

A bill for an act

relating to elections; proposing an amendment to the Minnesota Constitution, article VII, section 8; authorizing membership of the State Canvassing Board to be provided by law; amending Minnesota Statutes 2008, section 204C.31, subdivision 2.

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

Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, article VII, section 8, will read:

Sec. 8. The returns of every election for officeholders elected statewide shall be made to the secretary of state who shall call to his assistance ~~two or more of the judges of the supreme court and two disinterested judges of the district courts.~~ They shall constitute a board of canvassers as provided by law to canvass the returns and declare the result within three days after the canvass.

Sec. 2. **SUBMISSION TO VOTERS.**

The proposed amendment must be submitted to the people at the 2010 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to authorize the membership of the State Canvassing Board to be provided by law?"

Yes
No"

Sec. 3. **EFFECTIVE DATE.**

S.F. No. 3041, as introduced - 86th Legislative Session (2009-2010) [10-5879]

2.1 If the amendment is adopted, it applies to state canvassing boards appointed on
2.2 or after January 1, 2012.

2.3 Sec. 4. Minnesota Statutes 2008, section 204C.31, subdivision 2, is amended to read:

2.4 Subd. 2. **State Canvassing Board.** The State Canvassing Board shall consist of
2.5 the secretary of state, ~~two judges of the supreme court, and two judges of the district~~
2.6 ~~court selected by the secretary of state~~ and four administrative law judges, including the
2.7 chief administrative law judge and three additional administrative law judges selected by
2.8 the chief administrative law judge. None of the administrative law judges shall be a
2.9 candidate at the election. If ~~a~~ an administrative law judge fails to appear at the meeting
2.10 of the canvassing board, the ~~secretary of state~~ chief administrative law judge shall fill
2.11 the vacancy in membership by selecting another administrative law judge who is not a
2.12 candidate at the election. ~~Not more than two judges of the Supreme Court shall serve on~~
2.13 ~~the canvassing board at one time.~~

2.14 **EFFECTIVE DATE.** If the constitutional amendment proposed in section 1 is
2.15 adopted, this section is effective January 1, 2012.