

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

 FIFTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 14, 2011

The House of Representatives convened at 3:00 p.m. and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by the Reverend Alan Wielinski, Parishes of St. Peter and St. Paul, St. Cloud, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Davnie	Hancock	Kriesel	Murdock	Scott
Anderson, B.	Dean	Hansen	Lanning	Murphy, E.	Shimanski
Anderson, D.	Dettmer	Hausman	Leidiger	Murphy, M.	Simon
Anderson, P.	Dill	Hayden	LeMieur	Murray	Slawik
Anderson, S.	Dittrich	Hilstrom	Lenczewski	Myhra	Slocum
Anzelc	Doepke	Hilty	Lesch	Nelson	Smith
Atkins	Downey	Holberg	Liebling	Nornes	Stensrud
Banaian	Drazkowski	Hoppe	Lillie	Norton	Swedzinski
Barrett	Eken	Hornstein	Loeffler	O'Driscoll	Thissen
Beard	Erickson	Hortman	Loon	Paymar	Tillberry
Benson, J.	Fabian	Hosch	Mack	Pelowski	Torkelson
Benson, M.	Falk	Howes	Mahoney	Peppin	Urdahl
Bills	Franson	Huntley	Mariani	Persell	Vogel
Brynaert	Fritz	Johnson	Marquart	Petersen, B.	Wagenius
Buesgens	Garofalo	Kahn	Mazorol	Peterson, S.	Ward
Carlson	Gauthier	Kath	McDonald	Poppe	Wardlow
Champion	Gottwalt	Kelly	McElpatrick	Quam	Westrom
Clark	Greene	Kieffer	McFarlane	Rukavina	Winkler
Cornish	Greiling	Kiel	McNamara	Runbeck	Woodard
Crawford	Gruenhagen	Kiffmeyer	Moran	Sanders	Spk. Zellers
Daudt	Gunther	Knuth	Morrow	Scalze	
Davids	Hamilton	Koenen	Mullery	Schomacker	

A quorum was present.

Hackbarth, Laine and Lohmer were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

February 10, 2011

The Honorable Kurt Zellers
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Zellers:

I have vetoed and am returning H. F. No. File 130, Chapter No. 1, a bill to reduce appropriations and payments for fiscal years 2011 to 2013. My veto is based upon three strong objections.

First, the Minnesota Department of Revenue estimates that your bill would increase property taxes by \$428 million in the next biennium: \$322 million by cutting aid to local governments, and \$106 million by reducing renter refunds for property tax relief.

The property tax is the most regressive and unfair of all state and local taxes. Middle-income families pay four times more a percentage of their incomes in residential property taxes than the wealthiest Minnesotans. Minnesota businesses pay over four times more in property taxes than in the corporate tax. It would be a terrible mistake to target tax increases on the middle-class, on seniors, on lower-income renters, and on small businesses, while largely protecting the wealthiest Minnesotans from paying a fairer share of taxes.

I strongly believe that, unlike your regressive property tax increase contained in this legislation, we must make Minnesota's state and local tax system more progressive.

Secondly, your bill makes inaccurate and undocumented assumptions about the amounts not yet encumbered for this fiscal year. You have not fulfilled your oversight responsibility to determine the purposes for which the unencumbered amounts are intended to be spent. Furthermore, you do not know, or decline to say, what spending reductions you want to make.

Instead, you would abdicate your responsibility to make those difficult spending choices and your power to determine those cuts to an appointed official of the Executive Department. That is both inappropriate and unconstitutional.

Under the Minnesota Constitution, if appropriations for this fiscal year are to be reduced, it is the Legislature's responsibility to identify the changes in legislative priorities, change the appropriations, and pass the laws — subject to the Governor's veto — to implement those changes.

This separation of powers and this allocation of responsibilities were reaffirmed last year by the Minnesota Supreme Court in its decision overturning Governor Pawlenty's unilateral unallotments, which were also discretionary changes by the Executive Department to state spending.

In that case, the Court construed the unallotment statute to avoid a clash with the doctrine of separation of powers. In his concurring opinion, Justice Alan Page, joined by Justice Paul Anderson, warned that the Constitution does not give the executive "virtually unfettered discretion to decide which funds to cut entirely, which to reduce in some measure, and which to leave fully funded." These decisions, said Justice Page, "inevitably change the legislative priorities established in the properly enacted laws."

I have offered the Legislature's majority leadership the full cooperation of my agency heads to participate with the appropriate oversight committees in identifying appropriations available for reduction. Furthermore, I have adopted the excellent suggestion of Senator Claire Robling and have written all agency heads the attached letter informing them that, given the State's serious financial situation for the next biennium, they must refrain from making any additional fiscal year-end purchases and, instead, cancel any unspent appropriations to the state treasury.

These are the responsible and constitutional means available to the Legislature and the Executive Department to achieve all possible savings for the less than five months remaining in this biennium, and I again offer my full cooperation in doing so lawfully.

Third, I disagree with this legislation's piecemeal approach to resolving the projected deficit for the next biennium. There is nothing to be gained, and much to be lost, by addressing, in this disjointed manner, the projected budget deficit for the biennium that does not begin until July 1.

Budget decisions are a reflection of priorities. Your immediate cuts of funds for higher education, human services, and aid to local governments, while increasing property taxes on businesses and middle-income taxpayers, show misguided priorities, which should be reviewed in the context of other alternatives.

That careful and reasoned consideration of all options, and the opportunity for those Minnesotans who will be affected by your decisions to be heard in public meetings of your committees, is the sound intent of the Minnesota Constitution in establishing a five-month legislative session. Your rush to judgment on these matters disregards that proven wisdom.

Almost a year ago today, on February 18, 2010, Governor Pawlenty rejected legislation with these words: "As the state struggles to resolve a \$1.2 billion deficit [for the current biennium], the passage of this legislation is at best premature. Legislation that appropriates significant funds simply cannot be passed in a piecemeal fashion. A comprehensive, balanced budget solution must first be reached." In that respect, Governor Pawlenty was correct.

It is clear we can agree on most of the federal tax conformity provisions for 2010. I will ask the Commissioner of Revenue to work with you to draft a bill for immediate consideration to address federal tax conformity issues to assist Minnesota taxpayers with their 2010 filings.

Sincerely,

MARK DAYTON
Governor

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Davids from the Committee on Taxes to which was referred:

H. F. No. 88, A bill for an act relating to education; removing the maintenance of effort and set-aside requirements for school personnel; returning financial decision making to school districts; amending Minnesota Statutes 2010, section 126C.44.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 89, A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot; providing for the issuance of voter identification cards at no charge; establishing a procedure for provisional balloting; amending Minnesota Statutes 2010, section 204C.10; proposing coding for new law in Minnesota Statutes, chapters 201; 204C.

Reported the same back with the following amendments:

Page 2, line 10, after the period, insert "If an applicant is unable to provide proof of current registration as required in clause (1), the application must still be accepted if the statewide voter registration system indicates that the applicant is registered and eligible to vote in Minnesota."

Page 2, line 20, after "contain" insert "a bar code suitable for scanning and"

Page 3, after line 2, insert:

"Sec. 2. Minnesota Statutes 2010, section 201.12, subdivision 1, is amended to read:

Subdivision 1. **Notice of registration.** (a) To prevent fraudulent voting and to eliminate excess names, the county auditor may, except where required by paragraph (b), mail to any registered voter a notice stating the voter's name and address as they appear in the registration files. The notice shall request the voter to notify the county auditor if there is any mistake in the information.

(b) The notice provided in paragraph (a) must be sent upon acceptance of a registration application from any voter who has not been previously registered to vote in Minnesota. In addition to the requirements of paragraph (a), the notice sent to a voter under this paragraph must inform the voter of the requirements for voting in the polling place, including the photo identification requirements contained in section 204C.10, and provide information to assist the voter in acquiring a voter identification card, if necessary, under section 201.017."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the first semicolon, insert "requiring certain notice;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 102, A bill for an act relating to economic development; establishing a Minnesota science and technology program; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 116W.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Jobs and Economic Development Finance.

The report was adopted.

Erickson from the Committee on Education Reform to which was referred:

H. F. No. 133, A bill for an act relating to education; allowing trial placements for eligible children at the Minnesota State Academies; amending Minnesota Statutes 2010, section 125A.69, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 13, after "If" insert "the academy members of"

Page 2, line 19, delete "for the 2011-2012 school year and"

Page 2, line 20, delete "later" and insert "July 1, 2011"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education Finance.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 180, A bill for an act relating to public safety; permitting certain offenses to be charged in either the county of the offense or the home county of the arresting law enforcement agency; amending Minnesota Statutes 2010, section 436.05, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary Policy and Finance.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 192, A bill for an act relating to state government; proposing the Reinventing Government Employment Act; providing a public employee compensation freeze and a method for determining future compensation; requiring a reduction in the state workforce; establishing a state employee gainsharing system; removing restrictions on state contracts with private vendors; proposing a constitutional amendment providing a

right to work; amending Minnesota Statutes 2010, sections 16C.08, subdivision 2; 16C.09; proposing coding for new law in Minnesota Statutes, chapters 15; 15A; 16A; 43A; 181; repealing Minnesota Statutes 2010, sections 16C.085; 43A.047; 179A.23.

Reported the same back with the following amendments:

Page 1, line 18, delete "PUBLIC" and insert "STATE"

Page 1, line 20, delete "government" and insert "legislative or executive branch"

Page 2, lines 9 and 14, delete "government" and insert "legislative and executive branch"

Page 2, line 20, delete "a government" and insert "an"

Page 2, line 27, delete everything after the period and insert "Executive branch employees may not legally strike due to an employer's action that is"

Page 2, delete line 28

Page 2, line 29, delete "a government" and insert "an"

Page 2, delete subdivision 5 and insert:

"Subd. 5. **Executive branch.** For purposes of this section, "executive branch" has the meaning given in section 43A.02, but does not include the Minnesota State Colleges and Universities."

Page 3, delete article 3

Page 8, delete article 6 and insert:

"ARTICLE 5
PERFORMANCE APPRAISAL AND PAY

Section 1. Minnesota Statutes 2010, section 43A.20, is amended to read:

43A.20 PERFORMANCE APPRAISAL AND PAY.

(a) The commissioner shall design and maintain a performance appraisal and bonus pay system under which each employee in the civil service in the executive branch shall be evaluated and counseled on work performance at least once a year. The performance appraisal and bonus pay system must include three components:

(1) evaluation of the individual employee's performance relative to goals for that individual;

(2) evaluation of the performance of the individual employee's program, defined by the agency head, toward meeting targeted outcomes for the program; and

(3) evaluation of the performance of the entire agency toward meeting targeted outcomes for the agency.

(b) Individual pay increases for all employees ~~not represented by an exclusive representative certified pursuant to chapter 179A~~ shall be based on the evaluation evaluations required by paragraph (a) and other factors consistent with paragraph (a) that the commissioner negotiates in collective bargaining agreements or includes in the plans

developed pursuant to section 43A.18. ~~Collective bargaining agreements entered into pursuant to chapter 179A may, and are encouraged to, provide for pay increases based on employee work performance. An employee in the executive branch may not receive an increase in salary or wages based on cost of living or progression to another step or lane unless the employee's supervisor certifies that the employee's individual performance has been satisfactory and justifies spending additional public funds on the employee's compensation.~~

(c) This section supersedes any conflicting provision of other law.

EFFECTIVE DATE. This section is effective July 1, 2011. For employees covered by a collective bargaining agreement, this section applies to collective bargaining agreements entered into on or after that date.

Sec. 2. **SALARY FOR UPCOMING BIENNIUM.**

During the biennium ending June 30, 2013, each executive branch appointing authority shall construct a performance bonus component as part of overall compensation earned during that biennium. Under the performance bonus component, at least five percent of the total base salary and wages otherwise payable to an employee may be paid only after completion of the performance appraisal conducted under Minnesota Statutes, section 43A.20, paragraph (a), and upon the appointing authority's determination that the employee's performance has been satisfactory and justifies spending additional public funds on the employee's compensation.

This section supersedes any conflicting provision of other law.

EFFECTIVE DATE. This section is effective July 1, 2011. For employees covered by a collective bargaining agreement, this section applies to collective bargaining agreements entered into on or after that date."

Renumber the sections and articles in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete "state workforce;"

Page 1, line 6, delete everything after the semicolon

Page 1, line 7, delete everything before "amending"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 203, A bill for an act relating to regulatory reform; providing that certain rules take effect only upon legislative approval; amending Minnesota Statutes 2010, section 14.19; proposing coding for new law in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 2010, section 14.127.

Reported the same back with the following amendments:

Page 1, line 8, after "the" insert "annual"

Page 1, line 9, delete "in the first year after the rule takes effect"

Page 1, line 10, after "entity" insert "in any year after the rule takes effect"

With the recommendation that when so amended the bill pass.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 210, A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot; providing for the issuance of identification cards at no charge; establishing a procedure for provisional balloting; specifying other election administration procedures; requiring use of electronic polling place rosters; enacting procedures related to recounts; appropriating money; amending Minnesota Statutes 2010, sections 135A.17, subdivision 2; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 7; 201.071, subdivision 3; 201.081; 201.091, subdivision 4; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.15, subdivision 1; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.38; 204D.24, subdivision 2; 206.86, subdivisions 1, 2; 209.021, subdivision 1; 209.06, subdivision 1; 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 204B.36, subdivision 5; 204C.34; 204C.35; 204C.36; 204C.361; Minnesota Rules, parts 8235.0200; 8235.0300; 8235.0400; 8235.0600; 8235.0700; 8235.0800; 8235.1100; 8235.1200.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
VOTER REGISTRATION, PHOTO IDENTIFICATION, AND PROVISIONAL BALLOTING

Section 1. **[200.035] DOCUMENTATION OF IDENTITY AND RESIDENCE.**

The following are sufficient proof of identity and residence for purposes of election day voter registration under section 201.061, subdivision 3, and for determining whether to count a provisional ballot under section 204C.135, subdivision 2:

(1) a current, valid driver's license or identification card issued to the voter by the Department of Public Safety that contains the voter's current address of residence in the precinct;

(2) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's current address of residence in the precinct, and all other items of data contained on a Minnesota identification card, as provided in section 171.07, subdivision 3;

(3) an original receipt issued to the voter by the Department of Public Safety for a new, renewed, or updated driver's license or identification card that contains the voter's current address of residence in the precinct along with one of the following documents, provided that it contains a photograph of the voter:

(i) a driver's license or identification card that is expired, invalidated, or does not contain the voter's current address of residence, issued to the voter by the state of Minnesota or any other state or territory of the United States;

(ii) a United States passport, issued to the voter;

(iii) an identification card issued by a branch, department, agency, entity, or subdivision of Minnesota or the federal government;

(iv) an identification card issued by an accredited postsecondary institution with a campus located within Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or

(v) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs;

(4) if the voter is a student, a driver's license or identification card issued by Minnesota or any other state or territory of the United States that does not contain the voter's current address of residence, along with a current student fee statement that contains the student's valid address of residence in the precinct; or

(5) if the voter resides in a shelter for battered women as defined in section 611A.37, subdivision 4, located in the precinct, having an individual who is an employee employed by and working in the shelter sign an oath in the presence of the election judge vouching that the employee personally knows the individual's identity and that the individual is a resident of the precinct. The oath must be made on a form prescribed by the secretary of state that contains a space for the employee's printed name, signature, telephone number, and employment address. The operator of the shelter shall prepare a list of the names of its employees currently working in the shelter and the address of the shelter. The operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration. Only employees named on the list provided by the operator of the shelter may vouch for a voter's identity and residence under this section.

Sec. 2. **[201.017] STATE-SUBSIDIZED IDENTIFICATION.**

Subdivision 1. **Issuance of identification cards.** (a) The Department of Public Safety shall provide a Minnesota identification card as described in section 171.07, subdivision 3, to any applicant who is eligible to vote in Minnesota and who does not possess a valid Minnesota driver's license or state identification card. The department may not require the applicant to pay a fee for issuance of an identification card under this section. The application form must require the applicant to indicate whether a state-subsidized identification card is being requested due to the applicant's indigent status. A state-subsidized identification card may only be applied for at a driver's licensing facility operated by the Division of Driver and Vehicle Services.

(b) Upon application for a state-subsidized identification card, including upon application for a renewal, duplicate card, or when a new card is required as a result of a change of address, an applicant must present verification that the applicant is at least 18 years of age, is a citizen of the United States, and will have maintained residence in Minnesota for at least 20 days immediately preceding the next election.

Subd. 2. **State-subsidized identification card account.** A state-subsidized identification card account is established in the special revenue fund. Money in the account shall be appropriated by law to the Department of Public Safety for purposes of providing state-subsidized identification cards to individuals qualifying under this section, provided that the department may not be reimbursed more than 50 cents for identification cards issued to individuals qualifying under section 171.07, subdivision 3, paragraph (e), and \$2 for all other cards. The commissioner of public safety must report to the legislature at least monthly on expenditure of funds from this account.

Sec. 3. Minnesota Statutes 2010, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of identity and residence. An individual may prove identity and residence for purposes of registering by: ~~presenting documentation as permitted by section 200.035.~~

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

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

~~(3) presenting one of the following:~~

~~(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or~~

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

~~(4) having a voter who is registered to vote in the precinct, or who is an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to 15 proof of residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof of residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof of residence oaths. For each proof of residence oath, the form must include a statement that the voter is registered to vote in the precinct, personally knows that the individual is a resident of the precinct, and is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.~~

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

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

~~(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; group residential housing as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.~~

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

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

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

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

Sec. 4. Minnesota Statutes 2010, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

Subdivision 1. Polling place roster. (a) An individual seeking to vote shall sign a polling place roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, the felony sentence has expired or been completed or the individual has been discharged from the sentence, is registered and has not already voted in the election. The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) ~~A judge may,~~ Before the applicant signs the roster, a judge must: (1) require the voter to present a photo identification document, as described in subdivision 2; and (2) confirm the applicant's name, address, and date of birth. A voter who cannot produce sufficient identification as required by subdivision 2 may not sign the polling place roster, but may cast a provisional ballot, as provided in section 204C.135.

(c) After the applicant signs the roster, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest for 36 months following the date of the election.

Subd. 2. Photo identification. To satisfy the photo identification requirement in subdivision 1, a voter must present a valid form of one of the following documents or sets of documents, issued to the voter:

(1) a Minnesota driver's license or identification card that contains the voter's current address of residence in the precinct, issued under section 171.07 or 201.017;

(2)(i) an original receipt for a new, renewed, or updated driver's license or identification card issued under section 171.07 or 201.017 that contains the voter's current address of residence in the precinct; and

(ii) a driver's license or identification card that is expired, invalidated, or does not contain the voter's current address of residence in the precinct, issued to the voter by the state of Minnesota or any other state or territory of the United States; or

(3) an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's current address of residence in the precinct, and all other items of data contained on a Minnesota identification card, as provided in section 171.07, subdivision 3.

Alternatively, a voter who resides in a shelter for battered women as defined in section 611A.37, subdivision 4, located in the precinct may comply with the requirements of subdivision 1 by having an individual who is an employee employed by and working in the shelter sign an oath in the presence of the election judge vouching that the employee personally knows the individual's identity and that the individual is a resident of the precinct, consistent with the requirements provided in section 200.035, clause (5).

Sec. 5. Minnesota Statutes 2010, section 204C.12, subdivision 3, is amended to read:

Subd. 3. **Determination of residence.** In determining the legal residence of a challenged individual, the election judges shall be governed by the principles contained in section 200.031. If the challenged individual's answers to the questions show ineligibility to vote in that precinct, the individual shall not be allowed to vote. If the individual has marked ballots but not yet deposited them in the ballot boxes before the election judges determine ineligibility to vote in that precinct, the marked ballots shall be placed ~~unopened~~ with the spoiled ballots. If the answers to the questions fail to show that the individual is not eligible to vote in that precinct and the challenge is not withdrawn, the election judges shall ~~verbally administer the oath on the voter certificate to the individual. After taking the oath and completing and signing the voter certificate, the challenged individual shall be allowed to vote~~ permit the voter to cast a provisional ballot, in the manner provided in section 204C.135.

Sec. 6. **[204C.135] PROVISIONAL BALLOTS.**

Subdivision 1. **Casting of provisional ballots.** (a) The following voters seeking to vote are entitled to cast a provisional ballot in the manner provided by this section:

(1) a voter who is unable to provide proper photo identification as required by section 204C.10;

(2) a voter whose registration status is listed as "challenged" on the polling place roster; and

(3) a voter whose eligibility to vote is challenged as permitted by section 204C.12.

(b) A voter seeking to vote a provisional ballot must sign a provisional ballot roster and complete a provisional ballot envelope. The envelope must contain a space for the voter to list the voter's name, address of residence, date of birth, voter identification number, and any other information prescribed by the secretary of state. The voter must also swear or affirm, in writing, that the voter is eligible to vote, has not voted previously in the same election, and meets the criteria for registering to vote in the precinct in which the voter appears.

Once the voter has completed the provisional ballot envelope, the voter must be allowed to cast a provisional ballot. The provisional ballot must be in the same form as the official ballot available in the precinct on election day. A completed provisional ballot shall be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's provisional ballot envelope and deposited by the voter in a secure, sealed provisional ballot box. Completed provisional ballots may not be combined with other voted ballots in the polling place.

(c) The form of the secrecy and provisional ballot envelopes shall be prescribed by the secretary of state. The provisional ballot envelope must be a color other than that provided for absentee ballot envelopes and must be prominently labeled "Provisional Ballot Envelope."

(d) Provisional ballots and related documentation shall be delivered to and securely maintained by the county auditor or municipal clerk in the same manner as required for other election materials under sections 204C.27 to 204C.28.

Subd. 2. **Counting provisional ballots.** (a) A voter who casts a provisional ballot in the polling place may personally appear before the county auditor or municipal clerk no later than seven calendar days following the election to prove that the voter's provisional ballot should be counted. The county auditor or municipal clerk must count a provisional ballot in the final certified results from the precinct if:

(1) the statewide voter registration system indicates that the voter is eligible to vote or, if challenged, the voter presents evidence of the voter's eligibility to vote; and

(2) the voter presents proof of identity and residence in the precinct in the manner permitted by section 200.035.

(b) If a voter does not appear before the county auditor or municipal clerk within seven calendar days following the election or otherwise does not satisfy the requirements of paragraph (a), or if the data listed on the items of identification presented by the voter does not match the data submitted by the voter on the provisional ballot envelope, the voter's provisional ballot must not be counted.

(c) The county auditor or municipal clerk must notify, in writing, any provisional voter who does not appear within seven calendar days of the election that the voter's provisional ballot was not counted because of the voter's failure to appear before the county auditor or municipal clerk within the time permitted by law to determine whether the provisional ballot should be counted.

Subd. 3. **Provisional ballots; reconciliation.** Prior to counting any provisional ballots in the final vote totals from a precinct, the county auditor must verify that the number of signatures appearing on the provisional ballot roster from that precinct is equal to or greater than the number of accepted provisional ballots submitted by voters in the precinct on election day. Any discrepancy must be resolved before the provisional ballots from the precinct may be counted. Excess provisional ballots to be counted must be randomly withdrawn in the manner required by section 204C.20, subdivision 2, after the period for a voter to appear to prove residence and identity has expired and the ballots to be counted have been separated from the provisional ballot envelopes.

Sec. 7. Minnesota Statutes 2010, section 204C.14, is amended to read:

204C.14 UNLAWFUL VOTING; PENALTY.

No individual shall intentionally:

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

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

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

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

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

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

A violation of this section is a felony.

Sec. 8. **APPROPRIATION.**

\$...... is appropriated for fiscal years 2012 and 2013 to the state-subsidized identification card account for purposes of providing state-subsidized identification cards to individuals qualifying under Minnesota Statutes, section 201.017.

Sec. 9. **EFFECTIVE DATE.**

This article is effective June 1, 2012, and applies to elections held on or after that date.

ARTICLE 2
ELECTION ADMINISTRATION AND INTEGRITY

Section 1. Minnesota Statutes 2010, section 135A.17, subdivision 2, is amended to read:

Subd. 2. **Residential housing list.** All postsecondary institutions that enroll students accepting state or federal financial aid may prepare a current list of students enrolled in the institution and residing in the institution's housing or within ten miles of the institution's campus. The list shall include each student's current address. The list shall be certified and sent to the appropriate county auditor or auditors, in an electronic format approved by the secretary of state, for use in election day registration as provided under section 201.061, subdivision 3. A residential housing list provided under this subdivision may not be used or disseminated by a county auditor or the secretary of state for any other purpose.

Sec. 2. **[200.05] RULES; LEGISLATIVE APPROVAL REQUIRED.**

Any administrative rule authorized by the Minnesota Election Law and promulgated by the secretary of state shall not take effect until the rule has been enacted into law by the legislature and approved by the governor.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to rules adopted on or after that date.

Sec. 3. Minnesota Statutes 2010, section 201.021, is amended to read:

201.021 PERMANENT REGISTRATION SYSTEM.

A permanent system of voter registration by county is established, with a single, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state, and assigns a unique identifier to each legally registered voter in the state. The unique identifier shall be permanently assigned to the voter and may not be changed or reassigned to another voter. The interactive computerized statewide voter registration list constitutes the official list of every legally registered voter in the state. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county. The secretary of state is responsible for defining, maintaining, and administering the centralized system.

Sec. 4. Minnesota Statutes 2010, section 201.022, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 5. Minnesota Statutes 2010, section 201.061, subdivision 7, is amended to read:

Subd. 7. **Record of attempted registrations.** The election judge responsible for election day registration shall ~~attempt to~~ keep a record of the number of individuals who attempt to register on election day but who cannot provide proof of residence as required by this section. The record shall be forwarded to the county auditor with the election returns for that precinct.

Sec. 6. Minnesota Statutes 2010, section 201.071, subdivision 3, is amended to read:

Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains the voter's name, address, date of birth, current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification number, the last four digits of the voter's Social Security number, if the voter has been issued a Social Security number, prior registration, if any, and signature. The absence of a zip code number does not cause the registration to be deficient. ~~Failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient.~~ The election judges shall request an individual to correct a voter registration application if it is deficient or illegible. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

A voter registration application accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality ~~may shall~~ attempt to obtain the date of birth for a voter registration application accepted prior to August 1, 1983, by a request to the voter ~~at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient.~~

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid Minnesota driver's license or state identification number or the last four digits of a Social Security number. A voter registration application submitted by a voter who does not have a Minnesota driver's license or state identification number, or a Social Security number, is not deficient for lack of any of these numbers.

Sec. 7. Minnesota Statutes 2010, section 201.081, is amended to read:

201.081 REGISTRATION FILES.

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

A properly completed voter registration application that has been submitted to the secretary of state or a county auditor must be maintained by the secretary of state or the county auditor for at least ~~22~~ 36 months after the date that the information on the application is entered into the database of the statewide registration system. The secretary of state or the county auditor may dispose of the applications after retention for ~~22~~ 36 months in the manner provided by section 138.17.

Sec. 8. Minnesota Statutes 2010, section 201.121, subdivision 1, is amended to read:

Subdivision 1. **Entry of registration information.** (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide registration system. Voter registration applications completed

before election day must be entered into the statewide registration system within ten days after they have been submitted to the county auditor. Voter registration applications completed on election day must be entered into the statewide registration system within 42 days after the election, ~~unless the county auditor notifies the secretary of state before the 42-day deadline has expired that the deadline will not be met.~~

(b) Upon receiving a completed voter registration application, the secretary of state may electronically transmit the information on the application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide registration system. The secretary of state may mail the voter registration application to the county auditor.

(c) Within ten days after the county auditor has entered information from a voter registration application into the statewide registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, or the last four digits of the Social Security number with the same information contained in the Department of Public Safety database.

(d) The secretary of state shall provide a report to the county auditor on a weekly basis that includes a list of voters whose name, date of birth, or identification number have been compared with the same information in the Department of Public Safety database and cannot be verified as provided in this subdivision. The report must list separately those voters who have submitted a voter registration application by mail and have not voted in a federal election in this state.

(e) The county auditor shall compile a list of voters for whom the county auditor and the secretary of state are unable to conclude that information on the voter registration application and the corresponding information in the Department of Public Safety database relate to the same person.

(f) The county auditor shall send a notice of incomplete registration to any voter whose name appears on the list and change the voter's status to "incomplete." A voter who receives a notice of incomplete registration from the county auditor may either provide the information required to complete the registration at least 21 days before the next election or at the polling place on election day.

Sec. 9. Minnesota Statutes 2010, section 201.121, subdivision 3, is amended to read:

Subd. 3. **Postelection sampling.** Within ten days after an election, the county auditor shall send the notice required by subdivision 2 to a random sampling of the individuals registered on election day. The random sampling shall be determined in accordance with the rules of the secretary of state. As soon as practicable after the election, but no later than January 1 of the following year, the county auditor shall mail the notice required by subdivision 2 to all other individuals registered on election day. If a notice is returned as not deliverable, the county auditor shall attempt to determine the reason for the return. A county auditor who does not receive or obtain satisfactory proof of an individual's eligibility to vote shall immediately notify the county attorney of all of the relevant information and the secretary of state of the numbers by precinct. By March 1 of every odd-numbered year, the secretary of state shall report to the chair and ranking minority members of the legislative committees with jurisdiction over elections the number of notices reported under this subdivision to the secretary of state for the previous state general election by county and precinct.

Sec. 10. Minnesota Statutes 2010, section 201.171, is amended to read:

201.171 POSTING VOTING HISTORY; FAILURE TO VOTE; REGISTRATION REMOVED.

Within six weeks after every election, the county auditor shall post the voting history for every person who voted in the election. After the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years. The secretary of state shall perform list maintenance by changing the status

of those registrants to "inactive" in the statewide registration system. The list maintenance performed must be conducted in a manner that ensures that the name of each registered voter appears in the official list of eligible voters in the statewide registration system. A voter must not be removed from the official list of eligible voters unless the voter is not eligible or is not registered to vote. List maintenance must include procedures for eliminating duplicate names from the official list of eligible voters.

The secretary of state shall also prepare a report to the county auditor containing the names of all registrants whose status was changed to "inactive."

Registrants whose status was changed to "inactive" must register in the manner specified in section 201.054 before voting in any primary, special primary, general, school district, or special election, as required by section 201.018.

Although not counted in an election, a late or rejected absentee or mail ballot must be considered a vote for the purpose of continuing registration under this section, but is not considered voting history ~~for the purpose of public information lists available under section 201.091, subdivision 4.~~

Sec. 11. Minnesota Statutes 2010, section 201.221, subdivision 3, is amended to read:

Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe the form of polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. The secretary of state may prescribe additional election-related information to be placed on the polling place rosters on an experimental basis for one state primary and general election cycle; the same information may not be placed on the polling place roster for a second state primary and general election cycle unless specified in this subdivision. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for ~~22~~ 36 months following the election.

Sec. 12. Minnesota Statutes 2010, section 203B.04, subdivision 1, is amended to read:

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

- (1) the county auditor of the county where the applicant maintains residence; or
 - (2) the municipal clerk of the municipality, or school district if applicable, where the applicant maintains residence.
- (b) An application shall be approved if it is timely received, signed and dated by the applicant, and contains:
- (1) the applicant's name and residence and mailing addresses;

(2) the applicant's date of birth, and at least one of the following;

(3) the applicant's Minnesota driver's license number or Minnesota state identification card number; and

(4) the last four digits of the applicant's Social Security number or a statement that the applicant does not have a Social Security number.

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

~~(2) Minnesota state identification card number;~~

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

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

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

Prior to approval, the county auditor or municipal clerk must verify that the Minnesota driver's license or state identification card number submitted by an applicant is valid and assigned to that applicant. An application that contains a driver's license or identification card number that is invalid or not assigned to the applicant must be rejected. The county auditor or municipal clerk must also verify that the applicant does not appear on any lists of known ineligible voters maintained by the county auditor or municipal clerk, or provided to the county auditor or municipal clerk by the secretary of state. When verifying eligibility, the county auditor or municipal clerk must use the same standards and process as used for individuals appearing in the polling place on election day, except that an applicant is not required to appear in person or present photo identification meeting the standards of section 204C.10, subdivision 2.

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

An application under this subdivision may contain an application under subdivision 5 to automatically receive an absentee ballot application.

Sec. 13. Minnesota Statutes 2010, section 203B.04, subdivision 2, is amended to read:

Subd. 2. **Health care patient.** An eligible voter who on the day before an election becomes a resident or patient in a health care facility or hospital located in the municipality in which the eligible voter maintains residence may apply for absentee ballots on election day if the voter:

~~(a) requests an application form by telephone from the municipal clerk not later than 5:00 p.m. on the day before election day; or~~

~~(b) submits an absentee ballot application to the election judges engaged in delivering absentee ballots pursuant to section 203B.11.~~

Sec. 14. Minnesota Statutes 2010, section 203B.06, subdivision 5, is amended to read:

Subd. 5. **Preservation of records.** An application for absentee ballots shall be dated by the county auditor or municipal clerk when it is received and shall be initialed when absentee ballots are mailed or delivered to the applicant. All applications shall be preserved by the county auditor or municipal clerk for 22 36 months.

Sec. 15. Minnesota Statutes 2010, section 203B.121, subdivision 1, is amended to read:

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

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

(c) A ballot board may only meet to perform its duties under this chapter during the period in which completed absentee ballots are accepted for an election. The time and place of each meeting must be scheduled, announced, and posted on the Web site of the governing body of the county, municipality, or school district at least 14 days prior to convening the first meeting of the ballot board for an election. Meetings of the ballot board must be convened every business day, at the same time and in the same location. The ballot board must also meet on any day during which the county or municipal offices are open for the purposes of conducting election business prior to an election. A ballot board may not meet except during regularly scheduled meetings announced and posted as required by this paragraph.

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

Sec. 16. Minnesota Statutes 2010, section 204B.40, is amended to read:

204B.40 BALLOTS; ELECTION RECORDS AND OTHER MATERIALS; DISPOSITION; INSPECTION OF BALLOTS.

The county auditors, municipal clerks, and school district clerks shall retain all election materials returned to them after any election for at least 22 36 months from the date of that election. All election materials involved in a contested election must be retained for 22 36 months or until the contest has been finally determined, whichever is later. Abstracts filed by canvassing boards shall be retained permanently by any officer with whom those abstracts are filed. Election materials no longer required to be retained pursuant to this section shall be disposed of in accordance with sections 138.163 to 138.21. Sealed envelopes containing voted ballots must be retained unopened, except as provided in this section, in a secure location. The county auditor, municipal clerk, or school district clerk shall not permit any voted ballots to be tampered with or defaced.

After the time for filing a notice of contest for an election has passed, the secretary of state may, for the purpose of monitoring and evaluating election procedures: (1) open the sealed ballot envelopes and inspect the ballots for that election maintained by the county auditors, municipal clerks, or school district clerks; (2) inspect the polling place rosters and completed voter registration applications; or (3) examine other forms required in the Minnesota election laws for use in the polling place. No inspected ballot or document may be marked or identified in any

manner. After inspection, all ballots must be returned to the ballot envelope and the ballot envelope must be securely resealed. Any other election materials inspected or examined must be secured or resealed. ~~No polling place roster may be inspected until the voting history for that precinct has been posted. No voter registration application may be inspected until the information on it has been entered into the statewide registration system.~~

Sec. 17. Minnesota Statutes 2010, section 204C.15, subdivision 1, is amended to read:

Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for assistance because of ~~inability to read English or physical inability to mark a ballot~~ blindness, disability, or inability to read or write may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballots as directed by the voter and in as secret a manner as circumstances permit. If the voter is deaf or cannot speak English or understand it when it is spoken, the election judges may select two individuals who are members of different major political parties to provide assistance. The individuals shall assist the voter in marking the ballots. A voter in need of assistance may alternatively obtain the assistance of any individual the voter chooses. Only the following persons may not provide assistance to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate for election. A voter may also not be assisted by a paid caregiver to the voter or an agent of the paid caregiver, unless the voter is deafblind, has a severe speech impediment which prevents communication, or the voter independently requests the assistance of the caregiver. The person who assists the voter shall, unaccompanied by an election judge, retire with that voter to a booth and mark the ballot as directed by the voter. No person who assists another voter as provided in the preceding sentence shall mark the ballots of more than three voters at one election. Before the ballots are deposited, the voter may show them privately to an election judge to ascertain that they are marked as the voter directed. An election judge or other individual assisting a voter shall not in any manner request, persuade, induce, or attempt to persuade or induce the voter to vote for any particular political party or candidate. The election judges or other individuals who assist the voter shall not reveal to anyone the name of any candidate for whom the voter has voted or anything that took place while assisting the voter.

Sec. 18. Minnesota Statutes 2010, section 204C.20, subdivision 1, is amended to read:

Subdivision 1. **Determination of proper number.** The election judges shall determine the number of ballots to be counted by ~~adding the number of return envelopes from accepted absentee ballots to the number of signed voter's certificates, or to the number of names entered in the election register~~ counting the number of original voter signatures contained in the polling place roster, or on voter's receipts generated from an electronic roster. The election judges may not count the number of voter receipts collected in the precinct as a substitute for counting original voter signatures unless the voter receipts contain the name, voter identification number, and signature of the voter to whom the receipt was issued. The election judges shall then remove all the ballots from the box. Without considering how the ballots are marked, the election judges shall ascertain that each ballot is separate and shall count them to determine whether the number of ballots in the box corresponds with the number of ballots to be counted.

Sec. 19. Minnesota Statutes 2010, section 204C.20, subdivision 2, is amended to read:

Subd. 2. **Excess ballots.** If two or more ballots are found folded together like a single ballot, the election judges shall lay them aside until all the ballots in the box have been counted. If it is evident from the number of ballots to be counted that the ballots folded together were cast by one voter, the election judges shall preserve but not count them. If the number of ballots in one box exceeds the number to be counted, the election judges shall examine all the ballots in the box to ascertain that all are properly marked with the initials of the election judges. If any ballots are not properly marked with the initials of the election judges, the election judges shall preserve but not count them; however, if the number of ballots does not exceed the number to be counted, the absence of either or both sets of initials of the election judges does not, by itself, disqualify the vote from being counted ~~and must not~~ but may be the basis of a challenge in a recount. If there is still an excess of properly marked ballots, the election judges shall replace them in the box, and one election judge, without looking, shall withdraw from the box a number of ballots equal to the excess. The withdrawn ballots shall not be counted but shall be preserved as provided in subdivision 4.

Sec. 20. Minnesota Statutes 2010, section 204C.20, subdivision 4, is amended to read:

Subd. 4. **Ballots not counted; disposition.** When the final count of ballots agrees with the number of ballots to be counted, those ballots not counted shall be clearly marked "excess" on the front of the ballot and attached to a certificate made by the election judges which states the number of ballots not counted and why the ballots they were not counted. The certificate and uncounted ballots shall be sealed in a separate envelope ~~and returned to clearly marked "excess ballots."~~ The election judges shall sign their names over the envelope seal and return the ballots to the county auditor or municipal or school district clerk from whom they were received. Tabulation of vote totals from a precinct where excess ballots were removed from the ballot box shall be completed by the canvassing board responsible for certifying the election results from that precinct.

Sec. 21. Minnesota Statutes 2010, section 204C.20, is amended by adding a subdivision to read:

Subd. 5. **Applicability.** The requirements of this section apply regardless of the voting system or method of tabulation used in a precinct.

Sec. 22. Minnesota Statutes 2010, section 204C.23, is amended to read:

204C.23 SPOILED, DEFECTIVE, AND DUPLICATE BALLOTS.

(a) A ballot that is spoiled by a voter must be clearly marked "spoiled" by an election judge, placed in an envelope designated for spoiled ballots from the precinct, sealed, and returned as required by section 204C.25.

(b) A ballot that is defective to the extent that the election judges are unable to determine the voter's intent shall be marked on the back "Defective" if it is totally defective or "Defective as to,," naming the office or question if it is defective only in part. Defective ballots must be placed in an envelope designated for defective ballots from the precinct, sealed, and returned as required by section 204C.25.

(c) A damaged or defective ballot that requires duplication must be handled as required by section 206.86, subdivision 5.

Sec. 23. Minnesota Statutes 2010, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. **Information requirements.** Precinct summary statements shall be submitted by the election judges in every precinct. For all elections, the election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

~~(a)~~ (1) the number of ballots delivered to the precinct as adjusted by the actual count made by the election judges, the number of unofficial ballots made, and the number of absentee ballots delivered to the precinct;

~~(b)~~ (2) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes, the number of overvotes, and the number of defective ballots with respect to each office or question;

~~(c)~~ (3) the number of spoiled ballots, the number of duplicate ballots made, the number of absentee ballots rejected, and the number of unused ballots, presuming that the total count provided on each package of unopened prepackaged ballots is correct;

(4) the number of ballots cast;

~~(d)~~ (5) the number of ~~individuals who voted at the election in the precinct~~ voter signatures contained on the polling place roster or on voter receipts generated by an electronic roster, which must equal the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86, subdivision 1;

(6) the number of excess ballots removed by the election judges, as required by section 204C.20;

~~(e)~~ (7) the number of voters registering on election day in that precinct; and

~~(f)~~ (8) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 24. Minnesota Statutes 2010, section 206.86, subdivision 1, is amended to read:

Subdivision 1. ~~At the voting location~~ **Precinct polling locations; duties; reconciliation.** In precincts where an electronic voting system is used, as soon as the polls are closed the election judges shall secure the voting systems against further voting. They shall then open the ballot box and count the number of ~~ballot cards~~ ballots or envelopes containing ballot cards that have been cast to determine that the number of ~~ballot cards~~ ballots does not exceed the number of ~~voters shown on original voter signatures contained in the election register or registration file~~ polling place roster or on voter receipts generated from an electronic roster. The election judges may not count the number of voter receipts collected in the precinct as a substitute for counting original voter signatures unless the voter receipts contain the name, voter identification number, and signature of the voter to whom the receipt was issued. If there is an excess, the judges shall ~~seal the ballots in a ballot container and transport the container to the county auditor or municipal clerk who shall process the ballots in the same manner as paper ballots are processed in section 204C.20, subdivision 2, then enter the ballots into the ballot counter~~ proceed in the manner required for excess ballots under section 204C.20, subdivisions 2 to 4. The total number of voters must be entered on the forms provided. The judges shall next count the write-in votes and enter the number of those votes on forms provided for the purpose.

Sec. 25. Minnesota Statutes 2010, section 206.86, subdivision 2, is amended to read:

Subd. 2. **Transportation of ballot cards.** The judges shall place all voted ballot cards, excess ballots, defective ballots, and damaged ballots in the container provided for transporting them to the counting center. The container must be sealed and delivered immediately to the counting center by two judges who are not of the same major political party. The judges shall also deliver to the counting center in a suitable container the unused ~~ballot cards~~ ballots, the spoiled ballot envelope, and the ballot envelopes issued to the voters and deposited during the day in the ballot box.

Sec. 26. Minnesota Statutes 2010, section 209.021, subdivision 1, is amended to read:

Subdivision 1. **Manner; time; contents.** Service of a notice of contest must be made in the same manner as the service of summons in civil actions. The notice of contest must specify the grounds on which the contest will be made. The contestant shall serve notice of the contest on the parties enumerated in this section. Notice must be served and filed within five days after the canvass is completed in the case of a primary or special primary or within seven days after the canvass is completed in the case of a special or general election; except that:

(1) if a contest is based on a deliberate, serious, and material violation of the election laws which was discovered from the statements of receipts and disbursements required to be filed by candidates and committees, the action may be commenced and the notice served and filed within ten days after the filing of the statements in the case of a general or special election or within five days after the filing of the statements in the case of a primary or special primary;

(2) if a notice of contest questions only which party received the highest number of votes legally cast at the election, a contestee who loses may serve and file a notice of contest on any other ground during the three days following expiration of the time for appealing the decision on the vote count; and

(3) if data or documents necessary to determine grounds for a contest, including but not limited to lists of the names of every voter who participated in an election, are not available to a candidate or the general public prior to the close of the period for filing a notice of contest under this section due to nonfeasance, malfeasance, or failure to perform duties within the time required by statute on the part of the secretary of state, a county auditor, or other state, county, or municipal election official, a notice of contest may be served and filed within seven days after the data or documents become available for inspection by the candidates and the general public.

Sec. 27. Minnesota Statutes 2010, section 209.06, subdivision 1, is amended to read:

Subdivision 1. **Appointment of inspectors.** After a contest has been instituted, either party may have ~~the ballots~~ all materials relating to the election, including but not limited to polling place rosters, voter registration applications, accepted absentee ballot envelopes, rejected absentee ballot envelopes, applications for absentee ballots, precinct summary statements, printouts from voting machines, and precinct incident logs, inspected before preparing for trial. The party requesting an inspection shall file with the district court where the contest is brought a verified petition, stating that the case cannot properly be prepared for trial without an inspection of the ballots and designating the precincts in which an inspection is desired. A judge of the court in which the contest is pending shall then appoint as many sets of three inspectors for a contest of any office or question as are needed to count and inspect the ballots expeditiously. One inspector must be selected by each of the parties to the contest and a third must be chosen by those two inspectors. If either party neglects or refuses to name an inspector, the judge shall appoint the inspector. The compensation of inspectors is the same as for referees, unless otherwise stipulated.

Sec. 28. Minnesota Statutes 2010, section 211B.11, subdivision 1, is amended to read:

Subdivision 1. **Soliciting near polling places.** A person may not display campaign material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within a polling place or within 100 feet of the building in which a polling place is situated, or anywhere on the public property on which a polling place is situated, on primary or election day to vote for or refrain from voting for a candidate or ballot question. A person may not provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day if it is designed to influence voting for or against a particular candidate, political party, or question on the ballot at the election. This section applies to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

The secretary of state, county auditor, municipal clerk, or school district clerk may provide stickers which contain the words "I VOTED" and nothing more. Election judges may offer a sticker of this type to each voter who has signed the polling place roster or a voter's receipt.

Sec. 29. **REPEALER.**

(a) Minnesota Statutes 2010, sections 203B.04, subdivision 3; and 204B.36, subdivision 5, are repealed.

(b) Minnesota Rules, parts 8200.0300; 8200.0800; 8200.1100; 8200.1200, subparts 1, 1b, 2, and 3; 8200.1700; 8200.1800; 8200.2100; 8200.2200; 8200.2500; 8200.2600; 8200.2700; 8200.2900; 8200.2950; 8200.3000; 8200.3100, subpart 1; 8200.3110; 8200.3200; 8200.3500; 8200.3550; 8200.3600; 8200.3700; 8200.3800, subpart 1; 8200.3900; 8200.4000; 8200.5100; 8200.5200; 8200.5300; 8200.5400; 8200.5500; 8200.5600; 8200.5800; 8200.6100; 8200.6200; 8200.6400; 8200.7100; 8200.7200; 8200.9115, subparts 1 and 3; 8200.9120; 8200.9300, subparts 7, 8, 9, 10, and 11; 8200.9305; 8200.9310, subparts 1, 2, 3, and 5; 8200.9315; 8200.9320; 8200.9325;

8200.9939; 8200.9940; 8200.9950; 8200.9960; 8205.1010; 8205.1020; 8205.1030; 8205.1040; 8205.1050; 8205.2000, subparts 1, 1a, 3, and 4; 8205.2010; 8205.2100, subpart 1; 8205.2110, subparts 1, 1a, 3, and 4; 8205.2120; 8210.0050; 8210.0100; 8210.0200, subpart 4; 8210.0225; 8210.0300; 8210.0500; 8210.0600, subparts 1, 1a, 1b, 2, and 3; 8210.0710; 8210.0720; 8210.0730; 8210.0800, subparts 3, 3a, and 4; 8210.1000; 8210.2000; 8210.2100; 8210.2200; 8210.2300; 8210.2400; 8210.2450; 8210.2500; 8210.2600; 8210.2700; 8210.3000, subparts 1, 2, 3, 4, 4a, 4b, 5, 6, 7, 8, 9, 10, 11, 12, and 13; 8220.0050; 8220.0150; 8220.0250, subparts 1, 1a, 3a, 3b, 4a, 5a, 5b, 11, 14, 15, 16, 18, 18a, 21, 22a, 22b, 24, 26, 28a, 30, 33, and 35; 8220.0325; 8220.0350; 8220.0450; 8220.0550; 8220.0650; 8220.0700; 8220.0750; 8220.0800; 8220.0825; 8220.0850; 8220.1050; 8220.1150; 8220.1350; 8220.1450; 8220.1550; 8220.1650; 8220.1750; 8220.1850; 8220.2050; 8220.2250; 8220.2850; 8220.2860; 8220.2865; 8230.0050; 8230.0150; 8230.0250; 8230.0560; 8230.0570; 8230.0580; 8230.0650; 8230.0850; 8230.1050; 8230.1130; 8230.1150, subparts 1 and 3; 8230.1350; 8230.1450; 8230.1850; 8230.1860; 8230.2010; 8230.2020; 8230.2030; 8230.2040; 8230.2050; 8230.2150; 8230.2250; 8230.2450; 8230.3450; 8230.3550; 8230.3560; 8230.3750, subparts 1, 2, 4, and 5; 8230.3850; 8230.3950; 8230.4050; 8230.4150; 8230.4325; 8230.4355; 8230.4360; 8230.4365; 8230.4370; 8230.4375; 8230.4380; 8230.4385; 8230.4390; 8230.4395; 8240.0100; 8240.0200; 8240.0300; 8240.1050; 8240.1100; 8240.1200; 8240.1300; 8240.1350; 8240.1400; 8240.1500; 8240.1600; 8240.1655, subparts 1, 2, 3, 4, and 6; 8240.1750; 8240.1800; 8240.1900; 8240.1950; 8240.2000; 8240.2100; 8240.2200; 8240.2300; 8240.2400; 8240.2500; 8240.2700; 8240.2800; 8240.2850; 8240.2900; 8250.0100; 8250.0200; 8250.0300; 8250.0350; 8250.0365; 8250.0370; 8250.0375; 8250.0385; 8250.0390; 8250.0395; 8250.0397; 8250.0398; 8250.0400; 8250.0500; 8250.0600; 8250.0700; 8250.0800; 8250.0900; 8250.1000; 8250.1100; 8250.1200; 8250.1600; and 8250.1810, are repealed.

EFFECTIVE DATE. Paragraph (b) is effective May 21, 2012.

ARTICLE 3 ELECTRONIC ROSTERS

Section 1. Minnesota Statutes 2010, section 200.02, is amended by adding a subdivision to read:

Subd. 12a. **Polling place roster.** "Polling place roster" means the official lists used to record a voter's appearance in a polling place on election day, including the list of registered voters in the precinct, and the list of voters registering on election day. A polling place roster may be in a printed or electronic format, as permitted by section 201.225.

Sec. 2. Minnesota Statutes 2010, section 201.221, subdivision 3, is amended to read:

Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe the form of polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. A polling place roster provided in an electronic form must allow for a printed voter's receipt that meets the standards provided in section 201.225, subdivision 2. The secretary of state may prescribe additional election-related information to be placed on the polling place rosters on an experimental basis for one state primary and general election cycle; the same information may not be placed on the polling place roster for a second state primary and general election cycle unless specified in this subdivision. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for ~~22~~ 36 months following the election.

Sec. 3. **[201.225] ELECTRONIC ROSTER; STANDARDS.**

Subdivision 1. Requirement; certification of system. (a) Except as provided in paragraph (c), each precinct must have a secure electronic connection to the statewide voter registration system maintained by the secretary of state, to serve as the precinct's electronic polling place roster.

(b) Precincts may not use an electronic roster until the secretary of state has certified that the secure electronic connection to the statewide voter registration system is sufficient to prevent any voter from voting more than once at an election and to prevent access to the system by unauthorized individuals.

(c)(1) If the county auditor or municipal clerk certifies to the secretary of state that a precinct is unable to access the statewide connection, the precinct may use two computers connected together in the precinct as the electronic roster. At a minimum, computers used in a precinct that do not have a live connection to the statewide voter registration system must have a stored electronic roster of registered voters for that precinct.

(2) Use of electronic rosters and the secure statewide connection is not required in a precinct with 100 or fewer registered voters.

Subd. 2. Minimum standards for electronic rosters. At a minimum, an electronic roster must:

(1) be preloaded with data from the statewide voter registration system, including data on individuals known to be ineligible to vote;

(2) permit all voting information processed by any computer in a precinct to be immediately accessible to all other computers at all other connected precincts in the state;

(3) provide for a printed voter's receipt, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature;

(4) immediately alert the election judge if the statewide voter registration system indicates that a voter has already voted at the election in another polling place, is ineligible to vote, or the voter's registration status is challenged;

(5) automatically accept and input data from a scanned Minnesota driver's license or identification card and match the data to an existing voter registration record, and permit manual input of voter data, if necessary; and

(6) perform any other functions required for the efficient and secure administration of an election, as required by law.

Subd. 3. Costs. Costs to purchase and maintain electronic roster software, including costs associated with maintaining the necessary secure data connections to the statewide voter registration system, and the initial purchase of equipment shall be paid by the state. The commissioner of administration shall contract for and purchase the software and equipment necessary to implement the requirements of this section and chapter 206A and distribute it in a timely manner to each county auditor and municipal clerk responsible for overseeing elections in the state. Subsequent equipment maintenance and purchasing costs shall be paid by the county or municipality through cost savings generated by the use of electronic roster technology.

Sec. 4. Minnesota Statutes 2010, section 204B.14, subdivision 2, is amended to read:

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

(1) each city ward; and

(2) each town and each statutory city.

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

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

(2) for two contiguous precincts in the same municipality that have a combined total of fewer than 500 registered voters;

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

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

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than April 1 of any year.

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

Sec. 5. Minnesota Statutes 2010, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

(a) An individual seeking to vote shall sign a polling place roster or printed voter's receipt, generated from an electronic roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, the felony sentence has expired or been completed or the individual has been discharged from the sentence, is registered and has not already voted in the election. The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) A judge may, before the applicant signs the roster or receipt, confirm the applicant's name, address, and date of birth.

(c) In precincts where a paper roster is used, after the applicant signs the roster, the judge shall give the applicant a voter's receipt. Regardless of the form of roster used, a voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained ~~during the time for notice of filing an election contest~~ for 36 months following the date of the election.

Sec. 6. Minnesota Statutes 2010, section 204C.12, subdivision 4, is amended to read:

Subd. 4. **Refusal to answer questions or sign a polling place roster.** A challenged individual who refuses to answer questions or sign a polling place roster or voter's receipt as required by this section must not be allowed to vote. A challenged individual who leaves the polling place and returns later willing to answer questions or sign a polling place roster or voter's receipt must not be allowed to vote.

Sec. 7. Minnesota Statutes 2010, section 204D.24, subdivision 2, is amended to read:

Subd. 2. **Voter registration.** An individual may register to vote at a special primary or special election at any time before the day that the polling place rosters for the special primary or special election are ~~prepared~~ finally secured by the secretary of state for the election. The secretary of state shall provide the county auditors with notice of this date at least seven days before the ~~printing of the~~ rosters are secured. This subdivision does not apply to a special election held on the same day as the state primary, state general election, or the regularly scheduled primary or general election of a municipality, school district, or special district.

Sec. 8. **[206A.01] APPLICABILITY.**

This chapter applies to each designated election official who transmits election records via teleprocessing lines to a centralized electronic roster maintained by the secretary of state for the purpose of conducting an election and compiling complete returns.

Sec. 9. **[206A.02] DEFINITIONS.**

Subdivision 1. **Definitions.** The definitions in this section apply to this chapter.

Subd. 2. **Designated election official.** "Designated election official" means the county auditor or municipal clerk.

Subd. 3. **Elector data.** "Elector data" means voting information, including, but not limited to, voter registration, voting history, and voting tabulations.

Subd. 4. **Electronic roster.** "Electronic roster" is a list of eligible electors in electronic format who are permitted to vote at a polling place in an election conducted under the Minnesota Election Law, which shall be processed by a computer at a precinct to be immediately accessible to all other computers at all precincts in the county.

Subd. 5. **Teleprocessing lines.** "Teleprocessing lines" means secure, dedicated communication transmission facilities used for the purpose of transferring elector data between precincts and a centralized computerized roster maintained by the secretary of state, to ensure the security and integrity of voting information so that no deviation can go undetected.

Sec. 10. **[206A.03] MINIMUM CONTINGENCY AND SECURITY PROCEDURES.**

(a) The designated election official shall establish written security procedures covering the transference of precinct teleprocessing information. The procedures must include:

(1) security covering the transmission of elector data processed through the electronic roster and reconciliation of the registration and history of voters casting ballots in a precinct; and

(2) contingency procedures for network and power failure. The procedures must, at a minimum, include procedures to address all single point failures including:

(i) network failure;

(ii) power failure that lasts less than one hour; and

(iii) power failure that lasts more than one hour.

(b) Acceptable alternatives for addressing power or system failures include either:

(1) a paper backup of the roster with the minimum information required to verify a voter's eligibility; or

(2) a sufficient number of computers per precinct to ensure that the voter check-in continues in an efficient manner. The computers must have the ability to function on batteries or an external power source for up to two hours.

(c) Each computer must have an electronic backup of the current roster in one of the following formats:

(1) a portable document file (PDF);

(2) a spreadsheet; or

(3) a database with a basic look-up interface.

In addition to acceptable backup roster procedures, the security procedures must address contingency procedures to protect against activities such as voting twice.

Sec. 11. **[206A.04] MINIMUM STANDARDS FOR DATA ENCRYPTION.**

(a) The designated election official shall submit to the secretary of state evidence that the connection to an electronic roster is secure including details concerning encryption methodology. In addition, the electronic roster must meet or exceed the standards provided for in this section.

(b) Proven, standard algorithms must be used as the basis for encryption technologies.

(c) If an electronic roster utilizes a Virtual Private Network (VPN), the following apply:

(1) it is the responsibility of the county to ensure that unauthorized users are not allowed access to internal networks;

(2) VPN use is to be controlled using either a onetime password authentication such as a token device or a public/private key system with a strong passphrase;

(3) when actively connected to the network, VPNs must force all traffic to and from the computer over the VPN tunnel and all other traffic must be dropped;

(4) dual (split) tunneling is not permitted; only one network connection is allowed;

(5) VPN gateways must be set up and managed by the county or its designee;

(6) all computers connected to internal networks via VPN or any other technology must use up-to-date antivirus software; and

(7) the VPN concentrator is limited to an absolute connection time of 24 hours.

Sec. 12. **[206A.05] MINIMUM ELECTRONIC ROSTER TRANSACTION REQUIREMENTS.**

Subdivision 1. Standards. (a) The electronic roster system connection must contain enough bandwidth to handle the processing time, taking into account secured transaction method, for any computer on the system as follows:

(1) a maximum of five seconds to update voter activity;

(2) a maximum of 1.5 seconds to process a voter inquiry by identification number; and

(3) a maximum of 45 seconds for session startup and password verification.

(b) The designated election official shall include in the security plan the system data transfer requirements to completely process a single voter record. This must include at least the following:

(1) the data stream information on both sending and receiving data for all points of the transaction until the transaction is complete;

(2) information on all points where the connection is closed and the data stream released between the remote computer and the server; and

(3) the proposed method of securing transmissions across public networks.

(c) The designated election official shall submit in the security plan a detailed list of all precincts, with a proposed number of workstations connecting to the database and the proposed connection, including bandwidth and security, for each location.

Sec. 13. **[206A.06] ELECTRONIC ROSTER PREELECTION TESTING PROCEDURES.**

(a) The electronic roster application must be tested to ensure that it meets the minimum system requirements prior to the first election in which it is used. The application must also be tested after the implementation of any system modifications. The county shall indicate in the subsequent security plan whether such retesting has occurred.

(b) The test must, at a minimum, include the following:

(1) a load test must be demonstrated through either 60 percent of actual computers running at proposed bandwidth and security settings, or by simulating a load test;

(2) a contingency/failure test must be demonstrated and documented illustrating the effects of failures identified in section 206A.03; and

(3) all tests must be conducted with clients and servers in normal, typical, deployed operating mode.

(c) All records and documentation of the testing must be retained by the designated election official for a period of 36 months as part of the election record. The testing record and documentation must include, but is not limited to, the following:

(1) a formal test plan containing all test scripts used;

(i) the test plan must include test environment containing make, model, type of hardware, and software versions used in testing; and

(ii) the test plan must also include the number of client computers, servers, and physical locations involved in testing;

(2) test logs of all events that were observed during testing, including:

(i) the sequence of actions necessary to set up the tests;

(ii) the actions necessary to start the tests;

(iii) the actions taken during the execution of the tests;

(iv) any measurements taken or observed during the tests;

(v) any actions necessary to stop or shut down the tests;

(vi) any actions necessary to bring the tests to a halt; and

(vii) any actions necessary or taken to deal with anomalies experienced during testing;

(3) performance logs and reports taken from both servers and workstations during the testing which contain performance information of:

(i) network usage (bandwidth);

(ii) processor utilization;

(iii) Random Access Memory (RAM) utilization; and

(iv) any additional performance monitoring reports necessary to explain the process taken and to support the findings of the tests; and

(4) all test logs must contain date, time, operator, test status or outcome, and any additional information to assist the secretary of state in making a determination.

Sec. 14. **[206A.07] MINIMUM NUMBER OF COMPUTERS REQUIRED FOR A PRECINCT.**

Subdivision 1. **Requirement.** Counties shall allocate computers to their precincts based upon the following minimum requirements. Voter registration numbers shall be calculated based upon the total number of registered voters in the county 90 days preceding the election. The minimum computers required shall be on site at each precinct.

(a) Precincts with fewer than 500 registered voters shall be allocated a minimum of two computers, except that a precinct with fewer than 250 registered voters may allocate a single computer to the precinct so long as the county auditor or municipal clerk has established paper backup contingency procedures of the roster with the minimum information required to verify a voter's eligibility.

(b) Precincts with 500 or more registered voters shall allocate a minimum of three computers to each precinct.

Subd. 2. **Alternate plan.** (a) A county auditor or municipal clerk may submit to the secretary of state an alternate plan establishing the number of computers allocated to each precinct. The alternate plan must establish the reasons for proposed computer allocation and provide statistical information based on historical voter turnout at each precinct and include other relevant information, as necessary.

(b) In no event shall an alternate plan be submitted to the secretary of state unless the minimum amount of computers allocated by a county is equal to or greater than the minimum number of computers established in this section and there are no less than two computers allocated to each precinct except for the requirements established in this section.

Sec. 15. **[206A.08] WRITTEN PROCEDURES AND REPORTS.**

(a) Written procedures and reports required by this chapter must be submitted to the secretary of state for approval no later than 60 days before the election. The secretary of state shall either approve the procedures as submitted or notify the designated election official of recommended changes.

(b) If the secretary of state rejects or approves the written procedures, the secretary of state shall provide written notice of the rejection or approval, including specifics of noncompliance with this chapter within 15 days of receiving the written procedures.

(c) If the secretary of state rejects the written procedures, the designated election official shall submit a revised procedure within 15 days.

(d) The secretary of state shall permit the filing of the revised procedures at a later date if it is determined that compliance with the 15-day requirement is impossible.

Sec. 16. Minnesota Statutes 2010, section 211B.11, subdivision 1, is amended to read:

Subdivision 1. **Soliciting near polling places.** A person may not display campaign material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within a polling place or within 100 feet of the building in which a polling place is situated, or anywhere on the public property on which a polling place is situated, on primary or election day to vote for or refrain from voting for a candidate or ballot question. A person may not provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day. This section applies to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

The secretary of state, county auditor, municipal clerk, or school district clerk may provide stickers which contain the words "I VOTED" and nothing more. Election judges may offer a sticker of this type to each voter who has signed the polling place roster or a voter's receipt.

Sec. 17. **APPROPRIATION.**

\$..... is appropriated to the commissioner of administration for purposes of purchasing software and equipment as required by this article.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 18. **EFFECTIVE DATE.**

Except where otherwise provided, this article is effective June 1, 2012, and applies to elections held on or after that date.

ARTICLE 4
RECOUNTS

Section 1. Minnesota Statutes 2010, section 204C.38, is amended to read:

204C.38 CORRECTION OF OBVIOUS ERRORS; WHEN CANDIDATES AGREE.

Subdivision 1. **Errors of election judges.** If the candidates for an office unanimously agree in writing that the election judges in any precinct have made an obvious error in the counting or recording of the votes for that office, they shall deliver the agreement to the county auditor of that county who shall reconvene the county canvassing board, if necessary, and present the agreement to it. The county canvassing board shall correct the error as specified in the agreement.

Subd. 2. **Errors of county canvassing board.** If the candidates for an office unanimously agree in writing that the county canvassing board has made an obvious error in the counting and recording of the vote for that office they shall notify the county auditor who shall reconvene the canvassing board. The county canvassing board shall promptly correct the error as specified in the agreement and file an amended report. When an error is corrected pursuant to this subdivision, the county canvassing board and the county auditor shall proceed in accordance with sections 204C.32 to ~~204C.36~~ 204C.33 and chapter 204E.

Subd. 3. **Errors of State Canvassing Board.** If the candidates for an office unanimously agree in writing that the State Canvassing Board has made an obvious error in the counting and recording of the vote for that office they shall deliver the agreement to the secretary of state. If a certificate of election has not been issued, the secretary of state shall reconvene the State Canvassing Board and present the agreement to it. The board shall promptly correct the error as specified in the agreement and file an amended statement. When an error is corrected pursuant to this subdivision by the State Canvassing Board, the State Canvassing Board and the secretary of state shall proceed in accordance with sections 204C.32 to ~~204C.36~~ 204C.33 and chapter 204E.

Sec. 2. **[204E.01] APPLICABILITY.**

This chapter establishes procedures for the conduct of all automatic and discretionary recounts provided for in law.

Sec. 3. **[204E.02] RECOUNT OFFICIALS.**

(a) The secretary of state or the secretary of state's designee is the recount official for recounts conducted by the State Canvassing Board. The county auditor or the county auditor's designee is the recount official for recounts conducted by the county canvassing board. The county auditor or the county auditor's designee shall conduct recounts for county offices. The municipal clerk or the municipal clerk's designee is the recount official for recounts conducted by the municipal governing body. The school district clerk or the school district clerk's designee is the recount official for recounts conducted by the school board, or by a school district canvassing board as provided in section 205A.10, subdivision 5.

(b) A recount official may delegate the duty to conduct a recount to a county auditor or municipal clerk by mutual consent. When the person who would otherwise serve as recount official is a candidate or is the employee or other subordinate, spouse, child, parent, grandparent, grandchild, stepparent, stepchild, sibling, half-sibling, or stepsibling of a candidate for the office to be recounted, the appropriate canvassing board shall select a county auditor or municipal clerk from another jurisdiction to conduct the recount.

(c) As used in this chapter, "legal adviser" means counsel to the recount official and the canvassing board for the office being recounted.

Sec. 4. **[204E.03] SCOPE OF RECOUNTS.**

A recount conducted as provided in this chapter is limited in scope to the determination of the number of votes validly cast for the office to be recounted. Only the ballots cast in the election and the summary statements certified by the election judges may be considered in the recount process. Original ballots that have been duplicated under section 206.86, subdivision 5, are not within the scope of a recount and must not be examined except as provided by a court in an election contest under chapter 209.

Sec. 5. **[204E.04] FEDERAL, STATE, AND JUDICIAL RACES.**

Subdivision 1. **Automatic recounts.** (a) In a state primary when the difference between the votes cast for the candidates for nomination to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office is:

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

(2) ten votes or less and the total number of votes cast for the nomination is 400 votes or less, and the difference determines the nomination, the canvassing board with responsibility for declaring the results for that office shall manually recount the vote.

(b) In a state general election when the difference between the votes of a candidate who would otherwise be declared elected to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office and the votes of any other candidate for that office is:

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

(2) ten votes or less if the total number of votes cast for the office is 400 votes or less, the canvassing board shall manually recount the votes.

(c) Time for notice of a contest for an office recounted under this section begins to run upon certification of the results of the recount by the canvassing board, or as otherwise provided in section 209.021.

(d) A losing candidate may waive a recount required by this section by filing a written notice of waiver with the canvassing board.

Subd. 2. **Discretionary candidate recount.** (a) A losing candidate whose name was on the ballot for nomination or election to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office may request a recount in a manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by this section. The votes must be manually recounted as provided in this section if the candidate files a request during the time for filing notice of contest of the primary or election for which a recount is sought.

(b) The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. The requesting candidate is responsible for the following expenses: the compensation of the secretary of state or designees and any election judge, municipal clerk, county auditor, administrator, or other personnel who participate in the recount; necessary supplies and travel related to the recount; the compensation of the appropriate canvassing board and costs of preparing for the canvass of recount results; and any attorney fees incurred in connection with the recount by the governing body responsible for the recount.

(c) The requesting candidate may provide the filing officer with a list of up to three precincts that are to be recounted first and may waive the balance of the recount after these precincts have been counted. If the candidate provides a list, the recount official must determine the expenses for those precincts in the manner provided by paragraph (b).

(d) If the winner of the race is changed by the optional recount, the cost of the recount must be paid by the jurisdiction conducting the recount.

(e) If a result of the vote counting in the manual recount is different from the result of the vote counting reported on election day by a margin greater than the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4, the cost of the recount must be paid by the jurisdiction conducting the recount.

Sec. 6. **[204E.05] RECOUNTS IN COUNTY, SCHOOL DISTRICT, AND MUNICIPAL ELECTIONS.**

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

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

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

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

Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate for nomination or election to a county, municipal, or school district office may request a recount in the manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by subdivision 1. The votes must be manually recounted as provided in this section if the requesting candidate files with the county auditor, municipal clerk, or school district clerk a bond, cash, or surety in an amount set by the governing body of the jurisdiction or the school board of the school district for the payment of the recount expenses.

(b) The requesting candidate may provide the filing officer with a list of up to three precincts that are to be recounted first and may waive the balance of the recount after these precincts have been counted. If the candidate provides a list, the recount official must determine the expenses for those precincts in the manner provided by this paragraph.

(c) If the winner of the race is changed by the optional recount, the cost of the recount must be paid by the jurisdiction conducting the recount.

(d) If a result of the vote counting in the manual recount is different from the result of the vote counting reported on election day by a margin greater than the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4, the cost of the recount must be paid by the jurisdiction conducting the recount.

Subd. 3. **Discretionary ballot question recounts.** A recount may be conducted for a ballot question when the difference between the votes for and the votes against the question is less than or equal to the difference provided in subdivision 1. A recount may be requested by any person eligible to vote on the ballot question. A written request for a recount must be filed with the filing officer of the county, municipality, or school district placing the question on the ballot and must be accompanied by a petition containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a written request when the difference between the votes for and the votes against the question is less than or equal to the difference provided in subdivision 1, the county auditor shall recount the votes for a county question at the expense of the county, the governing body of the municipality shall recount the votes for a municipal question at the expense of the municipality, and the school board of the school district shall recount the votes for a school district question at the expense of the school district. If the difference between the votes for and the votes against the question is greater than the difference provided in subdivision 1, the person requesting the recount shall also file with the filing officer of the county, municipality, or school district a bond, cash, or surety in an amount set by the appropriate governing body for the payment of recount expenses. The written request, petition, and any bond, cash, or surety required must be filed during the time for notice of contest for the election for which the recount is requested.

Subd. 4. **Expenses.** In the case of a question, a person, or a candidate requesting a discretionary recount, is responsible for the following expenses: the compensation of the secretary of state, or designees, and any election judge, municipal clerk, county auditor, administrator, or other personnel who participate in the recount; necessary supplies and travel related to the recount; the compensation of the appropriate canvassing board and costs of preparing for the canvass of recount results; and any attorney fees incurred in connection with the recount by the governing body responsible for the recount.

Subd. 5. **Notice of contest.** Except as otherwise provided in section 209.021, the time for notice of contest of a nomination or election to an office which is recounted pursuant to this section begins to run upon certification of the results of the recount by the appropriate canvassing board or governing body.

Sec. 7. **[204E.06] NOTICE.**

Within 24 hours after determining that an automatic recount is required or within 48 hours of receipt of a written request for a recount and filing of a security deposit if one is required, the official in charge of the recount shall send notice to the candidates for the office to be recounted and the county auditor of each county wholly or partially within the election district. The notice must include the date, starting time, and location of the recount, the office to be recounted, and the name of the official performing the recount. The notice must state that the recount is open to the public and, in case of an automatic recount, that the losing candidate may waive the recount.

Sec. 8. **[204E.07] SECURING BALLOTS AND MATERIALS.**

(a) The official who has custody of the voted ballots is responsible for keeping secure all election materials. Registration cards of voters who registered on election day may be processed as required by rule. All other election materials must be kept secure by precinct as returned by the election judges until all recounts have been completed and until the time for contest of election has expired.

(b) Any candidate for an office to be recounted may have all materials relating to the election, including but not limited to polling place rosters, voter registration applications, accepted absentee ballot envelopes, rejected absentee ballot envelopes, applications for absentee ballots, precinct summary statements, printouts from voting machines, and precinct incident logs inspected before the canvassing board may certify the results of the recount.

Sec. 9. **[204E.08] FACILITIES AND EQUIPMENT.**

All recounts must be accessible to the public. In a multicounty recount the secretary of state may locate the recount in one or more of the election jurisdictions or at the site of the canvassing board. Each election jurisdiction where a recount is conducted shall make available, without charge to the recount official or body conducting the recount, adequate accessible space and all necessary equipment and facilities.

Sec. 10. **[204E.09] GENERAL PROCEDURES.**

At the opening of a recount, the recount official or legal adviser shall present the procedures contained in this section for the recount. The custodian of the ballots shall make available to the recount official the precinct summary statements, the precinct boxes or the sealed containers of voted ballots, and any other election materials requested by the recount official. If the recount official needs to leave the room for any reason, the recount official must designate a deputy recount official to preside during the recount official's absence. A recount official must be in the room at all times. The containers of voted ballots must be unsealed and resealed within public view. No ballots or election materials may be handled by candidates, their representatives, or members of the public. There must be an area of the room from which the public may observe the recount. Cell phones and video cameras may be used in this public viewing area, as long as their use is not disruptive. The recount official shall arrange the counting of the ballots so that the candidates and their representatives may observe the ballots as they are recounted. Candidates may each have one representative observe the sorting of each precinct. One additional representative per candidate may observe the ballots when they have been sorted and are being counted pursuant to section 204E.10. Candidates may have additional representatives in the public viewing area of the room. If other election materials are handled or examined by the recount officials, the candidates and their representatives may observe them. The recount official shall ensure that public observation does not interfere with the counting of the ballots. The recount official shall prepare a summary of the recount vote by precinct.

Sec. 11. **[204E.10] COUNTING AND CHALLENGING BALLOTS.**

Subdivision 1. **Breaks in counting process.** Recount officials may not take a break for a meal or for the day prior to the completion of the sorting, counting, review, and labeling of challenges, and secure storage of the ballots for any precinct. All challenged ballots must be stored securely during breaks in the counting process.

Subd. 2. **Sorting ballots.** Ballots must be recounted by precinct. The recount official shall open the sealed container of ballots and recount them in accordance with section 204C.22. The recount official must review each ballot and sort the ballots into piles based upon the recount official's determination as to which candidate, if any, the voter intended to vote for: one pile for each candidate that is the subject of the recount and one pile for all other ballots.

Subd. 3. **Challenge.** During the sorting, a candidate or candidate's representative may challenge the ballot if he or she disagrees with the recount official's determination of for whom the ballot should be counted and whether there are identifying marks on the ballot. At a recount of a ballot question, the manner in which a ballot is counted may be challenged by the person who requested the recount or that person's representative. Challenges may not be automatic or frivolous and the challenger must state the basis for the challenge pursuant to section 204C.22. Challenged ballots must be placed into separate piles, one for ballots challenged by each candidate. Only the canvassing board with responsibility to certify the results of the recount has the authority to declare a challenge to be "frivolous."

Subd. 4. **Counting ballots.** Once ballots have been sorted, the recount officials must count the piles using the stacking method described in section 204C.21. A candidate or candidate's representative may immediately request to have a pile of 25 counted a second time if there is not agreement as to the number of votes in the pile.

Subd. 5. **Reviewing and labeling challenged ballots.** After the ballots from a precinct have been counted, the recount official may review the challenged ballots with the candidate or the candidate's representative. The candidate's representative may choose to withdraw any challenges previously made. The precinct name, the reason for the challenge, and the name of the person challenging the ballot or the candidate that person represents, and a sequential number must be marked on the back of each remaining challenged ballot before it is placed in an envelope marked "Challenged Ballots." After the count of votes for the precinct has been determined, all ballots except the challenged ballots must be resealed in the ballot envelopes and returned with the other election materials to the custodian of the ballots. The recount official may make copies of the challenged ballots. After the count of votes for all precincts has been determined during that day of counting, the challenged ballot envelope must be sealed and kept secure for presentation to the canvassing board.

Sec. 12. **[204E.11] RESULTS OF RECOUNT; TIE VOTES.**

Subdivision 1. **Certification of results.** The recount official shall present the summary statement of the recount and any challenged ballots to the canvassing board. The candidate or candidate's representative who made the challenge may present the basis for the challenge to the canvassing board. The canvassing board shall rule on the challenged ballots and incorporate the results into the summary statement. The canvassing board shall certify the results of the recount. Challenged ballots must be returned to the election official who has custody of the ballots.

Subd. 2. **Tie votes.** In case of a tie vote for nomination or election to an office, the canvassing board with the responsibility for declaring the results for that office shall determine the tie by lot.

Sec. 13. **[204E.12] SECURITY DEPOSIT.**

When a bond, cash, or surety for recount expenses is required by section 204E.04 or 204E.05, the governing body or recount official shall set the amount of the security deposit at an amount which will cover expected recount expenses. In multicounty districts, the secretary of state shall set the amount taking into consideration the expenses of the election jurisdictions in the district and the expenses of the secretary of state. The security deposit must be filed during the period for requesting an administrative recount. In determining the expenses of the recount, only the actual recount expenditures incurred by the recount official and the election jurisdiction in conducting the recount may be included. General office and operating costs may not be taken into account.

Sec. 14. **REVISOR'S INSTRUCTION.**

Except where otherwise amended by this article, the revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall make necessary cross-reference changes consistent with the renumbering.

Column A

204C.34

204C.35

204C.36

Column B

204E.11, subdivision 2

204E.04

204E.05

Sec. 15. **REPEALER.**

Minnesota Statutes 2010, sections 204C.34; 204C.35; 204C.36; and 204C.361, and Minnesota Rules, parts 8235.0200; 8235.0300; 8235.0400; 8235.0600; 8235.0700; 8235.0800; 8235.1100; and 8235.1200, are repealed.

Sec. 16. EFFECTIVE DATE.

This article is effective June 1, 2011, and applies to recounts conducted on or after that date."

Delete the title and insert:

"A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot; providing for the issuance of identification cards at no charge; establishing a procedure for provisional balloting; specifying other election administration procedures; requiring use of electronic polling place rosters; enacting procedures related to recounts; appropriating money; amending Minnesota Statutes 2010, sections 135A.17, subdivision 2; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 7; 201.071, subdivision 3; 201.081; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.04, subdivisions 1, 2; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.15, subdivision 1; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.38; 204D.24, subdivision 2; 206.86, subdivisions 1, 2; 209.021, subdivision 1; 209.06, subdivision 1; 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 203B.04, subdivision 3; 204B.36, subdivision 5; 204C.34; 204C.35; 204C.36; 204C.361; Minnesota Rules, parts 8200.0300; 8200.0800; 8200.1100; 8200.1200, subparts 1, 1b, 2, 3; 8200.1700; 8200.1800; 8200.2100; 8200.2200; 8200.2500; 8200.2600; 8200.2700; 8200.2900; 8200.2950; 8200.3000; 8200.3100, subpart 1; 8200.3110; 8200.3200; 8200.3500; 8200.3550; 8200.3600; 8200.3700; 8200.3800, subpart 1; 8200.3900; 8200.4000; 8200.5100; 8200.5200; 8200.5300; 8200.5400; 8200.5500; 8200.5600; 8200.5800; 8200.6100; 8200.6200; 8200.6400; 8200.7100; 8200.7200; 8200.9115, subparts 1, 3; 8200.9120; 8200.9300, subparts 7, 8, 9, 10, 11; 8200.9305; 8200.9310, subparts 1, 2, 3, 5; 8200.9315; 8200.9320; 8200.9325; 8200.9939; 8200.9940; 8200.9950; 8200.9960; 8205.1010; 8205.1020; 8205.1030; 8205.1040; 8205.1050; 8205.2000, subparts 1, 1a, 3, 4; 8205.2010; 8205.2100, subpart 1; 8205.2110, subparts 1, 1a, 3, 4; 8205.2120; 8210.0050; 8210.0100; 8210.0200, subpart 4; 8210.0225; 8210.0300; 8210.0500; 8210.0600, subparts 1, 1a, 1b, 2, 3; 8210.0710; 8210.0720; 8210.0730; 8210.0800, subparts 3, 3a, 4; 8210.1000; 8210.2000; 8210.2100; 8210.2200; 8210.2300; 8210.2400; 8210.2450; 8210.2500; 8210.2600; 8210.2700; 8210.3000, subparts 1, 2, 3, 4, 4a, 4b, 5, 6, 7, 8, 9, 10, 11, 12, 13; 8220.0050; 8220.0150; 8220.0250, subparts 1, 1a, 3a, 3b, 4a, 5a, 5b, 11, 14, 15, 16, 18, 18a, 21, 22a, 22b, 24, 26, 28a, 30, 33, 35; 8220.0325; 8220.0350; 8220.0450; 8220.0550; 8220.0650; 8220.0700; 8220.0750; 8220.0800; 8220.0825; 8220.0850; 8220.1050; 8220.1150; 8220.1350; 8220.1450; 8220.1550; 8220.1650; 8220.1750; 8220.1850; 8220.2050; 8220.2250; 8220.2850; 8220.2860; 8220.2865; 8230.0050; 8230.0150; 8230.0250; 8230.0560; 8230.0570; 8230.0580; 8230.0650; 8230.0850; 8230.1050; 8230.1130; 8230.1150, subparts 1, 3; 8230.1350; 8230.1450; 8230.1850; 8230.1860; 8230.2010; 8230.2020; 8230.2030; 8230.2040; 8230.2050; 8230.2150; 8230.2250; 8230.2450; 8230.3450; 8230.3550; 8230.3560; 8230.3750, subparts 1, 2, 4, 5; 8230.3850; 8230.3950; 8230.4050; 8230.4150; 8230.4325; 8230.4355; 8230.4360; 8230.4365; 8230.4370; 8230.4375; 8230.4380; 8230.4385; 8230.4390; 8230.4395; 8235.0200; 8235.0300; 8235.0400; 8235.0600; 8235.0700; 8235.0800; 8235.1100; 8235.1200; 8240.0100; 8240.0200; 8240.0300; 8240.1050; 8240.1100; 8240.1200; 8240.1300; 8240.1350; 8240.1400; 8240.1500; 8240.1600; 8240.1655, subparts 1, 2, 3, 4, 6; 8240.1750; 8240.1800; 8240.1900; 8240.1950; 8240.2000; 8240.2100; 8240.2200; 8240.2300; 8240.2400; 8240.2500; 8240.2700; 8240.2800; 8240.2850; 8240.2900; 8250.0100; 8250.0200; 8250.0300; 8250.0350; 8250.0365; 8250.0370; 8250.0375; 8250.0385; 8250.0390; 8250.0395; 8250.0397; 8250.0398; 8250.0400; 8250.0500; 8250.0600; 8250.0700; 8250.0800; 8250.0900; 8250.1000; 8250.1100; 8250.1200; 8250.1600; 8250.1810."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Davids from the Committee on Taxes to which was referred:

H. F. No. 258, A bill for an act relating to taxation; revenue recapture; authorizing licensed ambulance services to submit claims directly to the state; amending Minnesota Statutes 2010, section 270A.03, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 23, insert:

"Sec. 2. Minnesota Statutes 2010, section 270A.07, subdivision 1, is amended to read:

Subdivision 1. **Notification requirement.** (a) Any claimant agency, seeking collection of a debt through setoff against a refund due, shall submit to the commissioner information indicating the amount of each debt and information identifying the debtor, as required by section 270A.04, subdivision 3.

(b) For each setoff of a debt against a refund due, the commissioner shall charge a fee of \$15. The proceeds of fees shall be allocated by depositing \$4 of each \$15 fee collected into a Department of Revenue recapture revolving fund and depositing the remaining balance into the general fund. The sums deposited into the revolving fund are appropriated to the commissioner for the purpose of administering the Revenue Recapture Act.

(c) ~~For each debt for which a county acts as claimant agency on behalf of a licensed ambulance service, the county may charge the ambulance service a fee not to exceed the cost of administering the claim.~~

(d) The claimant agency shall notify the commissioner when a debt has been satisfied or reduced by at least \$200 within 30 days after satisfaction or reduction.

EFFECTIVE DATE. This section is effective the day following final enactment."

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 88, 203 and 258 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Benson, J.; Anzelc; McFarlane; Gunther and Hayden introduced:

H. F. No. 475, A bill for an act relating to human services; appropriating money to food shelves and for food stamp outreach.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Kelly and Lanning introduced:

H. F. No. 476, A bill for an act relating to retirement; general employees retirement plan of the Public Employees Retirement Association; including employees of the Red Wing Port Authority in the plan; validating retroactive retirement coverage for employees of the Red Wing Port Authority; amending Minnesota Statutes 2010, section 353.01, subdivisions 2a, 6.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Hansen and Atkins introduced:

H. F. No. 477, A bill for an act relating to capital improvements; appropriating money to replace barriers along Highway 52; authorizing sale of state transportation bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Slawik; Peterson, S., and Hausman introduced:

H. F. No. 478, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money to construct and rehabilitate early childhood learning and child protection facilities.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Kahn, Cornish, Smith, Hilstrom, Paymar and Davids introduced:

H. F. No. 479, A bill for an act relating to public safety; establishing use of weight of fluid used in a water pipe when determining weight or amount of controlled substance; amending Minnesota Statutes 2010, sections 152.01, subdivisions 9a, 16; 152.021, subdivision 2; 152.022, subdivision 2; 152.023, subdivision 2.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Scalze introduced:

H. F. No. 480, A bill for an act relating to health; extending the effective date for electronic prescribing requirements for certain providers; amending Minnesota Statutes 2010, section 62J.497, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Runbeck, Barrett, Leidiger, Dettmer, Buesgens and Kiffmeyer introduced:

H. F. No. 481, A bill for an act relating to property taxes; freezing property taxes for certain local governments at 2010 pay levels; prohibiting certain local government actions that would increase property tax levies; providing exceptions.

The bill was read for the first time and referred to the Committee on Taxes.

Downey, Stensrud, Banaian, Dittrich, Liebling, Moran, Rukavina and Drazkowski introduced:

H. F. No. 482, A bill for an act relating to mortuary science; clarifying license requirements for sale of funeral goods; amending Minnesota Statutes 2010, section 149A.50, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Gottwalt, Banaian and Hosch introduced:

H. F. No. 483, A bill for an act relating to taxation; job opportunity building zones; modifying waiver authority; amending Minnesota Statutes 2010, section 469.319, subdivision 5.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Smith, Hilstrom and Howes introduced:

H. F. No. 484, A bill for an act relating to capital investment; appropriating money for a regional 911 emergency communications center; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Davids, Erickson and Ward introduced:

H. F. No. 485, A bill for an act relating to sales and use tax; making a temporary exemption for Minnesota State High School League events permanent; modifying uses of associated revenues; amending Laws 2006, chapter 257, sections 2; 19.

The bill was read for the first time and referred to the Committee on Taxes.

Mack, Garofalo, Wardlow, Atkins and Holberg introduced:

H. F. No. 486, A bill for an act relating to Dakota County; extending interest in lands occupied by Minnesota Zoo.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Barrett introduced:

H. F. No. 487, A bill for an act relating to health; modifying the definition of optometry; amending Minnesota Statutes 2010, section 148.56, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Hortman; Dittrich; Greiling; Morrow; Kath; Anzelc; Tillberry; Nelson; Fritz; Slocum; Benson, J.; Slawik; Mariani; Murphy, E.; Moran; Clark; Davnie; Simon; Greene; Wagenius; Hosch; Liebling; Koenen; Eken; Brynaert; Carlson; Hilstrom; Thissen; Ward; Paymar; Lillie; Lesch; Norton; Hansen and Champion introduced:

H. F. No. 488, A bill for an act relating to education funding; authorizing funding for voluntary, full-day kindergarten; amending Minnesota Statutes 2010, sections 123B.41, subdivision 7; 126C.05, subdivisions 1, 15; 126C.12, subdivision 5; 126C.126.

The bill was read for the first time and referred to the Committee on Education Reform.

Smith, Wardlow, Hortman, Simon and Cornish introduced:

H. F. No. 489, A bill for an act relating to crime; enacting the Uniform Collateral Consequences of Conviction Act proposed for adoption by the National Conference of Commissioners on Uniform State Laws; conforming other law regarding collateral consequences and the rehabilitation of criminal offenders with the uniform act; amending Minnesota Statutes 2010, section 364.07; proposing coding for new law in Minnesota Statutes, chapter 638; repealing Minnesota Statutes 2010, sections 609B.050; 609B.100; 609B.101; 609B.102; 609B.103; 609B.104; 609B.105; 609B.106; 609B.107; 609B.108; 609B.109; 609B.110; 609B.111; 609B.112; 609B.113; 609B.120; 609B.121; 609B.122; 609B.123; 609B.124; 609B.125; 609B.126; 609B.127; 609B.128; 609B.129; 609B.130; 609B.132; 609B.133; 609B.134; 609B.135; 609B.136; 609B.137; 609B.139; 609B.140; 609B.141; 609B.142; 609B.143; 609B.144; 609B.146; 609B.147; 609B.148; 609B.149; 609B.1495; 609B.150; 609B.151; 609B.152; 609B.153; 609B.155; 609B.157; 609B.158; 609B.159; 609B.160; 609B.161; 609B.162; 609B.164; 609B.1645; 609B.165; 609B.168; 609B.170; 609B.171; 609B.172; 609B.173; 609B.174; 609B.175; 609B.176; 609B.177; 609B.179; 609B.180; 609B.181; 609B.183; 609B.184; 609B.185; 609B.187; 609B.188; 609B.189; 609B.191; 609B.192; 609B.193; 609B.194; 609B.195; 609B.200; 609B.201; 609B.202; 609B.203; 609B.205; 609B.206; 609B.216; 609B.231; 609B.235; 609B.237; 609B.241; 609B.245; 609B.255; 609B.262; 609B.263; 609B.265; 609B.271; 609B.273; 609B.275; 609B.277; 609B.301; 609B.310; 609B.311; 609B.312; 609B.320; 609B.321; 609B.330; 609B.331; 609B.332; 609B.333; 609B.340; 609B.341; 609B.342; 609B.343; 609B.344; 609B.345; 609B.400; 609B.405; 609B.410; 609B.415; 609B.425; 609B.430; 609B.435; 609B.445; 609B.450; 609B.455; 609B.460; 609B.465; 609B.500; 609B.505; 609B.510; 609B.515; 609B.518; 609B.520; 609B.525; 609B.530; 609B.535; 609B.540; 609B.545; 609B.600; 609B.610; 609B.611; 609B.612; 609B.613; 609B.614; 609B.615; 609B.700; 609B.710; 609B.720; 609B.721; 609B.722; 609B.723; 609B.724; 609B.725.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Garofalo, Kelly and Atkins introduced:

H. F. No. 490, A bill for an act relating to capital investment; appropriating money for spillway of Lake Byllesby Dam on the Cannon River; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Garofalo, Kelly and Atkins introduced:

H. F. No. 491, A bill for an act relating to capital investment; appropriating money for a pedestrian bridge over the Cannon River; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Slocum; Davids; Paymar; Ward; Gauthier; Abeler; Garofalo; Benson, J., and Mullery introduced:

H. F. No. 492, A bill for an act relating to taxation; property; providing property valuation freeze and an exclusion for improvements made to purchased foreclosed properties; amending Minnesota Statutes 2010, sections 273.11, subdivision 5, by adding a subdivision; 273.121, subdivision 1; 276.04, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Vogel, Beard, Murdock, Sanders and Nelson introduced:

H. F. No. 493, A bill for an act relating to motor vehicles; authorizing alternative site for keeping motor vehicle dealer records; modifying provision related to motor vehicle registration; adding provision relating to treatment of vehicle history information; amending Minnesota Statutes 2010, sections 168.017, subdivision 3; 168A.11, subdivision 4; 325F.6642, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Mariani introduced:

H. F. No. 494, A bill for an act relating to drivers' licenses; requiring school attendance as a condition of obtaining instruction permits and drivers' licenses for applicants under 18; amending Minnesota Statutes 2010, sections 13.32, subdivision 3; 171.02, subdivision 3; 171.04, subdivision 1; 171.05, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 171.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Garofalo; Simon; Holberg; Hornstein; Beard; Hayden; Scalze; Zellers; Sanders; Fritz; Murphy, E.; Kahn; Lillie; Lesch; Urdahl; McNamara and Benson, J., introduced:

H. F. No. 495, A bill for an act relating to elections; enacting the Agreement Among the States to Elect the President by National Popular Vote; proposing coding for new law in Minnesota Statutes, chapter 208.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Beard introduced:

H. F. No. 496, A bill for an act relating to commerce; clarifying an exclusion to home solicitation sales regulation; amending Minnesota Statutes 2010, section 325G.06, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Gottwalt, Hoppe, Peppin, Davids, Abeler, Gruenhagen, McElfrick, Franson, McDonald, Quam, Lohmer and Anderson, D., introduced:

H. F. No. 497, A bill for an act relating to insurance; creating a health insurance exchange; proposing coding for new law as Minnesota Statutes, chapter 62V.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Cornish, McNamara and Hoppe introduced:

H. F. No. 498, A bill for an act relating to state lands; requiring no net loss of state hunting lands; proposing coding for new law in Minnesota Statutes, chapter 97A.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Dauids introduced:

H. F. No. 499, A bill for an act relating to cultural heritage; appropriating money for the Chatfield Center for the Arts.

The bill was read for the first time and referred to the Legacy Funding Division.

Dauids introduced:

H. F. No. 500, A bill for an act relating to capital investment; appropriating money for the Chatfield Center for the Arts; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Runbeck, Barrett, Lanning, O'Driscoll, Peppin and Anderson, S., introduced:

H. F. No. 501, A bill for an act relating to public sector labor relations; specifying factors that must be considered in interest arbitration; amending Minnesota Statutes 2010, section 179A.16, subdivision 7.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Lenczewski introduced:

H. F. No. 502, A bill for an act relating to revenue; baseball stadium; modifying permitted use of revenues for other purposes; amending Minnesota Statutes 2010, section 473.757, subdivisions 2, 11.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Anderson, P.; Torkelson and Vogel introduced:

H. F. No. 503, A bill for an act relating to natural resources; exempting certain land management activities from contracting restrictions; modifying the mission of the Department of Natural Resources; amending Minnesota Statutes 2010, sections 16C.09; 43A.047; 84.027, subdivision 14.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Eken and Marquart introduced:

H. F. No. 504, A bill for an act relating to capital investment; appropriating money to implement flood damage reduction projects in the Red River of the North; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Davids and Clark introduced:

H. F. No. 505, A bill for an act relating to taxation; individual income; expanding the charitable contribution deduction for certain food inventory; amending Minnesota Statutes 2010, sections 290.01, subdivision 19b; 290.091, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Shimanski; McDonald; Leidiger; LeMieur; Anderson, B.; Quam; Dettmer; Murphy, M.; Lohmer and Anderson, S., introduced:

H. F. No. 506, A bill for an act relating to public safety; expanding the fourth-degree assault crime and the assaulting a police horse crime to provide more protection to law enforcement assistants; amending Minnesota Statutes 2010, sections 609.02, by adding a subdivision; 609.2231, by adding a subdivision; 609.597.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Quam; Davids; Hancock; Benson, M.; Draskowski; Dettmer; Anderson, B.; Wardlow; Shimanski; Kiel and Swedzinski introduced:

H. F. No. 507, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; allowing agricultural land, nonhomesteaded, noncommercial real property owners, and small business property owners to vote on bonding and property tax questions where the property is located; providing implementing language; proposing coding for new law in Minnesota Statutes, chapter 204B.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Erickson introduced:

H. F. No. 508, A bill for an act relating to building codes; allowing Mille Lacs County to rescind adoption of the State Building Code.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Beard introduced:

H. F. No. 509, A bill for an act relating to environment; eliminating greenhouse gas emissions control; amending Minnesota Statutes 2010, sections 3.8851, subdivision 3; 116J.437, subdivision 1; repealing Minnesota Statutes 2010, sections 216C.055; 216H.02; 216H.021; 216H.07.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Simon, Winkler, Nelson, Greene and Ward introduced:

H. F. No. 510, A bill for an act relating to elections; changing certain voter registration requirements and provisions; amending Minnesota Statutes 2010, sections 13.607, by adding a subdivision; 201.121, subdivision 2; 201.161; 204C.08, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Erickson and Doepke introduced:

H. F. No. 511, A bill for an act relating to education; removing unneeded mandates on public schools; amending Minnesota Statutes 2010, sections 120B.023, subdivision 2; 123A.16, subdivision 1; 123B.02, subdivision 15; 124D.19, subdivision 3; 125A.07; 126C.44; repealing Minnesota Statutes 2010, section 123B.05.

The bill was read for the first time and referred to the Committee on Education Reform.

Bills and Greiling introduced:

H. F. No. 512, A bill for an act relating to education; modifying the postsecondary enrollment options act; requiring high school students to take a college level class; modifying college transfer credits; amending Minnesota Statutes 2010, sections 120B.024; 124D.09, subdivisions 4, 5, 7, 8, 9, 12, 13, 24, 25, by adding a subdivision; 135A.08, subdivision 1; repealing Minnesota Statutes 2010, section 124D.09, subdivision 23.

The bill was read for the first time and referred to the Committee on Education Reform.

Leidiger introduced:

H. F. No. 513, A bill for an act relating to labor and employment; modifying prevailing wage provisions; amending Minnesota Statutes 2010, section 177.42, subdivisions 4, 6.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Benson, M.; Runbeck; Quam; Vogel; Leidiger and Draskowski introduced:

H. F. No. 514, A bill for an act relating to taxation; suspending maintenance of effort requirements; modifying sales tax exemption; amending Minnesota Statutes 2010, section 297A.70, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 275.

The bill was read for the first time and referred to the Committee on Taxes.

Kiel introduced:

H. F. No. 515, A bill for an act relating to education; reducing certain mandates; amending Minnesota Statutes 2010, sections 122A.414, subdivisions 1a, 4; 122A.60, subdivisions 1, 1a, 4; 123B.02, subdivision 15; 126C.13, subdivision 5; 126C.44; 134.195, subdivision 8; 134.201, subdivisions 1, 5; 134.32, subdivision 3; 134.341; 134.355, subdivisions 2, 8; 171.02, subdivision 2b; 171.321, subdivision 4; repealing Minnesota Statutes 2010, sections 122A.61; 123B.05; 126C.12; 134.34, subdivisions 1, 3, 4, 7; Minnesota Rules, part 3525.2340.

The bill was read for the first time and referred to the Committee on Education Reform.

Vogel, Leidiger, Gunther, Drazkowski and Benson, M., introduced:

H. F. No. 516, A bill for an act relating to animal control; removing certain mandates; amending Minnesota Statutes 2010, sections 347.14, subdivision 1; 347.565; repealing Minnesota Statutes 2010, sections 346.13; 346.14; 346.15; 346.155, subdivision 9.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development Policy and Finance.

Vogel; Leidiger; Gunther; Benson, M.; Drazkowski and McElfatrick introduced:

H. F. No. 517, A bill for an act relating to environment; modifying water supply plan requirements; modifying yard waste prohibitions; modifying transmission projects report requirements; modifying roadway lighting requirements; amending Minnesota Statutes 2010, sections 103G.291, subdivisions 3, 4; 115A.931; 216B.2425, subdivision 2; repealing Minnesota Statutes 2010, section 216C.19, subdivision 1; Minnesota Rules, parts 8885.0100; 8885.0200; 8885.0300.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Leidiger; Benson, M.; Vogel; Gunther and Scott introduced:

H. F. No. 518, A bill for an act relating to transportation; limiting authority of commissioner of transportation to adopt rules for county state-aid roads and municipal state-aid streets; abolishing provision promoting complete streets policies for local road authorities; amending Minnesota Statutes 2010, sections 162.02, subdivisions 1, 2, 10; 162.021, subdivision 1; 162.07, subdivision 2; 162.09, subdivisions 1, 2; 162.13, subdivision 2; repealing Minnesota Statutes 2010, sections 162.02, subdivisions 3, 3a, 3b; 162.09, subdivisions 3, 3a; 162.155; 174.75, subdivision 4; Laws 2010, chapter 351, section 72; Minnesota Rules, parts 8820.2500; 8820.2700; 8820.3100, subparts 1, 2, 5, 6, 7a, 8, 9a, 10; 8820.3300; 8820.3400; 8820.4060; 8820.9920; 8820.9922; 8820.9926, subpart 1; 8820.9936; 8820.9946; 8820.9956; 8820.9961; 8820.9981; 8820.9986; 8820.9990; 8820.9995.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Drazkowski introduced:

H. F. No. 519, A bill for an act relating to government; removing certain mandates in transportation, human services, environment, public safety, local government, animal control, education, taxes, and employment; suspending certain maintenance of effort requirements; modifying sales tax exemption; modifying prevailing wage

provisions; repealing provision regarding aggregate value of benefits for governmental unit group insurance; repealing comparable worth requirements; amending Minnesota Statutes 2010, sections 6.48; 13.202, subdivision 9; 103G.291, subdivisions 3, 4; 115A.931; 122A.414, subdivisions 1a, 4; 122A.60, subdivisions 1, 1a, 4; 123B.02, subdivision 15; 126C.13, subdivision 5; 126C.44; 134.195, subdivision 8; 134.201, subdivisions 1, 5; 134.32, subdivision 3; 134.341; 134.355, subdivisions 2, 8; 134A.12; 162.02, subdivisions 1, 2, 10; 162.021, subdivision 1; 162.07, subdivision 2; 162.09, subdivisions 1, 2; 162.13, subdivision 2; 171.02, subdivision 2b; 171.321, subdivision 4; 177.42, subdivisions 4, 6; 216B.2425, subdivision 2; 241.021, subdivision 1; 256M.01; 256M.30, subdivisions 1, 2; 257.69, subdivision 1; 297A.70, subdivisions 2, 3; 299A.77; 326B.133, subdivision 1; 331A.12; 347.14, subdivision 1; 347.565; 383B.914, subdivision 1; 462.355, subdivision 2; 465.719, subdivision 9; 471.697, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 6; 275; repealing Minnesota Statutes 2010, sections 43A.04, subdivision 10; 122A.61; 123B.05; 126C.12; 128C.15, subdivision 3; 134.34, subdivisions 1, 3, 4, 7; 162.02, subdivisions 3, 3a, 3b; 162.09, subdivisions 3, 3a; 162.155; 174.75, subdivision 4; 216C.19, subdivision 1; 254A.08, subdivisions 1, 2; 256G.06; 256M.30, subdivision 5; 326B.145; 340A.403, subdivision 4; 346.13; 346.14; 346.15; 346.155, subdivision 9; 382.265; 388.24, subdivision 4; 395.14; 395.15; 395.16; 395.17; 395.18; 395.19; 395.20; 395.21; 395.22; 395.23; 395.24; 471.6161, subdivision 5; 471.661; 471.991; 471.992, subdivisions 1, 2, 4; 471.993; 471.994; 471.995; 471.9966; 471.997; 471.9981, subdivisions 5a, 5b, 6, 7; 471.999; 626.8468, subdivision 1; 626A.17; Laws 2010, chapter 351, section 72; Minnesota Rules, parts 3525.2340; 8820.2500; 8820.2700; 8820.3100, subparts 1, 2, 5, 6, 7a, 8, 9a, 10; 8820.3300; 8820.3400; 8820.4060; 8820.9920; 8820.9922; 8820.9926, subpart 1; 8820.9936; 8820.9946; 8820.9956; 8820.9961; 8820.9981; 8820.9986; 8820.9990; 8820.9995; 8885.0100; 8885.0200; 8885.0300.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Clark and Hornstein introduced:

H. F. No. 520, A bill for an act relating to judiciary finance; establishing an alcohol judicial and health impact fund; imposing an alcohol judicial and health impact fee; amending Minnesota Statutes 2010, sections 295.75, subdivisions 2, 11; 297G.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 16A; 297G.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 1, A House concurrent resolution adopting deadlines for the 2011 regular session.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 56.

CAL R. LUDEMAN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 56, A bill for an act relating to education; providing school district budget relief; amending Minnesota Statutes 2010, section 126C.44; repealing Minnesota Statutes 2010, sections 122A.61; 123B.05.

The bill was read for the first time and referred to the Committee on Education Reform.

IN MEMORIAM

The members of the House of Representatives paused for a moment of silence in memory of former Representative Tom Newcome of White Bear Lake, Minnesota, who served from 1965 to 1974, and former Representative Robert W. "Bob" Reif of White Bear Lake, Minnesota, who served from 1979 to 1984, both of whom recently passed away.

MOTIONS AND RESOLUTIONS

Hackbarth moved that the name of Drazkowski be added as an author on H. F. No. 16. The motion prevailed.

Peppin moved that the name of Woodard be added as an author on H. F. No. 52. The motion prevailed.

Garofalo moved that the names of Hoppe and McNamara be added as authors on H. F. No. 68. The motion prevailed.

Murray moved that the name of Woodard be added as an author on H. F. No. 103. The motion prevailed.

Rukavina moved that the name of Drazkowski be added as an author on H. F. No. 107. The motion prevailed.

Lohmer moved that her name be stricken as an author on H. F. No. 199. The motion prevailed.

Hackbarth moved that the name of Drazkowski be added as an author on H. F. No. 225. The motion prevailed.

Persell moved that the name of Drazkowski be added as an author on H. F. No. 242. The motion prevailed.

Hamilton moved that the name of Woodard be added as an author on H. F. No. 287. The motion prevailed.

Downey moved that the name of Anderson, S., be added as an author on H. F. No. 288. The motion prevailed.

McFarlane moved that the name of Lohmer be added as an author on H. F. No. 291. The motion prevailed.

Westrom moved that the name of Lillie be added as an author on H. F. No. 306. The motion prevailed.

Scott moved that the name of Anderson, S., be added as an author on H. F. No. 322. The motion prevailed.

Lillie moved that the name of Lohmer be added as an author on H. F. No. 351. The motion prevailed.

Loon moved that the name of Lohmer be added as an author on H. F. No. 353. The motion prevailed.

Kiffmeyer moved that the name of Lohmer be added as an author on H. F. No. 355. The motion prevailed.

Barrett moved that the name of Wardlow be added as an author on H. F. No. 358. The motion prevailed.

Moran moved that the name of Clark be added as an author on H. F. No. 373. The motion prevailed.

Benson, J., moved that the name of Greene be added as an author on H. F. No. 388. The motion prevailed.

Kriesel moved that the names of Woodard and Fabian be added as authors on H. F. No. 407. The motion prevailed.

Lohmer moved that the name of Anderson, S., be added as an author on H. F. No. 410. The motion prevailed.

McElfrick moved that her name be stricken as an author on H. F. No. 412. The motion prevailed.

Gruenhagen moved that the name of Franson be added as an author on H. F. No. 413. The motion prevailed.

Dittrich moved that the name of Anderson, S., be added as an author on H. F. No. 435. The motion prevailed.

Smith moved that the name of Liebling be added as an author on H. F. No. 438. The motion prevailed.

Mack moved that the name of Lenczewski be added as an author on H. F. No. 443. The motion prevailed.

Kelly moved that the names of Simon and Anderson, S., be added as authors on H. F. No. 447. The motion prevailed.

Simon moved that the name of Abeler be added as an author on H. F. No. 448. The motion prevailed.

Howes moved that the name of Abeler be added as an author on H. F. No. 452. The motion prevailed.

Kath moved that the names of Murphy, E., and Simon be added as authors on H. F. No. 454. The motion prevailed.

Gruenhagen moved that the names of Franson and Petersen, B., be added as authors on H. F. No. 467. The motion prevailed.

Nornes moved that the name of Kiffmeyer be added as an author on H. F. No. 472. The motion prevailed.

Murdock moved that H. F. No. 342 be recalled from the Committee on Civil Law and be re-referred to the Committee on Commerce and Regulatory Reform. The motion prevailed.

Fabian moved that H. F. No. 58 be returned to its author. The motion prevailed.

MOTION TO INVITE SENATE TO JOINT CONVENTION

Dean moved that the Chief Clerk be instructed to invite the Senate by message to a Joint Convention to be held on Monday, February 21, 2011, at 4:15 p.m., in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, February 17, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, February 17, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives