

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 677

(SENATE AUTHORS: SIEBEN, Eken and Hayden)

DATE	D-PG	OFFICIAL STATUS
02/21/2013	358	Introduction and first reading Referred to Rules and Administration
03/05/2013	493a	Comm report: To pass as amended and re-refer to Finance
04/04/2013	1678	Authors added Eken; Hayden
05/02/2013		Comm report: To pass as amended Second reading

A bill for an act

1.1 relating to elections; making policy, technical, and clarifying changes to various
1.2 provisions related to election law, including provisions related to redistricting,
1.3 voting, absentee voting, vacancies in nomination, recounts, challengers,
1.4 and election administration; providing early voting; modifying eligibility
1.5 requirements for voting by absentee ballot; establishing the Uniform Faithful
1.6 Presidential Electors Act; changing the date of the state primary from August to
1.7 June; appropriating money; amending Minnesota Statutes 2012, sections 13.851,
1.8 subdivision 10; 103C.225, subdivision 3; 103C.305, subdivision 3; 103C.311,
1.9 subdivision 2; 201.022, subdivision 1; 201.054, subdivision 2, by adding a
1.10 subdivision; 201.071, subdivision 2; 201.091, subdivision 8; 201.12, subdivision
1.11 3; 201.13, subdivision 1a; 201.14; 201.157; 201.275; 202A.14, subdivision 1;
1.12 203B.001; 203B.01, by adding a subdivision; 203B.02, subdivision 1; 203B.03,
1.13 subdivision 1; 203B.04, subdivisions 1, 5; 203B.05, subdivision 1; 203B.06,
1.14 subdivisions 1, 3; 203B.065; 203B.08, subdivision 3; 203B.081; 203B.085;
1.15 203B.121, subdivisions 1, 3, 4, 5, by adding a subdivision; 203B.227; 203B.28;
1.16 204B.04, by adding a subdivision; 204B.07, subdivision 2; 204B.13, subdivisions
1.17 1, 2, 5, by adding subdivisions; 204B.14, subdivisions 2, 4; 204B.18, subdivision
1.18 2; 204B.21, subdivision 1; 204B.22, subdivisions 1, 2; 204B.28, subdivisions 1, 2;
1.19 204B.32, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.36, subdivision
1.20 1; 204B.45, subdivisions 1, 2; 204B.46; 204C.07, subdivisions 1, 2, 4, by adding a
1.21 subdivision; 204C.14; 204C.15, subdivision 1; 204C.19, subdivision 2; 204C.25;
1.22 204C.27; 204C.35, subdivision 1, by adding a subdivision; 204C.36, subdivision
1.23 1; 204D.03, subdivision 1; 204D.08, subdivision 6; 204D.09, subdivisions 1, 2;
1.24 204D.11, subdivisions 1, 4, 5, 6; 204D.13, subdivision 3; 204D.14, subdivisions
1.25 1, 3; 204D.15, subdivision 3; 204D.16; 204D.165; 204D.19, subdivision 2, by
1.26 adding a subdivision; 204D.28, subdivision 5; 205.02, subdivision 2; 205.065,
1.27 subdivisions 1, 2; 205.10, subdivision 3; 205.13, subdivision 1a, by adding a
1.28 subdivision; 205.16, subdivisions 4, 5; 205.17, subdivisions 1, 3; 205A.03,
1.29 subdivisions 1, 2; 205A.04, by adding a subdivision; 205A.05, subdivisions 1,
1.30 2; 205A.06, subdivision 1a, by adding a subdivision; 205A.07, subdivisions 3,
1.31 3a, 3b; 205A.08, subdivision 1; 205A.11, subdivision 2a; 206.61, subdivisions
1.32 4, 5; 206.82, subdivisions 1, 2; 206.83; 206.89, subdivisions 2, 3; 206.895;
1.33 206.90, subdivision 6; 208.02; 208.03; 208.04, subdivisions 1, 2; 208.06;
1.34 209.01, subdivision 2; 211B.045; 211B.37; 241.065, subdivision 2; 340A.416,
1.35 subdivisions 2, 3; 340A.602; 375.20; 447.32, subdivisions 2, 3, 4; Laws 1963,
1.36 chapter 276, section 2, subdivision 2, as amended; proposing coding for new law
1.37 in Minnesota Statutes, chapters 2; 203B; 204B; 208; 244; repealing Minnesota
1.38 Statutes 2012, sections 2.444; 2.484; 203B.04, subdivision 6; 204B.12,
1.39

2.1 subdivision 2a; 204B.13, subdivisions 4, 6; 204B.42; 204D.11, subdivisions 2, 3;
2.2 205.17, subdivisions 2, 4; 205A.08, subdivision 4; 208.07; 208.08.

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

2.4 **ARTICLE 1**

2.5 **REDISTRICTING**

2.6 Section 1. **[2.395] THIRTY-NINTH DISTRICT.**

2.7 Subdivision 1. **Senate district.** Senate District 39 consists of that district as
2.8 described in the order of the Minnesota Special Redistricting Panel in Hippert v. Ritchie,
2.9 No. A11-152 (February 21, 2012).

2.10 Subd. 2. **House of representatives districts.** Notwithstanding the order of the
2.11 Minnesota Special Redistricting Panel in Hippert v. Ritchie, No. A11-152 (February
2.12 21, 2012), Senate District 39, as described in that order, is divided into two house of
2.13 representatives districts as follows:

2.14 (a) House of Representatives District 39A consists of that district as described in
2.15 file L39A-1, on file with the Geographic Information Systems Office of the Legislative
2.16 Coordinating Commission and published on its Web site on March 9, 2012.

2.17 (b) House of Representatives District 39B consists of that district as described in
2.18 file L39B-1, on file with the Geographic Information Systems Office of the Legislative
2.19 Coordinating Commission and published on its Web site on March 9, 2012.

2.20 Sec. 2. **[2.495] FORTY-NINTH DISTRICT.**

2.21 Subdivision 1. **Senate district.** Senate District 49 consists of that district as
2.22 described in the order of the Minnesota Special Redistricting Panel in Hippert v. Ritchie,
2.23 No. A11-152 (February 21, 2012).

2.24 Subd. 2. **House of representatives districts.** Notwithstanding the order of the
2.25 Minnesota Special Redistricting Panel in Hippert v. Ritchie, No. A11-152 (February 21,
2.26 2012), Senate District 49 is divided into two house of representatives districts as follows:

2.27 (a) House of Representatives District 49A consists of the district as described in
2.28 that order, with the modification contained in file L49A-2, on file with the Geographic
2.29 Information Systems Office of the Legislative Coordinating Commission and published on
2.30 its Web site on March 28, 2012.

2.31 (b) House of Representatives District 49B consists of the district as described in
2.32 that order, with the modification contained in file L49B-2, on file with the Geographic
2.33 Information Systems Office of the Legislative Coordinating Commission and published on
2.34 its Web site on March 28, 2012.

3.1 Sec. 3. **REPEALER.**

3.2 Minnesota Statutes 2012, sections 2.444; and 2.484, are repealed.

3.3 Sec. 4. **EFFECTIVE DATE.**

3.4 This article is effective for the state primary and state general elections conducted
3.5 in 2014 for terms of office beginning on the first Monday in January of 2015, and for all
3.6 elections held thereafter.

3.7 **ARTICLE 2**

3.8 **EARLY VOTING**

3.9 Section 1. Minnesota Statutes 2012, section 201.022, subdivision 1, is amended to read:

3.10 Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide
3.11 voter registration system to facilitate voter registration and to provide a central database
3.12 containing voter registration information from around the state. The system must be
3.13 accessible to the county auditor of each county in the state. The system must also:

3.14 (1) provide for voters to submit their voter registration applications to any county
3.15 auditor, the secretary of state, or the Department of Public Safety;

3.16 (2) provide for the definition, establishment, and maintenance of a central database
3.17 for all voter registration information;

3.18 (3) provide for entering data into the statewide registration system;

3.19 (4) provide for electronic transfer of completed voter registration applications from
3.20 the Department of Public Safety to the secretary of state or the county auditor;

3.21 (5) assign a unique identifier to each legally registered voter in the state;

3.22 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota
3.23 state identification number, and last four digits of the Social Security number for each
3.24 voter record;

3.25 (7) coordinate with other agency databases within the state;

3.26 (8) allow county auditors and the secretary of state to add or modify information in
3.27 the system to provide for accurate and up-to-date records;

3.28 (9) allow county auditors, municipal and school district clerks, and the secretary
3.29 of state to have electronic access to the statewide registration system for review and
3.30 search capabilities;

3.31 (10) provide security and protection of all information in the statewide registration
3.32 system and ensure that unauthorized access is not allowed;

3.33 (11) provide access to municipal clerks to use the system;

4.1 (12) provide a system for each county to identify the precinct to which a voter
4.2 should be assigned for voting purposes;

4.3 (13) provide daily reports accessible by county auditors on the driver's license
4.4 numbers, state identification numbers, or last four digits of the Social Security numbers
4.5 submitted on voter registration applications that have been verified as accurate by the
4.6 secretary of state; ~~and~~

4.7 (14) provide reports on the number of absentee ballots transmitted to and returned
4.8 and cast by voters under section 203B.16.; and

4.9 (15) provide reports necessary for early voting.

4.10 The appropriate state or local official shall provide security measures to prevent
4.11 unauthorized access to the computerized list established under section 201.021.

4.12 Sec. 2. Minnesota Statutes 2012, section 203B.001, is amended to read:

4.13 **203B.001 ELECTION LAW APPLICABILITY.**

4.14 The Minnesota Election Law is applicable to voting by absentee ballot and early
4.15 voting unless otherwise provided in this chapter.

4.16 Sec. 3. Minnesota Statutes 2012, section 203B.01, is amended by adding a subdivision
4.17 to read:

4.18 Subd. 5. **Early voting.** "Early voting" means voting in person before election day
4.19 at the office of the county auditor or designated municipal clerk within the time period
4.20 provided in section 203B.31.

4.21 Sec. 4. Minnesota Statutes 2012, section 203B.085, is amended to read:

4.22 **203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO**
4.23 **REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

4.24 The county auditor's office in each county and the clerk's office in each city or
4.25 town authorized under section 203B.05 to administer absentee balloting must be open
4.26 for acceptance of absentee ballot applications and casting of absentee ballots from 8:00
4.27 a.m. to 12:00 noon on the day immediately preceding a federal, state, or county election,
4.28 unless that day falls on a Sunday. When performing the duties of the county auditor in
4.29 an election not held in conjunction with a federal, state, or county election, the clerk's
4.30 office must be open from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the
4.31 day immediately preceding a primary, special, or general election unless that day falls
4.32 on a Saturday or Sunday. Town clerks' offices must be open for absentee voting from
4.33 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March.

5.1 The school district clerk, when performing the county auditor's election duties, need not
5.2 comply with this section.

5.3 Sec. 5. Minnesota Statutes 2012, section 203B.121, subdivision 1, is amended to read:

5.4 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each
5.5 county, municipality, and school district with responsibility to accept and reject absentee
5.6 ballots or to administer early voting must, by ordinance or resolution, establish a ballot
5.7 board. The board must consist of a sufficient number of election judges trained in the
5.8 handling of absentee ballots and appointed as provided in sections 204B.19 to 204B.22.
5.9 The board may include staff trained as election judges.

5.10 (b) Each jurisdiction must pay a reasonable compensation to each member of that
5.11 jurisdiction's ballot board for services rendered during an election.

5.12 (c) Except as otherwise provided by this section, all provisions of the Minnesota
5.13 Election Law apply to a ballot board.

5.14 Sec. 6. Minnesota Statutes 2012, section 203B.121, is amended by adding a
5.15 subdivision to read:

5.16 Subd. 2a. **Duties of ballot board; early voting.** The members of the ballot board
5.17 shall administer the process of early voting as prescribed in section 203B.35, and shall
5.18 make a record of voters who cast ballots early and count those ballots as provided in
5.19 subdivisions 4 and 5.

5.20 Sec. 7. Minnesota Statutes 2012, section 203B.121, subdivision 3, is amended to read:

5.21 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal
5.22 clerk must immediately record that a voter's absentee ballot has been accepted or that the
5.23 voter has cast a ballot pursuant to the early voting procedures provided in this chapter. A
5.24 voter whose record indicates that the voter has cast an early ballot must not be permitted
5.25 to cast another ballot in that election. After the close of business on the ~~fourth day before~~
5.26 the election day prior to the beginning of the early voting period as provided in section
5.27 203B.31, a voter whose record indicates that an absentee ballot has been accepted or cast
5.28 must not be permitted to cast another ballot at that election. In a state primary, general, or
5.29 state special election for federal ~~or~~ state, or county office, the auditor or clerk must also
5.30 record this information in the statewide voter registration system.

5.31 (b) The roster must be marked, and a supplemental report of absentee and early
5.32 voters who submitted a voter registration application with their ballot must be created, no

6.1 later than the start of voting on election day to indicate the voters that have already cast a
6.2 ballot at the election. The roster may be marked either:

6.3 (1) by the county auditor or municipal clerk before election day;

6.4 (2) by the ballot board before election day; or

6.5 (3) by the election judges at the polling place on election day.

6.6 The record of a voter whose absentee ballot was received after the close of business
6.7 on the fourth day before the election is not required to be marked on the roster or contained
6.8 in a supplemental report as required by this paragraph.

6.9 Sec. 8. Minnesota Statutes 2012, section 203B.121, subdivision 4, is amended to read:

6.10 Subd. 4. **Opening of envelopes.** After the close of business on the ~~fourth day~~
6.11 ~~before the election~~ day prior to the beginning of the early voting period as provided in
6.12 section 203B.31, the ballots from return envelopes marked "Accepted" may be opened,
6.13 duplicated as needed in the manner provided in section 206.86, subdivision 5, initialed by
6.14 the members of the ballot board, and deposited in the appropriate ballot box. If more than
6.15 one ballot is enclosed in the ballot envelope, the ballots must be returned in the manner
6.16 provided by section 204C.25 for return of spoiled ballots, and may not be counted.

6.17 Sec. 9. **[203B.30] EARLY VOTING.**

6.18 Any eligible voter may vote in person before election day in the manner provided
6.19 in sections 203B.31 to 203B.35.

6.20 Sec. 10. **[203B.31] TIME PERIOD FOR EARLY VOTING.**

6.21 Early voting must be available to any eligible voter as provided in section 203B.32
6.22 for every primary, general, and special election for federal, state, or county office from 15
6.23 days before the election through 5:00 p.m. on the third day before the election. All voters
6.24 in line at 5:00 p.m. on the third day before the election must be allowed to vote in the
6.25 same manner as provided in section 204C.05, subdivision 2.

6.26 Sec. 11. **[203B.32] HOURS FOR EARLY VOTING.**

6.27 Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on
6.28 each weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00
6.29 p.m. on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays
6.30 before the election.

6.31 Sec. 12. **[203B.33] LOCATIONS FOR EARLY VOTING.**

7.1 (a) Early voting must be made available at polling places designated in the county
 7.2 auditor's offices in county-owned or operated buildings and at the municipal clerk's office
 7.3 in every municipality that has been delegated the responsibility to administer absentee
 7.4 voting as provided in section 203B.05. At least one voting station and one ballot marking
 7.5 device for disabled voters must be made available in each polling place.

7.6 (b) The county auditor must make an electronic ballot counter available in each
 7.7 polling place.

7.8 Sec. 13. **[203B.34] NOTICE TO VOTERS.**

7.9 The county auditor must prepare a notice to the voters of the days, times, and
 7.10 locations for early voting. This notice must be posted on the county's Web site and the
 7.11 Web site for each municipality in the county where an early voting location is designated
 7.12 for the election at least 14 days before the first day for early voting. If a county or
 7.13 municipality does not have a Web site, the county auditor or municipal clerk must publish
 7.14 the notice at least once in the jurisdiction's official newspaper at least seven days and not
 7.15 more than 14 days before the first day for early voting.

7.16 Sec. 14. **[203B.35] PROCEDURES FOR EARLY VOTING.**

7.17 Subdivision 1. **Voting procedure.** Each voter shall sign the certification provided in
 7.18 section 204C.10. An individual who is not registered to vote must register in the manner
 7.19 provided in section 201.061, subdivision 3.

7.20 After the voter has signed the certification, a member of the ballot board must
 7.21 provide a ballot to the voter. Ballots must be prepared and distributed by members of the
 7.22 ballot board in the manner provided in section 204C.09. The voter must mark the ballot
 7.23 and deposit it in a precinct voting system. A voter may not leave the polling place with
 7.24 the ballot.

7.25 Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to
 7.26 203B.35 must be processed and counted by a ballot board.

7.27 Sec. 15. Minnesota Statutes 2012, section 204B.28, subdivision 2, is amended to read:

7.28 **Subd. 2. Election supplies; duties of county auditors and clerks.** (a) Except as
 7.29 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision
 7.30 4, the county auditor shall complete the preparation of the election materials for which
 7.31 the auditor is responsible at least four days before every state primary and state general
 7.32 election. At any time after all election materials are available from the county auditor

8.1 but not later than four days before the election each municipal clerk shall secure from
8.2 the county auditor:

8.3 ~~(a)~~ (1) the forms that are required for the conduct of the election;

8.4 ~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

8.5 ~~(c)~~ (3) any other instructions for election officers; and

8.6 ~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for
8.7 ballot returns, and other supplies and materials required for each precinct in order to
8.8 comply with the provisions of the Minnesota Election Law. The county auditor may
8.9 furnish the election supplies to the municipal clerks in the same manner as the supplies are
8.10 furnished to precincts in unorganized territory pursuant to section 204B.29, subdivision 1.

8.11 (b) The county auditor must prepare and make available election materials for early
8.12 voting to city clerks designed to administer early voting under section 203B.05 at least
8.13 one day prior to the beginning of the early voting period as provided in section 203B.31.

8.14 Sec. 16. Minnesota Statutes 2012, section 206.82, subdivision 1, is amended to read:

8.15 Subdivision 1. **Program.** A program or programs for use in an election conducted
8.16 by means of an electronic voting system or using an electronic ballot marker shall be
8.17 prepared at the direction of the county auditor or municipal clerk who is responsible for
8.18 the conduct of the election and shall be independently verified by a competent person
8.19 designated by that official. The term "competent person" as used in this section means a
8.20 person who can demonstrate knowledge as a computer programmer and who is other than
8.21 and wholly independent of any person operating or employed by the counting center or the
8.22 corporation or other preparer of the program. A test deck prepared by a competent person
8.23 shall be used for independent verification of the program; it shall test the maximum digits
8.24 used in totaling the returns and shall be usable by insertion during the tabulation process
8.25 as well as prior to tabulation. A test deck must also be prepared using the electronic ballot
8.26 marker program and must also be used to verify that all valid votes counted by the vote
8.27 tabulator may be selected using the electronic ballot marker. The computer program for
8.28 any election and an exact duplicate of the program for use as backup must be completed
8.29 and delivered to the election jurisdiction or the county auditor in charge of a common
8.30 central counting center at least 27 days prior to the election. The secretary of state shall
8.31 adopt rules further specifying test procedures.

8.32 Sec. 17. Minnesota Statutes 2012, section 206.83, is amended to read:

8.33 **206.83 TESTING OF VOTING SYSTEMS.**

9.1 Within ~~14~~ 22 days before election day, the official in charge of elections shall have
9.2 the voting system tested to ascertain that the system will correctly mark ballots using all
9.3 methods supported by the system, including through assistive technology, and count the
9.4 votes cast for all candidates and on all questions. Public notice of the time and place of the
9.5 test must be given at least two days in advance by publication once in official newspapers.
9.6 The test must be observed by at least two election judges, who are not of the same major
9.7 political party, and must be open to representatives of the political parties, candidates, the
9.8 press, and the public. The test must be conducted by (1) processing a preaudited group
9.9 of ballots punched or marked to record a predetermined number of valid votes for each
9.10 candidate and on each question, and must include for each office one or more ballot cards
9.11 which have votes in excess of the number allowed by law in order to test the ability of
9.12 the voting system tabulator and electronic ballot marker to reject those votes; and (2)
9.13 processing an additional test deck of ballots marked using the electronic ballot marker
9.14 for the precinct, including ballots marked using the electronic ballot display, audio ballot
9.15 reader, and any assistive voting technology used with the electronic ballot marker. If any
9.16 error is detected, the cause must be ascertained and corrected and an errorless count must
9.17 be made before the voting system may be used in the election. After the completion of
9.18 the test, the programs used and ballot cards must be sealed, retained, and disposed of as
9.19 provided for paper ballots.

9.20 Sec. 18. **APPROPRIATION.**

9.21 \$..... is appropriated in fiscal year 2014 from the general fund to the secretary
9.22 of state to implement this article.

9.23 Sec. 19. **EFFECTIVE DATE; APPLICABILITY.**

9.24 The provisions of this article related to early voting are effective when the secretary
9.25 of state has certified that:

9.26 (1) the statewide voter registration system has been tested and shown to properly
9.27 allow for the tracking of the information required to conduct early voting, and can handle
9.28 the expected volume of use; and

9.29 (2) precinct voting equipment that can tabulate at least 30 different ballot styles
9.30 has been certified for use in this state. Upon certification pursuant to this section, the
9.31 provisions of this article related to early voting apply to all federal, state, and county
9.32 elections held on August 1, 2014, and thereafter. A jurisdiction may implement the
9.33 requirements of this article prior to the date provided in this section, if the secretary of

10.1 state has made the required certifications at least 90 days prior to the date of the election at
 10.2 which early voting will be used.

10.3 **ARTICLE 3**

10.4 **ABSENTEE VOTING**

10.5 Section 1. Minnesota Statutes 2012, section 203B.02, subdivision 1, is amended to read:

10.6 Subdivision 1. ~~Unable to go to polling place~~ **Absentee voting; eligibility.** (a) Any
 10.7 eligible voter ~~who reasonably expects to be unable to go to the polling place on election~~
 10.8 ~~day in the precinct where the individual maintains residence because of absence from the~~
 10.9 ~~precinct; illness, including isolation or quarantine under sections 144.419 to 144.4196~~
 10.10 ~~or United States Code, title 42, sections 264 to 272; disability; religious discipline;~~
 10.11 ~~observance of a religious holiday; or service as an election judge in another precinct may~~
 10.12 vote by absentee ballot as provided in sections 203B.04 to 203B.15.

10.13 (b) ~~If the governor has declared an emergency and filed the declaration with the~~
 10.14 ~~secretary of state under section 12.31, and the declaration states that the emergency has~~
 10.15 ~~made it difficult for voters to go to the polling place on election day, any voter in a~~
 10.16 ~~precinct covered by the declaration may vote by absentee ballot as provided in sections~~
 10.17 ~~203B.04 to 203B.15.~~

10.18 Sec. 2. Minnesota Statutes 2012, section 203B.03, subdivision 1, is amended to read:

10.19 Subdivision 1. **Violation.** No individual shall intentionally:

10.20 (a) (1) make or sign any false certificate or oath required by this chapter;

10.21 (b) (2) make any false or untrue statement in any application or request for absentee
 10.22 ballots;

10.23 (c) (3) apply for absentee ballots more than once in any election with the intent
 10.24 to cast an illegal ballot;

10.25 (d) (4) exhibit a ballot marked by that individual to any other individual;

10.26 (e) (5) do any act in violation of the provisions of this chapter for the purpose of
 10.27 casting an illegal vote in any precinct or for the purpose of aiding another to cast an
 10.28 illegal vote;

10.29 (f) (6) use information from absentee ballot or early voting materials or records for
 10.30 purposes unrelated to elections, political activities, or law enforcement;

10.31 (g) (7) provide assistance to an absentee or early voter except in the manner provided
 10.32 by section 204C.15, subdivision 1;

10.33 (h) (8) solicit the vote of an absentee or early voter while in the immediate presence
 10.34 of the voter during the time the individual knows the absentee or early voter is voting; or

11.1 (+) (9) alter an absentee ballot application after it has been signed by the voter,
11.2 except by an election official for administrative purposes.

11.3 Before inspecting information from absentee ballot or early voting materials or
11.4 records, an individual shall provide identification to the public official having custody of
11.5 the material or information.

11.6 Sec. 3. Minnesota Statutes 2012, section 203B.04, subdivision 1, is amended to read:

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

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

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

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

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

11.22 (2) Minnesota state identification card number;

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

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

11.25 (c) To be approved, the application must ~~state that the applicant is eligible to vote by~~
11.26 ~~absentee ballot for one of the reasons specified in section 203B.02, and must~~ contain an oath
11.27 that the information contained on the form is accurate, that the applicant is applying on the
11.28 applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

11.29 (d) An applicant's full date of birth, Minnesota driver's license or state identification
11.30 number, and the last four digits of the applicant's Social Security number must not be
11.31 made available for public inspection. An application may be submitted to the county
11.32 auditor or municipal clerk by an electronic facsimile device. An application mailed or
11.33 returned in person to the county auditor or municipal clerk on behalf of a voter by a
11.34 person other than the voter must be deposited in the mail or returned in person to the
11.35 county auditor or municipal clerk within ten days after it has been dated by the voter and

12.1 no later than six days before the election. The absentee ballot applications or a list of
 12.2 persons applying for an absentee ballot may not be made available for public inspection
 12.3 until the close of voting on election day.

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

12.6 Sec. 4. Minnesota Statutes 2012, section 203B.04, subdivision 5, is amended to read:

12.7 Subd. 5. **Permanent illness or disability absentee voter status.** (a) An eligible
 12.8 voter ~~who reasonably expects to be permanently unable to go to the polling place on~~
 12.9 ~~election day because of illness or disability~~ may apply to a county auditor or municipal
 12.10 clerk under this section to automatically receive an absentee ballot ~~application~~ before each
 12.11 election, other than an election by mail conducted under section 204B.45, and to have the
 12.12 status as a permanent absentee voter indicated on the voter's registration record.

12.13 (b) A voter who applies under paragraph (a), must automatically be provided an
 12.14 absentee ballot for each eligible election. Ballots sent in accordance with this section must
 12.15 be sent by nonforwardable mail. A voter's permanent absentee status ends and automatic
 12.16 ballot delivery must be terminated on:

12.17 (1) the voter's written request;

12.18 (2) the voter's death;

12.19 (3) return of a permanent absentee ballot as undeliverable; or

12.20 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
 12.21 registration system.

12.22 (c) The secretary of state shall adopt rules governing procedures under this
 12.23 subdivision.

12.24 Sec. 5. Minnesota Statutes 2012, section 203B.06, subdivision 1, is amended to read:

12.25 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
 12.26 clerk shall prepare and print a sufficient number of blank application forms for absentee
 12.27 ballots. The county auditor or municipal clerk shall deliver a blank application form to
 12.28 any voter who requests one pursuant to section 203B.04. ~~Blank application forms must be~~
 12.29 ~~mailed to eligible voters who have requested an application pursuant to section 203B.04,~~
 12.30 ~~subdivision 5 or 6, at least 60 days before:~~

12.31 (1) ~~each regularly scheduled primary for federal, state, county, city, or school board~~
 12.32 ~~office;~~

12.33 (2) ~~each regularly scheduled general election for city or school board office for~~
 12.34 ~~which a primary is not held; and~~

13.1 ~~(3) a special primary to fill a federal or county office vacancy or special election to~~
 13.2 ~~fill a federal or county office vacancy, if a primary is not required to be held pursuant to~~
 13.3 ~~section 204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

13.4 ~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~
 13.5 ~~or at least 45 days before any other primary or other election for which a primary is not held.~~

13.6 Sec. 6. Minnesota Statutes 2012, section 203B.065, is amended to read:

13.7 **203B.065 USING THE REGISTRATION SYSTEM.**

13.8 (a) Upon accepting an application for a state primary or state general election, the
 13.9 county auditor or municipal clerk shall record in the statewide voter registration system the
 13.10 voter's name, date of birth, address of residence in Minnesota, mailing address, Minnesota
 13.11 driver's license or state identification number, or the last four digits of the voter's Social
 13.12 Security number, if provided by the voter. Upon acceptance of an absentee ballot
 13.13 application of a voter who is registered to vote at an address different from the residential
 13.14 address certified on the absentee ballot application, the voter registration record with the
 13.15 previous address shall be challenged. Once the absentee ballot has been transmitted to the
 13.16 voter, the method of transmission and the date of transmission must be recorded.

13.17 (b) Upon receipt of a returned absentee ballot for a state primary or state general
 13.18 election, the county auditor or municipal clerk shall record in the statewide voter
 13.19 registration system that the voter has returned the ballot.

13.20 (c) Upon receipt of notice that the ballot board has accepted or rejected the absentee
 13.21 ballot for a state primary or state general election, the county auditor or municipal clerk
 13.22 shall record in the statewide voter registration system whether the ballot was accepted or
 13.23 rejected, and if rejected, the reason for rejection. If a replacement ballot is transmitted to
 13.24 the voter, the county auditor or municipal clerk shall record this in the statewide voter
 13.25 registration system.

13.26 (d) The labels provided for envelopes used for transmitting an absentee ballot to
 13.27 and from an applicant for an absentee ballot for a state primary or state general election
 13.28 must contain bar codes generated by the statewide voter registration system to facilitate
 13.29 the recording required under this section. A county auditor or municipal clerk entering
 13.30 information into the statewide voter registration system under this section must include the
 13.31 information provided on the bar code label whenever information is entered into the system.

13.32 Sec. 7. **EXPLANATION OF ABSENTEE BALLOT CHANGES; COUNTY**
 13.33 **AUDITOR DUTIES.**

14.1 No later than 60 days prior to the date of the state primary in 2014, each county
 14.2 auditor shall mail an explanation of the changes to the permanent absentee balloting
 14.3 process and an updated permanent absentee voter application to every voter with permanent
 14.4 absentee ballot status in the county auditor's county. Each county auditor shall also mail
 14.5 this explanation to every voter in the county auditor's county with ongoing absentee ballot
 14.6 status on the voter's voter record as of the effective date of this article. A voter must return
 14.7 the application to maintain the voter's status as a permanent absentee voter.

14.8 Upon receipt of a completed application, the county auditor shall scan and retain an
 14.9 image of the application until the permanent absentee voter's status ends.

14.10 **Sec. 8. REPEALER.**

14.11 Minnesota Statutes 2012, section 203B.04, subdivision 6, is repealed.

14.12 **Sec. 9. EFFECTIVE DATE.**

14.13 This article is effective January 1, 2014, and applies to voting at elections conducted
 14.14 on the date of the state primary in 2014 and thereafter.

14.15 **ARTICLE 4**

14.16 **VACANCIES IN NOMINATION**

14.17 Section 1. Minnesota Statutes 2012, section 204B.13, subdivision 1, is amended to read:

14.18 Subdivision 1. ~~Death or withdrawal~~ **Partisan office.** (a) A vacancy in nomination
 14.19 ~~may~~ for a partisan office must be filled in the manner provided by this section. A vacancy
 14.20 in nomination exists for a partisan office when: ~~(1) a major political party candidate~~
 14.21 ~~or nonpartisan candidate who was nominated at a primary dies or files an affidavit of~~
 14.22 ~~withdrawal as provided in section 204B.12, subdivision 2a; or (2) a candidate for a~~
 14.23 ~~nonpartisan office, for which one or two candidates filed,~~ who has been nominated in
 14.24 accordance with section 204D.03, subdivision 3, or 204D.10, subdivision 1:

14.25 (1) dies;

14.26 (2) withdraws as provided in section 204B.12, subdivision 1; or

14.27 (3) withdraws by filing an affidavit of withdrawal, as provided in paragraph (b), at
 14.28 least one day prior to the general election with the same official who received the affidavit
 14.29 of candidacy.

14.30 (b) An affidavit of withdrawal filed under paragraph (a), clause (3), must state that
 14.31 the candidate has been diagnosed with a catastrophic illness that will permanently and
 14.32 continuously incapacitate the candidate and prevent the candidate from performing the
 14.33 duties of the office sought, if elected. The affidavit must be accompanied by a certificate

15.1 verifying the candidate's illness meets the requirements of this paragraph, signed by at
 15.2 least two licensed physicians. The affidavit and certificate may be filed by the candidate
 15.3 or the candidate's legal guardian.

15.4 Sec. 2. Minnesota Statutes 2012, section 204B.13, subdivision 2, is amended to read:

15.5 Subd. 2. **Partisan office; nomination by party; special election.** (a) ~~A vacancy in~~
 15.6 ~~nomination for partisan office shall be filled as provided in this subdivision. Except as~~
 15.7 ~~provided in subdivision 5, a major political party has the authority to~~ may fill a vacancy
 15.8 in nomination of that party's candidate as defined in subdivision 1, clause (1) or (3) by
 15.9 filing a one nomination certificate with the same official who received the affidavits of
 15.10 candidacy for that office.

15.11 ~~(b) A major political party may provide in its governing rules a procedure, including~~
 15.12 ~~designation of an appropriate committee, to fill vacancies~~ a vacancy in nomination for ~~all~~
 15.13 ~~offices elected statewide~~ any federal or state partisan office. The nomination certificate
 15.14 shall be prepared under the direction of and executed by the chair and secretary of the
 15.15 political party and filed within ~~seven days after the vacancy in nomination occurs or~~
 15.16 ~~before the 14th day before the general election, whichever is sooner. If the vacancy in~~
 15.17 ~~nomination occurs through the candidate's death or catastrophic illness, the nomination~~
 15.18 ~~certificate must be filed within seven days after the vacancy in nomination occurs but no~~
 15.19 ~~later than four days before the general election~~ the timelines established in this section.
 15.20 When filing the certificate the chair and secretary ~~when filing the certificate~~ shall attach an
 15.21 affidavit stating that the newly nominated candidate has been selected under the rules of
 15.22 the party and that the individuals signing the certificate and making the affidavit are the
 15.23 chair and secretary of the party.

15.24 (b) In the case of a vacancy in nomination for partisan office that occurs on or before
 15.25 the 79th day before the general election, the major political party must file the nomination
 15.26 certificate no later than 71 days before the general election. The name of the candidate
 15.27 nominated by the party must appear on the general election ballot.

15.28 (c) Except as provided in subdivision 5, in the case of a vacancy in nomination for
 15.29 a partisan office that occurs after the 79th day before the general election, the general
 15.30 election ballot shall remain unchanged, but the county and state canvassing boards must
 15.31 not certify the vote totals for that office from the general election, and the office must be
 15.32 filled at a special election held in accordance with this section. Except for the vacancy
 15.33 in nomination, all other candidates whose names appeared on the general election ballot
 15.34 for the office must appear on the special election ballot for the office. New affidavits of
 15.35 candidacy or nominating petitions may not be accepted, and there must not be a primary to

16.1 fill the vacancy in nomination. The major political party may file a nomination certificate
 16.2 as provided in paragraph (a), no later than seven days after the general election. On the
 16.3 date of the general election, the county auditor or municipal clerk shall post a notice
 16.4 in each precinct affected by a vacancy in nomination under this paragraph, informing
 16.5 voters of the statutory reason for the vacancy in nomination as provided in subdivision 1,
 16.6 paragraph (a), clauses (1) and (3), and the procedures for filling the vacancy in nomination
 16.7 and conducting a special election as required by this section. The secretary of state shall
 16.8 prepare and electronically distribute the notice to county auditors in each county affected
 16.9 by a vacancy in nomination.

16.10 Sec. 3. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
 16.11 to read:

16.12 Subd. 2a. **Partisan office; filing period.** A vacancy in nomination for a partisan
 16.13 office due to a withdrawal of a candidate under section 204B.12, subdivision 1, may
 16.14 be filled in the manner provided in sections 204B.06, 204B.09, and 204B.11, except
 16.15 that all documents and fees required by those sections must be filed within five days
 16.16 after the vacancy in nomination occurs. There must be a two-day period for withdrawal
 16.17 of candidates after the last day for filing.

16.18 If there is more than one candidate at the end of the withdrawal period to fill
 16.19 the vacancy in nomination, the candidates' names must appear on the primary ballot.
 16.20 Otherwise, the candidate's name must appear on the general election ballot.

16.21 Sec. 4. Minnesota Statutes 2012, section 204B.13, subdivision 5, is amended to read:

16.22 Subd. 5. **Candidates for governor and lieutenant governor.** (a) If a vacancy in
 16.23 nomination for a major political party occurs in the race for governor, the political party
 16.24 must nominate the candidates for both governor and lieutenant governor. If a vacancy
 16.25 in nomination for a major political party occurs in the race for lieutenant governor,
 16.26 the candidate for governor determined under this section shall select the candidate for
 16.27 lieutenant governor. If a vacancy in nomination occurs in the race for lieutenant governor,
 16.28 due to a vacancy in nomination for governor or due to the withdrawal or death of the
 16.29 candidate for lieutenant governor, the candidate for governor shall select the candidate for
 16.30 lieutenant governor as provided in this subdivision.

16.31 (b) For a vacancy in nomination for lieutenant governor that occurs on or before the
 16.32 16th 79th day before the general election, the name of the lieutenant governor candidate
 16.33 must be submitted by the governor candidate to the filing officer within seven days after
 16.34 the vacancy occurs, or before the 14th day before the general election, whichever is sooner

17.1 no later than 71 days before the general election. If the vacancy in nomination ~~occurs~~
 17.2 ~~through the death or catastrophic illness of the candidate for lieutenant governor~~ occurs
 17.3 after the 79th day before the general election, the candidate for governor shall submit the
 17.4 name of the new lieutenant governor candidate to the secretary of state within seven days
 17.5 after the vacancy in nomination ~~occurs but no later than four days before the general~~
 17.6 ~~election.~~ If the vacancy in nomination ~~occurs through the death or catastrophic illness~~
 17.7 ~~of the candidate for governor,~~ the new candidate for governor shall submit the name of
 17.8 the lieutenant governor candidate within seven days after the vacancy in nomination for
 17.9 governor is filled under section 204B.13, subdivision 2, but no later than four days before
 17.10 the general election. occurs, but no changes may be made to the general election ballots.

17.11 (c) When a vacancy in nomination for lieutenant governor occurs after the 79th day
 17.12 before the general election, the county auditor or municipal clerk shall post a notice in
 17.13 each precinct affected by the vacancy in nomination. The secretary of state shall prepare
 17.14 and electronically distribute the notice to county auditors. The county auditor must ensure
 17.15 that each precinct in the county receives the notice prior to the opening of the polls on
 17.16 election day. The notice must include:

17.17 (1) a statement that there is a vacancy in nomination for lieutenant governor and the
 17.18 statutory reason for the vacancy in nomination as provided in subdivision 1, paragraph
 17.19 (a), clauses (1) and (3);

17.20 (2) a statement that the results for the governor and lieutenant governor will be
 17.21 counted and that no special election will be held for that race; and

17.22 (3) a list of all candidates in the governor and lieutenant governor's race, listed in order
 17.23 of the base rotation. The listing of candidates shall include the name of the candidate to
 17.24 fill the vacancy in nomination for lieutenant governor. If the name of the candidate has not
 17.25 yet been named, then the list must include the date by which the candidate will be named.

17.26 Sec. 5. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
 17.27 to read:

17.28 Subd. 7. **Date of special election.** If a special election is required under this section,
 17.29 the governor shall issue a writ calling for a special election to be conducted on the second
 17.30 Tuesday in February of the year following the year the vacancy in nomination occurred.
 17.31 Except where otherwise provided in this section, the writ shall be issued and the special
 17.32 election conducted according to the requirements of sections 204D.22 to 204D.27.

17.33 Sec. 6. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
 17.34 to read:

18.1 Subd. 8. **Absentee voters.** At least 46 days, but no more than 50 days, before a
18.2 special election conducted under this section, the county auditor shall transmit an absentee
18.3 ballot for the special election to each applicant for an absentee ballot whose application
18.4 for an absentee ballot for the preceding general election was recorded under section
18.5 203B.04 or 203B.17. New applicants for an absentee ballot may be provided a ballot
18.6 in the manner specified in chapter 203B.

18.7 Sec. 7. Minnesota Statutes 2012, section 204B.13, is amended by adding a subdivision
18.8 to read:

18.9 Subd. 9. **Appropriation.** In the case of a statewide special election under this
18.10 section, the amount necessary is appropriated from the general fund to the secretary of
18.11 state to cover costs incurred by the state, county, and municipal governments to conduct
18.12 the special election.

18.13 Sec. 8. [204B.131] VACANCY IN NOMINATION; NONPARTISAN OFFICE.

18.14 Subdivision 1. **Applicability.** A vacancy in nomination for a nonpartisan office
18.15 must be filled in the manner provided by this section. A vacancy in nomination for a
18.16 nonpartisan office exists when:

18.17 (1) a candidate for any nonpartisan office, for which one or two candidates filed,
18.18 withdraws as provided in section 204B.12, subdivision 1; or

18.19 (2) a candidate for any nonjudicial nonpartisan office, for which only one or two
18.20 candidates filed or who was nominated at a primary, dies more than 79 days before the
18.21 date of the general election.

18.22 Subd. 2. **Procedure for filling vacancy.** A vacancy in nomination for a nonpartisan
18.23 office may be filled by filing an affidavit of candidacy and paying a filing fee, or by filing
18.24 an affidavit of candidacy and filing a petition in place of a filing fee, in the manner
18.25 provided in sections 204B.06, 204B.09, and 204B.11. All documents and fees required by
18.26 this subdivision must be filed within five days after the vacancy in nomination occurs.

18.27 There must be a two-day period for withdrawal of candidates after the last day for filing.

18.28 If the vacancy in nomination resulted from a withdrawal during the withdrawal
18.29 period held on the 68th to 69th day before the primary, and if, at the end of the withdrawal
18.30 period to fill the vacancy in nomination, there are more than two candidates, the
18.31 candidates' names must appear on the primary ballot. In all other cases, the candidates'
18.32 names must appear on the general election ballot.

19.1 Sec. 9. Minnesota Statutes 2012, section 204D.19, is amended by adding a subdivision
19.2 to read:

19.3 Subd. 6. **Writ when vacancy results from vacancy in nomination.** If a vacancy in
19.4 office is due to a vacancy in nomination under section 204B.13, the governor shall issue a
19.5 writ in the manner provided in that section.

19.6 Sec. 10. **REPEALER.**

19.7 Minnesota Statutes 2012, sections 204B.12, subdivision 2a; and 204B.13,
19.8 subdivisions 4 and 6, are repealed.

19.9 Sec. 11. **EFFECTIVE DATE.**

19.10 This article is effective the day following final enactment and applies to vacancies in
19.11 nomination occurring on or after that date.

19.12 **ARTICLE 5**

19.13 **ELECTION ADMINISTRATION**

19.14 Section 1. Minnesota Statutes 2012, section 103C.225, subdivision 3, is amended to
19.15 read:

19.16 ~~Subd. 3. **Referendum.** (a) Within 60 days after the petition is received by the state~~
19.17 ~~board, it shall give due notice of the holding of a referendum, schedule the referendum at~~
19.18 ~~the next general election, and cooperate with county election officials to accomplish the~~
19.19 ~~election in the most expedient manner. Upon receipt of a petition, the state board shall~~
19.20 ~~provide written notice to the secretary of state and the county auditor of each county in~~
19.21 ~~which the district is located no later than 74 days before the state general election. The~~
19.22 ~~notice must include the date of the election and the title and text of the question to be~~
19.23 ~~placed on the ballot. Prior to the referendum, the state board shall facilitate the preparation~~
19.24 ~~of a plan to continue the administration of the powers, duties, and responsibilities of the~~
19.25 ~~district, including the functions of the district board.~~

19.26 ~~(b) The question shall be submitted by ballots, upon which the words "For terminating~~
19.27 ~~the existence of~~ appear on the ballot in the following form: "Shall the (name
19.28 of the soil and water conservation district to be here inserted)" and "Against terminating
19.29 the existence of the (name of the soil and water conservation district to be here
19.30 inserted)" shall be printed, with a square before each proposition and a direction to insert
19.31 an X mark in the square before one or the other be terminated?".

19.32 (c) Only eligible voters in the district may vote in the referendum.

20.1 (d) Informalities in the conduct of the referendum or matters relating to the
20.2 referendum do not invalidate the referendum, or result of the referendum, if due notice has
20.3 been given and the referendum has been fairly conducted.

20.4 (e) The state board shall publish the result of the referendum.

20.5 Sec. 2. Minnesota Statutes 2012, section 103C.305, subdivision 3, is amended to read:

20.6 Subd. 3. **Ballots.** Ballots shall be prepared by the county auditor. The names of
20.7 candidates shall be placed on the ~~"canary ballot" described in section 204D.11, subdivision~~
20.8 ~~3~~ state general election ballot. The office title printed on the ballot must be either "Soil
20.9 and Water Conservation District Supervisor" or "Conservation District Supervisor," based
20.10 upon the district from which the supervisor is to be elected.

20.11 Sec. 3. Minnesota Statutes 2012, section 103C.311, subdivision 2, is amended to read:

20.12 Subd. 2. **Supervisors elected by districts.** (a) The district board, with the approval
20.13 of the state board, may by resolution provide that supervisors will be elected by supervisor
20.14 districts as provided in this subdivision.

20.15 (b) The supervisor districts must be composed of precincts established by county and
20.16 municipal governing bodies under section 204B.14. The districts must be compact, include
20.17 only contiguous territory, and be substantially equal in population. The districts must be
20.18 numbered in a regular series. The districts must be drawn by the county board of the county
20.19 containing the largest area of the soil and water conservation district, in consultation with
20.20 the district board and with the approval of the state board. The boundaries of the districts
20.21 must be redrawn after each decennial federal census as provided in section 204B.135. A
20.22 certified copy of the resolution establishing supervisor districts must be filed by the chair
20.23 of the district board with the county auditor of the counties where the soil and water
20.24 conservation district is located, with the state board, and with the secretary of state ~~at least~~
20.25 ~~30 days before the first date candidates may file for the office of supervisor, and the filings~~
20.26 must occur within 80 days of the time when the legislature has been redistricted or at least
20.27 15 weeks before the state primary election in a year ending in two, whichever comes first.

20.28 (c) Each supervisor district is entitled to elect one supervisor. A supervisor must be a
20.29 resident of the district from which elected.

20.30 (d) The district board shall provide staggered terms for supervisors elected by
20.31 district. After each redistricting, there shall be a new election of supervisors in all the
20.32 districts at the next general election, except that if the change made in the boundaries of a
20.33 district is less than five percent of the average population of all the districts, the supervisor
20.34 in office at the time of the redistricting shall serve for the full term for which elected. The

21.1 district board shall determine by lot the seats to be filled for a two-year term, a four-year
21.2 term, and a six-year term.

21.3 Sec. 4. Minnesota Statutes 2012, section 201.071, subdivision 2, is amended to read:

21.4 Subd. 2. **Instructions.** A registration application shall be accompanied by
21.5 instructions specifying the manner and method of registration, the qualifications for
21.6 voting, the penalties for false registration, and the availability of registration and voting
21.7 assistance for elderly and disabled individuals and residents of health care facilities and
21.8 hospitals. The instructions must indicate that if the voter does not have a valid Minnesota
21.9 driver's license or identification card, the last four digits of the voter's Social Security
21.10 number must be provided, unless the voter does not have a Social Security number. If,
21.11 prior to election day, a person requests the instructions in Braille, ~~on cassette tape~~ audio
21.12 format, or in a version printed in 16-point bold type with 24-point leading, the county
21.13 auditor shall provide them in the form requested. The secretary of state shall prepare
21.14 Braille and ~~cassette~~ audio copies and make them available.

21.15 Sec. 5. Minnesota Statutes 2012, section 201.091, subdivision 8, is amended to read:

21.16 Subd. 8. **Registration places.** Each county auditor shall designate a number of
21.17 public buildings in those political subdivisions of the county where preregistration of
21.18 voters is allowed as provided in section 201.061, subdivision 1, where eligible voters may
21.19 register to vote. ~~At least one public building must be designated for each 30,000 residents~~
21.20 ~~of the county. At least one telecommunications device for the deaf must be available for~~
21.21 ~~voter registration information in each county seat and in every city of the first, second,~~
21.22 ~~and third class.~~

21.23 An adequate supply of registration applications and instructions must be maintained
21.24 at each designated location, and a designated individual must be available there to accept
21.25 registration applications and transmit them to the county auditor.

21.26 A person who, because of disability, needs assistance in order to determine eligibility
21.27 or to register must be assisted by a designated individual. Assistance includes but is not
21.28 limited to reading the registration form and instructions and filling out the registration
21.29 form as directed by the eligible voter.

21.30 Sec. 6. Minnesota Statutes 2012, section 201.12, subdivision 3, is amended to read:

21.31 Subd. 3. **Moved out of state.** If any nonforwardable mailing from an election
21.32 official is returned as undeliverable but with a permanent forwarding address outside this
21.33 state, the county auditor shall promptly mail to the voter at the voter's new address a notice

22.1 advising the voter that the voter's status in the statewide voter registration system will be
 22.2 changed to "inactive" unless the voter notifies the county auditor within 21 days that the
 22.3 voter is retaining the former address as the voter's address of residence. If the voter's
 22.4 record is challenged due to a felony conviction, lack of United States citizenship, legal
 22.5 incompetence, or court-ordered revocation of voting rights of persons under guardianship,
 22.6 the county auditor must not mail this notice. If the notice is not received by the deadline,
 22.7 the county auditor shall change the voter's status to "inactive" in the statewide voter
 22.8 registration system.

22.9 Sec. 7. Minnesota Statutes 2012, section 201.13, subdivision 1a, is amended to read:

22.10 Subd. 1a. **Social Security Administration; other reports of deceased residents.**

22.11 The secretary of state shall determine if any of the persons listed on either the Social
 22.12 Security Death Index or reported as deceased by the vital records department of another
 22.13 state are registered to vote and prepare a list of those registrants for each county auditor.

22.14 The county auditor shall change the status of those registrants to "deceased" in the
 22.15 statewide voter registration system.

22.16 Sec. 8. Minnesota Statutes 2012, section 201.14, is amended to read:

22.17 **201.14 COURT ADMINISTRATOR OF DISTRICT COURT; REPORT**
 22.18 **CHANGES OF NAMES.**

22.19 The state court administrator shall regularly report by electronic means to the
 22.20 secretary of state the name, address, and, if available, driver's license or state identification
 22.21 card number of each individual, 18 years of age or over, whose name was changed since
 22.22 the last report, by marriage, divorce, or any order or decree of the court. The secretary of
 22.23 state shall determine if any of the persons in the report are registered to vote under their
 22.24 previous name and shall prepare a list of those registrants for each county auditor. Upon
 22.25 receipt of the list, the county auditor shall make the change in the voter's record and mail
 22.26 to the voter the notice of registration required by section 201.121, subdivision 2. A notice
 22.27 must not be mailed if the voter's record is challenged due to a felony conviction, lack of
 22.28 United States citizenship, legal incompetence, or court-ordered revocation of voting rights
 22.29 of persons under guardianship.

22.30 Sec. 9. Minnesota Statutes 2012, section 202A.14, subdivision 1, is amended to read:

22.31 Subdivision 1. **Time and manner of holding; postponement.** (a) In every state
 22.32 general election year, beginning at 7:00 p.m. on the date established pursuant to paragraph

23.1 (b), there shall be held for every election precinct a party caucus in the manner provided
 23.2 in sections 202A.14 to 202A.19.

23.3 (b)(1) The chairs of the two largest major political parties shall jointly submit to
 23.4 the secretary of state, no later than March 1 of each odd-numbered year, the single date
 23.5 on which the two parties have agreed to conduct their precinct caucuses in the next
 23.6 even-numbered year.

23.7 (2) ~~On March 1 of each odd-numbered year~~ Within two business days after the
 23.8 parties have agreed on a single date on which to conduct their precinct caucuses, the
 23.9 secretary of state shall publicly announce the official state precinct caucus date for the
 23.10 following general election year.

23.11 (3) If the chairs of the two largest major political parties do not jointly submit a
 23.12 single date for conducting their precinct caucuses as provided in this paragraph, then
 23.13 for purposes of the next general election year, the first Tuesday in February shall be
 23.14 considered the day of a major political party precinct caucus and sections 202A.19 and
 23.15 202A.192 shall only apply on that date.

23.16 (4) For purposes of this paragraph, the two largest major political parties shall be the
 23.17 parties whose candidates for governor received the greatest and second greatest number of
 23.18 votes at the most recent gubernatorial election.

23.19 (c) In the event of severe weather a major political party may request the secretary of
 23.20 state to postpone caucuses. If a major political party makes a request, or upon the secretary
 23.21 of state's own initiative, after consultation with all major political parties and on the advice
 23.22 of the federal Weather Bureau and the Department of Transportation, the secretary of state
 23.23 may declare precinct caucuses to be postponed for a week in counties where weather
 23.24 makes travel especially dangerous. The secretary of state shall submit a notice of the
 23.25 postponement to news media covering the affected counties by 6:00 p.m. on the scheduled
 23.26 day of the caucus. A postponed caucus may also be postponed pursuant to this subdivision.

23.27 Sec. 10. Minnesota Statutes 2012, section 203B.05, subdivision 1, is amended to read:

23.28 Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer
 23.29 the provisions of sections 203B.04 to 203B.15 if:

23.30 (1) the county auditor of that county has designated the clerk to administer them; or

23.31 (2) the clerk has given the county auditor of that county notice of intention to
 23.32 administer them.

23.33 The designation or notice must specify whether the clerk will be responsible for the
 23.34 administration of a ballot board as provided in section 203B.121.

24.1 A clerk of a city that is located in more than one county may only administer the
 24.2 provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35, if the clerk has been
 24.3 designated by each of the county auditors or has provided notice to each of the county
 24.4 auditors that the city will administer absentee voting. A clerk may only administer the
 24.5 provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the
 24.6 statewide voter registration system in the secure manner prescribed by the secretary of
 24.7 state. The secretary of state must identify hardware, software, security, or other technical
 24.8 prerequisites necessary to ensure the security, access controls, and performance of
 24.9 the statewide voter registration system. A clerk must receive training approved by the
 24.10 secretary of state on the use of the statewide voter registration system before administering
 24.11 this section. A clerk may not use the statewide voter registration system until the clerk
 24.12 has received the required training. The county auditor must notify the secretary of state
 24.13 of any municipal clerk who will be administering the provisions of this section and the
 24.14 duties that the clerk will administer.

24.15 Sec. 11. Minnesota Statutes 2012, section 203B.08, subdivision 3, is amended to read:

24.16 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a
 24.17 county auditor or municipal clerk, that official shall stamp or initial and date the return
 24.18 envelope and place it in a secure location with other return envelopes received by that
 24.19 office. Within five days after receipt, the county auditor or municipal clerk shall deliver to
 24.20 the ballot board all ballots received, except that during the 14 days immediately preceding
 24.21 an election, the county auditor or municipal clerk shall deliver all ballots received to
 24.22 the ballot board within three days. Ballots received on election day either (1) after 3:00
 24.23 p.m., if delivered by an agent; or (2) after the last mail delivery, if delivered by another
 24.24 method, shall be marked as received late by the county auditor or municipal clerk, and
 24.25 must not be delivered to the ballot board.

24.26 Sec. 12. Minnesota Statutes 2012, section 203B.081, is amended to read:

24.27 **203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.**

24.28 An eligible voter may vote by absentee ballot in the office of the county auditor and
 24.29 at any other polling place designated by the county auditor during the 46 days before: the
 24.30 election, except as provided in this subdivision.

24.31 ~~(1) a regularly scheduled election for federal, state, county, city, or school board~~
 24.32 ~~office;~~

24.33 ~~(2) a special election for a federal or county office; and~~

24.34 ~~(3) an election held in conjunction with an election described in clauses (1) and (2),~~

25.1 ~~and~~ Voters casting absentee ballots in person for a town election held in March may
 25.2 do so during the 30 days before any other the election, except that an eligible voter may not
 25.3 vote by absentee ballot in person during the period designated for early voting, as provided
 25.4 in section 203B.31. The county auditor shall make such designations at least 14 weeks
 25.5 before the election. At least one voting booth in each polling place must be made available
 25.6 by the county auditor for this purpose. The county auditor must also make available at least
 25.7 one electronic ballot marker in each polling place that has implemented a voting system
 25.8 that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.

25.9 Sec. 13. Minnesota Statutes 2012, section 203B.121, subdivision 5, is amended to read:

25.10 **Subd. 5. Storage and counting of absentee and early voting ballots.** (a) On a
 25.11 day on which absentee or early voting ballots are inserted into a ballot box, two members
 25.12 of the ballot board must:

25.13 (1) remove the ballots from the ballot box at the end of the day;

25.14 (2) without inspecting the ballots, ensure that the number of ballots removed from
 25.15 the ballot box is equal to the number of voters who cast early votes and whose absentee
 25.16 ballots were accepted or cast that day; and

25.17 (3) seal and secure all voted and unvoted ballots present in that location at the end
 25.18 of the day.

25.19 (b) After the polls have closed on election day, two members of the ballot board
 25.20 must count the ballots, tabulating the vote in a manner that indicates each vote of the voter
 25.21 and the total votes cast for each candidate or question. In state primary and state general
 25.22 elections, the results must indicate the total votes cast for each candidate or question in each
 25.23 precinct and report the vote totals tabulated for each precinct. ~~The count shall be public.~~
 25.24 ~~No vote totals from ballots may be made public before the close of voting on election day~~
 25.25 must be recorded on a summary statement in substantially the same format as provided in
 25.26 section 204C.26. The ballot board shall submit at least one completed summary statement
 25.27 to the county auditor or municipal clerk. The county auditor or municipal clerk may
 25.28 require the ballot board to submit a sufficient number of completed summary statements to
 25.29 comply with the provisions of section 204C.27, or the county auditor or municipal clerk
 25.30 may certify reports containing the details of the ballot board summary statement to the
 25.31 recipients of the summary statements designated in section 204C.27.

25.32 In state primary and state general elections, these vote totals shall be added to the
 25.33 vote totals on the summary statements of the returns for the appropriate precinct. In other
 25.34 elections, these vote totals may be added to the vote totals on the summary statement of
 25.35 returns for the appropriate precinct or may be reported as a separate total.

26.1 The count shall be public. No vote totals from ballots may be made public before the
 26.2 close of voting on election day.

26.3 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been
 26.4 completed previously, the members of the ballot board must verify as soon as possible, but
 26.5 no later than 24 hours after the end of the hours for voting, that voters whose absentee
 26.6 ballots arrived after the rosters were marked or supplemental reports were generated
 26.7 and whose ballots were accepted did not vote in person on election day. An absentee
 26.8 ballot submitted by a voter who has voted in person on election day must be rejected. All
 26.9 other accepted absentee ballots must be opened, duplicated if necessary, and counted by
 26.10 members of the ballot board. The vote totals from these ballots must be incorporated into
 26.11 the totals with the other absentee ballots and handled according to paragraph (b).

26.12 Sec. 14. Minnesota Statutes 2012, section 203B.227, is amended to read:

26.13 **203B.227 WRITE-IN ABSENTEE BALLOT.**

26.14 (a) A voter described in section 203B.16, subdivision 1, may use ~~a state write-in~~
 26.15 ~~absentee ballot~~ or the federal write-in absentee ballot to vote in any federal, state, or local
 26.16 election. In a state or local election, a vote for a political party without specifying the
 26.17 name of a candidate must not be counted.

26.18 (b) If a voter submits a Federal Write-in Absentee Ballot for which a Federal Post
 26.19 Card Application was not received, the Federal Write-in Absentee Ballot serves as a voter
 26.20 registration, for voters who are eligible to register, in lieu of the voter's Federal Post Card
 26.21 Application. If the voter has not already voted and the accompanying certificate is properly
 26.22 completed, the absentee ballot board must accept the Federal Write-in Absentee Ballot.

26.23 Sec. 15. Minnesota Statutes 2012, section 203B.28, is amended to read:

26.24 **203B.28 POSTELECTION REPORT TO LEGISLATURE.**

26.25 By ~~March 1, 2011, and by~~ January 15 of every odd-numbered year thereafter, the
 26.26 secretary of state shall provide to the chair and ranking minority members of the legislative
 26.27 committees with jurisdiction over elections a statistical report related to absentee voting
 26.28 in the most recent general election cycle. The statistics must be organized by county
 26.29 ~~and precinct~~, and include:

- 26.30 (1) the number of absentee ballots transmitted to voters;
 26.31 (2) the number of absentee ballots returned by voters;
 26.32 (3) the number of absentee ballots that were rejected, categorized by the reason
 26.33 for rejection;

27.1 (4) the number of absentee ballots submitted pursuant to sections 203B.16 to
 27.2 203B.27, along with the number of returned ballots that were accepted, rejected, and
 27.3 the reason for any rejections; and

27.4 (5) the number of absentee ballots that were not counted because the ballot return
 27.5 envelope was received after the deadlines provided in this chapter.

27.6 Sec. 16. Minnesota Statutes 2012, section 204B.04, is amended by adding a
 27.7 subdivision to read:

27.8 Subd. 4. **Prohibition on multiple candidacy.** A candidate who files an affidavit
 27.9 of candidacy for an office to be elected at the general election may not subsequently file
 27.10 another affidavit of candidacy for any other office to be elected on the date of that general
 27.11 election. The provisions in section 645.241 do not apply to this subdivision.

27.12 Sec. 17. Minnesota Statutes 2012, section 204B.07, subdivision 2, is amended to read:

27.13 Subd. 2. **Petitions for presidential electors and alternates.** This subdivision
 27.14 does not apply to candidates for presidential elector or alternate nominated by major
 27.15 political parties. Major party candidates for presidential elector or alternate are certified
 27.16 under section 208.03. Other presidential electors or alternates are nominated by petition
 27.17 pursuant to this section. On petitions nominating presidential electors or alternates, the
 27.18 names of the candidates for president and vice-president shall be added to the political
 27.19 party or political principle stated on the petition. One petition may be filed to nominate a
 27.20 slate of presidential electors equal in number to the number of electors to which the state
 27.21 is entitled and an alternate for each elector nominee.

27.22 Sec. 18. Minnesota Statutes 2012, section 204B.18, subdivision 2, is amended to read:

27.23 Subd. 2. **Ballot boxes.** ~~Each polling place shall be provided with one ballot box for~~
 27.24 ~~each kind of ballot to be cast at the election. The boxes shall be substantially the same color~~
 27.25 ~~as the ballots to be deposited in them. Each box shall be of sufficient size and shall have a~~
 27.26 ~~sufficient opening to receive and contain all the ballots likely to be deposited in it. When~~
 27.27 ~~buff or goldenrod ballot boxes are required, a separate box must be provided for each school~~
 27.28 ~~district for which ballots are to be cast at that polling place. The number and name of the~~
 27.29 ~~school district must appear conspicuously on the top of each buff or goldenrod ballot box.~~

27.30 Sec. 19. Minnesota Statutes 2012, section 204B.22, subdivision 1, is amended to read:

27.31 Subdivision 1. **Minimum number required.** (a) A minimum of four election
 27.32 judges shall be appointed for each precinct, ~~except as provided by subdivision 2 in the~~

28.1 state general election. In all other elections, a minimum of three election judges shall
 28.2 be appointed for each precinct. In a combined polling place under section 204B.14,
 28.3 subdivision 2, at least one judge must be appointed from each municipality in the
 28.4 combined polling place, provided that not less than three judges shall be appointed for
 28.5 each combined polling place. The appointing authorities may appoint election judges for
 28.6 any precinct in addition to the number required by this subdivision including additional
 28.7 election judges to count ballots after voting has ended.

28.8 (b) An election judge may serve for all or part of election day, at the discretion of the
 28.9 appointing authority, as long as the minimum number of judges required is always present.
 28.10 The head election judge designated under section 204B.20 must serve for all of election day
 28.11 and be present in the polling place unless another election judge has been designated by the
 28.12 head election judge to perform the functions of the head election judge during any absence.

28.13 Sec. 20. Minnesota Statutes 2012, section 204B.22, subdivision 2, is amended to read:

28.14 Subd. 2. **Exception.** A minimum of three election judges shall be appointed in
 28.15 precincts not using electronic voting equipment. ~~One additional election judge shall~~
 28.16 ~~be appointed for each 150 votes cast in that precinct at the last similar election and in~~
 28.17 precincts with fewer than 500 registered voters as of 14 weeks before the state primary.

28.18 Sec. 21. Minnesota Statutes 2012, section 204B.28, subdivision 1, is amended to read:

28.19 Subdivision 1. **Meeting with election officials.** At least 12 weeks before each
 28.20 regularly scheduled town general election conducted in March, and at least 18 weeks
 28.21 before all other general elections, each county auditor shall conduct a meeting or otherwise
 28.22 communicate with local election officials to review the procedures for the election. The
 28.23 county auditor may require the head election judges in the county to attend this meeting.

28.24 Sec. 22. Minnesota Statutes 2012, section 204B.32, subdivision 1, is amended to read:

28.25 Subdivision 1. **Payment.** (a) The secretary of state shall pay the compensation for
 28.26 presidential electors, the cost of printing ~~the pink paper~~ ballots, and all necessary expenses
 28.27 incurred by the secretary of state in connection with elections.

28.28 (b) The counties shall pay the compensation prescribed in section 204B.31, clauses
 28.29 (b) and (c), the cost of printing ~~the canary ballots, the white ballots, the pink state general~~
 28.30 election ballots when machines are used, the state partisan primary ballots, and the
 28.31 state and county nonpartisan primary ballots, all necessary expenses incurred by county
 28.32 auditors in connection with elections, and the expenses of special county elections.

29.1 (c) Subject to subdivision 2, the municipalities shall pay the compensation prescribed
 29.2 for election judges and sergeants at arms, the cost of printing the municipal ballots,
 29.3 providing ballot boxes, providing and equipping polling places and all necessary expenses
 29.4 of the municipal clerks in connection with elections, except special county elections.

29.5 (d) The school districts shall pay the compensation prescribed for election judges
 29.6 and sergeants-at-arms, the cost of printing the school district ballots, providing ballot
 29.7 boxes, providing and equipping polling places and all necessary expenses of the school
 29.8 district clerks in connection with school district elections not held in conjunction with
 29.9 state elections. When school district elections are held in conjunction with state elections,
 29.10 the school district shall pay the costs of printing the school district ballots, providing ballot
 29.11 boxes and all necessary expenses of the school district clerk.

29.12 All disbursements under this section shall be presented, audited, and paid as in
 29.13 the case of other public expenses.

29.14 Sec. 23. Minnesota Statutes 2012, section 204B.33, is amended to read:

29.15 **204B.33 NOTICE OF FILING.**

29.16 (a) At least ~~45~~ 16 weeks before the state primary, the secretary of state shall notify
 29.17 each county auditor of the offices to be voted for in that county at the next state general
 29.18 election for which candidates file with the secretary of state. The notice shall include
 29.19 the time and place of filing for those offices. Within ten days after notification by the
 29.20 secretary of state, each county auditor shall notify each municipal clerk in the county of
 29.21 all the offices to be voted for in the county at that election and the time and place for
 29.22 filing for those offices. The county auditors and municipal clerks shall promptly post a
 29.23 copy of that notice in their offices.

29.24 (b) At least ~~two weeks~~ one week before the first day to file an affidavit of candidacy,
 29.25 the county auditor shall publish a notice stating the first and last dates on which affidavits
 29.26 of candidacy may be filed in the county auditor's office and the closing time for filing on
 29.27 the last day for filing. The county auditor shall post a similar notice at least ten days before
 29.28 the first day to file affidavits of candidacy.

29.29 Sec. 24. Minnesota Statutes 2012, section 204B.35, subdivision 4, is amended to read:

29.30 Subd. 4. **Absentee ballots; preparation; delivery.** At least 46 days before a
 29.31 ~~regularly scheduled~~ an election for federal, state, county, city, or school board office
 29.32 ~~or a special election for federal office, and at least 30 days before any other election,~~
 29.33 ballots necessary to fill applications of absentee voters shall be prepared and delivered to
 29.34 the officials who administer the provisions of chapter 203B, except as provided in this

30.1 subdivision. Ballots necessary to fill applications of absentee voters for a town general
30.2 election held in March shall be prepared and delivered to the town clerk at least 30 days
30.3 before the election.

30.4 This section applies to school district elections held on the same day as a statewide
30.5 election or an election for a county or municipality located partially or wholly within
30.6 the school district.

30.7 Sec. 25. Minnesota Statutes 2012, section 204B.36, subdivision 1, is amended to read:

30.8 Subdivision 1. **Type.** All ballots shall be printed with black ink on paper of sufficient
30.9 thickness to prevent the printing from being discernible from the back. ~~All ballots of the~~
30.10 ~~same color shall be substantially uniform in style of printing, size, thickness and shade of~~
30.11 ~~color. When the ballots of a particular color vary in shade, those used in any one precinct~~
30.12 ~~shall be of the same shade.~~ All ballots shall be printed in easily readable type with suitable
30.13 lines dividing candidates, offices, instructions and other matter printed on ballots. The
30.14 name of each candidate shall be printed in capital letters. The same type shall be used for
30.15 the names of all candidates on the same ballot.

30.16 Sec. 26. Minnesota Statutes 2012, section 204B.45, subdivision 1, is amended to read:

30.17 Subdivision 1. **Authorization.** A municipality town of any size not located in a
30.18 metropolitan county as defined by section 473.121 or a city having fewer than 400 1,000
30.19 registered voters on June 1 of an election year and not located in a metropolitan county as
30.20 defined by section 473.121 may provide balloting by mail at any municipal, county, or
30.21 state election with no polling place other than the office of the auditor or clerk or other
30.22 locations designated by the auditor or clerk. The governing body may apply to the county
30.23 auditor for permission to conduct balloting by mail. The county board may provide for
30.24 balloting by mail in unorganized territory. The governing body of any municipality may
30.25 designate for mail balloting any precinct having fewer than 50 100 registered voters,
30.26 subject to the approval of the county auditor.

30.27 Voted ballots may be returned in person to any location designated by the county
30.28 auditor or municipal clerk.

30.29 Sec. 27. Minnesota Statutes 2012, section 204B.45, subdivision 2, is amended to read:

30.30 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be
30.31 given at least six ten weeks prior to the election. Not more than 46 days nor later than 14
30.32 days before a regularly scheduled election for federal, state, county, city, or school board
30.33 office or a special election for federal office and not more than 30 days nor later than 14

31.1 days before ~~any other election~~ a town election held in March, the auditor shall mail ballots
31.2 by nonforwardable mail to all voters registered in the town or unorganized territory. No
31.3 later than 14 days before the election, the auditor must make a subsequent mailing of ballots
31.4 to those voters who register to vote after the initial mailing but before the 20th day before
31.5 the election. Eligible voters not registered at the time the ballots are mailed may apply for
31.6 ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided,
31.7 must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or
31.8 in person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot
31.9 board to examine the mail and absentee ballot return envelopes and mark them "accepted"
31.10 or "rejected" within three days of receipt if there are 14 or fewer days before election day,
31.11 or within five days of receipt if there are more than 14 days before election day. The board
31.12 may consist of staff trained as election judges. Election judges performing the duties in
31.13 this section must be of different major political parties, unless they are exempt from that
31.14 requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has
31.15 been rejected at least five days before the election, the ballots in the envelope must remain
31.16 sealed and the auditor or clerk shall provide the voter with a replacement ballot and return
31.17 envelope in place of the spoiled ballot. If the ballot is rejected within five days of the
31.18 election, the envelope must remain sealed and the official in charge of the ballot board must
31.19 attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot
31.20 has been rejected. The official must document the attempts made to contact the voter.

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

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

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

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

31.33 Sec. 28. Minnesota Statutes 2012, section 204B.46, is amended to read:

31.34 **204B.46 MAIL ELECTIONS; QUESTIONS.**

32.1 A county, municipality, or school district submitting questions to the voters at a
32.2 special election may conduct an election by mail with no polling place other than the office
32.3 of the auditor or clerk. No offices may be voted on at a mail election. Notice of the election
32.4 must be given to the county auditor at least ~~53~~ 74 days prior to the election. This notice
32.5 shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail
32.6 ballot procedures must be posted at least six weeks prior to the election. Not more than ~~30~~
32.7 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by
32.8 nonforwardable mail to all voters registered in the county, municipality, or school district.
32.9 No later than 14 days before the election, the auditor or clerk must make a subsequent
32.10 mailing of ballots to those voters who register to vote after the initial mailing but before the
32.11 20th day before the election. Eligible voters not registered at the time the ballots are mailed
32.12 may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot
32.13 board to examine the mail and absentee ballot return envelopes and mark them "Accepted"
32.14 or "Rejected" within three days of receipt if there are 14 or fewer days before election day,
32.15 or within five days of receipt if there are more than 14 days before election day. The board
32.16 may consist of staff trained as election judges. Election judges performing the duties in
32.17 this section must be of different major political parties, unless they are exempt from that
32.18 requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has
32.19 been rejected at least five days before the election, the ballots in the envelope must remain
32.20 sealed and the auditor or clerk must provide the voter with a replacement ballot and return
32.21 envelope in place of the spoiled ballot. If the ballot is rejected within five days of the
32.22 election, the envelope must remain sealed and the official in charge of the ballot board must
32.23 attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot
32.24 has been rejected. The official must document the attempts made to contact the voter.

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

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

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

32.35 Sec. 29. Minnesota Statutes 2012, section 204C.07, subdivision 1, is amended to read:

33.1 Subdivision 1. **Partisan elections.** At an election to fill partisan offices, the chair of
33.2 an authorized committee of each major political party may appoint by written certificate
33.3 voters from that political party to act as challengers of voters at the polling place for each
33.4 precinct. Only one challenger from each major political party for each precinct shall be
33.5 allowed to remain in the polling place at one time. A challenger may only remain in a
33.6 polling place while performing authorized duties of a challenger or for other purposes
33.7 as specified by law.

33.8 Sec. 30. Minnesota Statutes 2012, section 204C.07, subdivision 2, is amended to read:

33.9 Subd. 2. **Nonpartisan elections.** At an election to fill nonpartisan offices, each
33.10 nonpartisan candidate may appoint by written certificate voters to act as challengers of
33.11 voters at the polling place for each precinct. Only one challenger for each candidate shall
33.12 be allowed to remain in the polling place for each precinct at one time. A challenger
33.13 may only remain in a polling place while performing authorized duties of a challenger
33.14 or for other purposes as specified by law.

33.15 Sec. 31. Minnesota Statutes 2012, section 204C.07, is amended by adding a
33.16 subdivision to read:

33.17 Subd. 3b. **Training requirement.** (a) An individual must successfully complete
33.18 one hour of training prior to serving as a challenger. The individual must complete the
33.19 training once per two-year election cycle. The training must be approved by the secretary
33.20 of state. The training must include, at a minimum, information on the role of challengers
33.21 in the polling place, valid bases for challenges, prohibited conduct by challengers, and
33.22 procedures for making challenges.

33.23 (b) Individuals seeking admission to a polling place to serve as a challenger must
33.24 provide a certificate issued by the secretary of state or a designee of the secretary of
33.25 state. The secretary of state or designee must issue a certificate to an individual that
33.26 successfully completes the training described in paragraph (a). The certificate must state
33.27 that the individual completed the required training and include the date of the training. An
33.28 individual that fails to present a certificate or presents a certificate dated before the current
33.29 two-year election cycle shall not be allowed to serve as a challenger.

33.30 Sec. 32. Minnesota Statutes 2012, section 204C.07, subdivision 4, is amended to read:

33.31 Subd. 4. **Restrictions on conduct.** (a) An election judge may not be appointed as a
33.32 challenger. The election judges shall permit challengers appointed pursuant to this section
33.33 to be present in the polling place during the hours of voting and to remain there until the

34.1 votes are counted and the results declared. ~~No~~ A head judge may order a challenger
 34.2 to leave the polling place if the challenger fails to comply with the requirements of
 34.3 this section. A challenger must comply with the order to leave and must not serve as a
 34.4 challenger at any polling place for the remainder of the day.

34.5 (b) A challenger shall not:

34.6 (1) handle or inspect registration cards, files, or lists. ~~Challengers shall not;~~

34.7 (2) prepare in any manner any list of individuals who have or have not voted. ~~They~~
 34.8 ~~shall not;~~

34.9 (3) attempt to influence voting in any manner. ~~They shall not;~~

34.10 (4) converse with a voter except to determine, in the presence of an election judge,
 34.11 whether the voter is eligible to vote in the precinct. or with a person assisting a voter;

34.12 (5) use any electronic communication device inside the polling place; or

34.13 (6) interfere with an election judge who is performing official duties.

34.14 (c) Individuals seeking admission to a polling place to serve as a challenger must
 34.15 sign a form that acknowledges the challenger is aware of the prohibited activities in
 34.16 paragraph (b). The form shall be prescribed by the secretary of state and must, at a
 34.17 minimum, include a list of the prohibited activities in paragraph (b).

34.18 Sec. 33. Minnesota Statutes 2012, section 204C.15, subdivision 1, is amended to read:

34.19 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need
 34.20 for assistance because of inability to read English or physical inability to mark a ballot may
 34.21 obtain the aid of two election judges who are members of different major political parties.
 34.22 The election judges shall mark the ballots as directed by the voter and in as secret a manner
 34.23 as circumstances permit. ~~If the voter is deaf or cannot speak English or understand it when~~
 34.24 ~~it is spoken, the election judges may select two individuals who are members of different~~
 34.25 ~~major political parties to provide assistance. The individuals shall assist the voter in~~
 34.26 ~~marking the ballots.~~ A voter in need of assistance may alternatively obtain the assistance of
 34.27 any individual the voter chooses. Only the following persons may not provide assistance
 34.28 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of
 34.29 the voter's union, or a candidate for election. The person who assists the voter shall,
 34.30 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
 34.31 as directed by the voter. No person who assists another voter as provided in the preceding
 34.32 sentence shall mark the ballots of more than three voters at one election. Before the ballots
 34.33 are deposited, the voter may show them privately to an election judge to ascertain that they
 34.34 are marked as the voter directed. An election judge or other individual assisting a voter
 34.35 shall not in any manner request, persuade, induce, or attempt to persuade or induce the

35.1 voter to vote for any particular political party or candidate. The election judges or other
 35.2 individuals who assist the voter shall not reveal to anyone the name of any candidate for
 35.3 whom the voter has voted or anything that took place while assisting the voter.

35.4 Sec. 34. Minnesota Statutes 2012, section 204C.19, subdivision 2, is amended to read:

35.5 Subd. 2. **Ballots; order of counting.** Except as otherwise provided in this
 35.6 subdivision, the ballot boxes shall be opened, the votes counted, and the total declared ~~one~~
 35.7 ~~box at a time in the following order: the white box, the pink box, the canary box, the light~~
 35.8 ~~green box, the blue box, the buff box, the goldenrod box, the gray box, and then the other~~
 35.9 ~~kinds of ballots voted at the election. If enough election judges are available to provide~~
 35.10 ~~counting teams of four or more election judges for each box, more than one box may be~~
 35.11 ~~opened and counted at the same time.~~ The election judges on each counting team shall be
 35.12 evenly divided between the major political parties. The numbers entered on the summary
 35.13 sheet shall not be considered final until the ballots in all the boxes have been counted and
 35.14 corrections have been made if ballots have been deposited in the wrong boxes.

35.15 Sec. 35. Minnesota Statutes 2012, section 204C.25, is amended to read:

35.16 **204C.25 DISPOSITION OF BALLOTS.**

35.17 After the count and the summary statements have been completed, in the presence
 35.18 of all the election judges, the counted, defective, and blank ballots shall be placed in
 35.19 envelopes ~~marked or printed to distinguish the color of the ballots contained,~~ and the
 35.20 envelopes shall be sealed. The election judges shall sign each envelope over the sealed part
 35.21 so that the envelope cannot be opened without disturbing the continuity of the signatures.
 35.22 The number ~~and kind~~ of ballots in each envelope, the name of the town or city, and the
 35.23 name of the precinct shall be plainly written upon the envelopes. The number and name of
 35.24 the district must be plainly written on envelopes containing school district ballots. The
 35.25 spoiled ballots shall be placed in separate envelopes and returned with the unused ballots
 35.26 to the county auditor or municipal or school district clerk from whom they were received.

35.27 Sec. 36. Minnesota Statutes 2012, section 204C.27, is amended to read:

35.28 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

35.29 One or more of the election judges in each precinct shall deliver two sets of
 35.30 summary statements; all spoiled ~~white, pink, canary, and gray~~ ballots; and the envelopes
 35.31 containing the ~~white, pink, canary, and gray~~ ballots either directly to the municipal clerk
 35.32 for transmittal to the county auditor's office or directly to the county auditor's office as
 35.33 soon as possible after the vote counting is completed but no later than 24 hours after the

36.1 end of the hours for voting. One or more election judges shall deliver the remaining set
 36.2 of summary statements and returns, all unused and spoiled municipal and school district
 36.3 ballots, the envelopes containing municipal and school district ballots, and all other things
 36.4 furnished by the municipal or school district clerk, to the municipal or school district
 36.5 clerk's office within 24 hours after the end of the hours for voting. The municipal or school
 36.6 district clerk shall return all polling place rosters and completed voter registration cards to
 36.7 the county auditor within 48 hours after the end of the hours for voting.

36.8 Sec. 37. Minnesota Statutes 2012, section 204C.35, subdivision 1, is amended to read:

36.9 Subdivision 1. **Automatic Publicly funded recounts.** (a) In a state primary when
 36.10 the difference between the votes cast for the candidates for nomination to:

36.11 (1) a state legislative office is less than one-half of one percent of the total number of
 36.12 votes counted for that nomination or is ten votes or less and the total number of votes cast
 36.13 for the nomination is 400 votes or less; or

36.14 (2) a statewide federal office, state constitutional office, statewide judicial office,
 36.15 congressional office, ~~state legislative office,~~ or district judicial office;

36.16 ~~(1) is less than one-half~~ one-quarter of one percent of the total number of votes
 36.17 counted for that nomination; or

36.18 ~~(2) is ten votes or less and the total number of votes cast for the nomination is 400~~
 36.19 ~~votes or less;~~

36.20 and the difference determines the nomination, the canvassing board with responsibility
 36.21 for declaring the results for that office shall manually recount the vote upon receiving a
 36.22 written request from the candidate whose nomination is in question.

36.23 Immediately following the meeting of the board that has responsibility for
 36.24 canvassing the results of the nomination, the filing officer must notify the candidate that
 36.25 the candidate has the option to request a recount of the votes at no cost to the candidate.
 36.26 This written request must be received by the filing officer no later than 48 hours after the
 36.27 canvass of the primary for which the recount is being sought.

36.28 (b) In a state general election when the difference between the votes of a candidate
 36.29 who would otherwise be declared elected to:

36.30 (1) a state legislative office is less than one-half of one percent of the total number of
 36.31 votes counted for that office or is ten votes or less and the total number of votes cast for
 36.32 the office is 400 votes or less; or

36.33 (2) a statewide federal office, state constitutional office, statewide judicial office,
 36.34 congressional office, ~~state legislative office,~~ or district judicial office and the votes of
 36.35 any other candidate for that office;

37.1 ~~(1)~~ is less than ~~one-half~~ one-quarter of one percent of the total number of votes
37.2 counted for that office; or

37.3 ~~(2)~~ is ten votes or less if the total number of votes cast for the office is 400 votes or less,
37.4 the canvassing board shall manually recount the votes upon receiving a written request
37.5 from the candidate whose election is in question.

37.6 Immediately following the meeting of the board that has responsibility for
37.7 canvassing the results of the general election, the filing officer must notify the candidate
37.8 that the candidate has the option to request a recount of the votes at no cost to the
37.9 candidate. This written request must be received by the filing officer no later than 48 hours
37.10 after the canvass of the election for which the recount is being sought.

37.11 (c) A recount must not delay any other part of the canvass. The results of the recount
37.12 must be certified by the canvassing board as soon as possible.

37.13 (d) Time for notice of a contest for an office which is recounted pursuant to this section
37.14 shall begin to run upon certification of the results of the recount by the canvassing board.

37.15 ~~(e) A losing candidate may waive a recount required pursuant to this section by~~
37.16 ~~filing a written notice of waiver with the canvassing board.~~

37.17 Sec. 38. Minnesota Statutes 2012, section 204C.35, is amended by adding a
37.18 subdivision to read:

37.19 Subd. 4. **Filing officer.** For the purposes of this section, the secretary of state is
37.20 the filing officer for candidates for all federal offices and for state offices voted on in
37.21 more than one county. The county auditor is the filing officer for state offices voted on
37.22 in only one county.

37.23 Sec. 39. Minnesota Statutes 2012, section 204C.36, subdivision 1, is amended to read:

37.24 Subdivision 1. **Required Publicly funded recounts.** (a) Except as provided in
37.25 ~~paragraph~~ paragraphs (b) and (c), a losing candidate for nomination or election to a
37.26 county, municipal, or school district office may request a recount of the votes cast for
37.27 the nomination or election to that office if the difference between the vote cast for that
37.28 candidate and for a winning candidate for nomination or election is less than ~~one-half~~
37.29 one-quarter of one percent of the total votes counted for that office. In case of offices where
37.30 two or more seats are being filled from among all the candidates for the office, the ~~one-half~~
37.31 one-quarter of one percent difference is between the elected candidate with the fewest votes
37.32 and the candidate with the most votes from among the candidates who were not elected.

37.33 (b) A losing candidate for nomination or election to a county, municipal, or school
37.34 district office may request a recount of the votes cast for nomination or election to that

38.1 office if the difference between the votes cast for that candidate and for a winning
 38.2 candidate for nomination or election is less than one-half of one percent, and the total
 38.3 number of votes cast for the nomination or election of all candidates is more than 400
 38.4 but less than 50,000. In cases of offices where two or more seats are being filled from
 38.5 among all the candidates for the office, the one-half of one percent difference is between
 38.6 the elected candidate with the fewest votes and the candidate with the most votes from
 38.7 among the candidates who were not elected.

38.8 ~~(b)~~ (c) A losing candidate for nomination or election to a county, municipal, or
 38.9 school district office may request a recount of the votes cast for nomination or election
 38.10 to that office if the difference between the vote cast for that candidate and for a winning
 38.11 candidate for nomination or election is ten votes or less, and the total number of votes cast
 38.12 for the nomination or election of all candidates is no more than 400. In cases of offices
 38.13 where two or more seats are being filled from among all the candidates for the office,
 38.14 the ten vote difference is between the elected candidate with the fewest votes and the
 38.15 candidate with the most votes from among the candidates who were not elected.

38.16 ~~(e)~~ (d) Candidates for county offices shall file a written request for the recount with
 38.17 the county auditor. Candidates for municipal or school district offices shall file a written
 38.18 request with the municipal or school district clerk as appropriate. All requests shall be filed
 38.19 during the time for notice of contest of the primary or election for which a recount is sought.

38.20 ~~(d)~~ (e) Upon receipt of a request made pursuant to this section, the county auditor
 38.21 shall recount the votes for a county office at the expense of the county, the governing
 38.22 body of the municipality shall recount the votes for a municipal office at the expense of
 38.23 the municipality, and the school board of the school district shall recount the votes for a
 38.24 school district office at the expense of the school district.

38.25 Sec. 40. Minnesota Statutes 2012, section 204D.08, subdivision 6, is amended to read:

38.26 Subd. 6. **State and county nonpartisan primary ballot.** The state and county
 38.27 nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary
 38.28 Ballot." It shall be printed ~~on canary paper~~ in the manner provided in the rules of the
 38.29 secretary of state. The names of candidates for nomination to the Supreme Court, Court of
 38.30 Appeals, district court, and all county offices shall be placed on this ballot.

38.31 No candidate whose name is placed on the state and county nonpartisan primary
 38.32 ballot shall be designated or identified as the candidate of any political party or in any
 38.33 other manner except as expressly provided by law.

38.34 Sec. 41. Minnesota Statutes 2012, section 204D.09, subdivision 2, is amended to read:

39.1 Subd. 2. **Sample ballot.** At least ~~two weeks~~ 46 days before the state primary the
 39.2 county auditor shall prepare a sample ~~state partisan primary ballot and a sample state and~~
 39.3 ~~county nonpartisan primary~~ ballot for each precinct for public inspection and transmit an
 39.4 electronic copy of these sample ballots to the secretary of state. The names of ~~all of the~~
 39.5 candidates to be voted for in the county shall be placed on the sample ballots, with the
 39.6 names of the candidates for each office arranged in the base rotation as determined by
 39.7 section 206.61, subdivision 5. ~~Only one sample state partisan primary ballot and one~~
 39.8 ~~sample state and county nonpartisan ballot shall be prepared for any county.~~ The county
 39.9 auditor shall post the sample ballots in a conspicuous place in the auditor's office and shall
 39.10 cause them to be published at least one week before the state primary in at least one
 39.11 newspaper of general circulation in the county.

39.12 Sec. 42. Minnesota Statutes 2012, section 204D.11, subdivision 1, is amended to read:

39.13 Subdivision 1. **White State general election ballot; rules.** The names of
 39.14 the candidates for all ~~partisan~~ state and federal offices, all proposed constitutional
 39.15 amendments, all county offices and questions, and all judicial offices voted on at the state
 39.16 general election shall be placed on a single ballot ~~printed on white paper which that~~ shall
 39.17 be known as the "white state general election ballot." This ballot shall be prepared by the
 39.18 county auditor subject to the rules of the secretary of state. The secretary of state shall
 39.19 adopt rules for preparation and time of delivery of the ~~white~~ white state general election ballot.

39.20 Sec. 43. Minnesota Statutes 2012, section 204D.11, subdivision 4, is amended to read:

39.21 Subd. 4. **Special federal white ballot.** (a) The names of all candidates for the
 39.22 offices of president and vice-president of the United States and senator and representative
 39.23 in Congress shall be placed on a ballot ~~printed on white paper which that~~ shall be known
 39.24 as the "special federal ~~white~~ ballot."

39.25 (b) This ballot shall be prepared by the county auditor in the same manner as
 39.26 the ~~white~~ white state general election ballot and shall be subject to the rules adopted by the
 39.27 secretary of state pursuant to subdivision 1. This ballot must be prepared and furnished
 39.28 in accordance with the federal Uniformed and Overseas Citizens Absentee Voting Act,
 39.29 United States Code, title 42, section 1973ff.

39.30 (c) The special federal ~~white~~ ballot shall be the only ballot sent to citizens of
 39.31 the United States who are eligible to vote by absentee ballot for federal candidates in
 39.32 Minnesota.

39.33 Sec. 44. Minnesota Statutes 2012, section 204D.11, subdivision 5, is amended to read:

40.1 Subd. 5. **Ballot headings.** The ~~white, pink, and special federal white~~ ballot
40.2 containing the offices and questions in subdivisions 1 and 4, shall be headed with the
40.3 words "State General Election Ballot." The ~~canary ballot shall be headed with the words~~
40.4 ~~"County and Judicial Nonpartisan General Election Ballot."~~

40.5 Sec. 45. Minnesota Statutes 2012, section 204D.11, subdivision 6, is amended to read:

40.6 Subd. 6. **Gray Judicial ballot.** When the ~~canary ballot would be longer than 30~~
40.7 ~~inches or when~~ it would not be possible to place all offices on a single ballot card for the
40.8 state general election, the judicial offices ~~that should be placed on the canary ballot~~ may be
40.9 placed instead on a separate ~~gray~~ judicial ballot. The ~~gray~~ judicial ballot shall be prepared
40.10 by the county auditor in the manner provided in the rules of the secretary of state.

40.11 The ~~gray~~ judicial ballot must be headed with the words: "Judicial Nonpartisan
40.12 General Election Ballot." Separate ballot boxes must be provided for these ~~gray~~ judicial
40.13 ballots.

40.14 Sec. 46. Minnesota Statutes 2012, section 204D.13, subdivision 3, is amended to read:

40.15 Subd. 3. **Nominees by petition; placement on ballot.** The names of candidates
40.16 nominated by petition for a partisan office voted on at the state general election shall be
40.17 placed on the ~~white~~ state general election ballot after the names of the candidates for that
40.18 office who were nominated at the state primary. ~~Prior to the state primary~~ No later than
40.19 11 weeks before the state general election, the secretary of state shall determine by lot
40.20 the order of candidates nominated by petition. The drawing of lots must be by political
40.21 party or principle. The political party or political principle of the candidate as stated on
40.22 the petition shall be placed after the name of a candidate nominated by petition. The word
40.23 "nonpartisan" shall not be used to designate any partisan candidate whose name is placed
40.24 on the ~~white~~ state general election ballot by nominating petition.

40.25 Sec. 47. Minnesota Statutes 2012, section 204D.14, subdivision 1, is amended to read:

40.26 Subdivision 1. **Rotation of names.** The names of candidates for nonpartisan offices
40.27 on the ~~canary~~ state general election ballot and the judicial nonpartisan general election
40.28 ballot shall be rotated in the manner provided for rotation of names on state partisan
40.29 primary ballots by section 204D.08, subdivision 3.

40.30 Sec. 48. Minnesota Statutes 2012, section 204D.14, subdivision 3, is amended to read:

41.1 Subd. 3. **Uncontested judicial offices.** Judicial offices for a specific court for
 41.2 which there is only one candidate filed must appear after all other judicial offices for that
 41.3 same court on the ~~canary~~ ballot.

41.4 Sec. 49. Minnesota Statutes 2012, section 204D.15, subdivision 3, is amended to read:

41.5 Subd. 3. **Sample ~~pink~~ ballot; constitutional amendments.** Four weeks before the
 41.6 state general election the secretary of state shall file sample copies of the ~~pink ballot~~
 41.7 portion of the state general election ballot that contains the proposed constitutional
 41.8 amendments in the Secretary of State's Office for public inspection. Three weeks before
 41.9 the state general election the secretary of state shall ~~mail~~ transmit sample copies of the
 41.10 ~~pink sample~~ ballot to each county auditor. Each auditor shall post the sample ballot in a
 41.11 conspicuous place in the auditor's office.

41.12 Sec. 50. Minnesota Statutes 2012, section 204D.16, is amended to read:

41.13 **204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING;**
 41.14 **PUBLICATION.**

41.15 ~~Two weeks before the state general election the county auditor shall prepare sample~~
 41.16 ~~copies of the white and canary ballots and~~ At least 46 days before the state general
 41.17 election, the county auditor shall post copies of these sample ballots and a sample of the
 41.18 ~~pink ballot~~ for each precinct in the auditor's office for public inspection and transmit an
 41.19 electronic copy of these sample ballots to the secretary of state. No earlier than 15 days
 41.20 and no later than two days before the state general election the county auditor shall cause
 41.21 the sample ~~white and canary ballots~~ state general election ballots to be published in at
 41.22 least one newspaper of general circulation in the county.

41.23 Sec. 51. Minnesota Statutes 2012, section 204D.165, is amended to read:

41.24 **204D.165 SAMPLE BALLOTS TO SCHOOLS.**

41.25 ~~Notwithstanding any contrary provisions in section 204D.09 or 204D.16,~~ The county
 41.26 auditor, two weeks before the applicable primary or general election, shall provide one
 41.27 copy of the an appropriate sample ~~partisan primary, nonpartisan primary, canary, white,~~
 41.28 ~~or pink~~ ballot to a school district upon request. The school district may have the sample
 41.29 ballots reproduced at its expense for classroom educational purposes and for educational
 41.30 activities authorized under section 204B.27, subdivision 7.

41.31 Sec. 52. Minnesota Statutes 2012, section 204D.19, subdivision 2, is amended to read:

42.1 Subd. 2. **Special election when legislature will be in session.** Except for
 42.2 vacancies in the legislature which occur at any time between the last day of session in an
 42.3 odd-numbered year and the 40th day prior to the opening day of session in the succeeding
 42.4 even-numbered year, when a vacancy occurs and the legislature will be in session so
 42.5 that the individual elected as provided by this section could take office and exercise the
 42.6 duties of the office immediately upon election, the governor shall issue within five days
 42.7 after the vacancy occurs a writ calling for a special election. The special election shall
 42.8 be held as soon as possible, consistent with the notice requirements of section 204D.22,
 42.9 subdivision 3, but in no event more than 35 days after the issuance of the writ. A special
 42.10 election must not be held during the four days before or the four days after a holiday as
 42.11 defined in section 645.44, subdivision 5.

42.12 Sec. 53. Minnesota Statutes 2012, section 205.02, subdivision 2, is amended to read:

42.13 Subd. 2. **City elections.** In all statutory and home rule charter cities, the primary,
 42.14 general and special elections held for choosing city officials and deciding public questions
 42.15 relating to the city shall be held as provided in this chapter, except that sections 205.065,
 42.16 subdivisions 4 to 6; 205.07, subdivision 3; 205.10; 205.121; and 205.17, ~~subdivisions 2~~
 42.17 ~~and subdivision 3~~, do not apply to a city whose charter provides the manner of holding
 42.18 its primary, general or special elections.

42.19 Sec. 54. Minnesota Statutes 2012, section 205.10, subdivision 3, is amended to read:

42.20 Subd. 3. **Prohibition.** No special election authorized under subdivision 1 may be
 42.21 held within ~~40~~ 56 days after the state general election.

42.22 Sec. 55. Minnesota Statutes 2012, section 205.13, subdivision 1a, is amended to read:

42.23 Subd. 1a. **Filing period.** In a city nominating candidates at a primary, an affidavit of
 42.24 candidacy for a city office voted on in November must be filed no more than 84 days nor
 42.25 less than 70 days before the city primary. In municipalities that do not hold a primary, an
 42.26 affidavit of candidacy must be filed no more than 70 days and not less than 56 days before
 42.27 the municipal general election held in March in any year, or a special election not held in
 42.28 conjunction with another election, and no more than 98 days nor less than 84 days before
 42.29 the municipal general election held in November of any year. The municipal clerk's office
 42.30 must be open for filing from 1:00 p.m. to 5:00 p.m. on the last day of the filing period.

42.31 Sec. 56. Minnesota Statutes 2012, section 205.13, is amended by adding a subdivision
 42.32 to read:

43.1 Subd. 7. Write-in candidates for city offices. The governing body of any city
 43.2 may, by resolution, require that a candidate for a city office who wants write-in votes for
 43.3 the candidate to be counted file a written request with the city clerk no later than the
 43.4 seventh day before the general election. The filing officer shall provide copies of the
 43.5 form to make the request.

43.6 Sec. 57. Minnesota Statutes 2012, section 205.16, subdivision 4, is amended to read:

43.7 Subd. 4. **Notice to auditor.** At least ~~67~~ 74 days before every municipal election held
 43.8 ~~in conjunction with a regularly scheduled primary for federal, state, county, city, or school~~
 43.9 ~~board office or a special primary for federal office, at least 74 days before every municipal~~
 43.10 ~~election held in connection with a regularly scheduled general election for federal, state,~~
 43.11 ~~county, city, or school board office or a special election for federal office, and at least 53~~
 43.12 ~~days before any other municipal election, the municipal clerk shall provide a written notice~~
 43.13 ~~to the county auditor, including the date of the election, the offices to be voted on at the~~
 43.14 ~~election, and the title and language for each ballot question to be voted on at the election.~~
 43.15 ~~At least 67~~ 74 days before every municipal election held ~~in conjunction with a regularly~~
 43.16 ~~scheduled primary for federal, state, county, city, or school board office or a special~~
 43.17 ~~primary for federal office, at least 74 days before a regularly scheduled general election for~~
 43.18 ~~federal, state, county, city, or school board office or a special election for federal office, and~~
 43.19 ~~at least 46 days before any other election, the municipal clerk must provide written notice~~
 43.20 ~~to the county auditor of any special election canceled under section 205.10, subdivision 6.~~

43.21 Sec. 58. Minnesota Statutes 2012, section 205.16, subdivision 5, is amended to read:

43.22 Subd. 5. **Notice to secretary of state.** At least ~~67~~ 74 days before every municipal
 43.23 ~~election held in conjunction with a regularly scheduled primary for federal, state, county,~~
 43.24 ~~city, or school board office or a special primary for federal office, at least 74 days before~~
 43.25 ~~every municipal election held in conjunction with a regularly scheduled general election~~
 43.26 ~~for federal, state, county, city, or school board office or a special election for federal office,~~
 43.27 ~~and at least 46 days before any other municipal election for which a notice is provided~~
 43.28 ~~to the county auditor under subdivision 4, the county auditor shall provide a notice of~~
 43.29 ~~the election to the secretary of state, in a manner and including information prescribed~~
 43.30 ~~by the secretary of state.~~

43.31 Sec. 59. Minnesota Statutes 2012, section 205.17, subdivision 1, is amended to read:

43.32 Subdivision 1. **Second, third, and fourth class cities; towns Municipal offices;**
 43.33 **questions; general election ballot.** In all statutory and home rule charter cities of the

44.1 ~~second, third, and fourth class, and in all towns, for the municipal general election, the~~
 44.2 ~~municipal clerk shall have printed on light green paper the official ballot containing the~~
 44.3 ~~names of all candidates for municipal offices and municipal ballot questions.~~ The ballot
 44.4 shall be printed in quantities of 25, 50, or 100, shall be headed "City or Town Election
 44.5 Ballot," shall state the name of the city or town and the date of the election, and shall
 44.6 conform in other respects to the ~~white ballot used at the state general election ballot.~~ The
 44.7 names shall be arranged on city ballots in the manner provided for the state elections. On
 44.8 town ballots names of the candidates for each office shall be arranged either:

- 44.9 (1) alphabetically according to the candidates' surnames; or
 44.10 (2) in the manner provided for state elections if the town electors chose at the town's
 44.11 annual meeting to arrange the names in that way for at least two consecutive years.

44.12 Sec. 60. Minnesota Statutes 2012, section 205.17, subdivision 3, is amended to read:

44.13 Subd. 3. **Primary ballots.** The municipal primary ballot ~~in cities of the second,~~
 44.14 ~~third, and fourth class and towns and the nonpartisan primary ballot in cities of the first~~
 44.15 ~~class shall conform as far as practicable with the municipal general election ballot except~~
 44.16 ~~that it shall be printed on light green paper.~~ No blank spaces shall be provided for writing
 44.17 in the names of candidates. ~~The partisan primary ballot in cities of the first class shall~~
 44.18 ~~conform as far as practicable with the state partisan primary ballot.~~

44.19 Sec. 61. Minnesota Statutes 2012, section 205A.04, is amended by adding a
 44.20 subdivision to read:

44.21 Subd. 3. **Change in year of general election.** The school board may, by resolution,
 44.22 change the year in which the school district general election will be held. The resolution
 44.23 must be approved no later than four weeks before the first day to file affidavits of
 44.24 candidacy for the general election. A plan for the orderly transition to the new election
 44.25 year must be included in the resolution. The terms of school board members may be
 44.26 lengthened or shortened by one year as a part of the transition process.

44.27 Sec. 62. Minnesota Statutes 2012, section 205A.05, subdivision 1, is amended to read:

44.28 Subdivision 1. **Questions.** Special elections must be held for a school district on a
 44.29 question on which the voters are authorized by law to pass judgment. The school board
 44.30 may on its own motion call a special election to vote on any matter requiring approval of
 44.31 the voters of a district. Upon petition filed with the school board of 50 or more voters of
 44.32 the school district or five percent of the number of voters voting at the preceding school
 44.33 district general election, whichever is greater, the school board shall by resolution call

45.1 a special election to vote on any matter requiring approval of the voters of a district. A
 45.2 question is carried only with the majority in its favor required by law. The election officials
 45.3 for a special election are the same as for the most recent school district general election
 45.4 unless changed according to law. Otherwise, special elections must be conducted and the
 45.5 returns made in the manner provided for the school district general election. A special
 45.6 election may not be held during the ~~30~~ 56 days before and the ~~30~~ 56 days after ~~the state a~~
 45.7 regularly scheduled primary, ~~during the 30 days before and the 40 days after the state or~~
 45.8 ~~general election. In addition, a special election may not be held during the 20 days before~~
 45.9 ~~and the 20 days after any regularly scheduled election of a municipality~~ conducted wholly
 45.10 or partially within the school district. Notwithstanding any other law to the contrary, the
 45.11 time period in which a special election must be conducted under any other law may be
 45.12 extended by the school board to conform with the requirements of this subdivision.

45.13 Sec. 63. Minnesota Statutes 2012, section 205A.05, subdivision 2, is amended to read:

45.14 Subd. 2. **Vacancies in school district offices.** Special elections shall be held in
 45.15 school districts in conjunction with school district primary and general elections to fill
 45.16 vacancies in elective school district offices. When more than one vacancy exists in an
 45.17 office elected at-large, voters must be instructed to vote for up to the number of vacancies
 45.18 to be filled.

45.19 Sec. 64. Minnesota Statutes 2012, section 205A.06, is amended by adding a
 45.20 subdivision to read:

45.21 Subd. 6. **Write-in candidates.** The governing body of any school district may, by
 45.22 resolution, require that a candidate for school district office who wants write-in votes
 45.23 for the candidate to be counted file a written request with the filing office for the office
 45.24 sought no later than the seventh day before the general election. The filing officer shall
 45.25 provide copies of the form to make the request.

45.26 Sec. 65. Minnesota Statutes 2012, section 205A.07, subdivision 3, is amended to read:

45.27 Subd. 3. **Notice to auditor.** At least ~~67~~ 74 days before every school district election
 45.28 ~~held in conjunction with a regularly scheduled primary for federal, state, county, city, or~~
 45.29 ~~school board office or a special primary for federal office, at least 74 days before every~~
 45.30 ~~school district election held in conjunction with a regularly scheduled general election for~~
 45.31 ~~federal, state, county, city, or school board office or a special election for federal office,~~
 45.32 ~~and at least 53 days before any other school district election, the school district clerk shall~~
 45.33 provide a written notice to the county auditor of each county in which the school district is

46.1 located. The notice must include the date of the election, the offices to be voted on at the
 46.2 election, and the title and language for each ballot question to be voted on at the election.
 46.3 For the purposes of meeting the timelines of this section, in a bond election, a notice,
 46.4 including a proposed question, may be provided to the county auditor before receipt of a
 46.5 review and comment from the commissioner of education and before actual initiation of
 46.6 the election. At least ~~67~~ 74 days before every school district election held in conjunction
 46.7 with a regularly scheduled primary for federal, state, county, city, or school board office or
 46.8 a special primary for federal office, at least 74 days before an election held in conjunction
 46.9 with a regularly scheduled general election for federal, state, county, city, or school board
 46.10 office or a special election for federal office, and at least 46 days before any other election,
 46.11 the school district clerk must provide written notice to the county auditor of any special
 46.12 election canceled under section 205A.05, subdivision 3.

46.13 Sec. 66. Minnesota Statutes 2012, section 205A.07, subdivision 3a, is amended to read:

46.14 Subd. 3a. **Notice to commissioner of education.** At least ~~67~~ 74 days before every
 46.15 school district election held in conjunction with a regularly scheduled primary for federal,
 46.16 state, county, city, or school board office or a special primary for federal office, at least 74
 46.17 days before every school district election held in conjunction with a regularly scheduled
 46.18 general election for federal, state, county, city, or school board office or a special election
 46.19 for federal office, and at least 49 days before any other school district election, under
 46.20 section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the school district clerk shall
 46.21 provide a written notice to the commissioner of education. The notice must include the
 46.22 date of the election and the title and language for each ballot question to be voted on at the
 46.23 election. At least ~~67~~ 74 days before every school district election held in conjunction with
 46.24 a regularly scheduled primary for federal, state, county, city, or school board office or a
 46.25 special primary for federal office, at least 74 days before every school district election
 46.26 held in conjunction with a regularly scheduled general election for federal, state, county,
 46.27 city, or school board office or a special election for federal office, and at least 46 days
 46.28 before any other school district election, the school district clerk must provide a written
 46.29 notice to the commissioner of education of any special election canceled under section
 46.30 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided
 46.31 in a written notice to the commissioner in a timely manner.

46.32 Sec. 67. Minnesota Statutes 2012, section 205A.07, subdivision 3b, is amended to read:

46.33 Subd. 3b. **Notice to secretary of state.** At least ~~67~~ 74 days before every school
 46.34 district election held in conjunction with a regularly scheduled primary for federal, state,

47.1 ~~county, city, or school board office or a special primary for federal office, at least 74~~
 47.2 ~~days before every school district election held in conjunction with a regularly scheduled~~
 47.3 ~~general election for federal, state, county, city, or school board office or a special election~~
 47.4 ~~for federal office, and at least 46 days before any other school district election for which~~
 47.5 a notice is provided to the county auditor under subdivision 3, the county auditor shall
 47.6 provide a notice of the election to the secretary of state, in a manner and including
 47.7 information prescribed by the secretary of state.

47.8 Sec. 68. Minnesota Statutes 2012, section 205A.08, subdivision 1, is amended to read:

47.9 Subdivision 1. **Buff General election ballot.** The names of all candidates for offices
 47.10 and all ballot questions to be voted on at a school district general election must be placed
 47.11 on a single ballot printed on buff paper and known as the "buff ballot.";

47.12 Sec. 69. Minnesota Statutes 2012, section 206.61, subdivision 4, is amended to read:

47.13 Subd. 4. **Order of candidates.** On the "State Partisan Primary Ballot" prepared for
 47.14 primary elections, and on the white state general election ballot prepared for the general
 47.15 election, the order of the names of nominees or names of candidates for election shall be
 47.16 the same as required for paper ballots. More than one column or row may be used for the
 47.17 same office or party. Electronic ballot display and audio ballot readers must conform to
 47.18 the candidate order on the optical scan ballot used in the precinct.

47.19 Sec. 70. Minnesota Statutes 2012, section 206.89, subdivision 2, is amended to read:

47.20 Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the
 47.21 county canvassing board in each county must set the date, time, and place for the
 47.22 postelection review of the state general election to be held under this section.

47.23 At the canvass of the state general election, the county canvassing boards must select
 47.24 the precincts to be reviewed by lot. ~~Ballots counted centrally by a ballot board shall be~~
 47.25 ~~considered one precinct eligible to be selected for purposes of this subdivision.~~ The county
 47.26 canvassing board of a county with fewer than 50,000 registered voters must conduct a
 47.27 postelection review of a total of at least two precincts. The county canvassing board of a
 47.28 county with between 50,000 and 100,000 registered voters must conduct a review of a total
 47.29 of at least three precincts. The county canvassing board of a county with over 100,000
 47.30 registered voters must conduct a review of a total of at least four precincts, or three percent
 47.31 of the total number of precincts in the county, whichever is greater. At least one precinct
 47.32 selected in each county must have had more than 150 votes cast at the general election.

48.1 The county auditor must notify the secretary of state of the precincts that have been
48.2 chosen for review and the time and place the postelection review for that county will be
48.3 conducted, as soon as the decisions are made. If the selection of precincts has not resulted
48.4 in the selection of at least four precincts in each congressional district, the secretary of state
48.5 may require counties to select by lot additional precincts to meet the congressional district
48.6 requirement. The secretary of state must post this information on the office Web site.

48.7 Sec. 71. Minnesota Statutes 2012, section 206.89, subdivision 3, is amended to read:

48.8 Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint
48.9 the postelection review official as defined in subdivision 1. The postelection review must
48.10 be conducted of the votes cast for president or governor; ~~United States senator; and United~~
48.11 ~~States representative.~~ The postelection review official may conduct postelection review of
48.12 the votes cast for additional offices.

48.13 The postelection review must be conducted in public at the location where the
48.14 voted ballots have been securely stored after the state general election or at another
48.15 location chosen by the county canvassing board. The postelection review official for
48.16 each precinct selected must conduct the postelection review and may be assisted by
48.17 election judges designated by the postelection review official for this purpose. The party
48.18 balance requirement of section 204B.19 applies to election judges designated for the
48.19 review. The postelection review must consist of a manual count of the ballots used in the
48.20 precincts selected and must be performed in the manner provided by section 204C.21.
48.21 The postelection review must be conducted in the manner provided for recounts under
48.22 section 204C.361 to the extent practicable. The review must be completed no later
48.23 than two days before the meeting of the state canvassing board to certify the results of
48.24 the state general election.

48.25 Sec. 72. Minnesota Statutes 2012, section 206.895, is amended to read:

48.26 **206.895 SECRETARY OF STATE MONITOR.**

48.27 The secretary of state must monitor and evaluate election procedures in precincts
48.28 subject to the audit provided for in section 206.89 in at least ~~four precincts~~ one precinct in
48.29 each congressional district. The precincts must be chosen by lot by the State Canvassing
48.30 Board at its meeting to canvass the state general election.

48.31 Sec. 73. Minnesota Statutes 2012, section 206.90, subdivision 6, is amended to read:

48.32 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card
48.33 on which all ballot information is included must be printed in black ink on white colored

49.1 material except that marks not to be read by the automatic tabulating equipment may be
 49.2 printed in another color ink. In state elections, a single ballot title must be used, as provided
 49.3 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. In odd-numbered years
 49.4 when both municipal and school district offices or questions appear on the ballot, the
 49.5 single ballot title "City (or Town) and School District Ballot" must be used.

49.6 On the front of the ballot must be printed the words "Official Ballot" and the date of
 49.7 the election and lines for the initials of at least two election judges.

49.8 When optical scan ballots are used, the offices to be elected must appear in the
 49.9 following order: federal offices; state legislative offices; constitutional offices; proposed
 49.10 constitutional amendments; county offices and questions; municipal offices and questions;
 49.11 school district offices and questions; special district offices and questions; and judicial
 49.12 offices.

49.13 On optical scan ballots, the names of candidates and the words "yes" and "no" for
 49.14 ballot questions must be printed as close to their corresponding vote targets as possible.

49.15 The line on an optical scan ballot for write-in votes must contain the words "write-in,
 49.16 if any."

49.17 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the
 49.18 instructions to voters must include a statement that reads substantially as follows: "THIS
 49.19 BALLOT CARD CONTAINS A PARTISAN BALLOT AND A NONPARTISAN
 49.20 BALLOT. ON THE PARTISAN BALLOT YOU ARE PERMITTED TO VOTE FOR
 49.21 CANDIDATES OF ONE POLITICAL PARTY ONLY." If a primary ballot contains
 49.22 political party columns on both sides of the ballot, the instructions to voters must include a
 49.23 statement that reads substantially as follows: "ADDITIONAL POLITICAL PARTIES ARE
 49.24 PRINTED ON THE OTHER SIDE OF THIS BALLOT. VOTE FOR ONE POLITICAL
 49.25 PARTY ONLY." At the bottom of each political party column on the primary ballot, the
 49.26 ballot must contain a statement that reads substantially as follows: "CONTINUE VOTING
 49.27 ON THE NONPARTISAN BALLOT." The instructions in section 204D.08, subdivision 4,
 49.28 do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio
 49.29 ballot readers must follow the order of offices and questions on the optical scan or paper
 49.30 ballot used in the same precinct, or the sample ballot posted for that precinct.

49.31 Sec. 74. Minnesota Statutes 2012, section 208.02, is amended to read:

49.32 **208.02 ELECTION OF PRESIDENTIAL ELECTORS AND ALTERNATES.**

49.33 Presidential electors and alternates shall be chosen at the state general election held
 49.34 in the year preceding the expiration of the term of the president of the United States.

50.1 Sec. 75. Minnesota Statutes 2012, section 208.03, is amended to read:

50.2 **208.03 NOMINATION OF PRESIDENTIAL ELECTORS AND**
50.3 **ALTERNATES.**

50.4 Presidential electors and alternates for the major political parties of this state shall be
50.5 nominated by delegate conventions called and held under the supervision of the respective
50.6 state central committees of the parties of this state. At least 71 days before the general
50.7 election day the chair of the major political party shall certify to the secretary of state
50.8 the names of the persons nominated as presidential electors, the names of ~~eight~~ persons
50.9 nominated as alternate presidential electors, and the names of the party candidates for
50.10 president and vice president. The chair shall also certify that the party candidates for
50.11 president and vice president have no affidavit on file as a candidate for any office in
50.12 this state at the ensuing general election.

50.13 Sec. 76. Minnesota Statutes 2012, section 208.04, subdivision 1, is amended to read:

50.14 Subdivision 1. **Form of presidential ballots.** When presidential electors and
50.15 alternates are to be voted for, a vote cast for the party candidates for president and vice
50.16 president shall be deemed a vote for that party's electors and alternates as filed with the
50.17 secretary of state. The secretary of state shall certify the names of all duly nominated
50.18 presidential and vice presidential candidates to the county auditors of the counties of
50.19 the state. Each county auditor, subject to the rules of the secretary of state, shall cause
50.20 the names of the candidates of each major political party and the candidates nominated
50.21 by petition to be printed in capital letters, set in type of the same size and style as for
50.22 candidates on the state ~~white~~ general election ballot, before the party designation. To the
50.23 left of, and on the same line with the names of the candidates for president and vice
50.24 president, near the margin, shall be placed a square or box, in which the voters may
50.25 indicate their choice by marking an "X."

50.26 The form for the presidential ballot and the relative position of the several candidates
50.27 shall be determined by the rules applicable to other state officers. The state ballot, with
50.28 the required heading, shall be printed on the same piece of paper and shall be below the
50.29 presidential ballot with a blank space between one inch in width.

50.30 Sec. 77. Minnesota Statutes 2012, section 208.04, subdivision 2, is amended to read:

50.31 Subd. 2. **Applicable rules.** The rules for preparation, state contribution to the cost
50.32 of printing, and delivery of presidential ballots are the same as the rules for ~~white~~ state
50.33 general election ballots under section 204D.11, subdivision 1.

51.1 Sec. 78. Minnesota Statutes 2012, section 208.06, is amended to read:

51.2 **208.06 ELECTORS AND ALTERNATES TO MEET AT STATE CAPITOL;**
 51.3 **FILLING OF VACANCIES.**

51.4 The presidential electors and alternate presidential electors, before ~~12:00 M.~~ noon
 51.5 on the day before that fixed by Congress for the electors to vote for president and vice
 51.6 president of the United States, shall notify the governor that they are at the State Capitol
 51.7 and ready at the proper time to fulfill their duties as electors. The governor shall deliver
 51.8 to the electors present a certificate of the names of all the electors. ~~If any elector named~~
 51.9 ~~therein fails to appear before 9:00 a.m. on the day, and at the place, fixed for voting for~~
 51.10 ~~president and vice president of the United States, an alternate, chosen from among the~~
 51.11 ~~alternates by lot, shall be appointed to act for that elector. If more than eight alternates are~~
 51.12 ~~necessary, the electors present shall, in the presence of the governor, immediately elect~~
 51.13 ~~by ballot a person to fill the vacancy. If more than the number of persons required have~~
 51.14 ~~the highest and an equal number of votes, the governor, in the presence of the electors~~
 51.15 ~~attending, shall decide by lot which of those persons shall be elected~~ The electors shall
 51.16 meet at 12:00 p.m. in the executive chamber of the State Capitol and shall perform all the
 51.17 duties imposed upon them as electors by the Constitution and laws of the United States
 51.18 and this state in the manner provided in section 208.46.

51.19 Sec. 79. **[208.40] SHORT TITLE.**

51.20 Sections 208.40 to 208.48 may be cited as the "Uniform Faithful Presidential
 51.21 Electors Act."

51.22 Sec. 80. **[208.41] DEFINITIONS.**

51.23 (a) The definitions in this section apply to sections 208.40 to 208.48.

51.24 (b) "Cast" means accepted by the secretary of state in accordance with section
 51.25 208.46, paragraph (b).

51.26 (c) "Elector" means an individual selected as a presidential elector under this chapter.

51.27 (d) "President" means the president of the United States.

51.28 (e) "Unaffiliated presidential candidate" means a candidate for president who
 51.29 qualifies for the general election ballot in this state by means other than nomination by a
 51.30 political party.

51.31 (f) "Vice president" means the vice president of the United States.

51.32 Sec. 81. **[208.42] DESIGNATION OF STATE'S ELECTORS.**

52.1 For each elector position in this state, a political party contesting the position, or
52.2 an unaffiliated presidential candidate, shall submit to the secretary of state the names of
52.3 two qualified individuals. One of the individuals must be designated "elector nominee"
52.4 and the other "alternate elector nominee."

52.5 Except as otherwise provided in sections 208.44 to 208.47, this state's electors are
52.6 the winning elector nominees under the laws of this state.

52.7 **Sec. 82. [208.43] PLEDGE.**

52.8 Each elector nominee and alternate elector nominee of a political party shall execute
52.9 the following pledge: "If selected for the position of elector, I agree to serve and to mark
52.10 my ballots for president and vice president for the nominees for those offices of the party
52.11 that nominated me." Each elector nominee and alternate elector nominee of an unaffiliated
52.12 presidential candidate shall execute the following pledge: "If selected for the position
52.13 of elector as a nominee of an unaffiliated presidential candidate, I agree to serve and
52.14 to mark my ballots for that candidate and for that candidate's vice-presidential running
52.15 mate." The executed pledges must accompany the submission of the corresponding names
52.16 to the secretary of state.

52.17 **Sec. 83. [208.44] CERTIFICATION OF ELECTORS.**

52.18 In submitting this state's certificate of ascertainment as required by United States
52.19 Code, title 3, section 6, the governor shall certify this state's electors and state in the
52.20 certificate that:

52.21 (1) the electors will serve as electors unless a vacancy occurs in the office of elector
52.22 before the end of the meeting at which elector votes are cast, in which case a substitute
52.23 elector will fill the vacancy; and

52.24 (2) if a substitute elector is appointed to fill a vacancy, the governor will submit an
52.25 amended certificate of ascertainment stating the names on the final list of this state's
52.26 electors.

52.27 **Sec. 84. [208.45] PRESIDING OFFICER; ELECTOR VACANCY.**

52.28 (a) The secretary of state shall preside at the meeting of electors described in section
52.29 208.06.

52.30 (b) The position of an elector not present to vote is vacant. The secretary of state
52.31 shall appoint an individual as a substitute elector to fill a vacancy as follows:

52.32 (1) if the alternate elector is present to vote, by appointing the alternate elector
52.33 for the vacant position;

53.1 (2) if the alternate elector for the vacant position is not present to vote, by appointing
 53.2 an elector chosen by lot from among the alternate electors present to vote who were
 53.3 nominated by the same political party or unaffiliated presidential candidate;

53.4 (3) if the number of alternate electors present to vote is insufficient to fill any
 53.5 vacant position pursuant to clauses (1) and (2), by appointing any immediately available
 53.6 individual who is qualified to serve as an elector and chosen through nomination by a
 53.7 plurality vote of the remaining electors, including nomination and vote by a single elector
 53.8 if only one remains;

53.9 (4) if there is a tie between at least two nominees for substitute elector in a vote
 53.10 conducted under clause (3), by appointing an elector chosen by lot from among those
 53.11 nominees; or

53.12 (5) if all elector positions are vacant and cannot be filled pursuant to clauses (1) to
 53.13 (4), by appointing a single presidential elector, with remaining vacant positions to be filled
 53.14 under clause (3) and, if necessary, clause (4).

53.15 (c) To qualify as a substitute elector under paragraph (b), an individual who has not
 53.16 executed the pledge required under section 208.43 shall execute the following pledge: "I
 53.17 agree to serve and to mark my ballots for president and vice president consistent with the
 53.18 pledge of the individual to whose elector position I have succeeded."

53.19 **Sec. 85. [208.46] ELECTOR VOTING.**

53.20 (a) At the time designated for elector voting in section 208.06, and after all vacant
 53.21 positions have been filled under section 208.45, the secretary of state shall provide each
 53.22 elector with a presidential and a vice-presidential ballot. The elector shall mark the
 53.23 elector's presidential and vice-presidential ballots with the elector's votes for the offices
 53.24 of president and vice president, respectively, along with the elector's signature and the
 53.25 elector's legibly printed name.

53.26 (b) Except as otherwise provided by law of this state other than this chapter, each
 53.27 elector shall present both completed ballots to the secretary of state, who shall examine
 53.28 the ballots and accept as cast all ballots of electors whose votes are consistent with their
 53.29 pledges executed under section 208.43 or 208.45, paragraph (c). Except as otherwise
 53.30 provided by law of this state other than this chapter, the secretary of state may not accept
 53.31 and may not count either an elector's presidential or vice-presidential ballot if the elector
 53.32 has not marked both ballots or has marked a ballot in violation of the elector's pledge.

53.33 (c) An elector who refuses to present a ballot, presents an unmarked ballot, or
 53.34 presents a ballot marked in violation of the elector's pledge executed under section 208.43

54.1 or 208.45, paragraph (c), vacates the office of elector, creating a vacant position to be
 54.2 filled under section 208.45.

54.3 (d) The secretary of state shall distribute ballots to and collect ballots from a
 54.4 substitute elector and repeat the process under this section of examining ballots, declaring
 54.5 and filling vacant positions as required, and recording appropriately completed ballots from
 54.6 the substituted electors, until all of this state's electoral votes have been cast and recorded.

54.7 Sec. 86. **[208.47] ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.**

54.8 (a) After the vote of this state's electors is completed, if the final list of electors
 54.9 differs from any list that the governor previously included on a certificate of ascertainment
 54.10 prepared and transmitted under United States Code, title 3, section 6, the secretary of state
 54.11 immediately shall prepare an amended certificate of ascertainment and transmit it to
 54.12 the governor for the governor's signature.

54.13 (b) The governor immediately shall deliver the signed amended certificate of
 54.14 ascertainment to the secretary of state and a signed duplicate original of the amended
 54.15 certificate of ascertainment to all individuals entitled to receive this state's certificate of
 54.16 ascertainment, indicating that the amended certificate of ascertainment is to be substituted
 54.17 for the certificate of ascertainment previously submitted.

54.18 (c) The secretary of state shall prepare a certificate of vote. The electors on the final
 54.19 list shall sign the certificate. The secretary of state shall process and transmit the signed
 54.20 certificate with the amended certificate of ascertainment under United States Code, title
 54.21 3, sections 9, 10, and 11.

54.22 Sec. 87. **[208.48] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

54.23 In applying and construing sections 208.40 to 208.48, consideration must be given
 54.24 to the need to promote uniformity of the law with respect to their subject matter among
 54.25 states that enact the Uniform Faithful Presidential Electors Act or similar law.

54.26 Sec. 88. Minnesota Statutes 2012, section 209.01, subdivision 2, is amended to read:

54.27 Subd. 2. **Statewide office.** For purposes of this chapter, "statewide office" means the
 54.28 office of governor, lieutenant governor, attorney general, state auditor, secretary of state,
 54.29 chief justice or associate justice of the Supreme Court, judge of the Court of Appeals,
 54.30 United States senator, or presidential elector or alternate.

54.31 Sec. 89. Minnesota Statutes 2012, section 211B.045, is amended to read:

54.32 **211B.045 NONCOMMERCIAL SIGNS EXEMPTION.**

55.1 ~~In any municipality, whether or not the municipality has an ordinance that regulates~~
 55.2 ~~the size or number of noncommercial signs;~~ All noncommercial signs of any size may be
 55.3 posted in any number from beginning 46 days before the state primary in a state general
 55.4 election year until ten days following the state general election. Municipal ordinances
 55.5 may regulate the size and number of noncommercial signs at other times.

55.6 Sec. 90. Minnesota Statutes 2012, section 211B.37, is amended to read:

55.7 **211B.37 COSTS ASSESSED.**

55.8 Except as otherwise provided in section 211B.36, subdivision 3, the chief
 55.9 administrative law judge shall assess the cost of considering complaints filed under
 55.10 section 211B.32 as provided in this section. Costs of complaints relating to a statewide
 55.11 ballot question or an election for a statewide or legislative office must be assessed against
 55.12 the appropriation from the general fund to the general account of the state elections
 55.13 campaign fund in section 10A.31, subdivision 4. Costs of complaints relating to any
 55.14 other ballot question or elective office must be ~~assessed against the county or counties in~~
 55.15 ~~which the election is held. Where the election is held in more than one county, the chief~~
 55.16 ~~administrative law judge shall apportion the assessment among the counties in proportion~~
 55.17 ~~to their respective populations within the election district to which the complaint relates~~
 55.18 ~~according to the most recent decennial federal census~~ paid from appropriations to the
 55.19 office for this purpose.

55.20 Sec. 91. Minnesota Statutes 2012, section 340A.416, subdivision 2, is amended to read:

55.21 Subd. 2. **Ballot question.** The form of the question of the referendum under this
 55.22 section must be ~~on a separate ballot and must allow the voters to vote either "for license"~~
 55.23 ~~or "against license."~~ either "Shall the city issue ... intoxicating liquor licenses?" or "Shall
 55.24 the city discontinue issuing intoxicating liquor licenses?".

55.25 Sec. 92. Minnesota Statutes 2012, section 340A.416, subdivision 3, is amended to read:

55.26 Subd. 3. **Effect of election results.** If a majority of persons voting on the
 55.27 referendum question vote ~~"against license,"~~ to discontinue issuing licenses, the city may
 55.28 not issue intoxicating liquor licenses until the results of the referendum have been reversed
 55.29 at a subsequent election where the question has been submitted as provided in this section.

55.30 Sec. 93. Minnesota Statutes 2012, section 340A.602, is amended to read:

55.31 **340A.602 CONTINUATION.**

56.1 In any city in which the report of the operations of a municipal liquor store has
 56.2 shown a net loss prior to interfund transfer in any two of three consecutive years, the
 56.3 city council shall, not more than 45 days prior to the end of the fiscal year following
 56.4 the three-year period, hold a public hearing on the question of whether the city shall
 56.5 continue to operate a municipal liquor store. Two weeks' notice, written in clear and easily
 56.6 understandable language, of the hearing must be printed in the city's official newspaper.
 56.7 Following the hearing the city council may on its own motion or shall upon petition of five
 56.8 percent or more of the registered voters of the city, submit to the voters at a general or
 56.9 special municipal election the question of whether the city shall continue or discontinue
 56.10 municipal liquor store operations by a date which the city council shall designate. The
 56.11 date designated by the city council must not be more than 30 months following the date
 56.12 of the election. The form of the question shall be: "Shall the city of (name) discontinue
 56.13 operating the municipal liquor store on (Month xx, 2xxx)?".

56.14 Sec. 94. Minnesota Statutes 2012, section 375.20, is amended to read:

56.15 **375.20 BALLOT QUESTIONS.**

56.16 If the county board may do an act, incur a debt, appropriate money for a purpose,
 56.17 or exercise any other power or authority, only if authorized by a vote of the people, the
 56.18 question may be submitted at a special or general election, by a resolution specifying the
 56.19 matter or question to be voted upon. If the question is to authorize the appropriation of
 56.20 money, creation of a debt, or levy of a tax, it shall state the amount. Notice of the election
 56.21 shall be given as in the case of special elections. If the question submitted is adopted, the
 56.22 board shall pass an appropriate resolution to carry it into effect. In the election the form
 56.23 of the ballot shall be: "~~In favor of~~ Shall (here state the substance of the resolution to be
 56.24 submitted)?, Yes No.....," ~~with a square opposite each of the words "yes" and "no," in~~
 56.25 ~~one of which the voter shall mark an "X" to indicate a choice.~~ The county board may call
 56.26 a special county election upon a question to be held within ~~60~~ 74 days after a resolution to
 56.27 that effect is adopted by the county board. Upon the adoption of the resolution the county
 56.28 auditor shall post and publish notices of the election, as required by section 204D.22,
 56.29 subdivisions 2 and 3. The election shall be conducted and the returns canvassed in the
 56.30 manner prescribed by sections 204D.20 to 204D.27, so far as practicable.

56.31 Sec. 95. Minnesota Statutes 2012, section 447.32, subdivision 2, is amended to read:

56.32 Subd. 2. **Elections.** Except as provided in this chapter, the Minnesota Election Law
 56.33 applies to hospital district elections, as far as practicable. Regular elections must be held
 56.34 in each hospital district at the same time, in the same election precincts, and at the same

57.1 polling places as general elections of state and county officers. It may establish the whole
 57.2 district as a single election precinct or establish two or more different election precincts and
 57.3 polling places for the elections. If there is more than one precinct, the boundaries of the
 57.4 election precincts and the locations of the polling places must be defined in the notice of
 57.5 election, either in full or by reference to a description or map on file in the office of the clerk.

57.6 Special elections may be called by the hospital board to vote on any matter required
 57.7 by law to be submitted to the voters. A special election may not be conducted either
 57.8 during the ~~30~~ 56 days before ~~and the 30 days after the state~~ or the 56 days after a regularly
 57.9 scheduled primary or state general election, or during the 20 days before and the 20 days
 57.10 after the regularly scheduled election of any municipality conducted wholly or partially
 57.11 within the hospital district. Special elections must be held within the election precinct or
 57.12 precincts and at the polling place or places designated by the board. In the case of the
 57.13 first election of officers of a new district, precincts and polling places must be set by the
 57.14 governing body of the most populous city or town included in the district.

57.15 Advisory ballots may be submitted by the hospital board on any question it wishes,
 57.16 concerning the affairs of the district, but only at a regular election or at a special election
 57.17 required for another purpose.

57.18 Sec. 96. Minnesota Statutes 2012, section 447.32, subdivision 3, is amended to read:

57.19 Subd. 3. **Election notices.** At least two weeks before the first day to file affidavits
 57.20 of candidacy, the clerk of the district shall publish a notice stating the first and last day
 57.21 on which affidavits of candidacy may be filed, the places for filing the affidavits and the
 57.22 closing time of the last day for filing. The clerk shall post a similar notice in at least one
 57.23 conspicuous place in each city and town in the district at least ten days before the first
 57.24 day to file affidavits of candidacy.

57.25 At least ~~53~~ 74 days prior to every hospital district election, the hospital district clerk
 57.26 shall provide a written notice to the county auditor of each county in which the hospital
 57.27 district is located. The notice must include the date of the election, the offices to be voted
 57.28 on at the election, and the title and language for each ballot question to be voted on at the
 57.29 election. ~~At least 46 days before a hospital district election for which a notice is provided~~
 57.30 ~~to the county auditor under this subdivision,~~ The county auditor shall immediately provide
 57.31 a notice to the secretary of state in a manner and including information prescribed by
 57.32 the secretary of state.

57.33 The notice of each election must be posted in at least one public and conspicuous
 57.34 place within each city and town included in the district at least ~~ten days~~ two weeks before
 57.35 the election. It must be published in the official newspaper of the district or, if a paper has

58.1 not been designated, in a legal newspaper having general circulation within the district, at
58.2 least two weeks before the election. Failure to give notice does not invalidate the election
58.3 of an officer of the district. A voter may contest a hospital district election in accordance
58.4 with chapter 209. Chapter 209 applies to hospital district elections.

58.5 Sec. 97. Minnesota Statutes 2012, section 447.32, subdivision 4, is amended to read:

58.6 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a
58.7 candidate for the hospital board shall file an affidavit of candidacy for the election either as
58.8 member at large or as a member representing the city or town where the candidate resides.
58.9 The affidavit of candidacy must be filed with the city or town clerk not more than ~~91~~ 98 days
58.10 nor less than ~~77~~ 84 days before the first Tuesday after the first Monday in November of the
58.11 year in which the general election is held. The city or town clerk must forward the affidavits
58.12 of candidacy to the clerk of the hospital district or, for the first election, the clerk of the
58.13 most populous city or town immediately after the last day of the filing period. A candidate
58.14 may withdraw from the election by filing an affidavit of withdrawal with the clerk of the
58.15 district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

58.16 The governing body of any hospital district may, by resolution, require that a
58.17 candidate for hospital district office who wants write-in votes for the candidate to be
58.18 counted file a written request with the filing officer for the office sought no later than the
58.19 seventh day before the general election. The filing officer shall provide copies of the
58.20 form to make the request.

58.21 Voting must be by secret ballot. The clerk shall prepare, at the expense of the
58.22 district, necessary ballots for the election of officers. Ballots must be ~~printed on tan paper~~
58.23 ~~and~~ prepared as provided in the rules of the secretary of state. The ballots must be marked
58.24 and initialed by at least two judges as official ballots and used exclusively at the election.
58.25 Any proposition to be voted on may be printed on the ballot provided for the election
58.26 of officers. The hospital board may also authorize the use of voting systems subject to
58.27 chapter 206. Enough election judges may be appointed to receive the votes at each
58.28 polling place. The election judges shall act as clerks of election, count the ballots cast,
58.29 and submit them to the board for canvass.

58.30 After canvassing the election, the board shall issue a certificate of election to the
58.31 candidate who received the largest number of votes cast for each office. The clerk shall
58.32 deliver the certificate to the person entitled to it in person or by certified mail. Each person
58.33 certified shall file an acceptance and oath of office in writing with the clerk within 30
58.34 days after the date of delivery or mailing of the certificate. The board may fill any office

59.1 as provided in subdivision 1 if the person elected fails to qualify within 30 days, but
 59.2 qualification is effective if made before the board acts to fill the vacancy.

59.3 Sec. 98. Laws 1963, chapter 276, section 2, subdivision 2, as amended by Laws 1992,
 59.4 chapter 534, section 1, is amended to read:

59.5 Subd. 2. ~~One third of the members of the first hospital board shall be appointed for a~~
 59.6 ~~term to expire one year from December 31 next following such appointment, one third~~
 59.7 ~~for a term to expire two years from such date, and one third for a term to expire three~~
 59.8 ~~years from such date. Successors to the original board members shall each be elected for~~
 59.9 ~~terms of three years, and all members shall hold office until their successors are elected~~
 59.10 ~~and qualify. Terms of all members shall expire on December 31. In case of a vacancy~~
 59.11 ~~on the hospital board, whether due to death, removal from the district, inability to serve,~~
 59.12 ~~resignation, or other cause the majority of the remaining members of the hospital board,~~
 59.13 ~~at its next regular or special meeting, shall make an appointment to fill such vacancy for~~
 59.14 ~~the then unexpired term. The election of successors to the original board members shall~~
 59.15 ~~be elected by popular vote of the qualified voters in the hospital district. Hospital board~~
 59.16 ~~elections shall be conducted as provided in Minnesota Statutes, section 447.32. The~~
 59.17 ~~hospital board shall, by resolution, adopt a plan for the orderly transition to the new~~
 59.18 ~~election schedule. The resolution must be approved no later than four weeks before the~~
 59.19 ~~first day to file affidavits of candidacy for the general election. The terms of hospital board~~
 59.20 ~~members may be lengthened or shortened by one year as a part of the transition process.~~

59.21 Sec. 99. **APPROPRIATION.**

59.22 \$..... is appropriated from the general fund in fiscal year 2014 to the secretary of
 59.23 state to develop functionality within the statewide voter registration system to facilitate
 59.24 the processing and tracking of mail ballots submitted under Minnesota Statutes, sections
 59.25 204B.45 and 204B.46.

59.26 Sec. 100. **REPEALER.**

59.27 Minnesota Statutes 2012, sections 204B.42; 204D.11, subdivisions 2 and 3; 205.17,
 59.28 subdivisions 2 and 4; 205A.08, subdivision 4; 208.07; and 208.08, are repealed.

59.29 ARTICLE 6

59.30 LOSS AND RESTORATION OF VOTING RIGHTS

59.31 Section 1. Minnesota Statutes 2012, section 13.851, subdivision 10, is amended to read:

60.1 Subd. 10. **Felony sentence offender data; voter registration.** The use and
 60.2 classification of felony sentence offender data made available to the secretary of state
 60.3 is governed by section 201.157.

60.4 Sec. 2. Minnesota Statutes 2012, section 201.054, is amended by adding a subdivision
 60.5 to read:

60.6 Subd. 1a. **Invalid registrations; notice to voter.** If the county auditor has reason
 60.7 to believe based upon records provided by another public entity that an individual who
 60.8 has submitted a voter registration application is not eligible to vote, the county auditor
 60.9 must notify the individual of the reason that the individual's eligibility is in question
 60.10 and that the individual will not be registered to vote unless the individual reaffirms the
 60.11 individual's eligibility in writing.

60.12 Sec. 3. Minnesota Statutes 2012, section 201.054, subdivision 2, is amended to read:

60.13 Subd. 2. **Prohibitions; penalty; affirmative defense.** (a) No individual shall
 60.14 intentionally:

60.15 ~~(a)~~ (1) cause or attempt to cause the individual's name to be registered in any
 60.16 precinct if the individual is not eligible to vote;

60.17 ~~(b)~~ (2) cause or attempt to cause the individual's name to be registered for the
 60.18 purpose of voting in more than one precinct;

60.19 ~~(c)~~ (3) misrepresent the individual's identity when attempting to register to vote; or

60.20 ~~(d)~~ (4) aid, abet, counsel, or procure any other individual to violate this subdivision.

60.21 ~~A violation of this subdivision is a felony.~~

60.22 An individual who violates clause (1) but does not subsequently cast a ballot is guilty of a
 60.23 misdemeanor. An individual who violates clause (1) and subsequently casts a ballot is
 60.24 guilty of a felony. All other violations of this subdivision are a felony.

60.25 (b) It is an affirmative defense to a prosecution for violation of paragraph (a), clause
 60.26 (1), if the individual:

60.27 (1) requested, in writing, that the county auditor of the county where the individual
 60.28 resides withdraw the registration, and the request was made before any complaint was
 60.29 filed alleging a violation of paragraph (a), clause (1); and

60.30 (2) did not vote at an election between the time the registration application was
 60.31 submitted and the time the individual requested the registration be withdrawn.

60.32 Sec. 4. Minnesota Statutes 2012, section 201.157, is amended to read:

60.33 **201.157 USE OF DEPARTMENT OF CORRECTIONS DATA.**

61.1 Subdivision 1. Access to data. ~~(a) As required by the Help America Vote Act of~~
61.2 ~~2002, Public Law 107-252,~~ The commissioner of corrections shall make electronic data
61.3 available to the secretary of state on individuals 18 years of age or older who are currently:
61.4 (1) serving felony sentences under the commissioner's jurisdiction; or
61.5 (2) on probation for felony offenses that would result in the loss of civil rights, as
61.6 indicated by the statewide supervision system established under section 241.065.

61.7 The data must include the name, date of birth, last known residential address that is
61.8 not a correctional facility, and, if available, corrections' state identification number, and if
61.9 available, and the driver's license or state identification card number, and, if an individual
61.10 has completed the sentence, the date of discharge.

61.11 (b) The secretary of state must determine if any data newly indicates that:

61.12 (1) an individual with an active voter registration in the statewide voter registration
61.13 system is currently serving a felony sentence under the commissioner's jurisdiction or is on
61.14 probation for a felony offense that would result in the loss of civil rights and the individual's
61.15 voter record does not already have a challenged status due to a felony conviction;

61.16 (2) an individual with an active voter registration in the statewide voter registration
61.17 system who is currently serving a felony sentence under the commissioner's jurisdiction or
61.18 who is on probation for a felony offense that would result in the loss of civil rights appears
61.19 to have registered to vote or to have voted during a period when the individual's civil
61.20 rights were revoked; and

61.21 (3) an individual with a voter record that has a challenged status due to a felony
61.22 conviction who was serving a felony sentence under the commissioner's jurisdiction
61.23 or who has been on probation for a felony offense that would result in the loss of civil
61.24 rights has been discharged from a sentence.

61.25 The secretary of state shall prepare a list of the registrants included under clause (1),
61.26 (2), or (3) for each county auditor. For individuals under clause (1), the county auditor
61.27 shall challenge the individual's record in the statewide voter registration system. The
61.28 county auditor must provide information to the county attorney about individuals under
61.29 clause (2) for the county attorney's investigation. For individuals under clause (3), the
61.30 county auditor must determine if the challenge status should be removed from the voter
61.31 record for the individual, and if so, must remove the challenge.

61.32 The secretary of state must make the required determinations and provide the
61.33 required lists to the county auditors at least monthly.

61.34 For each state general election that occurs prior to the statewide voter registration
61.35 system being programmed to generate lists as required by this section, the secretary of
61.36 state must make the determination and provide lists to the county auditors between 30 and

62.1 60 days before the election and again between six and ten weeks after the election. In the
 62.2 year following that state election, the secretary of state must make this determination and
 62.3 provide lists to the county auditors again as part of the annual list maintenance.

62.4 Subd. 2. Notice to affected individuals. (a) Between 60 and 65 days prior to a state
 62.5 general election, the Department of Corrections shall provide to the secretary of state a list
 62.6 of offenders, who, at the time the list is prepared, are on supervised release or probation for
 62.7 a felony offense that resulted in the loss of civil rights. The list shall also include former
 62.8 offenders who the data indicates were discharged from all felony-level sentences since the
 62.9 previous list was provided in accordance with this subdivision and who are not serving a
 62.10 felony-level sentence at the time the list is prepared. The data must include the offender's
 62.11 name; date of birth; last known residential address that is not a correctional facility; if
 62.12 available, corrections state identification number and driver's license or state identification
 62.13 card number; and if an offender has completed the sentence, the date the discharge occurred.

62.14 (b) The secretary of state shall use the data provided in paragraph (a) to mail written
 62.15 notices at least one month prior to a state general election, as follows:

62.16 (1) a notice to each individual on probation for a felony offense that would result
 62.17 in the loss of civil rights, informing the individual that registration or voting while on
 62.18 probation for the offense is itself a felony offense and may result in the loss of the
 62.19 individual's probation status; and

62.20 (2) a notice to each individual who has completed a term of probation resulting in
 62.21 the loss of civil rights and who has no new felony conviction, that the individual's right
 62.22 to vote has been restored.

62.23 Subd. 3. Data. Data on offenders submitted to the secretary of state under this
 62.24 section are private data on individuals as defined in section 13.02, subdivision 12, and
 62.25 may be used or disseminated only for purposes authorized by this section.

62.26 Sec. 5. Minnesota Statutes 2012, section 201.275, is amended to read:

62.27 **201.275 INVESTIGATIONS; PROSECUTIONS.**

62.28 A ~~county attorney who~~ law enforcement agency that is notified by affidavit of an
 62.29 alleged violation of this chapter shall promptly investigate. If there is probable cause for
 62.30 instituting a prosecution, the county attorney shall proceed ~~by complaint or present the~~
 62.31 ~~charge, with whatever evidence has been found, to the grand jury.~~ A county attorney
 62.32 ~~who refuses or intentionally fails to faithfully perform this or any other duty imposed by~~
 62.33 ~~this chapter is guilty of a misdemeanor and upon conviction shall forfeit office.~~ The
 62.34 county attorney, under the penalty of forfeiture of office, shall prosecute all violations of
 62.35 this chapter except violations of this section; if, however, a complainant withdraws an

63.1 ~~allegation under this chapter, the county attorney is not required to proceed with the~~
 63.2 ~~prosecution~~ in accordance with the second edition of the National Prosecution Standards
 63.3 published by the National District Attorneys Association.

63.4 Sec. 6. Minnesota Statutes 2012, section 203B.06, subdivision 3, is amended to read:

63.5 Subd. 3. **Delivery of ballots.** (a) The commissioner of corrections must provide
 63.6 the secretary of state with a list of the names and mailing addresses of correctional
 63.7 facilities in which only persons convicted of felony-level offenses reside in Minnesota.
 63.8 An application for an absentee ballot that provides an address included on the list provided
 63.9 by the commissioner of corrections must not be accepted and an absentee ballot must
 63.10 not be provided to the applicant. The county auditor or municipal clerk must promptly
 63.11 transmit a copy of the application to the county attorney. The Department of Corrections
 63.12 must implement procedures to ensure that absentee ballots issued under chapter 203B are
 63.13 not received or mailed by offenders incarcerated at correctional facilities in which only
 63.14 persons convicted of felony-level offenses reside.

63.15 (b) If an application for absentee ballots is accepted at a time when absentee ballots
 63.16 are not yet available for distribution, the county auditor, or municipal clerk accepting the
 63.17 application shall file it and as soon as absentee ballots are available for distribution shall
 63.18 mail them to the address specified in the application. If an application for absentee ballots
 63.19 is accepted when absentee ballots are available for distribution, the county auditor or
 63.20 municipal clerk accepting the application shall promptly:

63.21 (1) mail the ballots to the voter whose signature appears on the application if the
 63.22 application is submitted by mail and does not request commercial shipping under clause (2);

63.23 (2) ship the ballots to the voter using a commercial shipper requested by the voter at
 63.24 the voter's expense;

63.25 (3) deliver the absentee ballots directly to the voter if the application is submitted in
 63.26 person; or

63.27 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has
 63.28 been designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a
 63.29 voter who would have difficulty getting to the polls because of incapacitating health
 63.30 reasons, or who is disabled, or who is a patient in a health care facility, a resident of
 63.31 a facility providing assisted living services governed by chapter 144G, a participant in
 63.32 a residential program for adults licensed under section 245A.02, subdivision 14, or a
 63.33 resident of a shelter for battered women as defined in section 611A.37, subdivision 4.

63.34 ~~(b)~~ (c) If an application does not indicate the election for which absentee ballots are
 63.35 sought, the county auditor or municipal clerk shall mail or deliver only the ballots for

64.1 the next election occurring after receipt of the application. Only one set of ballots may
 64.2 be mailed, shipped, or delivered to an applicant for any election, except as provided in
 64.3 section 203B.121, subdivision 2, or when a replacement ballot has been requested by the
 64.4 voter for a ballot that has been spoiled or lost in transit.

64.5 **EFFECTIVE DATE.** This section is effective June 15, 2013.

64.6 Sec. 7. Minnesota Statutes 2012, section 204C.14, is amended to read:

64.7 **204C.14 UNLAWFUL VOTING; PENALTY.**

64.8 **Subdivision 1. Violations; penalty.** No individual shall intentionally:

64.9 (a) misrepresent the individual's identity in applying for a ballot, depositing a ballot in
 64.10 a ballot box or attempting to vote by means of a voting machine or electronic voting system;

64.11 (b) vote more than once at the same election;

64.12 (c) put a ballot in a ballot box for any illegal purpose;

64.13 (d) give more than one ballot of the same kind ~~and color~~ to an election judge to
 64.14 be placed in a ballot box;

64.15 (e) aid, abet, counsel or procure another to go into any precinct for the purpose
 64.16 of voting in that precinct, knowing that the other individual is not eligible to vote in
 64.17 that precinct; or

64.18 (f) aid, abet, counsel or procure another to do any act in violation of this section.

64.19 A violation of this section is a felony.

64.20 **Subd. 2. Signature on roster as evidence of intent.** For purposes of proving a
 64.21 violation of this section, the signature of an individual on a polling place roster is prima
 64.22 facie evidence of the intent of the individual to vote at that election.

64.23 Sec. 8. Minnesota Statutes 2012, section 241.065, subdivision 2, is amended to read:

64.24 **Subd. 2. Establishment.** The Department of Corrections shall administer and
 64.25 maintain a computerized data system for the purpose of assisting criminal justice agencies
 64.26 in monitoring and enforcing the conditions of conditional release imposed on criminal
 64.27 offenders by a sentencing court or the commissioner of corrections. The adult data and
 64.28 juvenile data as defined in section 260B.171 in the statewide supervision system are
 64.29 private data as defined in section 13.02, subdivision 12, but are accessible to criminal
 64.30 justice agencies as defined in section 13.02, subdivision 3a, to the Minnesota sex offender
 64.31 program as provided in section 246B.04, subdivision 3, to public defenders as provided in
 64.32 section 611.272, to all trial courts and appellate courts, and to criminal justice agencies in

65.1 other states in the conduct of their official duties. Adult data in the statewide supervision
 65.2 system are accessible to the secretary of state for the purposes described in section 201.157.

65.3 **Sec. 9. [244.25] NOTICE OF LOSS OF VOTING RIGHTS.**

65.4 Whenever an adult felon is placed on probation supervision, the individual must be
 65.5 provided a written notice, included in the probation agreement, that the individual may not
 65.6 register to vote or cast a ballot in any election during the period of felony supervision. The
 65.7 individual must acknowledge, by signature, receipt of the notice. A copy of the notice and
 65.8 signature must be placed in the felon's probation supervision file.

65.9 **Sec. 10. APPROPRIATION.**

65.10 (a) \$..... is appropriated in fiscal year 2014 and \$..... is appropriated in fiscal year
 65.11 2015 to the secretary of state to administer this article. Of these amounts, \$..... is added
 65.12 to the base budget of the secretary of state.

65.13 (b) \$..... is appropriated in fiscal year 2014 and \$..... is appropriated in fiscal year
 65.14 2015 to the commissioner of corrections to administer this article. Of this amount, \$.....
 65.15 is added to the base budget of the Department of Corrections.

65.16 **ARTICLE 7**

65.17 **JUNE PRIMARY**

65.18 Section 1. Minnesota Statutes 2012, section 204B.14, subdivision 2, is amended to read:

65.19 Subd. 2. **Separate precincts; combined polling place.** (a) The following shall
 65.20 constitute at least one election precinct:

65.21 (1) each city ward; and

65.22 (2) each town and each statutory city.

65.23 (b) A single, accessible, combined polling place may be established no later than
 65.24 ~~May~~ March 1 of any year:

65.25 (1) for any city of the third or fourth class, any town, or any city having territory in
 65.26 more than one county, in which all the voters of the city or town shall cast their ballots;

65.27 (2) for contiguous precincts in the same municipality;

65.28 (3) for up to four contiguous municipalities located entirely outside the metropolitan
 65.29 area, as defined by section 200.02, subdivision 24, that are contained in the same county; or

65.30 (4) for noncontiguous precincts located in one or more counties.

65.31 A copy of the ordinance or resolution establishing a combined polling place must
 65.32 be filed with the county auditor within 30 days after approval by the governing body. A
 65.33 polling place combined under clause (3) must be approved by the governing body of each

66.1 participating municipality. A polling place combined under clause (4) must be approved
 66.2 by the governing body of each participating municipality and the secretary of state and
 66.3 may be located outside any of the noncontiguous precincts. A municipality withdrawing
 66.4 from participation in a combined polling place must do so by filing a resolution of
 66.5 withdrawal with the county auditor no later than ~~April~~ February 1 of any year.

66.6 The secretary of state shall provide a separate polling place roster for each precinct
 66.7 served by the combined polling place. A single set of election judges may be appointed
 66.8 to serve at a combined polling place. The number of election judges required must be
 66.9 based on the total number of persons voting at the last similar election in all precincts to
 66.10 be voting at the combined polling place. Separate ballot boxes must be provided for the
 66.11 ballots from each precinct. The results of the election must be reported separately for each
 66.12 precinct served by the combined polling place, except in a polling place established under
 66.13 clause (2) where one of the precincts has fewer than ten registered voters, in which case the
 66.14 results of that precinct must be reported in the manner specified by the secretary of state.

66.15 Sec. 2. Minnesota Statutes 2012, section 204B.14, subdivision 4, is amended to read:

66.16 Subd. 4. **Boundary change procedure.** Any change in the boundary of an election
 66.17 precinct must be adopted at least ten weeks before the date of the next election and, for the
 66.18 state primary and general election, no later than ~~June~~ April 1 in the year of the state general
 66.19 election. The precinct boundary change shall not take effect until notice of the change has
 66.20 been posted in the office of the municipal clerk or county auditor for at least 56 days.

66.21 The county auditor must publish a notice illustrating or describing the congressional,
 66.22 legislative, and county commissioner district boundaries in the county in one or more
 66.23 qualified newspapers in the county at least 14 days before the first day to file affidavits of
 66.24 candidacy for the state general election in the year ending in two.

66.25 Alternate dates for adopting changes in precinct boundaries, posting notices
 66.26 of boundary changes, and notifying voters affected by boundary changes pursuant
 66.27 to this subdivision, and procedures for coordinating precinct boundary changes with
 66.28 reestablishing local government election district boundaries may be established in the
 66.29 manner provided in the rules of the secretary of state.

66.30 Sec. 3. Minnesota Statutes 2012, section 204B.21, subdivision 1, is amended to read:

66.31 Subdivision 1. **Appointment lists; duties of political parties and secretary of**
 66.32 **state.** On ~~May~~ March 1 in a year in which there is an election for a partisan political
 66.33 office, each major political party shall prepare a list of eligible voters to act as election
 66.34 judges in each election precinct. The political parties shall furnish the lists electronically

67.1 to the secretary of state, in a format specified by the secretary of state. The secretary of
67.2 state must combine the data received from each political party under this subdivision
67.3 and must process the data to locate the precinct in which the address provided for each
67.4 potential election judge is located. If the data submitted by a political party is insufficient
67.5 for the secretary of state to locate the proper precinct, the associated name must not appear
67.6 in any list forwarded to an appointing authority under this subdivision. The secretary of
67.7 state shall notify political parties of any proposed election judges with addresses that
67.8 could not be located in a precinct.

67.9 By ~~May~~ March 15, the secretary of state shall furnish electronically to the county
67.10 auditor a list of the appropriate names for each election precinct in the jurisdiction of
67.11 the appointing authority, noting the political party affiliation of each individual on the
67.12 list. The county auditor must promptly forward the appropriate names to the appropriate
67.13 municipal clerk.

67.14 Sec. 4. Minnesota Statutes 2012, section 204D.03, subdivision 1, is amended to read:

67.15 Subdivision 1. **State primary.** The state primary shall be held on the ~~second~~ first
67.16 Tuesday after the third Monday in August ~~June~~ in each even-numbered year to select
67.17 the nominees of the major political parties for partisan offices and the nominees for
67.18 nonpartisan offices to be filled at the state general election, other than presidential electors.

67.19 Sec. 5. Minnesota Statutes 2012, section 204D.09, subdivision 1, is amended to read:

67.20 Subdivision 1. **Example ballot.** (a) No later than ~~May~~ March 1 of each year, the
67.21 secretary of state shall supply each auditor with a copy of an example ballot. The example
67.22 ballot must illustrate the format required for the ballots used in the primary and general
67.23 elections that year.

67.24 (b) The county auditor shall distribute copies of the example ballot to municipal and
67.25 school district clerks in municipalities and school districts holding elections that year. The
67.26 official ballot must conform in all respects to the example ballot.

67.27 Sec. 6. Minnesota Statutes 2012, section 204D.28, subdivision 5, is amended to read:

67.28 Subd. 5. **Regular state primary.** "Regular state primary" means:

67.29 (a) the state primary at which candidates are nominated for offices elected at the
67.30 state general election; or

67.31 (b) a primary held on the ~~second~~ first Tuesday after the third Monday in August ~~June~~
67.32 of odd-numbered years.

68.1 Sec. 7. Minnesota Statutes 2012, section 205.065, subdivision 1, is amended to read:

68.2 Subdivision 1. **Establishing primary.** A municipal primary for the purpose of
68.3 nominating elective officers may be held in any city on the ~~second~~ first Tuesday after the
68.4 third Monday in ~~August~~ June of any year in which a municipal general election is to
68.5 be held for the purpose of electing officers. The date of a municipal primary held in
68.6 an odd-numbered year may be postponed for inclement weather as provided in section
68.7 205.105.

68.8 Sec. 8. Minnesota Statutes 2012, section 205.065, subdivision 2, is amended to read:

68.9 Subd. 2. **Resolution or ordinance.** The governing body of a city may, by ordinance
68.10 or resolution adopted by ~~April~~ January 15 in the year when a municipal general election
68.11 is held, elect to choose nominees for municipal offices by a primary as provided in this
68.12 section. The resolution or ordinance, when adopted, is effective for all ensuing municipal
68.13 elections until it is revoked. The municipal clerk shall notify the secretary of state and the
68.14 county auditor within 30 days after the adoption of the resolution or ordinance.

68.15 Sec. 9. Minnesota Statutes 2012, section 205A.03, subdivision 1, is amended to read:

68.16 Subdivision 1. **Resolution requiring primary in certain circumstances.** The
68.17 school board of a school district may, by resolution adopted by ~~April~~ January 15 of any
68.18 year, decide to choose nominees for school board by a primary as provided in this section.
68.19 The resolution, when adopted, is effective for all ensuing elections of board members in
68.20 that school district until it is revoked. If the board decides to choose nominees by primary
68.21 and if there are more than two candidates for a specified school board position or more
68.22 than twice as many school board candidates as there are at-large school board positions
68.23 available, the school district must hold a primary.

68.24 Sec. 10. Minnesota Statutes 2012, section 205A.03, subdivision 2, is amended to read:

68.25 Subd. 2. **Date.** The school district primary must be held on the ~~second~~ first Tuesday
68.26 after the third Monday in ~~August~~ June in the year when the school district general election
68.27 is held. The clerk shall give notice of the primary in the manner provided in section
68.28 205A.07. The date of a school district primary held in an odd-numbered year may be
68.29 postponed for inclement weather as provided in section 205A.055.

68.30 Sec. 11. Minnesota Statutes 2012, section 205A.06, subdivision 1a, is amended to read:

68.31 Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose
68.32 nominees for school board by a primary election, affidavits of candidacy must be filed

69.1 with the school district clerk no earlier than the 84th day and no later than the 70th day
69.2 before the ~~second~~ first Tuesday after the third Monday in August June in the year when the
69.3 school district general election is held. In all other school districts, affidavits of candidacy
69.4 must be filed no earlier than the 98th day and no later than the 84th day before the school
69.5 district general election.

69.6 Sec. 12. Minnesota Statutes 2012, section 205A.11, subdivision 2a, is amended to read:

69.7 Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a
69.8 notice to the voters who will be voting in a combined polling place for a school district
69.9 special election. The notice must include the following information: the date of the
69.10 election, the hours of voting, and the location of the voter's polling place. The notice must
69.11 be sent by nonforwardable mail to every affected household in the school district with
69.12 at least one registered voter. The notice must be mailed no later than 14 days before
69.13 the election. The mailed notice is not required for a school district special election that
69.14 is held on the ~~second~~ first Tuesday after the third Monday in August June, the Tuesday
69.15 following the first Monday in November, or for a special election conducted entirely by
69.16 mail. In addition, the mailed notice is not required for voters residing in a township if
69.17 the school district special election is held on the second Tuesday in March and the town
69.18 general election is held on that day. A notice that is returned as undeliverable must be
69.19 forwarded immediately to the county auditor.

69.20 Sec. 13. Minnesota Statutes 2012, section 206.61, subdivision 5, is amended to read:

69.21 Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation
69.22 of names of candidates must be observed as far as practicable by changing the order of the
69.23 names on an electronic voting system in the various precincts so that each name appears
69.24 on the machines or marking devices used in a municipality substantially an equal number
69.25 of times in the first, last, and in each intermediate place in the list or group in which
69.26 they belong. However, the arrangement of candidates' names must be the same on all
69.27 voting systems used in the same precinct. If the number of names to be alternated exceeds
69.28 the number of precincts, the election official responsible for providing the ballots, in
69.29 accordance with subdivision 1, shall determine by lot the alternation of names.

69.30 If an electronic ballot marker is used with a paper ballot that is not an optical scan
69.31 ballot card, the manner of alternation of candidate names on the paper ballot must be as
69.32 prescribed for optical scan ballots in this subdivision.

70.1 The rules adopted by the secretary of state for the rotation of candidate names must
70.2 use the number of registered voters in each precinct as of 8:00 a.m. on ~~May~~ March 1 of
70.3 the year when the rotation will be made as the basis for determining the rotation of names.

70.4 Sec. 14. Minnesota Statutes 2012, section 206.82, subdivision 2, is amended to read:

70.5 Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting
70.6 system is used and the county auditor of a county in which an electronic voting system
70.7 is used in more than one municipality and the county auditor of a county in which a
70.8 counting center serving more than one municipality is located shall prepare a plan which
70.9 indicates acquisition of sufficient facilities, computer time, and professional services
70.10 and which describes the proposed manner of complying with section 206.80. The plan
70.11 must be signed, notarized, and submitted to the secretary of state more than 60 days
70.12 before the first election at which the municipality uses an electronic voting system. Before
70.13 ~~May~~ March 1 of each subsequent general election year, the clerk or auditor shall submit
70.14 to the secretary of state notification of any changes to the plan on file with the secretary
70.15 of state. The secretary of state shall review each plan for its sufficiency and may request
70.16 technical assistance from the Office of Enterprise Technology or other agency which may
70.17 be operating as the central computer authority. The secretary of state shall notify each
70.18 reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt
70.19 of the plan. The attorney general, upon request of the secretary of state, may seek a district
70.20 court order requiring an election official to fulfill duties imposed by this subdivision or by
70.21 rules promulgated pursuant to this section.

70.22 Sec. 15. **EFFECTIVE DATE.**

70.23 Sections 1 to 14 are effective January 1, 2016, and apply to elections conducted
70.24 on or after that date.

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Article locations in S0677-1

ARTICLE 1	REDISTRICTING	Page.Ln 2.4
ARTICLE 2	EARLY VOTING	Page.Ln 3.7
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ARTICLE 4	VACANCIES IN NOMINATION	Page.Ln 14.15
ARTICLE 5	ELECTION ADMINISTRATION	Page.Ln 19.12
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ARTICLE 7	JUNE PRIMARY	Page.Ln 65.16

2.444 FORTY-FIRST DISTRICT.

Subdivision 1. **Senate district.** Senate District 41 consists of that district as described in the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002).

Subd. 2. **House of representatives district.** Notwithstanding the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002), Senate District 41, as described in that order, is divided into two house of representatives districts as follows:

(a) House of Representatives District 41A consists of that portion of the city of Edina lying north of a line described as follows: commencing at the intersection of the western boundary of the city of Edina with Valley View Road, easterly along Valley View Road to the service road east of U.S. 169, southerly along the service road to Braemar Boulevard, easterly and northerly along Braemar Boulevard to Valley View Road, northeasterly along Valley View Road to Antrim Road, southerly along Antrim Road to West 70th Street, easterly along West 70th Street to France Avenue, southerly along France Avenue to Parklawn Avenue, easterly along Parklawn Avenue to York Avenue, northerly along York Avenue to the southern boundary of Independent School District No. 273, Edina, and easterly along the southern boundary of Independent School District No. 273 to the eastern boundary of the city of Edina.

(b) House of Representatives District 41B consists of that portion of Senate District 41 not included in House of Representatives District 41A.

2.484 FORTY-FIFTH DISTRICT.

Subdivision 1. **Senate district.** Senate District 45 consists of that district as described in the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002).

Subd. 2. **House of representatives districts.** Notwithstanding the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002), Senate District 45, as described in that order, is divided into two house of representatives districts as follows:

(a) House of Representatives District 45A consists of House of Representatives District 45A as described in that order, except for the portion of that House of Representatives District 45A described as follows:

Beginning at the intersection of the center lines of 35th Avenue North and Nevada Avenue North, then south along the center line of Nevada Avenue North to the center line of 34th Avenue North, then west along the center line of 34th Avenue North to the center line of Winpark Drive, then north along the center line of Winpark Drive to the center line of 35th Avenue North, then west along the center line of 35th Avenue North to the center line of Winnetka Avenue North, then north along the center line of Winnetka Avenue North to the north municipal boundary line of Crystal, then west along that municipal boundary line to the west municipal boundary line of Crystal, then south along that municipal boundary line to the center line of 33rd Avenue North, then east along the center line of 33rd Avenue North to the center line of Wisconsin Avenue North, then north along the center line of Wisconsin Avenue North to the center line of 35th Avenue North, then east along the center line of 35th Avenue North to the center line of Utah Avenue North, then south along the center line of Utah Avenue North to the center line of 33rd Place North, then east along the center line of 33rd Place North to the center line of Winnetka Avenue North, then south along the center line of Winnetka Avenue North to the center line of 32nd Avenue North, then east along the center line of 32nd Avenue North to the center line of Nevada Avenue, then north along the center line of Nevada Avenue to the center line of Valley Place, then east along the center line of Valley Place to the center line of Louisiana Avenue North, then north along the center line of Louisiana Avenue North to the center line of 35th Avenue North, then west along the center line of 35th Avenue North to the center line of Nevada Avenue North, which was the place of beginning.

(b) House of Representatives District 45B consists of that portion of Senate District 45 not included in House of Representatives District 45A.

203B.04 APPLICATION FOR BALLOTS.

Subd. 6. **Ongoing absentee status; termination.** (a) An eligible voter may apply to a county auditor or municipal clerk for status as an ongoing absentee voter who reasonably expects to meet the requirements of section 203B.02, subdivision 1. Each applicant must automatically

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be provided with an absentee ballot application for each ensuing election other than an election by mail conducted under section 204B.45, and must have the status of ongoing absentee voter indicated on the voter's registration record.

(b) Ongoing absentee voter status ends on:

- (1) the voter's written request;
- (2) the voter's death;
- (3) return of an ongoing absentee ballot as undeliverable;
- (4) a change in the voter's status so that the voter is not eligible to vote under section 201.15 or 201.155; or
- (5) placement of the voter's registration on inactive status under section 201.171.

204B.12 WITHDRAWAL OF CANDIDATES.

Subd. 2a. **After primary; candidates for constitutional office.** (a) A candidate for a constitutional office may withdraw from the general election ballot by filing an affidavit of withdrawal with the same official who received the affidavit of candidacy. The affidavit must request that official to withdraw that candidate's name from the ballot and must be filed no later than 16 days before the general election.

(b) A candidate for a constitutional office may withdraw after the deadline in paragraph (a) if:

- (1) the candidate withdraws because of a catastrophic illness that was diagnosed after the deadline for withdrawal;
- (2) the candidate's illness will permanently and continuously incapacitate the candidate and prevent the candidate from performing the duties of the office sought; and
- (3) the candidate or the candidate's legal guardian files with the affidavit of withdrawal a certificate verifying that the candidate's illness meets the requirements of clauses (1) and (2), signed by at least two licensed physicians.

204B.13 VACANCY IN NOMINATION.

Subd. 4. **Nonpartisan office; filling vacancy.** A vacancy in nomination in a nonpartisan office may be filled by filing an affidavit of candidacy and paying a filing fee or by filing an affidavit of candidacy and filing a petition in place of a filing fee in the manner provided in sections 204B.06, 204B.09, and 204B.11. All documents and fees required by this subdivision must be filed within five days after the vacancy in nomination occurs. There must be a two-day period for withdrawal of candidates after the last day for filing.

If the vacancy in nomination resulted from a withdrawal during the withdrawal period held on the 68th to 69th day before the primary, and if, at the end of the withdrawal period to fill the vacancy in nomination, there are more than two candidates, the candidates' names must appear on the primary ballot.

In all other cases, the candidates' names must appear on the general election ballot.

Subd. 6. **Vacancy after deadline.** If a candidate withdraws after the 16th day before the general election but before four days before the general election, the secretary of state shall instruct the election judges to strike the name of the withdrawn candidate from the general election ballot and shall substitute no other candidate's name. Filing officers may not accept a nomination certificate for filing to fill a vacancy in nomination resulting from the filing of an affidavit of withdrawal by a candidate after the 14th day before the general election.

204B.42 PAPER COLOR FOR SAMPLE BALLOTS; PENALTY.

No sample ballot shall be printed on paper of the same color as any official ballots except when printed in black ink on white paper and appearing in a newspaper as news matter. A violation of this section is a misdemeanor.

204D.11 STATE GENERAL ELECTION BALLOTS; CANDIDATES; OFFICIAL IN CHARGE; RULES; REIMBURSEMENT.

Subd. 2. **Pink ballots.** Amendments to the state Constitution shall be placed on a ballot printed on pink paper which shall be known as the "pink ballot." The pink ballot shall be prepared by the county auditor, in the manner provided in the rules of the secretary of state.

Subd. 3. **Canary ballot.** All questions and the names of all candidates for offices to be voted on at the state general election which are not placed on the white ballot shall be placed on a single

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ballot printed on canary paper which shall be known as the "canary ballot." The canary ballot shall be prepared by the county auditor in the manner provided in the rules of the secretary of state.

205.17 BALLOTS.

Subd. 2. **First class cities.** In all cities of the first class, for the municipal general election, the city clerk shall have printed in blocks of 50 a partisan ballot upon which the names of all candidates for the office of mayor and for the city council are printed, and a nonpartisan ballot upon which the names of all candidates for all other city offices are printed. The partisan ballot shall be printed on light orange paper and shall be headed "City Partisan General Ballot." The nonpartisan ballot shall be printed on light green paper and shall be headed "City Nonpartisan General Ballot." Both ballots shall state the name of the city and the date of the election and conform in all other respects to the white ballot used at the state general election. The names of the candidates on the nonpartisan ballot shall be rotated in the manner prescribed for the rotation of names on nonpartisan ballots in state general elections.

On the partisan ballot the names of the candidates for mayor shall be placed first. The order of the names of the candidates shall be in the manner prescribed for state general elections in section 204D.13.

Subd. 4. **Blue ballots; questions.** All questions relating to the adoption of a city charter or charter amendments, a proposition for the issuance of bonds, and all other questions relating to city or town affairs submitted at an election to the voters of the municipality shall be printed on one separate blue ballot and shall be prepared, printed, and distributed under the direction of the municipal clerk at the same time and in the same manner as other municipal ballots. The ballots, when voted, shall be deposited in a separate blue ballot box provided by the local authorities for each voting precinct. The ballots shall be canvassed, counted, and returned in the same manner as other municipal ballots. The returns shall provide appropriate blank spaces for the counting, canvassing, and returning of the results of the questions submitted on the blue ballot.

205A.08 BALLOTS.

Subd. 4. **Goldenrod ballots; questions.** All questions relating to a proposition for the issuance of bonds, and all other questions relating to school district affairs submitted at an election to the voters of the school district, shall be printed on one separate goldenrod ballot and shall be prepared, printed, and distributed under the direction of the school district clerk at the same time and in the same manner as other school district ballots. The ballots, when voted, shall be deposited in a separate goldenrod ballot box provided by the local authorities for each voting precinct. The ballots shall be canvassed, counted, and returned in the same manner as other school district ballots. The returns shall provide appropriate blank spaces for the counting, canvassing, and return of the results of the questions submitted on the goldenrod ballot.

208.07 CERTIFICATE OF ELECTORS.

Immediately after the vacancies have been filled, the original electors and alternates present shall certify to the governor the names of the persons elected to complete their number, and the governor shall at once cause written notice to be given to each person elected to fill a vacancy. The persons so chosen shall be presidential electors and shall meet and act with the other electors.

208.08 ELECTORS TO MEET AT STATE CAPITOL.

The original, alternate, and substituted presidential electors, at 12:00 M., shall meet in the executive chamber at the State Capitol and shall perform all the duties imposed upon them as electors by the Constitution and laws of the United States and this state.

Each elector, as a condition of having been chosen under the name of the party of a presidential and a vice presidential candidate, is obligated to vote for those candidates. The elector shall speak aloud or affirm in a nonverbal manner the name of the candidate for president and for vice president for whom the elector is voting and then confirm that vote by written public ballot.

If an elector fails to cast a ballot for the presidential or vice presidential candidate of the party under whose name the elector was chosen, the elector's vote or abstention is invalidated and an alternate presidential elector, chosen by lot from among the alternates, shall cast a ballot in the name of the elector for the presidential and vice presidential candidate of the party under whose name the elector was chosen. The invalidation of an elector's vote or abstention on the ballot for president or vice president does not apply if the presidential candidate under whose

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party's name the elector was chosen has without condition released the elector or has died or become mentally disabled.