

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2390

(SENATE AUTHORS: SIEBEN)

DATE	D-PG	OFFICIAL STATUS
03/06/2014	5996	Introduction and first reading Referred to Rules and Administration
03/27/2014	6885a	Comm report: To pass as amended and re-refer to Judiciary
03/31/2014	7168	Comm report: To pass
	7187	Second reading
04/23/2014		Special Order: Amended Third reading Passed

A bill for an act

1.1 relating to elections; modifying provisions related to election administration;
 1.2 making technical changes to provisions related to voting, voter registration,
 1.3 ballots, and other election-related provisions; amending Minnesota Statutes
 1.4 2012, sections 201.081; 201.091, subdivision 2; 201.13, subdivision 4; 203B.12,
 1.5 subdivision 7, by adding a subdivision; 203B.22; 204B.09, subdivision 3;
 1.6 204B.19, subdivision 2; 204C.08, subdivision 1d; 204C.26, subdivision 1;
 1.7 204D.13, subdivisions 1, 2; 204D.15, subdivision 1; 205.07, subdivision 1a;
 1.8 205.13, subdivision 1; 370.05; 375A.12, subdivision 5; 412.091; Minnesota
 1.9 Statutes 2013 Supplement, sections 201.061, subdivision 3; 203B.04, subdivision
 1.10 1; 204B.45, subdivision 2; 204B.46; 205A.05, subdivision 1; 368.47; proposing
 1.11 coding for new law in Minnesota Statutes, chapter 211C.
 1.12

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

1.14 Section 1. Minnesota Statutes 2013 Supplement, section 201.061, subdivision 3,
 1.15 is amended to read:

1.16 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may
 1.17 register on election day by appearing in person at the polling place for the precinct in
 1.18 which the individual maintains residence, by completing a registration application, making
 1.19 an oath in the form prescribed by the secretary of state and providing proof of residence.

1.20 An individual may prove residence for purposes of registering by:

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

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

1.25 (3) presenting one of the following:

1.26 (i) a current valid student identification card from a postsecondary educational
 1.27 institution in Minnesota, if a list of students from that institution has been prepared under

2.1 section 135A.17 and certified to the county auditor in the manner provided in rules of
2.2 the secretary of state; or

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

2.5 (4) having a voter who is registered to vote in the precinct, or ~~who~~ is an employee
2.6 employed by and working in a residential facility in the precinct and vouching for a
2.7 resident in the facility, sign an oath in the presence of the election judge vouching that
2.8 the voter or employee personally knows that the individual is a resident of the precinct.
2.9 A voter who has been vouched for on election day may not sign a proof of residence
2.10 oath vouching for any other individual on that election day. A voter who is registered to
2.11 vote in the precinct may sign up to eight proof-of-residence oaths on any election day.
2.12 This limitation does not apply to an employee of a residential facility described in this
2.13 clause. The secretary of state shall provide a form for election judges to use in recording
2.14 the number of individuals for whom a voter signs proof-of-residence oaths on election
2.15 day. The form must include space for the maximum number of individuals for whom a
2.16 voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must
2.17 include a statement that the ~~voter~~ individual: (i) is registered to vote in the precinct or is an
2.18 employee of a residential facility in the precinct, (ii) personally knows that the ~~individual~~
2.19 voter is a resident of the precinct, and (iii) is making the statement on oath. The form must
2.20 include a space for the voter's printed name, signature, telephone number, and address.

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

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

2.27 (c) "Residential facility" means transitional housing as defined in section 256E.33,
2.28 subdivision 1; a supervised living facility licensed by the commissioner of health under
2.29 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
2.30 5; a residence registered with the commissioner of health as a housing with services
2.31 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by
2.32 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence
2.33 licensed by the commissioner of human services to provide a residential program as
2.34 defined in section 245A.02, subdivision 14; a residential facility for persons with a
2.35 developmental disability licensed by the commissioner of human services under section
2.36 252.28; group residential housing as defined in section 256I.03, subdivision 3; a shelter

3.1 for battered women as defined in section 611A.37, subdivision 4; or a supervised
 3.2 publicly or privately operated shelter or dwelling designed to provide temporary living
 3.3 accommodations for the homeless.

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

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

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

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

3.15 Sec. 2. Minnesota Statutes 2012, section 201.081, is amended to read:

3.16 **201.081 REGISTRATION FILES.**

3.17 Subdivision 1. Statewide registration system. The statewide registration system
 3.18 is the official record of registered voters. The voter registration applications and the
 3.19 terminal providing access to the statewide registration system must be under the control
 3.20 of the county auditor or the public official to whom the county auditor has delegated
 3.21 the responsibility for maintaining voter registration records. The voter registration
 3.22 applications and terminals providing access to the statewide registration system must not
 3.23 be removed from the control of the county auditor except as provided in this section.
 3.24 The county auditor may make photographic copies of voter registration applications in
 3.25 the manner provided by section 138.17.

3.26 A properly completed voter registration application that has been submitted to the
 3.27 secretary of state or a county auditor must be maintained by the secretary of state or the
 3.28 county auditor for at least 22 months after the date that the information on the application
 3.29 is entered into the database of the statewide registration system. The secretary of state
 3.30 or the county auditor may dispose of the applications after retention for 22 months in
 3.31 the manner provided by section 138.17.

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

3.34 Sec. 3. Minnesota Statutes 2012, section 201.091, subdivision 2, is amended to read:

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

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

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

4.11 Sec. 5. Minnesota Statutes 2013 Supplement, section 203B.04, subdivision 1, is
4.12 amended to read:

4.13 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by
4.14 subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for
4.15 any election may be submitted at any time not less than one day before the day of that
4.16 election. The county auditor shall prepare absentee ballot application forms in the format
4.17 provided by the secretary of state and shall furnish them to any person on request. By
4.18 January 1 of each even-numbered year, the secretary of state shall make the forms to be
4.19 used available to auditors through electronic means. An application submitted pursuant to
4.20 this subdivision shall be in writing and shall be submitted to:

4.21 (1) the county auditor of the county where the applicant maintains residence; or
4.22 (2) the municipal clerk of the municipality, or school district if applicable, where
4.23 the applicant maintains residence.

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

4.27 (1) the applicant's Minnesota driver's license number;
4.28 (2) Minnesota state identification card number;
4.29 (3) the last four digits of the applicant's Social Security number; or
4.30 (4) a statement that the applicant does not have any of these numbers.

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

5.1 (d) An applicant's full date of birth, Minnesota driver's license or state identification
 5.2 number, and the last four digits of the applicant's Social Security number must not be made
 5.3 available for public inspection. An application may be submitted to the county auditor
 5.4 or municipal clerk by an electronic facsimile device. An application mailed or returned
 5.5 in person to the county auditor or municipal clerk on behalf of a voter by a person other
 5.6 than the voter must be deposited in the mail or returned in person to the county auditor or
 5.7 municipal clerk within ten days after it has been dated by the voter and no later than six
 5.8 days before the election. The absentee ballot applications or a list of persons applying
 5.9 for an absentee ballot may not be made available for public inspection until the close of
 5.10 voting on election day, except as authorized in section 203B.12.

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

5.13 Sec. 6. Minnesota Statutes 2012, section 203B.12, subdivision 7, is amended to read:

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

5.18 Sec. 7. Minnesota Statutes 2012, section 203B.12, is amended by adding a subdivision
 5.19 to read:

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

5.26 Sec. 8. Minnesota Statutes 2012, section 203B.22, is amended to read:

5.27 **203B.22 TRANSMITTING BALLOTS.**

5.28 (a) The county auditor shall transmit the appropriate ballots, as promptly as possible,
 5.29 to an absent voter whose application has been recorded under section 203B.19. If the
 5.30 county auditor determines that a voter is not eligible to vote at the primary but will be
 5.31 eligible to vote at the general election, only general election ballots shall be transmitted.
 5.32 Only one set of ballots shall be transmitted to any applicant for any election, except that
 5.33 the county auditor may transmit a replacement ballot to a voter whose ballot has been

6.1 spoiled or lost in transit or whose mailing address has changed after the date on which
 6.2 the original application was submitted as confirmed by the county auditor. Ballots to be
 6.3 sent outside the United States shall be given priority in transmission. A county auditor
 6.4 may make use of any special service provided by the United States government for the
 6.5 transmission of voting materials under sections 203B.16 to 203B.27.

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

6.13 Sec. 9. Minnesota Statutes 2012, section 204B.09, subdivision 3, is amended to read:

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

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

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

6.26 Sec. 10. Minnesota Statutes 2012, section 204B.19, subdivision 2, is amended to read:

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

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

6.31 (2) is the spouse; parent, including a stepparent; child, including a stepchild; or
 6.32 sibling, including a stepsibling; of any election judge serving in the same precinct or of
 6.33 any candidate at that election; or

6.34 (3) is a candidate at that election.

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

7.4 Sec. 11. Minnesota Statutes 2013 Supplement, section 204B.45, subdivision 2, is
7.5 amended to read:

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

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

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

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

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

8.8 Sec. 12. Minnesota Statutes 2013 Supplement, section 204B.46, is amended to read:

8.9 **204B.46 MAIL ELECTIONS; QUESTIONS.**

8.10 A county, municipality, or school district submitting questions to the voters at a
8.11 special election may conduct an election by mail with no polling place other than the
8.12 office of the auditor or clerk. No offices may be voted on at a mail election. Notice of the
8.13 election must be given to the county auditor at least 74 days prior to the election. This
8.14 notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special
8.15 mail ballot procedures must be posted at least six weeks prior to the election. Not more
8.16 than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by
8.17 nonforwardable mail to all voters registered in the county, municipality, or school district.
8.18 No later than 14 days before the election, the auditor or clerk must make a subsequent
8.19 mailing of ballots to those voters who register to vote after the initial mailing but before the
8.20 20th day before the election. Eligible voters not registered at the time the ballots are mailed
8.21 may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot
8.22 board to examine the mail and absentee ballot return envelopes and mark them "Accepted"
8.23 or "Rejected" within three days of receipt if there are 14 or fewer days before election day,
8.24 or within five days of receipt if there are more than 14 days before election day. The board
8.25 may consist of deputy county auditors, deputy municipal clerks, or deputy school district
8.26 clerks who have received training in the processing and counting of mail ballots, who
8.27 need not be affiliated with a major political party. Election judges performing the duties in
8.28 this section must be of different major political parties, unless they are exempt from that
8.29 requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has
8.30 been rejected at least five days before the election, the ballots in the envelope must remain
8.31 sealed and the auditor or clerk must provide the voter with a replacement ballot and return
8.32 envelope in place of the spoiled ballot. If the ballot is rejected within five days of the
8.33 election, the envelope must remain sealed and the official in charge of the ballot board must
8.34 attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot
8.35 has been rejected. The official must document the attempts made to contact the voter.

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

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

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

9.11 Sec. 13. Minnesota Statutes 2012, section 204C.08, subdivision 1d, is amended to read:

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

9.17 "VOTER'S BILL OF RIGHTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10.12 Sec. 14. Minnesota Statutes 2012, section 204C.26, subdivision 1, is amended to read:

10.13 Subdivision 1. **Summary statements.** For state elections, each official responsible
10.14 for printing ballots shall furnish three or more blank summary statement forms for the
10.15 returns of those ballots for each precinct. At least two copies of the summary statement
10.16 must be prepared for elections not held on the same day as the state elections. The blank
10.17 summary statement forms shall be furnished at the same time and in the same manner as
10.18 the ballots. The county auditor shall furnish blank summary statement forms containing
10.19 separate space for the summary statement of the returns of the white state general election
10.20 ~~ballot and the summary statement of the returns for the state pink ballot.~~

10.21 Sec. 15. Minnesota Statutes 2012, section 204D.13, subdivision 1, is amended to read:

10.22 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed
10.23 on the white state general election ballot in the following order: senator in Congress shall
10.24 be first; representative in Congress, second; state senator, third; and state representative,
10.25 fourth. The candidates for state offices shall follow in the order specified by the secretary
10.26 of state. Candidates for governor and lieutenant governor shall appear so that a single
10.27 vote may be cast for both offices.

10.28 Sec. 16. Minnesota Statutes 2012, section 204D.13, subdivision 2, is amended to read:

10.29 Subd. 2. **Order of political parties.** The first name printed for each partisan office
10.30 on the white state general election ballot shall be that of the candidate of the major political
10.31 party that received the smallest average number of votes at the last state general election.
10.32 The succeeding names shall be those of the candidates of the other major political parties
10.33 that received a succeeding higher average number of votes respectively. For the purposes

11.1 of this subdivision, the average number of votes of a major political party shall be computed
11.2 by dividing the total number of votes counted for all of the party's candidates for statewide
11.3 office at the state general election by the number of those candidates at the election.

11.4 Sec. 17. Minnesota Statutes 2012, section 204D.15, subdivision 1, is amended to read:

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

11.11 Sec. 18. Minnesota Statutes 2012, section 205.07, subdivision 1a, is amended to read:

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

11.16 Sec. 19. Minnesota Statutes 2012, section 205.13, subdivision 1, is amended to read:

11.17 Subdivision 1. **Affidavit of candidacy.** An individual who is eligible and desires to
11.18 become a candidate for an office to be voted for at the municipal general election shall file
11.19 an affidavit of candidacy with the municipal clerk. Candidates for a special election to
11.20 fill a vacancy held as provided in section 412.02, subdivision 2a, must file an affidavit
11.21 of candidacy for the specific office to fill the unexpired portion of the term. Subject to
11.22 the approval of the county auditor, the town clerk may authorize candidates for township
11.23 offices to file affidavits of candidacy with the county auditor. The affidavit shall be in
11.24 ~~substantially~~ the same form as that in section 204B.06, ~~subdivision 1.~~ The municipal clerk
11.25 shall also accept an application signed by not less than five voters and filed on behalf of an
11.26 eligible voter in the municipality whom they desire to be a candidate, if service of a copy
11.27 of the application has been made on the candidate and proof of service is endorsed on the
11.28 application being filed. Upon receipt of the proper filing fee, the clerk shall place the name
11.29 of the candidate on the official ballot without partisan designation.

11.30 Sec. 20. Minnesota Statutes 2013 Supplement, section 205A.05, subdivision 1, is
11.31 amended to read:

12.1 Subdivision 1. **Questions.** (a) Special elections must be held for a school district on
 12.2 a question on which the voters are authorized by law to pass judgment. The school board
 12.3 may on its own motion call a special election to vote on any matter requiring approval of
 12.4 the voters of a district. Upon petition filed with the school board of 50 or more voters of
 12.5 the school district or five percent of the number of voters voting at the preceding school
 12.6 district general election, whichever is greater, the school board shall by resolution call
 12.7 a special election to vote on any matter requiring approval of the voters of a district.
 12.8 A question is carried only with the majority in its favor required by law. The election
 12.9 officials for a special election are the same as for the most recent school district general
 12.10 election unless changed according to law. Otherwise, special elections must be conducted
 12.11 and the returns made in the manner provided for the school district general election.

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

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

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

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

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

12.22 Sec. 21. **[211C.071] REMOVAL ELECTION FORM OF QUESTION.**

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

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

12.26 Sec. 22. Minnesota Statutes 2013 Supplement, section 368.47, is amended to read:

12.27 **368.47 TOWNS MAY BE DISSOLVED.**

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

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

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

13.1 (4) when the tax delinquency of a town, exclusive of taxes that are delinquent or
 13.2 unpaid because they are contested in proceedings for the enforcement of taxes, amounts to
 13.3 12 percent of its market value; or

13.4 (5) when the state or federal government has acquired title to 50 percent of the
 13.5 real estate of a town,
 13.6 which facts, or any of them, may be found and determined by the resolution of the county
 13.7 board of the county in which the town is located, according to the official records in the
 13.8 office of the county auditor, the county board by resolution may declare the town, naming
 13.9 it, dissolved and no longer entitled to exercise any of the powers or functions of a town.

13.10 In Cass, Itasca, and St. Louis Counties, before the dissolution is effective the voters
 13.11 of the town shall express their approval or disapproval. The town clerk shall, upon a
 13.12 petition signed by a majority of the registered voters of the town, filed with the clerk at
 13.13 least 60 days before a regular or special town election, give notice at the same time and
 13.14 in the same manner of the election that the question of dissolution of the town will be
 13.15 submitted for determination at the election. At the election the question shall be voted
 13.16 upon by a separate ballot, ~~the terms of which shall be either "for dissolution" or "against~~
 13.17 ~~dissolution."~~ The form of the question under this chapter shall be substantially in the
 13.18 following form: "Shall the town of ... be dissolved?" The ballot shall be deposited in a
 13.19 separate ballot box and the result of the voting canvassed, certified, and returned in the
 13.20 same manner and at the same time as other facts and returns of the election. If a majority of
 13.21 the votes cast at the election are for dissolution, the town shall be dissolved. If a majority
 13.22 of the votes cast at the election are against dissolution, the town shall not be dissolved.

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

13.30 Sec. 23. Minnesota Statutes 2012, section 370.05, is amended to read:

13.31 **370.05 NOTICE OF ELECTION; FORM OF BALLOT.**

13.32 The notice of the next general election of county officers must specify that the
 13.33 question of forming the new county, or changing the boundaries of existing counties, as
 13.34 the case may be, will be voted upon at the election, and must state substantially the facts
 13.35 in the petition. If the proposition is for a change of boundaries, ~~the ballots shall include~~

14.1 ~~the words: "For changing county boundaries. Yes. No."~~ the form of the question shall be
 14.2 substantially in the following form: "Shall the county boundaries be changed as described
 14.3 in the proclamation issued on (date)?" ~~If the proposition is for the establishment of a new~~
 14.4 ~~county, the words: "For a new county. Yes. No." Each of the last two words, "yes" and~~
 14.5 ~~"no," shall be followed by a square in which the voter may make a cross to indicate a~~
 14.6 ~~choice.~~ the form of the question shall be substantially in the following form: "Shall a new
 14.7 county be established as described in the proclamation issued on (date)?"

14.8 Sec. 24. Minnesota Statutes 2012, section 375A.12, subdivision 5, is amended to read:

14.9 Subd. 5. **Form of ballot.** In the submission of any proposal pursuant to subdivision
 14.10 2 the ballot shall be substantially in the following form:

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

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

14.15 Sec. 25. Minnesota Statutes 2012, section 412.091, is amended to read:

14.16 **412.091 DISSOLUTION.**

14.17 Whenever a number of voters equal to one-third of those voting at the last
 14.18 preceding city election petition the chief administrative law judge of the state Office of
 14.19 Administrative Hearings to dissolve the city, a special election shall be called to vote upon
 14.20 the question. Before the election, the chief administrative law judge shall designate a time
 14.21 and place for a hearing in accordance with section 414.09. After the hearing, the chief
 14.22 administrative law judge shall issue an order which shall include a date for the election, a
 14.23 determination of what town or towns the territory of the city shall belong to if the voters
 14.24 favor dissolution, and other necessary provisions. The ballots used at such election shall
 14.25 ~~bear the printed words, "For Dissolution" and "Against Dissolution," with a square before~~
 14.26 ~~each phrase in which the voter may express a preference by a cross.~~ be substantially in
 14.27 the following form: "Shall the city of ... be dissolved?" If a majority of those voting on
 14.28 the question favor dissolution, the clerk shall file a certificate of the result with the chief
 14.29 administrative law judge, the secretary of state, and the county auditor of the county in
 14.30 which the city is situated. Six months after the date of such election, the city shall cease to
 14.31 exist. Within such six months, the council shall audit all claims against the city, settle with
 14.32 the treasurer, and other city officers, and apply the assets of the city to the payment of its
 14.33 debts. If any debts remain unpaid, other than bonds, the city clerk shall file a schedule of
 14.34 such debts with the county treasurer and the council shall levy a tax sufficient for their

15.1 payment, the proceeds of which, when collected, shall be paid by the county treasurer to
15.2 the creditors in proportion to their several claims until all are discharged. The principal
15.3 and interest on outstanding bonds shall be paid when due by the county treasurer from a
15.4 tax annually spread by the county auditor against property formerly included within the
15.5 city until the bonds are fully paid. All city property and all rights of the city shall, upon
15.6 dissolution, inure in the town or towns designated as the legal successor to the city. If the
15.7 city territory goes to more than one town, surplus cash assets and unsold city property
15.8 shall be distributed as provided by the order for the election.

15.9 Sec. 26. **DISSOLUTION OF ELECTION DISTRICTS IN SPECIAL SCHOOL**
15.10 **DISTRICT NO. 6, SOUTH ST. PAUL.**

15.11 Notwithstanding Minnesota Statutes, section 205A.12, subdivision 7, or any special
15.12 law applicable to the district, Special School District No. 6, South St. Paul, may by
15.13 resolution dissolve election districts previously established. The resolution must include a
15.14 plan for the orderly transition to at-large elections of school board members.

15.15 **EFFECTIVE DATE.** This section is effective the day after the governing body of
15.16 Special School District No. 6, South St. Paul, and its chief clerical officer timely complete
15.17 their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.