

1.1 CONFERENCE COMMITTEE REPORT ON S.F. No. 2390

1.2 A bill for an act

1.3 relating to elections; modifying provisions related to election administration;
1.4 making technical changes to provisions related to voting, voter registration,
1.5 ballots, and other election-related provisions; amending Minnesota Statutes
1.6 2012, sections 201.081; 201.091, subdivision 2; 201.13, subdivision 4; 203B.12,
1.7 subdivision 7, by adding a subdivision; 203B.22; 204B.09, subdivision 3;
1.8 204B.19, subdivision 2; 204C.26, subdivision 1; 204D.13, subdivisions 1, 2;
1.9 204D.15, subdivision 1; 205.07, subdivision 1a; 205.13, subdivision 1; 370.05;
1.10 375A.12, subdivision 5; 412.091; Minnesota Statutes 2013 Supplement, sections
1.11 203B.04, subdivision 1; 204B.45, subdivision 2; 204B.46; 205A.05, subdivision
1.12 1; 368.47; proposing coding for new law in Minnesota Statutes, chapter 211C.

1.13 May 7, 2014

1.14 The Honorable Sandra L. Pappas
1.15 President of the Senate

1.16 The Honorable Paul Thissen
1.17 Speaker of the House of Representatives

1.18 We, the undersigned conferees for S.F. No. 2390 report that we have agreed upon
1.19 the items in dispute and recommend as follows:

1.20 That the House recede from its amendments and that S.F. No. 2390 be further
1.21 amended as follows:

1.22 Delete everything after the enacting clause and insert:

1.23 "Section 1. Minnesota Statutes 2013 Supplement, section 5B.06, is amended to read:

1.24 **5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.**

1.25 A program participant who is otherwise eligible to vote may register with the
1.26 secretary of state as a permanent absentee voter. Notwithstanding section 203B.04,
1.27 subdivision 5, the secretary of state is not required to send an absentee ballot application
1.28 prior to each election to a program participant registered as a permanent absentee voter
1.29 under this section. As soon as practicable before each election, the secretary of state
1.30 shall determine the precinct in which the residential address of the program participant
1.31 is located and shall request from and receive from the county auditor or other election
1.32 official the ballot for that precinct and shall forward the absentee ballot to the program

2.1 participant with the other materials for absentee balloting as required by Minnesota
2.2 law. The program participant shall complete the ballot and return it to the secretary of
2.3 state, who shall review the ballot in the manner provided by section ~~203B.24~~ 203B.121,
2.4 subdivision 2. If the ballot and ballot materials comply with the requirements of that
2.5 section, the ballot must be certified by the secretary of state as the ballot of a program
2.6 participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation
2.7 along with all other ballots. The name and address of a program participant must not be
2.8 listed in the statewide voter registration system.

2.9 Sec. 2. Minnesota Statutes 2013 Supplement, section 103C.311, subdivision 2, is
2.10 amended to read:

2.11 Subd. 2. **Supervisors elected by districts.** (a) A district board in the seven-county
2.12 metropolitan area shall by resolution provide that supervisors will be elected by supervisor
2.13 districts as provided in this subdivision.

2.14 ~~(a)~~ (b) A district board outside of the seven-county metropolitan area, with the
2.15 approval of the state board, may by resolution provide that supervisors will be elected by
2.16 supervisor districts as provided in this subdivision.

2.17 ~~(b)~~ (c) The supervisor districts must be composed of precincts established by
2.18 county and municipal governing bodies under section 204B.14. The districts must be
2.19 compact, include only contiguous territory, and be substantially equal in population.
2.20 The districts must be numbered in a regular series. The districts must be drawn by the
2.21 county board of the county containing the largest area of the soil and water conservation
2.22 district, in consultation with the district board and with the approval of the state board.
2.23 The boundaries of the districts must be redrawn after each decennial federal census as
2.24 provided in section 204B.135. A certified copy of the resolution establishing supervisor
2.25 districts must be filed by the chair of the district board with the county auditor of the
2.26 counties where the soil and water conservation district is located, with the state board, and
2.27 with the secretary of state, and the filings must occur within 80 days of the time when the
2.28 legislature has been redistricted or at least 15 weeks before the state primary election in a
2.29 year ending in two, whichever comes first.

2.30 ~~(e)~~ (d) Each supervisor district is entitled to elect one supervisor. A supervisor must
2.31 be a resident of the district from which elected.

2.32 ~~(d)~~ (e) The district board shall provide staggered terms for supervisors elected by
2.33 district. After each redistricting, there shall be a new election of supervisors in all the
2.34 districts at the next general election, except that if the change made in the boundaries of a
2.35 district is less than five percent of the average population of all the districts, the supervisor

3.1 in office at the time of the redistricting shall serve for the full term for which elected. The
3.2 district board shall determine by lot the seats to be filled for a two-year term, a four-year
3.3 term, and a six-year term.

3.4 **EFFECTIVE DATE.** This section is effective January 1, 2015, and applies to
3.5 elections conducted on or after that date.

3.6 Sec. 3. Minnesota Statutes 2013 Supplement, section 201.061, subdivision 3, is
3.7 amended to read:

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

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

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

3.17 (3) presenting one of the following:

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

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

3.24 (4) having a voter who is registered to vote in the precinct, or ~~who~~ is an employee
3.25 employed by and working in a residential facility in the precinct and vouching for a
3.26 resident in the facility, sign an oath in the presence of the election judge vouching that
3.27 the voter or employee personally knows that the individual is a resident of the precinct.
3.28 A voter who has been vouched for on election day may not sign a proof of residence
3.29 oath vouching for any other individual on that election day. A voter who is registered to
3.30 vote in the precinct may sign up to eight proof-of-residence oaths on any election day.
3.31 This limitation does not apply to an employee of a residential facility described in this
3.32 clause. The secretary of state shall provide a form for election judges to use in recording
3.33 the number of individuals for whom a voter signs proof-of-residence oaths on election
3.34 day. The form must include space for the maximum number of individuals for whom a
3.35 voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must

4.1 include a statement that the voter individual: (i) is registered to vote in the precinct or is an
4.2 employee of a residential facility in the precinct, (ii) personally knows that the individual
4.3 voter is a resident of the precinct, and (iii) is making the statement on oath. The form must
4.4 include a space for the voter's printed name, signature, telephone number, and address.

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

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

4.11 (c) "Residential facility" means transitional housing as defined in section 256E.33,
4.12 subdivision 1; a supervised living facility licensed by the commissioner of health under
4.13 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
4.14 5; a residence registered with the commissioner of health as a housing with services
4.15 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by
4.16 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence
4.17 licensed by the commissioner of human services to provide a residential program as
4.18 defined in section 245A.02, subdivision 14; a residential facility for persons with a
4.19 developmental disability licensed by the commissioner of human services under section
4.20 252.28; group residential housing as defined in section 256I.03, subdivision 3; a shelter
4.21 for battered women as defined in section 611A.37, subdivision 4; or a supervised
4.22 publicly or privately operated shelter or dwelling designed to provide temporary living
4.23 accommodations for the homeless.

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

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

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

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

5.1 Sec. 4. Minnesota Statutes 2012, section 201.061, subdivision 8, as added by Laws
5.2 2014, chapter 185, section 3, is amended to read:

5.3 Subd. 8. **Web site security.** (a) The secretary of state shall maintain a log of each
5.4 Internet Protocol address used to submit a voter registration application electronically
5.5 under subdivision 1, paragraph (a), clause (2), and must monitor the log, volume of
5.6 Web site use, and other appropriate indicators for suspicious activity. Evidence of
5.7 suspicious activity that cannot be resolved by the secretary of state must be forwarded to
5.8 an appropriate law enforcement agency for investigation.

5.9 (b) The electronic registration system must be secure. The Web site shall maintain
5.10 the confidentiality of all users and preserve the integrity of the data submitted. The
5.11 secretary of state shall employ security measures to ensure the accuracy and integrity of
5.12 voter registration applications submitted electronically pursuant to this section. All data
5.13 sent and received through the Web site must be encrypted.

5.14 (c) The secretary of state must provide ongoing testing and monitoring to ensure
5.15 continued security. The secretary of state must work with the chief information officer
5.16 as defined in section 16E.01, subdivision 1, or another security expert to annually assess
5.17 the security of the system. The security assessment must include a certification signed
5.18 by the secretary of state that states that adequate security measures are in place. The
5.19 certification must also be signed by the chief information officer or another security expert
5.20 affirming that the assessment is accurate. The secretary of state must submit the security
5.21 assessment to the legislative auditor and to the chairs and ranking minority members of
5.22 the committees in the senate and house of representatives with primary jurisdiction over
5.23 elections by January 1 of each year, except that the first annual security assessment must
5.24 be submitted by September 30, 2014, and no report is required for January 1, 2015.

5.25 (d) In developing the electronic voter registration system, the secretary of state must
5.26 consult with the chief information officer or the chief's designee to ensure the site is secure.

5.27 Sec. 5. Minnesota Statutes 2012, section 201.081, as amended by Laws 2014, chapter
5.28 185, section 6, is amended to read:

5.29 **201.081 REGISTRATION FILES.**

5.30 Subdivision 1. **Statewide registration system.** (a) The statewide registration system
5.31 is the official record of registered voters. The voter registration applications and the
5.32 terminal providing access to the statewide registration system must be under the control
5.33 of the county auditor or the public official to whom the county auditor has delegated
5.34 the responsibility for maintaining voter registration records. The voter registration
5.35 applications and terminals providing access to the statewide registration system must not

6.1 be removed from the control of the county auditor except as provided in this section.
6.2 The county auditor may make photographic copies of voter registration applications in
6.3 the manner provided by section 138.17.

6.4 (b) A properly completed voter registration application that has been submitted
6.5 electronically or in paper form to the secretary of state or a county auditor must be
6.6 maintained by the secretary of state or the county auditor for at least 22 months after the
6.7 date that the information on the application is entered into the database of the statewide
6.8 registration system. The secretary of state or the county auditor may dispose of the
6.9 applications after retention for 22 months in the manner provided by section 138.17.

6.10 (c) Data contained on a voter registration application submitted electronically
6.11 through the secure Web site established in section 201.061, subdivision 1, must be
6.12 maintained in its original form, in a manner suitable for printing, for the period required
6.13 by this section. The Internet Protocol address used to submit an application electronically
6.14 must be maintained with the voter registration application data.

6.15 Subd. 2. **Exception.** The secretary of state may maintain voter records of
6.16 participants of the Safe at Home program for the purposes of chapter 5B.

6.17 Sec. 6. Minnesota Statutes 2012, section 201.091, subdivision 2, is amended to read:

6.18 Subd. 2. **Corrected list.** By February 15 of each year, the secretary of state shall
6.19 prepare the master list for each county auditor. The records in the statewide registration
6.20 system must be periodically corrected and updated by the county auditor. An updated
6.21 master list for each precinct must be available for absentee voting at least ~~32~~ 46 days
6.22 before each election. A final corrected master list must be available seven days before
6.23 each election.

6.24 Sec. 7. Minnesota Statutes 2012, section 201.13, subdivision 4, is amended to read:

6.25 Subd. 4. **Request for removal of voter record.** If a voter makes a written request
6.26 for removal of the voter's record, the county auditor shall ~~remove~~ inactivate the record of
6.27 the voter ~~from~~ in the statewide voter registration system.

6.28 Sec. 8. Minnesota Statutes 2013 Supplement, section 203B.04, subdivision 1, as
6.29 amended by Laws 2014, chapter 185, section 8, is amended to read:

6.30 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by
6.31 subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for
6.32 any election may be submitted at any time not less than one day before the day of that
6.33 election. The county auditor shall prepare absentee ballot application forms in the format

7.1 provided by the secretary of state and shall furnish them to any person on request. By
7.2 January 1 of each even-numbered year, the secretary of state shall make the forms to be
7.3 used available to auditors through electronic means. An application submitted pursuant
7.4 to this subdivision shall be in writing. An application may be submitted in person by
7.5 electronic facsimile device, by electronic mail, or by mail to:

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

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

7.9 For a federal, state, or county election, an absentee ballot application may alternatively
7.10 be submitted electronically through a secure Web site that shall be maintained by the
7.11 secretary of state for this purpose. Notwithstanding paragraph (b), the secretary of state
7.12 must require applicants using the Web site to submit the applicant's e-mail address and
7.13 verifiable Minnesota driver's license number, Minnesota state identification card number,
7.14 or the last four digits of the applicant's Social Security number.

7.15 An application submitted electronically under this paragraph may only be transmitted to
7.16 the county auditor for processing if the secretary of state has verified the application
7.17 information matches the information in a government database associated with the
7.18 applicant's driver's license number, state identification card number, or Social Security
7.19 number. The secretary of state must review all unverifiable applications for evidence
7.20 of suspicious activity and must forward any such application to an appropriate law
7.21 enforcement agency for investigation.

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

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

7.26 (2) Minnesota state identification card number;

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

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

7.29 (c) To be approved, the application must contain an oath that the information
7.30 contained on the form is accurate, that the applicant is applying on the applicant's own
7.31 behalf, and that the applicant is signing the form under penalty of perjury.

7.32 (d) An applicant's full date of birth, Minnesota driver's license or state identification
7.33 number, and the last four digits of the applicant's Social Security number must not be made
7.34 available for public inspection. An application may be submitted to the county auditor
7.35 or municipal clerk by an electronic facsimile device. An application mailed or returned
7.36 in person to the county auditor or municipal clerk on behalf of a voter by a person other

8.1 than the voter must be deposited in the mail or returned in person to the county auditor or
8.2 municipal clerk within ten days after it has been dated by the voter and no later than six
8.3 days before the election. The absentee ballot applications or a list of persons applying
8.4 for an absentee ballot may not be made available for public inspection until the close of
8.5 voting on election day, except as authorized in section 203B.12.

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

8.8 Sec. 9. Minnesota Statutes 2012, section 203B.04, subdivision 7, as added by Laws
8.9 2014, chapter 185, section 9, is amended to read:

8.10 Subd. 7. **Web site security.** (a) The secretary of state shall maintain a log of each
8.11 Internet Protocol address used to submit an absentee ballot application electronically under
8.12 this section, and must monitor the log, volume of Web site use, and other appropriate
8.13 indicators for suspicious activity. Evidence of suspicious activity that cannot be resolved
8.14 by the secretary of state must be forwarded to an appropriate law enforcement agency for
8.15 investigation.

8.16 (b) The electronic absentee ballot application system must be secure. The Web
8.17 site shall maintain the confidentiality of all users and preserve the integrity of the data
8.18 submitted. The secretary of state shall employ security measures to ensure the accuracy
8.19 and integrity of absentee ballot applications submitted electronically pursuant to this
8.20 section. All data sent and received through the Web site must be encrypted.

8.21 (c) The secretary of state must provide ongoing testing and monitoring to ensure
8.22 continued security. The secretary of state must work with the chief information officer
8.23 as defined in section 16E.01, subdivision 1, or another security expert to annually assess
8.24 the security of the system. The security assessment must include a certification signed
8.25 by the secretary of state that states that adequate security measures are in place. The
8.26 certification must also be signed by the chief information officer or another security expert
8.27 affirming that the assessment is accurate. The secretary of state must submit the security
8.28 assessment to the legislative auditor and to the chairs and ranking minority members of
8.29 the committees in the senate and house of representatives with primary jurisdiction over
8.30 elections by January 1 of each year, except that the first annual security assessment must
8.31 be submitted by September 30, 2014, and no report is required for January 1, 2015.

8.32 (d) In developing the electronic absentee ballot application system, the secretary of
8.33 state must consult with the chief information officer or the chief's designee to ensure the
8.34 site is secure.

9.1 Sec. 10. Minnesota Statutes 2012, section 203B.12, subdivision 7, is amended to read:

9.2 Subd. 7. **Names of persons submitting; rejected absentee ballots.** The names
9.3 of voters who have submitted an absentee ballot ~~return envelope~~ to the county auditor
9.4 or municipal clerk that has not been accepted may not be made available for public
9.5 inspection until the close of voting on election day.

9.6 Sec. 11. Minnesota Statutes 2012, section 203B.12, is amended by adding a subdivision
9.7 to read:

9.8 Subd. 8. **Names of persons; accepted absentee ballots.** For all elections where use
9.9 of the statewide voter registration system is required, the secretary of state must maintain
9.10 a list of voters who have submitted absentee ballots that have been accepted. For all other
9.11 elections, the county auditor or municipal clerk must maintain a list of voters who have
9.12 submitted absentee ballots that have been accepted. The lists must be available to the public
9.13 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

9.14 Sec. 12. Minnesota Statutes 2012, section 203B.17, subdivision 3, as amended by
9.15 Laws 2014, chapter 185, section 10, is amended to read:

9.16 Subd. 3. **Web site security.** (a) The secretary of state shall maintain a log of each
9.17 Internet Protocol address used to submit an absentee ballot application electronically under
9.18 this section, and must monitor the log, volume of Web site use, and other appropriate
9.19 indicators for suspicious activity. Evidence of suspicious activity that cannot be resolved
9.20 by the secretary of state must be forwarded to an appropriate law enforcement agency for
9.21 investigation.

9.22 (b) The electronic absentee ballot application system must be secure. The Web
9.23 site shall maintain the confidentiality of all users and preserve the integrity of the data
9.24 submitted. The secretary of state shall employ security measures to ensure the accuracy
9.25 and integrity of absentee ballot applications submitted electronically pursuant to this
9.26 section. All data sent and received through the Web site must be encrypted.

9.27 (c) The secretary of state must provide ongoing testing and monitoring to ensure
9.28 continued security. The secretary of state must work with the chief information officer
9.29 as defined in section 16E.01, subdivision 1, or another security expert to annually assess
9.30 the security of the system. The security assessment must include a certification signed
9.31 by the secretary of state that states that adequate security measures are in place. The
9.32 certification must also be signed by the chief information officer or another security expert
9.33 affirming that the assessment is accurate. The secretary of state must submit the security
9.34 assessment to the legislative auditor and to the chairs and ranking minority members of

10.1 the committees in the senate and house of representatives with primary jurisdiction over
10.2 elections by January 1 of each year, except that the first annual security assessment must
10.3 be submitted by September 30, 2014, and no report is required for January 1, 2015.

10.4 (d) In developing the electronic absentee ballot application system, the secretary of
10.5 state must consult with the chief information officer or the chief's designee to ensure the
10.6 site is secure.

10.7 Sec. 13. Minnesota Statutes 2012, section 203B.22, is amended to read:

10.8 **203B.22 TRANSMITTING BALLOTS.**

10.9 (a) The county auditor shall transmit the appropriate ballots, as promptly as possible,
10.10 to an absent voter whose application has been recorded under section 203B.19. If the
10.11 county auditor determines that a voter is not eligible to vote at the primary but will be
10.12 eligible to vote at the general election, only general election ballots shall be transmitted.
10.13 Only one set of ballots shall be transmitted to any applicant for any election, except that
10.14 the county auditor may transmit a replacement ballot to a voter whose ballot has been
10.15 spoiled or lost in transit or whose mailing address has changed after the date on which
10.16 the original application was submitted as confirmed by the county auditor. Ballots to be
10.17 sent outside the United States shall be given priority in transmission. A county auditor
10.18 may make use of any special service provided by the United States government for the
10.19 transmission of voting materials under sections 203B.16 to 203B.27.

10.20 (b) The county auditor must transmit the appropriate ballots by express mail
10.21 immediately upon discovery that the ballots were not properly transmitted to the voter as
10.22 a result of the following circumstances: (1) an application was received by the county
10.23 auditor by the close of business at least 46 days before the election; (2) the county auditor
10.24 failed to transmit the appropriate ballots by the 46th day before the election; and (3)
10.25 the voter did not request that the ballots be electronically transmitted to the voter under
10.26 section 203B.225, subdivision 1.

10.27 Sec. 14. Minnesota Statutes 2012, section 204B.09, subdivision 3, is amended to read:

10.28 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office
10.29 who wants write-in votes for the candidate to be counted must file a written request with
10.30 the filing office for the office sought not more than 84 days before the primary and no later
10.31 than the seventh day before the general election. The filing officer shall provide copies
10.32 of the form to make the request.

10.33 (b) A candidate for president of the United States who files a request under this
10.34 subdivision must include the name of a candidate for vice-president of the United States.

11.1 The request must also include the name of at least one candidate for presidential elector. The
11.2 total number of names of candidates for presidential elector on the request may not exceed
11.3 the total number of electoral votes to be cast by Minnesota in the presidential election.

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

11.6 Sec. 15. Minnesota Statutes 2012, section 204B.19, subdivision 2, is amended to read:

11.7 Subd. 2. **Individuals not qualified to be election judges.** (a) Except as provided in
11.8 paragraph (b), no individual shall be appointed as an election judge for any precinct if
11.9 that individual:

11.10 (1) is unable to read, write, or speak the English language;

11.11 (2) is the spouse₂; parent, including a stepparent; child, including a stepchild₂; or
11.12 sibling, including a stepsibling₂; of any election judge serving in the same precinct or of
11.13 any candidate at that election; or

11.14 (3) is a candidate at that election.

11.15 (b) Individuals who are related to each other as provided in paragraph (a), clause (2),
11.16 may serve as election judges in the same precinct, provided that they serve on separate
11.17 shifts that do not run concurrently.

11.18 Sec. 16. Minnesota Statutes 2013 Supplement, section 204B.46, is amended to read:

11.19 **204B.46 MAIL ELECTIONS; QUESTIONS.**

11.20 A county, municipality, or school district submitting questions to the voters at a
11.21 special election may conduct an election by mail with no polling place other than the
11.22 office of the auditor or clerk. No offices may be voted on at a mail election. Notice of the
11.23 election must be given to the county auditor at least 74 days prior to the election. This
11.24 notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special
11.25 mail ballot procedures must be posted at least six weeks prior to the election. Not more
11.26 than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by
11.27 nonforwardable mail to all voters registered in the county, municipality, or school district.
11.28 No later than 14 days before the election, the auditor or clerk must make a subsequent
11.29 mailing of ballots to those voters who register to vote after the initial mailing but before the
11.30 20th day before the election. Eligible voters not registered at the time the ballots are mailed
11.31 may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot
11.32 board to examine the mail and absentee ballot return envelopes and mark them "Accepted"
11.33 or "Rejected" within three days of receipt if there are 14 or fewer days before election day,
11.34 or within five days of receipt if there are more than 14 days before election day. The board

12.1 may consist of deputy county auditors, deputy municipal clerks, or deputy school district
12.2 clerks who have received training in the processing and counting of mail ballots, who
12.3 need not be affiliated with a major political party. Election judges performing the duties in
12.4 this section must be of different major political parties, unless they are exempt from that
12.5 requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has
12.6 been rejected at least five days before the election, the ballots in the envelope must remain
12.7 sealed and the auditor or clerk must provide the voter with a replacement ballot and return
12.8 envelope in place of the spoiled ballot. If the ballot is rejected within five days of the
12.9 election, the envelope must remain sealed and the official in charge of the ballot board must
12.10 attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot
12.11 has been rejected. The official must document the attempts made to contact the voter.

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

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

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

12.22 Sec. 17. Minnesota Statutes 2012, section 204C.08, subdivision 1d, is amended to read:

12.23 Subd. 1d. **Voter's Bill of Rights.** The county auditor shall prepare and provide to
12.24 each polling place sufficient copies of a poster setting forth the Voter's Bill of Rights as set
12.25 forth in this section. Before the hours of voting are scheduled to begin, the election judges
12.26 shall post it in a conspicuous location or locations in the polling place. The Voter's Bill
12.27 of Rights is as follows:

12.28 "VOTER'S BILL OF RIGHTS

12.29 For all persons residing in this state who meet federal voting eligibility requirements:

12.30 (1) You have the right to be absent from work for the purpose of voting in a state or
12.31 federal election without reduction to your pay, personal leave, or vacation time on election
12.32 day for the time necessary to appear at your polling place, cast a ballot, and return to work.

12.33 (2) If you are in line at your polling place any time before 8:00 p.m., you have the
12.34 right to vote.

13.1 (3) If you can provide the required proof of residence, you have the right to register
13.2 to vote and to vote on election day.

13.3 (4) If you are unable to sign your name, you have the right to orally confirm your
13.4 identity with an election judge and to direct another person to sign your name for you.

13.5 (5) You have the right to request special assistance when voting.

13.6 (6) If you need assistance, you may be accompanied into the voting booth by a
13.7 person of your choice, except by an agent of your employer or union or a candidate.

13.8 (7) You have the right to bring your minor children into the polling place and into
13.9 the voting booth with you.

13.10 (8) If you have been convicted of a felony but your felony sentence has expired (been
13.11 completed) or you have been discharged from your sentence, you have the right to vote.

13.12 (9) If you are under a guardianship, you have the right to vote, unless the court
13.13 order revokes your right to vote.

13.14 (10) You have the right to vote without anyone in the polling place trying to
13.15 influence your vote.

13.16 (11) If you make a mistake or spoil your ballot before it is submitted, you have the
13.17 right to receive a replacement ballot and vote.

13.18 (12) You have the right to file a written complaint at your polling place if you are
13.19 dissatisfied with the way an election is being run.

13.20 (13) You have the right to take a sample ballot into the voting booth with you.

13.21 (14) You have the right to take a copy of this Voter's Bill of Rights into the voting
13.22 booth with you."

13.23 Sec. 18. Minnesota Statutes 2012, section 204C.26, subdivision 1, is amended to read:

13.24 Subdivision 1. **Summary statements.** For state elections, each official responsible
13.25 for printing ballots shall furnish three or more blank summary statement forms for the
13.26 returns of those ballots for each precinct. At least two copies of the summary statement
13.27 must be prepared for elections not held on the same day as the state elections. The blank
13.28 summary statement forms shall be furnished at the same time and in the same manner as
13.29 the ballots. The county auditor shall furnish blank summary statement forms containing
13.30 separate space for the summary statement of the returns of the white state general election
13.31 ~~ballot and the summary statement of the returns for the state pink ballot.~~

13.32 Sec. 19. Minnesota Statutes 2012, section 204D.13, subdivision 1, is amended to read:

13.33 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed
13.34 on the white state general election ballot in the following order: senator in Congress shall

14.1 be first; representative in Congress, second; state senator, third; and state representative,
14.2 fourth. The candidates for state offices shall follow in the order specified by the secretary
14.3 of state. Candidates for governor and lieutenant governor shall appear so that a single
14.4 vote may be cast for both offices.

14.5 Sec. 20. Minnesota Statutes 2012, section 204D.13, subdivision 2, is amended to read:

14.6 Subd. 2. **Order of political parties.** The first name printed for each partisan office
14.7 on the ~~white~~ state general election ballot shall be that of the candidate of the major political
14.8 party that received the smallest average number of votes at the last state general election.
14.9 The succeeding names shall be those of the candidates of the other major political parties
14.10 that received a succeeding higher average number of votes respectively. For the purposes
14.11 of this subdivision, the average number of votes of a major political party shall be computed
14.12 by dividing the total number of votes counted for all of the party's candidates for statewide
14.13 office at the state general election by the number of those candidates at the election.

14.14 Sec. 21. Minnesota Statutes 2012, section 204D.15, subdivision 1, is amended to read:

14.15 Subdivision 1. **Titles for constitutional amendments.** The secretary of state shall
14.16 provide an appropriate title for each question printed on the ~~pink~~ state general election
14.17 ballot. The title shall be approved by the attorney general, and shall consist of not more
14.18 than one printed line above the question to which it refers. At the top of the ballot just
14.19 below the heading, a conspicuous notice shall be printed stating that a voter's failure to
14.20 vote on a constitutional amendment has the effect of a negative vote.

14.21 Sec. 22. Minnesota Statutes 2012, section 205.07, subdivision 1a, is amended to read:

14.22 Subd. 1a. **City council members; expiration of terms.** The terms of all city
14.23 council members of charter cities expire on the first Monday in January of the year in
14.24 which they expire. All officers of charter cities chosen and qualified shall hold office until
14.25 their successors qualify.

14.26 Sec. 23. Minnesota Statutes 2012, section 205.13, subdivision 1, is amended to read:

14.27 Subdivision 1. **Affidavit of candidacy.** An individual who is eligible and desires to
14.28 become a candidate for an office to be voted for at the municipal general election shall file
14.29 an affidavit of candidacy with the municipal clerk. Candidates for a special election to
14.30 fill a vacancy held as provided in section 412.02, subdivision 2a, must file an affidavit
14.31 of candidacy for the specific office to fill the unexpired portion of the term. Subject to
14.32 the approval of the county auditor, the town clerk may authorize candidates for township

15.1 offices to file affidavits of candidacy with the county auditor. The affidavit shall be in
15.2 ~~substantially~~ the same form as that in section 204B.06, ~~subdivision 1~~. The municipal clerk
15.3 shall also accept an application signed by not less than five voters and filed on behalf of an
15.4 eligible voter in the municipality whom they desire to be a candidate, if service of a copy
15.5 of the application has been made on the candidate and proof of service is endorsed on the
15.6 application being filed. Upon receipt of the proper filing fee, the clerk shall place the name
15.7 of the candidate on the official ballot without partisan designation.

15.8 Sec. 24. Minnesota Statutes 2013 Supplement, section 205A.05, subdivision 1, is
15.9 amended to read:

15.10 Subdivision 1. **Questions.** (a) Special elections must be held for a school district on
15.11 a question on which the voters are authorized by law to pass judgment. The school board
15.12 may on its own motion call a special election to vote on any matter requiring approval of
15.13 the voters of a district. Upon petition filed with the school board of 50 or more voters of
15.14 the school district or five percent of the number of voters voting at the preceding school
15.15 district general election, whichever is greater, the school board shall by resolution call
15.16 a special election to vote on any matter requiring approval of the voters of a district.
15.17 A question is carried only with the majority in its favor required by law. The election
15.18 officials for a special election are the same as for the most recent school district general
15.19 election unless changed according to law. Otherwise, special elections must be conducted
15.20 and the returns made in the manner provided for the school district general election.

15.21 (b) A special election may not be held:

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

15.24 (2) on the date of a regularly scheduled town election in March conducted wholly
15.25 or partially within the school district; or

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

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

15.31 Sec. 25. **[211C.071] REMOVAL ELECTION FORM OF QUESTION.**

15.32 The form of the question under this chapter must be:

15.33 "Shall (Name) elected (appointed) to the office of (title) be removed
15.34 from that office?"

16.1 Sec. 26. Minnesota Statutes 2013 Supplement, section 368.47, is amended to read:

16.2 **368.47 TOWNS MAY BE DISSOLVED.**

16.3 (1) When the voters residing within a town have failed to elect any town officials for
16.4 more than ten years continuously;

16.5 (2) when a town has failed for a period of ten years to exercise any of the powers
16.6 and functions of a town;

16.7 (3) when the estimated market value of a town drops to less than \$165,000;

16.8 (4) when the tax delinquency of a town, exclusive of taxes that are delinquent or
16.9 unpaid because they are contested in proceedings for the enforcement of taxes, amounts to
16.10 12 percent of its market value; or

16.11 (5) when the state or federal government has acquired title to 50 percent of the
16.12 real estate of a town,

16.13 which facts, or any of them, may be found and determined by the resolution of the county
16.14 board of the county in which the town is located, according to the official records in the
16.15 office of the county auditor, the county board by resolution may declare the town, naming
16.16 it, dissolved and no longer entitled to exercise any of the powers or functions of a town.

16.17 In Cass, Itasca, and St. Louis Counties, before the dissolution is effective the voters
16.18 of the town shall express their approval or disapproval. The town clerk shall, upon a
16.19 petition signed by a majority of the registered voters of the town, filed with the clerk at
16.20 least 60 days before a regular or special town election, give notice at the same time and
16.21 in the same manner of the election that the question of dissolution of the town will be
16.22 submitted for determination at the election. At the election the question shall be voted
16.23 upon by a separate ballot, ~~the terms of which shall be either "for dissolution" or "against~~
16.24 ~~dissolution."~~ The form of the question under this chapter shall be substantially in the
16.25 following form: "Shall the town of ... be dissolved?" The ballot shall be deposited in a
16.26 separate ballot box and the result of the voting canvassed, certified, and returned in the
16.27 same manner and at the same time as other facts and returns of the election. If a majority of
16.28 the votes cast at the election are for dissolution, the town shall be dissolved. If a majority
16.29 of the votes cast at the election are against dissolution, the town shall not be dissolved.

16.30 When a town is dissolved under sections 368.47 to 368.49 the county shall acquire
16.31 title to any telephone company or other business conducted by the town. The business
16.32 shall be operated by the board of county commissioners until it can be sold. The
16.33 subscribers or patrons of the business shall have the first opportunity of purchase. If the
16.34 town has any outstanding indebtedness chargeable to the business, the county auditor shall
16.35 levy a tax against the property situated in the dissolved town to pay the indebtedness
16.36 as it becomes due.

17.1 Sec. 27. Minnesota Statutes 2012, section 370.05, is amended to read:

17.2 **370.05 NOTICE OF ELECTION; FORM OF BALLOT.**

17.3 The notice of the next general election of county officers must specify that the
17.4 question of forming the new county, or changing the boundaries of existing counties, as
17.5 the case may be, will be voted upon at the election, and must state substantially the facts
17.6 in the petition. If the proposition is for a change of boundaries, ~~the ballots shall include~~
17.7 ~~the words: "For changing county boundaries. Yes. No."~~ the form of the question shall be
17.8 substantially in the following form: "Shall the county boundaries be changed as described
17.9 in the proclamation issued on (date)?" If the proposition is for the establishment of a new
17.10 county, ~~the words: "For a new county. Yes. No."~~ Each of the last two words, "yes" and
17.11 "no," ~~shall be followed by a square in which the voter may make a cross to indicate a~~
17.12 ~~choice.~~ the form of the question shall be substantially in the following form: "Shall a new
17.13 county be established as described in the proclamation issued on (date)?"

17.14 Sec. 28. Minnesota Statutes 2012, section 375A.12, subdivision 5, is amended to read:

17.15 Subd. 5. **Form of ballot.** In the submission of any proposal pursuant to subdivision
17.16 2 the ballot shall be substantially in the following form:

17.17 ~~(...) FOR the proposal (describe briefly the change proposed)~~

17.18 ~~(...) AGAINST the proposal (describe briefly the change proposed)~~ "Shall the
17.19 office(s) of be appointed rather than elected at the expiration of the(ir) current
17.20 term(s)?"

17.21 Sec. 29. Minnesota Statutes 2012, section 412.091, is amended to read:

17.22 **412.091 DISSOLUTION.**

17.23 Whenever a number of voters equal to one-third of those voting at the last
17.24 preceding city election petition the chief administrative law judge of the state Office of
17.25 Administrative Hearings to dissolve the city, a special election shall be called to vote upon
17.26 the question. Before the election, the chief administrative law judge shall designate a time
17.27 and place for a hearing in accordance with section 414.09. After the hearing, the chief
17.28 administrative law judge shall issue an order which shall include a date for the election, a
17.29 determination of what town or towns the territory of the city shall belong to if the voters
17.30 favor dissolution, and other necessary provisions. The ballots used at such election shall
17.31 ~~bear the printed words, "For Dissolution" and "Against Dissolution," with a square before~~
17.32 ~~each phrase in which the voter may express a preference by a cross.~~ be substantially in
17.33 the following form: "Shall the city of ... be dissolved?" If a majority of those voting on
17.34 the question favor dissolution, the clerk shall file a certificate of the result with the chief

19.1 providing for dissolution of certain election districts; amending Minnesota
19.2 Statutes 2012, sections 201.061, subdivision 8, as added; 201.081, as amended;
19.3 201.091, subdivision 2; 201.13, subdivision 4; 203B.04, subdivision 7, as added;
19.4 203B.12, subdivision 7, by adding a subdivision; 203B.17, subdivision 3, as
19.5 amended; 203B.22; 204B.09, subdivision 3; 204B.19, subdivision 2; 204C.08,
19.6 subdivision 1d; 204C.26, subdivision 1; 204D.13, subdivisions 1, 2; 204D.15,
19.7 subdivision 1; 205.07, subdivision 1a; 205.13, subdivision 1; 370.05; 375A.12,
19.8 subdivision 5; 412.091; Minnesota Statutes 2013 Supplement, sections 5B.06;
19.9 103C.311, subdivision 2; 201.061, subdivision 3; 203B.04, subdivision 1, as
19.10 amended; 204B.46; 205A.05, subdivision 1; 368.47; proposing coding for new
19.11 law in Minnesota Statutes, chapter 211C; repealing Minnesota Statutes 2012,
19.12 section 201.016, subdivision 2."

20.1 We request the adoption of this report and repassage of the bill.

20.2 Senate Conferees:

20.3
20.4 Katie Sieben John A. Hoffman

20.5
20.6 Scott J. Newman

20.7 House Conferees:

20.8
20.9 Connie Bernardy Ryan Winkler

20.10
20.11 Tim Sanders