SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE S.F. No. 156

(SENATE AUTHORS: REST)

DATE	D-PG	OFFICIAL STATUS
01/31/2011	129	Introduction and first reading Referred to Local Government and Elections
03/03/2011	320a 324	Comm report: To pass as amended Second reading
03/24/2011	703	General Orders: To pass
04/07/2011	1243	Calendar: Third reading Passed See SF1009 See SF1009, Sec. 4-5, 7

1.1	A bill for an act
1.2	relating to elections; allowing flexibility in the time provided for canvassing
1.3	primary election returns for counties, municipalities, and school districts;
1.4	amending Minnesota Statutes 2010, sections 204C.32, subdivision 1; 205.065,
1.5	subdivision 5; 205A.03, subdivision 4.

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

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office on <u>either</u> the <u>second or</u> third day following the state primary. After taking the oath of office, the canvassing board shall publicly canvass the election returns delivered to the county auditor. The board shall complete the canvass on <u>by</u> the third day

following the state primary and shall promptly prepare and file with the county auditor

Section 1. Minnesota Statutes 2010, section 204C.32, subdivision 1, is amended to read:

a report that states:

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- (a) the number of individuals voting at the election in the county, and in each precinct;
- (b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;
- (c) for each major political party, the names of the candidates running for each partisan office and the number of votes received by each candidate in the county and in each precinct;
 - (d) the names of the candidates of each major political party who are nominated; and
- (e) the number of votes received by each of the candidates for nonpartisan office in each precinct in the county and the names of the candidates nominated for nonpartisan office.

Section 1.

S.F. No. 156, 1st Engrossment - 87th Legislative Session (2011-2012) [S0156-1]

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Upon completion of the canvass, the county auditor shall mail or deliver a notice of
nomination to each nominee for county office voted for only in that county. The county
auditor shall transmit one of the certified copies of the county canvassing board report
for state and federal offices to the secretary of state by express mail or similar service
immediately upon conclusion of the county canvass. The secretary of state shall mail a
notice of nomination to each nominee for state or federal office.

- Sec. 2. Minnesota Statutes 2010, section 205.065, subdivision 5, is amended to read:
- Subd. 5. **Results.** (a) The municipal primary shall be conducted and the returns made in the manner provided for the state primary so far as practicable. <u>If the primary</u> is conducted:
- (1) only within that municipality, a canvass may be conducted on either the second or third day after the primary; or
- (2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).

On the third day after the primary, The governing body of the municipality shall canvass the returns, and the two candidates for each office who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to the office, who receive the highest number of votes, shall be the nominees for the office named. Their names shall be certified to the municipal clerk who shall place them on the municipal general election ballot without partisan designation and without payment of an additional fee.

- (b) Following a municipal primary as described in paragraph (a), clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the municipality is located agrees to administratively review the municipality's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.
- Sec. 3. Minnesota Statutes 2010, section 205A.03, subdivision 4, is amended to read:
 - Subd. 4. **Results.** (a) The school district primary must be conducted and the returns made in the manner provided for the state primary as far as practicable. <u>If the primary</u> is conducted:
 - (1) only within that school district, a canvass may be conducted on either the second or third day after the primary; or
- 2.33 (2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).

Sec. 3. 2

S.F. No. 156, 1st Engrossment - 87th Legislative Session (2011-2012) [S0156-1]

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On the third day after the primary, The school board of the school district shall
canvass the returns, and the two candidates for each specified school board position who
receive the highest number of votes, or a number of candidates equal to twice the number
of individuals to be elected to at-large school board positions who receive the highest
number of votes, are the nominees for the office named. Their names must be certified to
the school district clerk who shall place them on the school district general election ballot
without partisan designation and without payment of an additional fee.

(b) Following a school district primary as described in paragraph (a), clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the school district is located agrees to administratively review the school district's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.

Sec. 3. 3