.20 Sec. 39. Minnesota Statutes 2012, section 204D.14, subdivision 1, is amended to read:

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

19.25 Sec. 40. Minnesota Statutes 2012, section 204D.14, subdivision 3, is amended to read:

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

19.29 Sec. 41. Minnesota Statutes 2012, section 204D.15, subdivision 3, is amended to read:

19.30 Subd. 3. **Sample pink ballot; constitutional amendments.** Four weeks before the  
 19.31 state general election the secretary of state shall file sample copies of the ~~pink ballot~~  
 19.32 portion of the state general election ballot that contains the proposed constitutional

20.1 amendments in the Secretary of State's Office for public inspection. Three weeks before  
 20.2 the state general election the secretary of state shall ~~mail~~ transmit sample copies of the  
 20.3 ~~pink~~ sample ballot to each county auditor. Each auditor shall post the sample ballot in a  
 20.4 conspicuous place in the auditor's office.

20.5 Sec. 42. Minnesota Statutes 2012, section 204D.16, is amended to read:

20.6 **204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING;**  
 20.7 **PUBLICATION.**

20.8 ~~Two weeks before the state general election the county auditor shall prepare sample~~  
 20.9 ~~copies of the white and canary ballots and~~ At least 46 days before the state general  
 20.10 election, the county auditor shall post copies of these sample ballots and a sample of the  
 20.11 pink ballot for each precinct in the auditor's office for public inspection and transmit an  
 20.12 electronic copy of these sample ballots to the secretary of state. No earlier than 15 days  
 20.13 and no later than two days before the state general election the county auditor shall cause  
 20.14 ~~the a sample white and canary ballots~~ state general election ballot to be published in at  
 20.15 least one newspaper of general circulation in the county.

20.16 Sec. 43. Minnesota Statutes 2012, section 204D.165, is amended to read:

20.17 **204D.165 SAMPLE BALLOTS TO SCHOOLS.**

20.18 ~~Notwithstanding any contrary provisions in section 204D.09 or 204D.16,~~ The county  
 20.19 auditor, two weeks before the applicable primary or general election, shall provide one  
 20.20 copy of ~~the~~ an appropriate sample ~~partisan primary, nonpartisan primary, canary, white,~~  
 20.21 ~~or pink~~ ballot to a school district upon request. The school district may have the sample  
 20.22 ballots reproduced at its expense for classroom educational purposes and for educational  
 20.23 activities authorized under section 204B.27, subdivision 7.

20.24 Sec. 44. Minnesota Statutes 2012, section 204D.19, subdivision 2, is amended to read:

20.25 Subd. 2. **Special election when legislature will be in session.** Except for  
 20.26 vacancies in the legislature which occur at any time between the last day of session in an  
 20.27 odd-numbered year and the 40th day prior to the opening day of session in the succeeding  
 20.28 even-numbered year, when a vacancy occurs and the legislature will be in session so  
 20.29 that the individual elected as provided by this section could take office and exercise the  
 20.30 duties of the office immediately upon election, the governor shall issue within five days  
 20.31 after the vacancy occurs a writ calling for a special election. The special election shall  
 20.32 be held as soon as possible, consistent with the notice requirements of section 204D.22,  
 20.33 subdivision 3, but in no event more than 35 days after the issuance of the writ. A special

21.1 election must not be held during the four days before or the four days after a holiday as  
21.2 defined in section 645.44, subdivision 5.

21.3 Sec. 45. Minnesota Statutes 2012, section 205.02, subdivision 2, is amended to read:

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

21.10 Sec. 46. Minnesota Statutes 2012, section 205.10, subdivision 3, is amended to read:

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

21.13 Sec. 47. Minnesota Statutes 2012, section 205.13, subdivision 1a, is amended to read:

21.14 Subd. 1a. **Filing period.** In a city nominating candidates at a primary, an affidavit of  
21.15 candidacy for a city office voted on in November must be filed no more than 84 days nor  
21.16 less than 70 days before the city primary. In municipalities that do not hold a primary, an  
21.17 affidavit of candidacy must be filed no more than 70 days and not less than 56 days before  
21.18 the municipal general election held in March in any year, or a special election not held in  
21.19 conjunction with another election, and no more than 98 days nor less than 84 days before  
21.20 the municipal general election held in November of any year. The municipal clerk's office  
21.21 must be open for filing from 1:00 p.m. to 5:00 p.m. on the last day of the filing period.

21.22 Sec. 48. Minnesota Statutes 2012, section 205.13, is amended by adding a subdivision  
21.23 to read:

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

21.29 Sec. 49. Minnesota Statutes 2012, section 205.16, subdivision 4, is amended to read:

21.30 Subd. 4. **Notice to auditor.** At least ~~67~~ 74 days before every municipal election held  
21.31 ~~in conjunction with a regularly scheduled primary for federal, state, county, city, or school~~

22.1 ~~board office or a special primary for federal office, at least 74 days before every municipal~~  
 22.2 ~~election held in connection with a regularly scheduled general election for federal, state,~~  
 22.3 ~~county, city, or school board office or a special election for federal office, and at least 53~~  
 22.4 ~~days before any other municipal election, the municipal clerk shall provide a written notice~~  
 22.5 ~~to the county auditor, including the date of the election, the offices to be voted on at the~~  
 22.6 ~~election, and the title and language for each ballot question to be voted on at the election.~~  
 22.7 ~~At least 67 74 days before every municipal election held in conjunction with a regularly~~  
 22.8 ~~scheduled primary for federal, state, county, city, or school board office or a special~~  
 22.9 ~~primary for federal office, at least 74 days before a regularly scheduled general election for~~  
 22.10 ~~federal, state, county, city, or school board office or a special election for federal office, and~~  
 22.11 ~~at least 46 days before any other election, the municipal clerk must provide written notice~~  
 22.12 ~~to the county auditor of any special election canceled under section 205.10, subdivision 6.~~

22.13 Sec. 50. Minnesota Statutes 2012, section 205.16, subdivision 5, is amended to read:

22.14 Subd. 5. **Notice to secretary of state.** ~~At least 67 74 days before every municipal~~  
 22.15 ~~election held in conjunction with a regularly scheduled primary for federal, state, county,~~  
 22.16 ~~city, or school board office or a special primary for federal office, at least 74 days before~~  
 22.17 ~~every municipal election held in conjunction with a regularly scheduled general election~~  
 22.18 ~~for federal, state, county, city, or school board office or a special election for federal office,~~  
 22.19 ~~and at least 46 days before any other municipal election for which a notice is provided~~  
 22.20 ~~to the county auditor under subdivision 4, the county auditor shall provide a notice of~~  
 22.21 ~~the election to the secretary of state, in a manner and including information prescribed~~  
 22.22 ~~by the secretary of state.~~

22.23 Sec. 51. Minnesota Statutes 2012, section 205.17, subdivision 1, is amended to read:

22.24 Subdivision 1. **Second, third, and fourth class cities; towns Municipal offices;**  
 22.25 **questions; general election ballot.** In all statutory and home rule charter cities ~~of the~~  
 22.26 ~~second, third, and fourth class, and in all towns, for the municipal general election, the~~  
 22.27 ~~municipal clerk shall have printed on light green paper the official ballot containing the~~  
 22.28 ~~names of all candidates for municipal offices and municipal ballot questions.~~ The ballot  
 22.29 shall be printed in quantities of 25, 50, or 100, shall be headed "City or Town Election  
 22.30 Ballot," shall state the name of the city or town and the date of the election, and shall  
 22.31 conform in other respects to the ~~white ballot used at the state general election~~ ballot. The  
 22.32 names shall be arranged on city ballots in the manner provided for the state elections. On  
 22.33 town ballots names of the candidates for each office shall be arranged either:

22.34 (1) alphabetically according to the candidates' surnames; or

23.1 (2) in the manner provided for state elections if the town electors chose at the town's  
 23.2 annual meeting to arrange the names in that way for at least two consecutive years.

23.3 Sec. 52. Minnesota Statutes 2012, section 205.17, subdivision 3, is amended to read:

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

23.10 Sec. 53. Minnesota Statutes 2012, section 205A.04, is amended by adding a  
 23.11 subdivision to read:

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

23.18 Sec. 54. Minnesota Statutes 2012, section 205A.05, subdivision 1, is amended to read:

23.19 Subdivision 1. **Questions.** Special elections must be held for a school district on a  
 23.20 question on which the voters are authorized by law to pass judgment. The school board  
 23.21 may on its own motion call a special election to vote on any matter requiring approval of  
 23.22 the voters of a district. Upon petition filed with the school board of 50 or more voters of  
 23.23 the school district or five percent of the number of voters voting at the preceding school  
 23.24 district general election, whichever is greater, the school board shall by resolution call  
 23.25 a special election to vote on any matter requiring approval of the voters of a district. A  
 23.26 question is carried only with the majority in its favor required by law. The election officials  
 23.27 for a special election are the same as for the most recent school district general election  
 23.28 unless changed according to law. Otherwise, special elections must be conducted and the  
 23.29 returns made in the manner provided for the school district general election. A special  
 23.30 election may not be held during the ~~30~~ 56 days before and the ~~30~~ 56 days after ~~the state a~~  
 23.31 regularly scheduled primary, during the 30 days before and the 40 days after the state or  
 23.32 general election. In addition, a special election may not be held during the 20 days before  
 23.33 and the 20 days after any regularly scheduled election of a municipality conducted wholly

24.1 or partially within the school district. Notwithstanding any other law to the contrary, the  
 24.2 time period in which a special election must be conducted under any other law may be  
 24.3 extended by the school board to conform with the requirements of this subdivision.

24.4 Sec. 55. Minnesota Statutes 2012, section 205A.05, subdivision 2, is amended to read:

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

24.10 Sec. 56. Minnesota Statutes 2012, section 205A.06, is amended by adding a  
 24.11 subdivision to read:

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

24.17 Sec. 57. Minnesota Statutes 2012, section 205A.07, subdivision 3, is amended to read:

24.18 Subd. 3. **Notice to auditor.** At least ~~67~~ 74 days before every school district election  
 24.19 ~~held in conjunction with a regularly scheduled primary for federal, state, county, city, or~~  
 24.20 ~~school board office or a special primary for federal office, at least 74 days before every~~  
 24.21 ~~school district election held in conjunction with a regularly scheduled general election for~~  
 24.22 ~~federal, state, county, city, or school board office or a special election for federal office,~~  
 24.23 ~~and at least 53 days before any other school district election, the school district clerk shall~~  
 24.24 provide a written notice to the county auditor of each county in which the school district is  
 24.25 located. The notice must include the date of the election, the offices to be voted on at the  
 24.26 election, and the title and language for each ballot question to be voted on at the election.  
 24.27 For the purposes of meeting the timelines of this section, in a bond election, a notice,  
 24.28 including a proposed question, may be provided to the county auditor before receipt of a  
 24.29 review and comment from the commissioner of education and before actual initiation of  
 24.30 the election. At least ~~67~~ 74 days before every school district election ~~held in conjunction~~  
 24.31 ~~with a regularly scheduled primary for federal, state, county, city, or school board office or~~  
 24.32 ~~a special primary for federal office, at least 74 days before an election held in conjunction~~  
 24.33 ~~with a regularly scheduled general election for federal, state, county, city, or school board~~



25.1 ~~office or a special election for federal office, and at least 46 days before any other election,~~  
25.2 the school district clerk must provide written notice to the county auditor of any special  
25.3 election canceled under section 205A.05, subdivision 3.

25.4 Sec. 58. Minnesota Statutes 2012, section 205A.07, subdivision 3a, is amended to read:

25.5 Subd. 3a. **Notice to commissioner of education.** At least ~~67~~ 74 days before every  
25.6 school district election held in conjunction with a regularly scheduled primary for federal,  
25.7 state, county, city, or school board office or a special primary for federal office, at least 74  
25.8 days before every school district election held in conjunction with a regularly scheduled  
25.9 general election for federal, state, county, city, or school board office or a special election  
25.10 for federal office, and at least 49 days before any other school district election, under  
25.11 section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the school district clerk shall  
25.12 provide a written notice to the commissioner of education. The notice must include the  
25.13 date of the election and the title and language for each ballot question to be voted on at the  
25.14 election. At least ~~67~~ 74 days before every school district election held in conjunction with  
25.15 a regularly scheduled primary for federal, state, county, city, or school board office or a  
25.16 special primary for federal office, at least 74 days before every school district election  
25.17 held in conjunction with a regularly scheduled general election for federal, state, county,  
25.18 city, or school board office or a special election for federal office, and at least 46 days  
25.19 before any other school district election, the school district clerk must provide a written  
25.20 notice to the commissioner of education of any special election canceled under section  
25.21 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided  
25.22 in a written notice to the commissioner in a timely manner.

25.23 Sec. 59. Minnesota Statutes 2012, section 205A.07, subdivision 3b, is amended to read:

25.24 Subd. 3b. **Notice to secretary of state.** At least ~~67~~ 74 days before every school  
25.25 district election held in conjunction with a regularly scheduled primary for federal, state,  
25.26 county, city, or school board office or a special primary for federal office, at least 74  
25.27 days before every school district election held in conjunction with a regularly scheduled  
25.28 general election for federal, state, county, city, or school board office or a special election  
25.29 for federal office, and at least 46 days before any other school district election for which  
25.30 a notice is provided to the county auditor under subdivision 3, the county auditor shall  
25.31 provide a notice of the election to the secretary of state, in a manner and including  
25.32 information prescribed by the secretary of state.

25.33 Sec. 60. Minnesota Statutes 2012, section 205A.08, subdivision 1, is amended to read:

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

26.4           Sec. 61. Minnesota Statutes 2012, section 206.61, subdivision 4, is amended to read:

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

26.11          Sec. 62. Minnesota Statutes 2012, section 206.89, subdivision 2, is amended to read:

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

26.15          At the canvass of the state general election, the county canvassing boards must select  
26.16 the precincts to be reviewed by lot. ~~Ballots counted centrally by a ballot board shall be~~  
26.17 ~~considered one precinct eligible to be selected for purposes of this subdivision.~~ The county  
26.18 canvassing board of a county with fewer than 50,000 registered voters must conduct a  
26.19 postelection review of a total of at least two precincts. The county canvassing board of a  
26.20 county with between 50,000 and 100,000 registered voters must conduct a review of a total  
26.21 of at least three precincts. The county canvassing board of a county with over 100,000  
26.22 registered voters must conduct a review of a total of at least four precincts, or three percent  
26.23 of the total number of precincts in the county, whichever is greater. At least one precinct  
26.24 selected in each county must have had more than 150 votes cast at the general election.

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

26.31          Sec. 63. Minnesota Statutes 2012, section 206.89, subdivision 3, is amended to read:

26.32          Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint  
26.33 the postelection review official as defined in subdivision 1. The postelection review must

27.1 be conducted of the votes cast for president or governor; ~~United States senator; and United~~  
 27.2 ~~States representative~~. The postelection review official may conduct postelection review of  
 27.3 the votes cast for additional offices.

27.4 The postelection review must be conducted in public at the location where the  
 27.5 voted ballots have been securely stored after the state general election or at another  
 27.6 location chosen by the county canvassing board. The postelection review official for  
 27.7 each precinct selected must conduct the postelection review and may be assisted by  
 27.8 election judges designated by the postelection review official for this purpose. The party  
 27.9 balance requirement of section 204B.19 applies to election judges designated for the  
 27.10 review. The postelection review must consist of a manual count of the ballots used in the  
 27.11 precincts selected and must be performed in the manner provided by section 204C.21.  
 27.12 The postelection review must be conducted in the manner provided for recounts under  
 27.13 section 204C.361 to the extent practicable. The review must be completed no later  
 27.14 than two days before the meeting of the state canvassing board to certify the results of  
 27.15 the state general election.

27.16 Sec. 64. Minnesota Statutes 2012, section 206.895, is amended to read:

27.17 **206.895 SECRETARY OF STATE MONITOR.**

27.18 The secretary of state must monitor and evaluate election procedures in precincts  
 27.19 subject to the audit provided for in section 206.89 in at least ~~four precincts~~ one precinct in  
 27.20 each congressional district. The precincts must be chosen by lot by the State Canvassing  
 27.21 Board at its meeting to canvass the state general election.

27.22 Sec. 65. Minnesota Statutes 2012, section 206.90, subdivision 6, is amended to read:

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

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

27.32 When optical scan ballots are used, the offices to be elected must appear in the  
 27.33 following order: federal offices; state legislative offices; constitutional offices; proposed  
 27.34 constitutional amendments; county offices and questions; municipal offices and questions;

28.1 school district offices and questions; special district offices and questions; and judicial  
28.2 offices.

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

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

28.7 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the  
28.8 instructions to voters must include a statement that reads substantially as follows: "THIS  
28.9 BALLOT CARD CONTAINS A PARTISAN BALLOT AND A NONPARTISAN  
28.10 BALLOT. ON THE PARTISAN BALLOT YOU ARE PERMITTED TO VOTE FOR  
28.11 CANDIDATES OF ONE POLITICAL PARTY ONLY." If a primary ballot contains  
28.12 political party columns on both sides of the ballot, the instructions to voters must include a  
28.13 statement that reads substantially as follows: "ADDITIONAL POLITICAL PARTIES ARE  
28.14 PRINTED ON THE OTHER SIDE OF THIS BALLOT. VOTE FOR ONE POLITICAL  
28.15 PARTY ONLY." At the bottom of each political party column on the primary ballot, the  
28.16 ballot must contain a statement that reads substantially as follows: "CONTINUE VOTING  
28.17 ON THE NONPARTISAN BALLOT." The instructions in section 204D.08, subdivision 4,  
28.18 do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio  
28.19 ballot readers must follow the order of offices and questions on the optical scan or paper  
28.20 ballot used in the same precinct, or the sample ballot posted for that precinct.

28.21 Sec. 66. Minnesota Statutes 2012, section 208.04, subdivision 1, is amended to read:

28.22 Subdivision 1. **Form of presidential ballots.** When presidential electors and  
28.23 alternates are to be voted for, a vote cast for the party candidates for president and vice  
28.24 president shall be deemed a vote for that party's electors and alternates as filed with the  
28.25 secretary of state. The secretary of state shall certify the names of all duly nominated  
28.26 presidential and vice presidential candidates to the county auditors of the counties of  
28.27 the state. Each county auditor, subject to the rules of the secretary of state, shall cause  
28.28 the names of the candidates of each major political party and the candidates nominated  
28.29 by petition to be printed in capital letters, set in type of the same size and style as for  
28.30 candidates on the state ~~white~~ general election ballot, before the party designation. To the  
28.31 left of, and on the same line with the names of the candidates for president and vice  
28.32 president, near the margin, shall be placed a square or box, in which the voters may  
28.33 indicate their choice by marking an "X."

28.34 The form for the presidential ballot and the relative position of the several candidates  
28.35 shall be determined by the rules applicable to other state officers. The state ballot, with

29.1 the required heading, shall be printed on the same piece of paper and shall be below the  
29.2 presidential ballot with a blank space between one inch in width.

29.3 Sec. 67. Minnesota Statutes 2012, section 208.04, subdivision 2, is amended to read:

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

29.7 Sec. 68. Minnesota Statutes 2012, section 211B.045, is amended to read:

29.8 **211B.045 NONCOMMERCIAL SIGNS EXEMPTION.**

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

29.14 Sec. 69. Minnesota Statutes 2012, section 211B.37, is amended to read:

29.15 **211B.37 COSTS ASSESSED.**

29.16 Except as otherwise provided in section 211B.36, subdivision 3, the chief  
29.17 administrative law judge shall assess the cost of considering complaints filed under  
29.18 section 211B.32 as provided in this section. Costs of complaints relating to a statewide  
29.19 ballot question or an election for a statewide or legislative office must be assessed against  
29.20 the appropriation from the general fund to the general account of the state elections  
29.21 campaign fund in section 10A.31, subdivision 4. Costs of complaints relating to any  
29.22 other ballot question or elective office must be assessed ~~against the county or counties in~~  
29.23 ~~which the election is held. Where the election is held in more than one county, the chief~~  
29.24 ~~administrative law judge shall apportion the assessment among the counties in proportion~~  
29.25 ~~to their respective populations within the election district to which the complaint relates~~  
29.26 ~~according to the most recent decennial federal census~~ paid from appropriations to the  
29.27 office for this purpose.

29.28 Sec. 70. Minnesota Statutes 2012, section 340A.416, subdivision 2, is amended to read:

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

30.1 Sec. 71. Minnesota Statutes 2012, section 340A.416, subdivision 3, is amended to read:

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

30.6 Sec. 72. Minnesota Statutes 2012, section 340A.602, is amended to read:

30.7 **340A.602 CONTINUATION.**

30.8 In any city in which the report of the operations of a municipal liquor store has  
 30.9 shown a net loss prior to interfund transfer in any two of three consecutive years, the  
 30.10 city council shall, not more than 45 days prior to the end of the fiscal year following  
 30.11 the three-year period, hold a public hearing on the question of whether the city shall  
 30.12 continue to operate a municipal liquor store. Two weeks' notice, written in clear and easily  
 30.13 understandable language, of the hearing must be printed in the city's official newspaper.  
 30.14 Following the hearing the city council may on its own motion or shall upon petition of five  
 30.15 percent or more of the registered voters of the city, submit to the voters at a general or  
 30.16 special municipal election the question of whether the city shall continue or discontinue  
 30.17 municipal liquor store operations by a date which the city council shall designate. The  
 30.18 date designated by the city council must not be more than 30 months following the date  
 30.19 of the election. The form of the question shall be: "Shall the city of (name) discontinue  
 30.20 operating the municipal liquor store on (Month xx, 2xxx)?".

30.21 Sec. 73. Minnesota Statutes 2012, section 375.20, is amended to read:

30.22 **375.20 BALLOT QUESTIONS.**

30.23 If the county board may do an act, incur a debt, appropriate money for a purpose,  
 30.24 or exercise any other power or authority, only if authorized by a vote of the people, the  
 30.25 question may be submitted at a special or general election, by a resolution specifying the  
 30.26 matter or question to be voted upon. If the question is to authorize the appropriation of  
 30.27 money, creation of a debt, or levy of a tax, it shall state the amount. Notice of the election  
 30.28 shall be given as in the case of special elections. If the question submitted is adopted, the  
 30.29 board shall pass an appropriate resolution to carry it into effect. In the election the form  
 30.30 of the ballot shall be: "~~In favor of~~ Shall (here state the substance of the resolution to be  
 30.31 submitted)?, Yes ..... No.....," ~~with a square opposite each of the words "yes" and "no," in~~  
 30.32 ~~one of which the voter shall mark an "X" to indicate a choice.~~ The county board may call  
 30.33 a special county election upon a question to be held within ~~60~~ 74 days after a resolution to  
 30.34 that effect is adopted by the county board. Upon the adoption of the resolution the county

31.1 auditor shall post and publish notices of the election, as required by section 204D.22,  
31.2 subdivisions 2 and 3. The election shall be conducted and the returns canvassed in the  
31.3 manner prescribed by sections 204D.20 to 204D.27, so far as practicable.

31.4 Sec. 74. Minnesota Statutes 2012, section 447.32, subdivision 2, is amended to read:

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

31.13 Special elections may be called by the hospital board to vote on any matter required  
31.14 by law to be submitted to the voters. A special election may not be conducted either  
31.15 during the ~~30~~ 56 days before ~~and the 30 days after the state~~ or the 56 days after a regularly  
31.16 scheduled primary or state general election, or during the 20 days before and the 20 days  
31.17 after the regularly scheduled election of any municipality conducted wholly or partially  
31.18 within the hospital district. Special elections must be held within the election precinct or  
31.19 precincts and at the polling place or places designated by the board. In the case of the  
31.20 first election of officers of a new district, precincts and polling places must be set by the  
31.21 governing body of the most populous city or town included in the district.

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

31.25 Sec. 75. Minnesota Statutes 2012, section 447.32, subdivision 3, is amended to read:

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

31.32 At least ~~53~~ 74 days prior to every hospital district election, the hospital district clerk  
31.33 shall provide a written notice to the county auditor of each county in which the hospital  
31.34 district is located. The notice must include the date of the election, the offices to be voted

32.1 on at the election, and the title and language for each ballot question to be voted on at the  
32.2 election. ~~At least 46 days before a hospital district election for which a notice is provided~~  
32.3 ~~to the county auditor under this subdivision;~~ The county auditor shall immediately provide  
32.4 a notice to the secretary of state in a manner and including information prescribed by  
32.5 the secretary of state.

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

32.13 Sec. 76. Minnesota Statutes 2012, section 447.32, subdivision 4, is amended to read:

32.14 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a  
32.15 candidate for the hospital board shall file an affidavit of candidacy for the election either as  
32.16 member at large or as a member representing the city or town where the candidate resides.  
32.17 The affidavit of candidacy must be filed with the city or town clerk not more than ~~94~~ 98 days  
32.18 nor less than ~~77~~ 84 days before the first Tuesday after the first Monday in November of the  
32.19 year in which the general election is held. The city or town clerk must forward the affidavits  
32.20 of candidacy to the clerk of the hospital district or, for the first election, the clerk of the  
32.21 most populous city or town immediately after the last day of the filing period. A candidate  
32.22 may withdraw from the election by filing an affidavit of withdrawal with the clerk of the  
32.23 district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

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

32.29 Voting must be by secret ballot. The clerk shall prepare, at the expense of the  
32.30 district, necessary ballots for the election of officers. Ballots must be ~~printed on tan paper~~  
32.31 ~~and~~ prepared as provided in the rules of the secretary of state. The ballots must be marked  
32.32 and initialed by at least two judges as official ballots and used exclusively at the election.  
32.33 Any proposition to be voted on may be printed on the ballot provided for the election  
32.34 of officers. The hospital board may also authorize the use of voting systems subject to  
32.35 chapter 206. Enough election judges may be appointed to receive the votes at each



33.1 polling place. The election judges shall act as clerks of election, count the ballots cast,  
33.2 and submit them to the board for canvass.

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

33.10 Sec. 77. Laws 1963, chapter 276, section 2, subdivision 2, as amended by Laws 1992,  
33.11 chapter 534, section 1, is amended to read:

33.12 Subd. 2. ~~One third of the members of the first hospital board shall be appointed for a~~  
33.13 ~~term to expire one year from December 31 next following such appointment, one third~~  
33.14 ~~for a term to expire two years from such date, and one third for a term to expire three~~  
33.15 ~~years from such date. Successors to the original board members shall each be elected for~~  
33.16 ~~terms of three years, and all members shall hold office until their successors are elected~~  
33.17 ~~and qualify. Terms of all members shall expire on December 31. In case of a vacancy~~  
33.18 ~~on the hospital board, whether due to death, removal from the district, inability to serve,~~  
33.19 ~~resignation, or other cause the majority of the remaining members of the hospital board,~~  
33.20 ~~at its next regular or special meeting, shall make an appointment to fill such vacancy for~~  
33.21 ~~the then unexpired term. The election of successors to the original board members shall~~  
33.22 ~~be elected by popular vote of the qualified voters in the hospital district. Hospital board~~  
33.23 ~~elections shall be conducted as provided in Minnesota Statutes, section 447.32. The~~  
33.24 ~~hospital board shall, by resolution, adopt a plan for the orderly transition to the new~~  
33.25 ~~election schedule. The resolution must be approved no later than four weeks before the~~  
33.26 ~~first day to file affidavits of candidacy for the general election. The terms of school board~~  
33.27 ~~members may be lengthened or shortened by one year as a part of the transition process.~~

33.28 Sec. 78. **REPEALER.**

33.29 Minnesota Statutes 2012, sections 204B.42; 204D.11, subdivisions 2 and 3; 205.17,  
33.30 subdivisions 2 and 4; and 205A.08, subdivision 4, are repealed.

**204B.42 PAPER COLOR FOR SAMPLE BALLOTS; PENALTY.**

No sample ballot shall be printed on paper of the same color as any official ballots except when printed in black ink on white paper and appearing in a newspaper as news matter. A violation of this section is a misdemeanor.

**204D.11 STATE GENERAL ELECTION BALLOTS; CANDIDATES; OFFICIAL IN CHARGE; RULES; REIMBURSEMENT.**

Subd. 2. **Pink ballots.** Amendments to the state Constitution shall be placed on a ballot printed on pink paper which shall be known as the "pink ballot." The pink ballot shall be prepared by the county auditor, in the manner provided in the rules of the secretary of state.

Subd. 3. **Canary ballot.** All questions and the names of all candidates for offices to be voted on at the state general election which are not placed on the white ballot shall be placed on a single ballot printed on canary paper which shall be known as the "canary ballot." The canary ballot shall be prepared by the county auditor in the manner provided in the rules of the secretary of state.

**205.17 BALLOTS.**

Subd. 2. **First class cities.** In all cities of the first class, for the municipal general election, the city clerk shall have printed in blocks of 50 a partisan ballot upon which the names of all candidates for the office of mayor and for the city council are printed, and a nonpartisan ballot upon which the names of all candidates for all other city offices are printed. The partisan ballot shall be printed on light orange paper and shall be headed "City Partisan General Ballot." The nonpartisan ballot shall be printed on light green paper and shall be headed "City Nonpartisan General Ballot." Both ballots shall state the name of the city and the date of the election and conform in all other respects to the white ballot used at the state general election. The names of the candidates on the nonpartisan ballot shall be rotated in the manner prescribed for the rotation of names on nonpartisan ballots in state general elections.

On the partisan ballot the names of the candidates for mayor shall be placed first. The order of the names of the candidates shall be in the manner prescribed for state general elections in section 204D.13.

Subd. 4. **Blue ballots; questions.** All questions relating to the adoption of a city charter or charter amendments, a proposition for the issuance of bonds, and all other questions relating to city or town affairs submitted at an election to the voters of the municipality shall be printed on one separate blue ballot and shall be prepared, printed, and distributed under the direction of the municipal clerk at the same time and in the same manner as other municipal ballots. The ballots, when voted, shall be deposited in a separate blue ballot box provided by the local authorities for each voting precinct. The ballots shall be canvassed, counted, and returned in the same manner as other municipal ballots. The returns shall provide appropriate blank spaces for the counting, canvassing, and returning of the results of the questions submitted on the blue ballot.

**205A.08 BALLOTS.**

Subd. 4. **Goldenrod ballots; questions.** All questions relating to a proposition for the issuance of bonds, and all other questions relating to school district affairs submitted at an election to the voters of the school district, shall be printed on one separate goldenrod ballot and shall be prepared, printed, and distributed under the direction of the school district clerk at the same time and in the same manner as other school district ballots. The ballots, when voted, shall be deposited in a separate goldenrod ballot box provided by the local authorities for each voting precinct. The ballots shall be canvassed, counted, and returned in the same manner as other school district ballots. The returns shall provide appropriate blank spaces for the counting, canvassing, and return of the results of the questions submitted on the goldenrod ballot.