

CHAPTER 236—H.F.No. 1542

VETOED

CHAPTER 237—H.F.No. 398

An act relating to elections; providing for high school students 16 years old or more to act as election judges; clarifying the right to take time off from work without penalty to serve as an election judge; permitting students in polling places for educational purposes; amending Minnesota Statutes 1990, sections 204B.19, subdivision 1, and by adding a subdivision; 204B.195; 204B.27, by adding a subdivision; 204C.06, subdivision 2; and 204D.165.

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

Section 1. Minnesota Statutes 1990, section 204B.19, subdivision 1, is amended to read:

Subdivision 1. **INDIVIDUALS QUALIFIED TO BE ELECTION JUDGES.** Except as provided in section 2, any individual who is eligible to vote in an election precinct is qualified to be appointed as an election judge for that precinct subject to this section. If the files of the appointing authority do not contain sufficient voters within a precinct who are qualified and willing to serve as election judges, election judges may be appointed who reside in another precinct in the same municipality, or for school district elections, in the same school district. If there are not sufficient voters within the municipality or school district who are qualified and willing to serve as election judges, election judges may be appointed who reside in the county where the precinct is located.

Sec. 2. Minnesota Statutes 1990, section 204B.19, is amended by adding a subdivision to read:

Subd. 6. HIGH SCHOOL STUDENTS. Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge in the municipality in which the student resides. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least ten days prior to the election. Students shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for a large employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance and the requirement that the student must have completed or be enrolled in a course of study in government at the time of service as a trainee election judge.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 3. Minnesota Statutes 1990, section 204B.195, is amended to read:

204B.195 TIME OFF FROM WORK TO SERVE AS ELECTION JUDGE.

An individual who is selected to serve as an election judge pursuant to section 204B.21, subdivision 2 may, after giving an employer at least ~~ten~~ 20 days' written notice, be absent from a place of work for the purpose of serving as an election judge without penalty. An employer may ~~not penalize an employee for that absence other than a deduction in salary for~~ reduce the salary or wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment.

The written request to be absent from work must be accompanied by a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. An employer may restrict the number of persons to be absent from work for the purpose of serving as an election judge to no more than 20 percent of the total workforce at any single worksite.

Sec. 4. Minnesota Statutes 1990, section 204B.27, is amended by adding a subdivision to read:

Subd. 7. EDUCATIONAL ACTIVITIES. The secretary of state may authorize educational activities related to voting and elections for elementary or secondary school students in the polling place on the day of a state, county, municipal, or school district election. Ballots used for educational activities must be a different color than any ballot used at the election. Activities authorized under this subdivision must be administered in a manner that does not interfere with the conduct of the election.

Sec. 5. Minnesota Statutes 1990, section 204C.06, subdivision 2, is amended to read:

Subd. 2. INDIVIDUALS ALLOWED IN POLLING PLACE. (a) Representatives of the secretary of state's office, the county auditor's office, and the municipal or school district clerk's office may be present at the polling place to observe election procedures. Except for these representatives, election judges, sergeants-at-arms, and challengers, an individual may remain inside the polling place during voting hours only while voting or registering to vote, providing proof of residence for an individual who is registering to vote, or assisting a handicapped voter or a voter who is unable to read English. During voting hours no one except individuals receiving, marking, or depositing ballots shall approach within six feet of a voting booth, unless lawfully authorized to do so by an election judge.

(b) Teachers and elementary or secondary school students participating in an educational activity authorized by section 4 may be present at the polling place during voting hours.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 6. Minnesota Statutes 1990, section 204D.165, is amended to read:

204D.165 SAMPLE BALLOTS TO SCHOOLS.

Notwithstanding any contrary provisions in section 204D.09 or 204D.16, the county auditor, two weeks before the applicable primary or general election, shall provide one copy of the sample partisan primary, nonpartisan primary, canary, white, or pink ballot to a school district upon request. The school district may have the sample ballots reproduced at its expense for classroom educational purposes and for educational activities authorized under section 4.

Sec. 7. **EFFECTIVE DATE.**

Sections 1 to 3 are effective the day following final enactment.

Presented to the governor May 24, 1991

Signed by the governor May 28, 1991, 9:44 a.m.

CHAPTER 238—H.F.No. 1147

An act relating to public employment; transferring certain state employees from the unclassified to the classified service; requiring a study; requiring rules for evaluating the performance of arbitrators; establishing deadlines for certain steps in the arbitration process; establishing a procedure for setting the dates for meetings of arbitration panels; permitting payment of money by payroll deduction to credit unions as well as payment by direct deposit to credit unions or financial institutions; amending Minnesota Statutes 1990, sections 16A.133, subdivision 1; 16B.88, subdivision 1; 43A.08, subdivisions 1, 1a, and by adding a subdivision; 43A.18, subdivision 4; 43A.37, subdivision 1; 116K.04, subdivision 5; 144A.52, subdivision 1; 179A.05, subdivision 6; 179A.16, subdivisions 4, 6, and 7; 196.23, subdivision 1; 240A.02, subdivision 3; 241.01, subdivision 3a; 241.43, subdivisions 1 and 2; 299A.30, subdivision 1; 349A.02, subdivision 4; 446A.03, subdivision 5; amending Laws 1984, chapter 654, article 2, section 152, subdivision 3; and Laws 1987, chapter 386, article 1, section 11; repealing Minnesota Statutes 1990, sections 116J.615, subdivision 3; and 352D.02, subdivision 1b.

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

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