

TWENTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, March 12, 2015

The Senate met at 11:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Senator Bakk imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Steve Ulrick.

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

The roll was called, and the following Senators answered to their names:

Bakk	Eken	Johnson	Pappas	Sieben
Benson	Fischbach	Kent	Pederson, J.	Skoe
Bonoff	Franzen	Koenen	Petersen, B.	Sparks
Carlson	Gazelka	Latz	Pratt	Stumpf
Chamberlain	Goodwin	Limmer	Reinert	Thompson
Champion	Hall	Lourey	Rest	Tomassoni
Clausen	Hann	Marty	Rosen	Torres Ray
Cohen	Hawj	Metzen	Ruud	Weber
Dahle	Hayden	Miller	Saxhaug	Westrom
Dahms	Hoffman	Nelson	Scalze	Wiger
Dibble	Housley	Newman	Schmit	Wiklund
Dziedzic	Ingebrigtsen	Ortman	Senjem	
Eaton	Jensen	Osmeck	Sheran	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**REPORTS OF COMMITTEES**

Senator Bakk moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

**Senator Latz from the Committee on Judiciary, to which was referred**

**S.F. No. 924:** A bill for an act relating to contracts; modifying and clarifying requirements relating to building and construction contracts; amending Minnesota Statutes 2014, sections 337.01, subdivision 3; 337.05, subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was referred**

**S.F. No. 1218:** A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, and omitted text and obsolete references; removing redundant, conflicting, and superseded provisions; making miscellaneous corrections to laws, statutes, and rules; amending Minnesota Statutes 2014, sections 5.25, subdivision 5; 13.321, subdivision 2a, by adding a subdivision; 13.3806, subdivision 1b; 13.381, subdivision 14a; 13.461, subdivisions 3, 7a; 13.602, subdivision 2; 13.681, by adding a subdivision; 13.72, subdivision 12; 13.871, subdivision 6, by adding a subdivision; 16A.126, subdivision 1; 16C.137, subdivision 2; 16D.04, subdivision 1; 81A.04, subdivision 1; 82.67, subdivision 3; 82.72, subdivision 3; 116D.04, subdivision 2a; 116L.146; 119A.50, subdivision 3; 120A.41; 122A.23, subdivision 2; 122A.414, subdivision 2; 122A.61, subdivision 1; 124D.10, subdivision 4; 124D.20, subdivision 8; 124D.861, subdivision 3; 125A.79, subdivisions 4, 8; 127A.441; 127A.49, subdivisions 2, 3; 144.0724, subdivision 4; 144.227, subdivision 1; 144A.10, subdivision 16; 161.3209, subdivision 3; 168A.03, subdivision 1; 169.781, subdivisions 1, 2; 174.12, subdivision 8; 241.332, subdivision 2; 241.335, subdivision 2; 241.336, subdivision 3; 244.05, subdivision 5; 245.466, subdivision 3a; 245.4871, subdivision 13; 245.4874, subdivision 1; 245.4877; 245.493, subdivisions 1, 1a, 2; 245A.191; 245A.192, subdivision 11; 245A.50, subdivision 4; 245C.03, subdivision 2; 245C.22, subdivision 5; 245D.061, subdivision 1; 253B.07, subdivision 7; 254B.05, subdivision 5; 256.01, subdivision 14b; 256.969, subdivisions 8, 23; 256B.0654, subdivision 2b; 256B.199; 256B.76, subdivision 4; 256J.14; 256J.21, subdivision 2; 256J.61; 260B.185, subdivision 1; 268.046, subdivision 1; 297A.68, subdivision 2; 297E.02, subdivision 6; 299C.61, subdivision 4; 299F.01, subdivision 2; 299L.02, subdivision 5; 299L.07, subdivision 5; 322C.0102, subdivision 6; 325D.40, subdivision 2; 325E.028, subdivision 4; 326B.04, subdivision 2; 403.09, subdivision 3; 412.014; 466A.01, subdivision 6; 471.87; 473.604, subdivision 3; 477A.011, subdivisions 30, 30a, 42; 477A.013, subdivisions 8, 9; 477A.015; 477A.03, subdivisions 2a, 2c; 477A.12, subdivisions 1, 2; 477A.16, subdivisions 1, 2; 477A.19, subdivisions 4, 5; 480A.09, subdivision 2; 518B.01, subdivision 4; 572A.02, subdivisions 2, 3; 609.106, subdivision 2; 609.19, subdivision 1; 609.223, subdivision 2; 609.266; 609.531, subdivision 1; 626.556, subdivision 3c; 626.8463, subdivision 1; 626.8555; 629.725; Laws 2013, chapter 143, article 8, section 40; proposing coding for new law in Minnesota Statutes, chapter 609B; repealing Minnesota Statutes 2014, sections 13.381, subdivision 17; 13.46, subdivision 13; 13.681, subdivision 7; 126C.01, subdivision 9; 239.001; 256B.0625, subdivision 50; 273.111, subdivision 9a; 469.1816; Laws 2014, chapter 228, article 1, section 2; Laws 2014, chapter 291, article 10, section 4; article 11, sections 15; 16; 21; Laws 2014, chapter 312, article 25, section 11; article 28, section 1; Minnesota Rules, parts 4900.3401; 8710.3000, subpart 5; 8710.3200, subpart 6; 8710.3310, subpart 5; 8710.3320, subpart 5; 8710.3330, subpart 5; 8710.3340, subpart 5; 8710.4000, subpart 5; 8710.4050, subpart 5; 8710.4200, subpart 5; 8710.4250, subpart 5; 8710.4300, subpart 5; 8710.4310, subpart 5; 8710.4320, subpart 5; 8710.4400, subpart 5; 8710.4450, subpart 5; 8710.4500, subpart 5; 8710.4550, subpart 5; 8710.4600, subpart 5; 8710.4650, subpart 5; 8710.4700, subpart 5; 8710.4750, subpart 9; 8710.4800, subpart 5; 8710.4850, subpart 5; 8710.4900, subpart 5; 8710.4950, subpart 9.

Reports the same back with the recommendation that the bill be amended as follows:

Page 72, after line 17, insert:

"Sec. 94. Minnesota Statutes 2014, section 500.215, subdivision 1, is amended to read:

Subdivision 1. **General rule.** (a) Any provision of any deed restriction, subdivision regulation, restrictive covenant, local ordinance, contract, rental agreement or regulation, or homeowners association document that limits the right of an owner or tenant of residential property to display the flag of the United States and the flag of the State of Minnesota is void and unenforceable.

(b) "Homeowners association document" includes the declaration, articles of incorporation, bylaws, and rules and regulations of:

(1) a common interest community, as defined in section ~~515B.1-103(C)(10)~~ 515B.1-103(10), regardless of whether the common interest community is subject to chapter 515B; and

(2) a residential community that is not a common interest community, as defined in section ~~515B.1-103(C)(10)~~ 515B.1-103(10)."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was referred**

**S.F. No. 1196:** A bill for an act relating to trusts; providing for animal care; proposing coding for new law in Minnesota Statutes, chapter 501B.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, delete "Purpose" and insert "Creation of animal trust authorized"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was referred**

**S.F. No. 1032:** A bill for an act relating to public safety; establishing a new arson offense; amending Minnesota Statutes 2014, section 609.5641, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 609.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "Whoever," and insert "Whoever unlawfully"

Page 1, line 11, after the comma, insert "who is not a participant in the crime, is guilty of a crime and may" and delete "the actor shall"

Page 1, lines 12, 15, and 18, delete "the actor shall be sentenced"

Page 2, after line 2, insert:

"EFFECTIVE DATE. This section is effective August 1, 2015, and applies to crimes committed on or after that date."

Page 2, before line 3, insert:

"Sec. 2. Minnesota Statutes 2014, section 609.564, is amended to read:

**609.564 EXCLUDED FIRES.**

A person does not violate section 609.561, 609.562, 609.563, 609.5634, or 609.5641 if the person sets a fire pursuant to a validly issued license or permit or with written permission from the fire department of the jurisdiction where the fire occurs.

**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes committed on or after that date."

Page 2, after line 20, insert:

"**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes committed on or after that date."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Lutz from the Committee on Judiciary, to which was re-referred**

**S.F. No. 100:** A bill for an act relating to health; permitting the use of investigational drugs, biological products, or devices by certain eligible patients; proposing coding for new law in Minnesota Statutes, chapter 151.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete everything after "a" and insert "condition or illness which, to a reasonable degree of medical probability, is not considered reversible and even with the administration of current FDA-approved and available treatments and the administration of life-sustaining procedures will soon result in death."

Page 1, delete lines 16 and 17

Page 1, line 20, delete "disease" and insert "illness"

Page 2, line 24, after "a" insert "separate"

Page 2, line 28, delete "in good faith"

Page 2, after line 28, insert:

"Subd. 9. **Exception.** This section does not apply to a person committed to the custody of the commissioner of corrections unless the department's medical director approves the investigational drug, biological product, or device."

Page 2, line 29, delete "9" and insert "10"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 1432:** A bill for an act relating to environment; modifying public entity purchasing requirements; modifying recycling and solid waste provisions; modifying subsurface sewage treatment systems provisions; modifying compensable losses due to harmful substances; modifying eligibility for certain grants; requiring rulemaking; amending Minnesota Statutes 2014, sections 16C.073, subdivision 2; 115.55, subdivision 1; 115.56, subdivision 2; 115A.03, subdivisions 25b, 25c, by adding a subdivision; 115A.1310, subdivision 15; 115A.1415, subdivision 1; 115A.93, subdivisions 1, 3; 115A.94, subdivision 3; 115B.34, subdivision 2; 446A.073, subdivisions 1, 3, 4; 473.8441.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, delete sections 4 to 8

Page 7, line 2, after "required" insert "; reporting"

Page 7, after line 8, insert:

"(c) The agency, in consultation with the Solid Waste Management Coordinating Board, the Association of Minnesota Counties, the Minnesota Solid Waste Administrators Association, and representatives from the waste industry shall, by July 1, 2016, develop uniform short and long reporting forms that will reduce duplicative reporting by collectors of solid waste and recyclable materials to governmental units.

(d) A collector of mixed municipal solid waste or recyclable materials shall separately report to the agency on an annual basis information including, but not limited to, the quantity of mixed municipal solid waste and the quantity of recyclable materials collected:

- (1) from commercial customers;
- (2) from residential customers;
- (3) by county of origin; and
- (4) by destination of the material."

Page 7, delete section 10

Page 8, delete section 11

Page 10, delete section 16

Page 11, line 35, after "in" insert "Minnesota Statutes,"

Page 12, line 5, delete "326B.49" and insert "326B.46, subdivision 2"

Page 12, delete section 18

Renumber the sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 1414:** A bill for an act relating to taxation; Sustainable Forest Incentive Act; transferring powers from the commissioner of revenue to the commissioner of natural resources; providing rules for transfer of ownership; providing additional eligibility, certification, and notification requirements; making clarifying changes; repealing obsolete provisions; amending Minnesota Statutes 2014, sections 290C.01; 290C.02, subdivisions 1, 2, 3, 4, 7; 290C.03; 290C.05; 290C.08; 290C.09; 290C.10; 290C.11; proposing coding for new law in Minnesota Statutes, chapter 290C; repealing Minnesota Statutes 2014, sections 290C.02, subdivisions 5, 9; 290C.06.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 290C.01, is amended to read:

**290C.01 PURPOSE.**

It is the policy of this state to promote sustainable forest resource management on the state's public and private lands. ~~Recognizing that The state's private forests comprise approximately one-half of the state forest land resources, that healthy and robust forest land provides significant benefits to the state of Minnesota, and that ad.~~ These forests play a critical role in protecting water quality and soil resources, and provide extensive wildlife habitat, diverse recreational experiences, and significant forest products that support the state's economy. ~~Ad~~ valorem property taxes represent a significant annual cost that can discourage long-term forest management investments. In order to foster silviculture investments and retain these forests for their economic and ecological benefits, this chapter, hereafter referred to as the "Sustainable Forest Incentive Act," is enacted to encourage the state's private forest landowners to make a long-term commitment to sustainable forest management.

Sec. 2. Minnesota Statutes 2014, section 290C.02, subdivision 1, is amended to read:

Subdivision 1. **Application.** When used in sections 290C.01 to ~~290C.11~~ 290C.13, the terms in this section have the meanings given them.

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

Sec. 3. Minnesota Statutes 2014, section 290C.02, subdivision 3, is amended to read:

Subd. 3. **Claimant.** (a) "Claimant" means:

(1) a person, as that term is defined in section 290.01, subdivision 2, who owns forest land in Minnesota and files an application authorized by the Sustainable Forest Incentive Act;

(2) a purchaser or grantee if property enrolled in the program was sold or transferred after the original application was filed and prior to the annual incentive payment being made; or

(3) an owner of land previously covered by an auxiliary forest contract that automatically qualifies for inclusion in the Sustainable Forest Incentive Act program pursuant to section 88.49, subdivision 9a, or 88.491, subdivision 2.

~~(b) The purchaser or grantee must notify the commissioner in writing of the sale or transfer of the property.~~ Owners of land that qualifies for inclusion pursuant to section 88.49, subdivision 9a, or 88.491, subdivision 2, must notify the commissioner in writing of the expiration of the auxiliary

forest contract or land trade with a governmental unit and submit an application to the commissioner by August 15 in order to be eligible to receive a payment by October 1 of that same year. For purposes of section 290C.11, claimant also includes any person bound by the covenant required in section 290C.04.

~~(b)~~ (c) No more than one claimant is entitled to a payment under this chapter with respect to any tract, parcel, or piece of land enrolled under this chapter that has been assigned the same parcel identification number. When enrolled forest land is owned by two or more persons, the owners must determine between them which person is eligible to claim the payments provided under sections 290C.01 to 290C.11. In the case of property sold or transferred, ~~the former owner and the purchaser or grantee must determine between them which person~~ is eligible to claim the payments provided under sections 290C.01 to 290C.11. The new owners, transferees, or grantees must notify the commissioner in writing ~~which person is eligible~~ to claim the payments.

**EFFECTIVE DATE.** This section is effective for certifications and applications due in 2015 and thereafter.

Sec. 4. Minnesota Statutes 2014, section 290C.02, subdivision 6, is amended to read:

Subd. 6. **Forest land.** "Forest land" means land containing a minimum of 20 contiguous acres for which the owner has implemented a forest management plan that was prepared or updated within the past ten years by an approved plan writer. For purposes of this subdivision, acres are considered to be contiguous even if they are separated by a road, waterway, railroad track, or other similar intervening property. At least 50 percent of the contiguous acreage must meet the definition of forest land in section 88.01, subdivision 7. For the purposes of sections 290C.01 to 290C.11, forest land does not include (i) land used for residential or agricultural purposes, (ii) land enrolled in the reinvest in Minnesota program, a state or federal conservation reserve or easement reserve program under sections 103F.501 to 103F.531, the Minnesota agricultural property tax law under section 273.111, or land subject to agricultural land preservation controls or restrictions as defined in section 40A.02 or under the Metropolitan Agricultural Preserves Act under chapter 473H, (iii) ~~land exceeding 60,000 acres that is subject to a single conservation easement funded under section 97A.056 or a comparable permanent easement conveyed to a governmental or nonprofit entity;~~ (iv) any land that becomes subject to a conservation easement funded under section 97A.056 or a comparable permanent easement conveyed to a governmental or nonprofit entity after May 30, 2013; or ~~(v)~~ (iv) land improved with a structure, pavement, sewer, campsite, or any road, other than a township road, used for purposes not prescribed in the forest management plan.

**EFFECTIVE DATE.** This section is effective for applications made in 2016 and thereafter.

Sec. 5. Minnesota Statutes 2014, section 290C.03, is amended to read:

#### **290C.03 ELIGIBILITY REQUIREMENTS.**

(a) Land may be enrolled in the sustainable forest incentive program under this chapter if all of the following conditions are met:

(1) the land consists of at least 20 contiguous acres and at least 50 percent of the land must meet the definition of forest land in section 88.01, subdivision 7, during the enrollment;

(2) a forest management plan for the land must be prepared by an approved plan writer and implemented during the period in which the land is enrolled;

(3) timber harvesting and forest management guidelines must be used in conjunction with any timber harvesting or forest management activities conducted on the land during the period in which the land is enrolled;

(4) the land must be enrolled for a minimum of eight years;

(5) there are no delinquent property taxes on the land; and

(6) claimants enrolling more than 1,920 acres or enrolling any land that is subject to a conservation easement funded under section 97A.056, or a comparable permanent easement conveyed to a governmental or nonprofit entity before May 31, 2013, in the sustainable forest incentive program must allow year-round, nonmotorized access to fish and wildlife resources and motorized access on established and maintained roads and trails, unless the road or trail is temporarily closed for safety, natural resource, or road damage reasons on enrolled land except within one-fourth mile of a permanent dwelling or during periods of high fire hazard as determined by the commissioner of natural resources; and

(7) the claimant has registered the forest management plan under clause (2) with the commissioner of natural resources who has concurred that the land is qualified.

(b) Claimants required to allow access under paragraph (a), clause (6), do not by that action:

(1) extend any assurance that the land is safe for any purpose;

(2) confer upon the person the legal status of an invitee or licensee to whom a duty of care is owed; or

(3) assume responsibility for or incur liability for any injury to the person or property caused by an act or omission of the person.

(c) The commissioner of natural resources shall annually provide county assessors verification information regarding plan registration under paragraph (a), clause (7), on a timely basis.

**EFFECTIVE DATE.** This section is effective for applications made in 2016 and thereafter.

Sec. 6. Minnesota Statutes 2014, section 290C.05, is amended to read:

**290C.05 ANNUAL CERTIFICATION.**

On or before July 1 of each year, beginning with the year after the ~~original claimant has received an approved application~~ property tax parcel was enrolled under the sustainable forest incentive program, the commissioner shall send each claimant ~~enrolled under the sustainable forest incentive program~~ a certification form. For purposes of this section, the ~~original claimant~~ is the person that filed the first application under section 290C.04 to enroll the land in the program is the current property owner on record. The claimant must sign and return the certification by August 15 of that same year, ~~attesting~~ and (1) attest that the requirements and conditions for continued enrollment in the program are currently being met, and must return the signed certification form to the commissioner by August 15 of that same year (2) provide a report in the format and manner determined by the commissioner on what management practices have been carried out on the enrolled property in the past year. If the claimant does not return an annual certification form by the due date, the provisions in section 290C.11 apply.

**EFFECTIVE DATE.** This section is effective for certifications and applications in 2015 and thereafter.

Sec. 7. Minnesota Statutes 2014, section 290C.055, is amended to read:

**290C.055 LENGTH OF COVENANT.**

(a) ~~The covenant remains in effect for a minimum of eight years.~~ Claimants enrolling any land that is subject to a conservation easement funded under section 97A.056 or a comparable permanent easement conveyed to a governmental or nonprofit entity before May 31, 2013, may enroll their land under a covenant with a duration of eight years. All other claimants may choose to enroll their land under a covenant with a duration of eight, 20, or 50 years. If land is removed from the program before it has been enrolled for four years half the number of years of the covenant's duration, the covenant remains in effect for eight years the entire duration of the covenant from the date recorded.

(b) If land that has been enrolled for four years half the number of years of the covenant's duration or more is removed from the program for any reason, there is a waiting period before the covenant terminates. The covenant terminates on January 1 of the fifth, 11th, or 26th calendar year for the eight-, 20-, or 50-year covenant respectively, that begins after the date that:

(1) the commissioner receives notification from the claimant that the claimant wishes to remove the land from the program under section 290C.10; or

(2) the date that the land is removed from the program under section 290C.11.

(c) Notwithstanding the other provisions of this section, the covenant is terminated:

(1) at the same time that the land is removed from the program due to acquisition of title or possession for a public purpose under section 290C.10; or

(2) at the request of the claimant after a reduction in payments due to changes in the payment formula under section 290C.07.

**EFFECTIVE DATE.** This section is effective for certifications and applications due in 2016 and thereafter.

Sec. 8. Minnesota Statutes 2014, section 290C.06, is amended to read:

**290C.06 CALCULATION OF AVERAGE ESTIMATED MARKET VALUE; ~~MANAGED FOREST RURAL VACANT LAND.~~**

The commissioner shall annually calculate a statewide average estimated market value per acre for class ~~2c managed forest~~ 2b rural vacant land under section 273.13, subdivision 23.

**EFFECTIVE DATE.** This section is effective for calculations made in 2016 and thereafter.

Sec. 9. Minnesota Statutes 2014, section 290C.07, is amended to read:

**290C.07 CALCULATION OF INCENTIVE PAYMENT.**

An approved claimant under the sustainable forest incentive program is eligible to receive an annual payment. The payment shall equal ~~\$7 per acre for each acre enrolled in the sustainable forest incentive program~~ a percentage of the property tax that would be paid on the land determined by using the previous year's statewide average total tax rate for all taxes levied within townships or unorganized territories, the estimated market value per acre as calculated in section 290C.06, and a

class rate of one percent as follows: (1) for claimants enrolling land that is subject to a conservation easement funded under section 97A.056 or a comparable permanent easement conveyed to a governmental or nonprofit entity before May 31, 2013, under an eight-year covenant, 25 percent; (2) for claimants enrolling land that is not subject to a conservation easement under an eight-year covenant, 50 percent; (3) for claimants enrolling land that is not subject to a conservation easement under a 20-year covenant, 75 percent; and (4) for claimants enrolling land that is not subject to a conservation easement under a 50-year covenant, 100 percent. The calculated payment shall not increase or decrease by more than ten percent relative to the payment received for the previous year.

**EFFECTIVE DATE.** This section is effective for calculations made in 2016 and thereafter.

Sec. 10. Minnesota Statutes 2014, section 290C.08, is amended to read:

**290C.08 ANNUAL INCENTIVE PAYMENT; APPROPRIATION.**

Subdivision 1. **Annual payment.** An incentive payment for each acre of enrolled land will be made annually to each claimant in the amount determined under section 290C.07. By September 1 of each year, the commissioner of natural resources will certify to the commissioner the eligibility of each claimant to receive a payment. The incentive payment shall be paid by the commissioner on or before October 1 each year based on the certifications due August 15 of that year. Interest at the annual rate determined under section 270C.40 shall be included with any incentive payment not paid by the later of October 1 of the year the certification was due, or 45 days after the completed certification was returned or filed if the commissioner accepts a certification filed after August 15 of the taxes payable year as the resolution of an appeal.

Subd. 2. **Appropriation.** The amount necessary to make the payments under this section is annually appropriated to the commissioner from the general fund.

**EFFECTIVE DATE.** This section is effective for certifications and applications in 2016 and thereafter.

Sec. 11. Minnesota Statutes 2014, section 290C.10, is amended to read:

**290C.10 WITHDRAWAL PROCEDURES.**

(a) An approved claimant or current owner of lands enrolled under the sustainable forest incentive program for a minimum of ~~four years~~ half the number of years of the covenant's duration may notify the commissioner of the intent to terminate enrollment. Within 90 days of receipt of notice to terminate enrollment, the commissioner shall inform the claimant in writing, acknowledging receipt of this notice and indicating the effective date of termination from the sustainable forest incentive program. Termination of enrollment in the sustainable forest incentive program occurs on January 1 of the fifth, 11th, or 26th calendar year for the eight-, 20-, or 50-year covenant respectively that begins after receipt by the commissioner of the termination notice. After the commissioner issues an effective date of termination, a claimant wishing to continue the land's enrollment in the sustainable forest incentive program beyond the termination date must apply for enrollment as prescribed in section 290C.04. A claimant who withdraws a parcel of land from this program may not reenroll the parcel for a period of three years. Within 90 days after the termination date, the commissioner shall execute and acknowledge a document releasing the land from the covenant required under this chapter. The document must be mailed to the claimant and is entitled to be recorded.

(b) Notwithstanding paragraph (a), the commissioner may allow early withdrawal from the Sustainable Forest Incentive Act without penalty when the state of Minnesota, any local government unit, or any other entity which has the power of eminent domain acquires title or possession to the land for a public purpose notwithstanding the provisions of this section. In the case of such an eligible acquisition under this paragraph, the commissioner shall execute and acknowledge a document releasing the land acquired by the state, local government unit, or other entity from the covenant.

(c) Notwithstanding paragraph (a), the commissioner shall allow early withdrawal from the Sustainable Forest Incentive Act without penalty when the state acquires a permanent conservation easement on the enrolled property and the conservation easement is at least as restrictive as the covenant required under section 290C.04. In the case of an eligible easement acquisition under this paragraph, the commissioner shall execute and acknowledge a document releasing the land subject to the easement from the covenant.

(d) Notwithstanding paragraph (a), the commissioner shall allow early withdrawal from the Sustainable Forest Incentive Act without penalty for land that is subject to fee or easement acquisition or lease to the state of Minnesota or a political subdivision of the state for the public purpose of a paved trail. In the case of an eligible fee or easement acquisition or lease under this paragraph, the commissioner shall execute and acknowledge a document releasing the land subject to fee or easement acquisition or lease by the state or political subdivision of the state.

(e) All other enrolled land must remain in the program.

**EFFECTIVE DATE.** Paragraphs (c) and (d) are effective the day following final enactment. The remainder of this section is effective for notifications made in 2016 and thereafter.

## Sec. 12. [290C.101] TRANSFER OF OWNERSHIP.

Subdivision 1. **Definitions.** (a) For purposes of this section, "new owner" means a prospective purchaser or grantee.

(b) For purposes of this section, "owner" means a grantor or seller.

Subd. 2. **Disclosure to new owner.** When lands enrolled in the sustainable forest incentive program are sold or transferred to new owners, the owner must:

(1) disclose to the new owner information describing the imposition of penalties in section 290C.11 for noncompliance with sections 290C.03 and 290C.04; and

(2) obtain the signature of the new owner on a statement acknowledging the disclosures.

Subd. 3. **Notification to commissioner.** (a) An owner must notify a new owner if the owner transfers all of the owner's land enrolled in the sustainable forest incentive program to the new owner. A new owner must notify the commissioner within 60 days of the transfer of title to the property if the owner has notified the new owner that the owner has transferred all of the owner's land enrolled in the sustainable forest incentive program to the new owner.

(b) An owner who transfers only part of the owner's land enrolled in the sustainable forest incentive program, or all of the owner's land enrolled in the sustainable forest incentive program to more than one new owner, must notify the commissioner in writing of the transfer within 60 days

of the transfer of title. The notification must include the legal description of the transferred property, the tax parcel number, and the name and address of the new owner.

(c) Upon notification, the commissioner shall inform the new owner of the restrictions of the covenant required by section 290C.04, and that the new owner must register a new forest management plan within two years from the date the title of the property was transferred.

Subd. 4. **Termination of enrollment.** The commissioner will terminate enrollment in the sustainable forest incentive program according to the procedure in section 290C.10 for failure of the new owner to register a forest management plan within the time period in subdivision 3, paragraph (c).

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

Sec. 13. Minnesota Statutes 2014, section 290C.11, is amended to read:

**290C.11 PENALTIES FOR REMOVAL.**

(a) If the commissioner determines that land enrolled in the sustainable forest incentive program is in violation of the conditions for enrollment as specified in section 290C.03, the commissioner shall notify the ~~claimant~~ current owner of the enrolled land of the intent to remove ~~all~~ that tax parcel of the enrolled land where the violation has occurred from the sustainable forest incentive program. The ~~claimant~~ current owner of the affected tax parcel has 60 days to appeal this determination under the provisions of section 290C.13.

(b) If the commissioner determines the land is to be removed from the sustainable forest incentive program due to the construction of a building, the ~~claimant~~ current owner of the tax parcel that is in violation is liable for payment to the commissioner of revenue in the amount equal to (1) the payments received under this chapter for the previous four-year period in the case of an eight-year covenant, ten-year period in the case of a 20-year covenant, and 25-year period in the case of a 50-year covenant, plus interest; and (2) 25 percent of the estimated market value as property reclassified under section 273.13, due to the structure being on the taxed parcel, as determined by the assessor.

(c) If the commissioner determines that the land is to be removed due to changes in the use of the land for uses other than forestry purposes, the current owner of the tax parcel that is in violation shall be liable to the commissioner of revenue in an amount equal to (1) 30 percent of the estimated market value as property reclassified under section 273.13, due to the change in use, as determined by the assessor; and (2) the payments received under this chapter for the previous four-year period in the case of an eight-year covenant, ten-year period in the case of a 20-year covenant, and 25-year period in the case of a 50-year covenant, plus interest.

(d) The claimant has 90 days to satisfy the payment for removal of land from the sustainable forest incentive program under this section. If the penalty is not paid within the 90-day period under this paragraph, the commissioner shall certify the amount to the county auditor for collection as a part of the general ad valorem real property taxes on the land in the following taxes payable year.

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

Sec. 14. **REPEALER.**

Minnesota Statutes 2014, sections 290C.02, subdivisions 5 and 9, are repealed.

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

Amend the title as follows:

Page 1, line 2, delete everything after "Act"

Page 1, line 3, delete everything before the semicolon

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 1132:** A bill for an act relating to solid waste; amending uses of state grants to counties for solid waste reduction and recycling; amending allocation of solid waste management tax revenues; requiring a study; appropriating money; amending Minnesota Statutes 2014, sections 115A.557, subdivision 2; 297H.13, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete lines 1 and 2 and insert:

"(10) food waste prevention or collection and transportation of food donated to humans or to be fed to animals; and

(11) process source separated compostable materials that produce Class I or Class II compost as defined by Minnesota Rules, part 7035.2836, following anaerobic digestion."

Page 2, line 29, delete "in order to develop policy options"

Page 2, line 31, delete "50" and insert "35"

Page 3, line 3, delete everything after "recyclable" and insert "materials used in"

Page 3, line 4, delete everything before "new"

Page 3, line 6, delete everything after "that"

Page 3, delete line 7

Page 3, line 8, delete everything before "the" and insert "includes"

Page 3, line 12, delete "policy"

Page 3, after line 19, insert:

"Sec. 4. **EFFECTIVE RECYCLING EFFORTS REQUIREMENT.**

Subdivision 1. **Purpose.** It is important for state government to serve as a model for responsible environmental practices and providing leadership in sustainable stewardship of resources. Minnesota state government should implement exemplary waste reduction, reuse, and recycling practices, especially in public facilities at the Capitol and all state agencies. To increase rates of recycling in state and legislative buildings and facilities, recycling must be convenient, effective, and easy to use.

Subd. 2. **Requirements.** The Department of Administration shall partner with the legislature to implement effective methods for increasing recycling rates and reducing waste generated at buildings housing a state agency or the legislature.

Subd. 3. **Methods for increasing recycling.** Effective methods for increasing recycling rates and reducing the amount of waste generated by state and legislative operations must include, but are not limited to, the following:

- (1) colocation of recycling containers with each trash container;
- (2) maintenance staff collection of recycling from every location from which they collect trash;
- (3) use of containers and signs that are color coded and include graphics to illustrate what to place in each container; and
- (4) establish policies requiring employees to recycle and handle waste responsibly.

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

Page 3, line 21, delete "2015" and insert "2016"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "study;" insert "requiring effective recycling efforts by state government;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 1515:** A bill for an act relating to natural resources; modifying Wetland Conservation Act; requiring rulemaking; requiring a report; appropriating money; amending Minnesota Statutes 2014, sections 103B.101, by adding a subdivision; 103B.3355; 103F.612, subdivision 2; 103G.005, by adding a subdivision; 103G.222, subdivisions 1, 3; 103G.2242, subdivisions 1, 2, 3, 4, 12, 14; 103G.2251.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State and Local Government. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was re-referred**

**S.F. No. 1099:** A bill for an act relating to environment; regulating chemicals of high concern in children's products; amending Minnesota Statutes 2014, sections 13.7411, subdivision 8; 116.9401; 116.9402; 116.9403; 116.9405; 116.9406; proposing coding for new law in Minnesota Statutes, chapter 116.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete line 13 and insert "governed by section 116.9408."

Page 5, line 3, after "retailers" insert ", except if a retailer is also the producer, manufacturer, importer, or domestic distributor of a children's product containing a priority chemical or the retailer's brand name is affixed to a children's product containing a priority chemical"

Page 8, line 12, delete "doubles" and insert "increases by \$1,000"

Page 8, line 14, after "product" insert "category"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

**Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was referred**

**S.F. No. 759:** A bill for an act relating to education; postsecondary; providing a teacher shortage loan forgiveness program; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[136A.1791] TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM.**

Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given them.

(b) "Qualified educational loan" means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational and living expenses related to a teacher's preparation or further education.

(c) "School district" means an independent school district, special school district, intermediate district, education district, special education cooperative, service cooperative, a cooperative center for vocational education, or a charter school located in Minnesota.

(d) "Teacher" means an individual issued a teaching license by the Board of Teaching who is employed by a school district to provide instruction in a teacher shortage area.

(e) "Teacher shortage area" means a school district or a subject area and licensure field designated by the commissioner of education as a school district or an area and field in which a shortage of teachers exists in Minnesota.

Subd. 2. **Program established; administration.** The commissioner shall establish and administer a teacher shortage loan forgiveness program. A teacher is eligible for the program if the teacher is teaching in a teacher shortage area and complies with the requirements of this section.

Subd. 3. **Annual designation of teacher shortage areas.** The commissioner of education shall annually designate the school district, and subject areas and licensure fields experiencing teacher shortages. The commissioner of education shall periodically survey school districts and approved teacher preparation programs to identify teacher shortage areas.

Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness, according to the commissioner's rules, shall:

(1) apply for teacher shortage loan forgiveness and promptly submit any additional information required by the commissioner;

(2) annually reapply and submit information the commissioner requires to determine the applicant's continued eligibility for loan forgiveness; and

(3) submit to the commissioner a completed affidavit, prescribed by the commissioner, affirming the teacher is teaching in a teacher shortage area.

Subd. 5. **Amount of loan forgiveness.** To the extent funding is available, the annual amount of teacher shortage loan forgiveness for an approved recipient shall not exceed \$3,000 or the cumulative balance of the recipient's qualified educational loans, including principal and interest, whichever amount is less. Recipients must secure their own qualified educational loans. A teacher who graduates from an approved teacher preparation program is eligible to initially apply for the loan forgiveness program for five consecutive years after graduation. A teacher who adds a licensure field in a teacher shortage area may also apply for the loan forgiveness program for five consecutive years immediately after adding the licensure field.

Subd. 6. **Penalties.** A teacher who submits a false or misleading application or other false or misleading information to the commissioner may have his or her teaching license suspended or revoked under section 122A.20 or may be subject to discipline by the teacher's employing school district.

Subd. 7. **Fund established.** A teacher shortage loan forgiveness repayment fund is created as a separate account in the special revenue fund in the state treasury for depositing money appropriated to or received by the commissioner for this program. Money deposited in the fund shall not revert to any state fund at the end of any fiscal year but remains in the loan forgiveness repayment fund and is continuously available and appropriated to the commissioner for loan forgiveness under this section.

Subd. 8. **Annual reporting.** The commissioner, annually by February 1, must report to the chairs of the K-12 and higher education committees of the legislature on the number of individuals who received loan forgiveness under this section, the teacher shortage areas in which teachers taught, the amount paid to each program participant, and other summary data identified by the commissioner as outcome indicators.

Subd. 9. **Rulemaking.** The commissioner shall adopt rules under chapter 14 to administer this section.

## Sec. 2. **APPROPRIATIONS.**

\$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the general fund to the commissioner of the Office of Higher Education for deposit in the teacher shortage loan forgiveness fund account for the purposes of the teacher shortage loan forgiveness program under Minnesota Statutes, section 136A.1791, and for adopting rules to administer the program."

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

**Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was re-referred**

**S.F. No. 430:** A bill for an act relating to education; requiring a study on concurrent enrollment course.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **CONCURRENT ENROLLMENT WORKING GROUP.**

Subdivision 1. **Membership.** The commissioner of education shall convene a working group on concurrent enrollment. Members shall be named by the commissioner of education and include:

- (1) the commissioner of education or the commissioner's designee;
  - (2) the commissioner of the Office of Higher Education or the commissioner's designee;
  - (3) one senator from the majority party and one senator from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration;
  - (4) one member of the house of representatives appointed by the speaker of the house and one member appointed by the minority leader of the house of representatives;
  - (5) representatives of postsecondary institutions with concurrent enrollment programs including at least:
    - (i) one postsecondary faculty member from the University of Minnesota who has supervised a concurrent enrollment course;
    - (ii) one postsecondary faculty member from the Minnesota State Colleges and University system who has supervised a concurrent enrollment course;
    - (iii) one representative from the University of Minnesota;
    - (iv) one representative from the Minnesota State Colleges and Universities system;
    - (v) one representative from a private college with a concurrent enrollment program; and
    - (vi) one postsecondary faculty member from a career and technical college who has supervised a concurrent enrollment program;
  - (6) representatives of school districts with concurrent enrollment programs, including at least one high school administrator, one high school teacher, and one high school counselor;
  - (7) one representative of the National Alliance of Concurrent Enrollment Partnerships;
  - (8) at least one parent who has or had children participate in a concurrent enrollment course;
  - (9) at least one student enrolled in a concurrent enrollment course for the 2015-2016 school year;
- and
- (10) other stakeholders as determined by the commissioner.

The chair must be selected by the members at the first meeting.

Subd. 2. **Responsibilities.** (a) The working group shall review:

(1) differences between concurrent enrollment courses and the sponsoring public postsecondary institution's equivalent course in regard to:

- (i) course outline including scope, sequence of content, and methods to be employed;

- (ii) final exam;
  - (iii) grading scale; and
  - (iv) nature and frequency of exams;
  - (2) each program's student eligibility requirements, including exceptions to the requirements and the number of waivers to the requirements given in the past year;
  - (3) course prerequisites;
  - (4) all postsecondary institutions, both in-state and out-of-state, that have accepted or denied transferring courses for college credit;
  - (5) the frequency with which courses are offered;
  - (6) the method of charging for delivery of concurrent instruction; and
  - (7) the compensation and workload of faculty supervisors of concurrent enrollment.
- (b) The working group shall make recommendations, including legislative proposals for improving the consistency of concurrent enrollment programs in regards to the items in paragraph (a).
- (c) Any costs of the working group and preparing the report under subdivision 3 must be paid for out of the Department of Education and participating public postsecondary institutions' current operating budgets. Postsecondary institutions must make materials available for the study as requested by the commissioners of education and the Office of Higher Education. All intellectual property associated with materials made available for the study are retained by the institution or professor.

Subd. 3. **Report.** The working group must submit a report to the commissioner of education by January 15, 2016, with their findings and recommendations. The commissioner must prepare and submit to the education policy and finance committees of the legislature by February 15, 2016, a written report including the working group report and summary data on concurrent enrollment courses under Minnesota Statutes, section 124D.09, subdivision 10, consistent with this section."

Amend the title as follows:

Page 1, line 2, delete "study" and insert "working group" and delete "course" and insert "courses"

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

**Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was referred**

**S.F. No. 1084:** A bill for an act relating to education; postsecondary; providing loan forgiveness to individuals teaching in agricultural education; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "has" insert "after July 1, 2015,"

Page 2, line 2, after "established" insert "as a separate account in the special revenue fund of the state treasury"

Page 2, line 4, after "program" insert "and the money in the account is continuously appropriated to the commissioner for that purpose"

Page 2, line 29, after "Education" insert "for deposit in the agriculture education loan forgiveness program account"

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

**Senator Bakk from the Committee on Rules and Administration, to which was referred**

**S.F. No. 455:** A bill for an act relating to elections; modifying various provisions related to election administration, including provisions related to school districts, voters, ballots, candidates, and other election related provisions; making technical changes; amending Minnesota Statutes 2014, sections 123B.09, subdivision 1; 200.02, by adding subdivisions; 201.071, subdivision 1; 201.158; 203B.07, subdivision 1; 203B.08, subdivisions 1, 3; 203B.121, subdivision 2; 203B.17, subdivision 1; 204B.06, subdivision 1b; 204B.19, subdivision 6; 204B.45, subdivision 2; 204C.04, subdivision 2; 204C.08, subdivision 1d; 204C.35, subdivisions 1, 2; 204C.36, subdivisions 1, 2; 204C.40, subdivision 2; 204D.27, subdivision 11; 209.021, subdivisions 2, 3; 209.09, subdivision 2; repealing Minnesota Statutes 2014, sections 204B.14, subdivision 6; 204C.30, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

**"ARTICLE 1**

**ELECTION ADMINISTRATION**

Section 1. Minnesota Statutes 2014, section 123B.09, subdivision 1, is amended to read:

Subdivision 1. **School board membership.** The care, management, and control of independent districts is vested in a board of directors, to be known as the school board. The term of office of a member shall be four years commencing on the first Monday in January and until a successor qualifies. The membership of the board shall consist of six elected directors together with such ex officio member as may be provided by law. The board may submit to the electors at any school election the question whether the board shall consist of seven members. If a majority of those voting on the proposition favor a seven-member board, a seventh member shall be elected at the next election of directors for a four-year term and thereafter the board shall consist of seven members.

Those districts with a seven-member board may submit to the electors at any school election at least 150 days before the next election of three members of the board the question whether the board shall consist of six members. If a majority of those voting on the proposition favor a six-member board instead of a seven-member board, ~~two~~ three members instead of ~~three~~ four members shall be elected at the next election of the board of directors and thereafter the board shall consist of six members.

Sec. 2. Minnesota Statutes 2014, section 123B.09, is amended by adding a subdivision to read:

Subd. 5a. **Vacancies.** A vacancy other than a vacancy described in subdivision 4 must be filled pursuant to section 123B.095.

**Sec. 3. [123B.095] VACANCY IN OFFICE OF SCHOOL BOARD MEMBER.**

Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided in section 123B.09, subdivision 4, a vacancy in the office of school board may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 3. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The school board may by resolution call for a special election to be held according to the earliest of the following time schedules:

(1) not less than 120 days following the date the vacancy is declared, but no later than 12 weeks prior to the date of the next regularly scheduled primary election;

(2) concurrently with the next regularly scheduled primary election and general election; or

(3) no sooner than 120 days following the next regularly scheduled general election.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term.

Subd. 2. **When victor seated immediately.** If a vacancy for which a special election is required occurs less than 120 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at that election for the ensuing term who shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office.

Subd. 3. **Vacancies of less than one year; appointment option.** Except as provided in section 123B.09, subdivision 4, and as an alternative to the procedure provided in subdivisions 1 and 2, any other vacancy in the office of school board member may be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. If one year or more remains in the unexpired term, a special election must be held under subdivision 1. If less than one year remains in the unexpired term, the school board may appoint a person to fill the vacancy for the remainder of the unexpired term, unless the vacancy occurs within 90 days of the next school district general election, in which case an appointment shall not be made and the vacancy must be filled at the general election. The person elected to fill a vacancy at the general election takes office immediately in the same manner as for a special election under subdivision 1, and serves the remainder of the unexpired term and the new term for which the election was otherwise held.

Subd. 4. **School board vacancy appointment; public hearing.** Before making an appointment to fill a vacancy under subdivision 3, the school board must hold a public hearing not more than 30 days after the vacancy occurs with public notice given in the same manner as for a special meeting of the school board. At the public hearing, the board must invite public testimony from persons residing in the district in which the vacancy occurs relating to the qualifications of prospective appointees to fill the vacancy. Before making an appointment, the board also must notify public officials in the school district on the appointment, including county commissioners, town supervisors, and city council members, and must enter into the record at the board meeting in which the appointment is made the names and addresses of the public officials notified. If, after the public hearing, the board

is unable or decides not to make an appointment under subdivision 3, it must hold a special election under subdivision 1, but the time period in which the election must be held begins to run from the date of the public hearing.

Sec. 4. Minnesota Statutes 2014, section 200.02, subdivision 7, is amended to read:

Subd. 7. **Major political party.** (a) "Major political party" means a political party that maintains a party organization in the state, political division or precinct in question and that has presented at least one candidate for election to the office of:

(1) governor and lieutenant governor, secretary of state, state auditor, or attorney general at the last preceding state general election for those offices; or

(2) presidential elector or U.S. senator at the last preceding state general election for presidential electors; and

whose candidate received votes in each county in that election and received votes from not less than five percent of the total number of individuals who voted in that election.

(b) "Major political party" also means a political party that maintains a party organization in the state, political subdivision, or precinct in question and that has presented at least 45 candidates for election to the office of state representative, 23 candidates for election to the office of state senator, four candidates for election to the office of representative in Congress, and one candidate for election to each of the following offices: governor and lieutenant governor, attorney general, secretary of state, and state auditor, at the last preceding state general election for those offices.

(c) "Major political party" also means a political party that maintains a party organization in the state, political subdivision, or precinct in question and whose members present to the secretary of state at any time before the close of filing for the state partisan primary ballot a petition for a place on the state partisan primary ballot, which petition contains valid signatures of a number of the party members equal to at least five percent of the total number of individuals who voted in the preceding state general election. A signature is valid only if signed no more than one year prior to the date the petition was filed.

(d) A political party whose candidate receives a sufficient number of votes at a state general election described in paragraph (a) or a political party that presents candidates at an election as required by paragraph (b) becomes a major political party as of January 1 following that election and retains its major party status for at least two state general elections even if the party fails to present a candidate who receives the number and percentage of votes required under paragraph (a) or fails to present candidates as required by paragraph (b) at subsequent state general elections.

(e) A major political party whose candidates fail to receive the number and percentage of votes required under paragraph (a) and that fails to present candidates as required by paragraph (b) at each of two consecutive state general elections described by paragraph (a) or (b), respectively, loses major party status as of December 31 following the later of the two consecutive state general elections.

Sec. 5. Minnesota Statutes 2014, section 200.02, subdivision 23, is amended to read:

Subd. 23. **Minor political party.** (a) "Minor political party" means a political party that has adopted a state constitution, designated a state party chair, held a state convention in the last two years, filed with the secretary of state no later than December 31 following the most recent state

general election a certification that the party has met the foregoing requirements, and met the requirements of paragraph (b) or (e), as applicable.

(b) To be considered a minor party in all elections statewide, the political party must have presented at least one candidate for election to the office of:

(1) governor and lieutenant governor, secretary of state, state auditor, or attorney general, at the last preceding state general election for those offices; or

(2) presidential elector or U.S. senator at the preceding state general election for presidential electors; and

(3) who received votes in each county that in the aggregate equal at least one percent of the total number of individuals who voted in the election, or its members must have presented to the secretary of state at any time before the close of filing for the state partisan primary ballot a nominating petition in a form prescribed by the secretary of state containing the valid signatures of party members in a number equal to at least one percent of the total number of individuals who voted in the preceding state general election. A signature is valid only if signed no more than one year prior to the date the petition was filed.

(c) A political party whose candidate receives a sufficient number of votes at a state general election described in paragraph (b) becomes a minor political party as of January 1 following that election and retains its minor party status for at least two state general elections even if the party fails to present a candidate who receives the number and percentage of votes required under paragraph (b) at subsequent state general elections.

(d) A minor political party whose candidates fail to receive the number and percentage of votes required under paragraph (b) at each of two consecutive state general elections described by paragraph (b) loses minor party status as of December 31 following the later of the two consecutive state general elections.

(e) A minor party that qualifies to be a major party loses its status as a minor party at the time it becomes a major party. Votes received by the candidates of a major party must be counted in determining whether the party received sufficient votes to qualify as a minor party, notwithstanding that the party does not receive sufficient votes to retain its major party status. To be considered a minor party in an election in a legislative district, the political party must have presented at least one candidate for a legislative office in that district who received votes from at least ten percent of the total number of individuals who voted for that office, or its members must have presented to the secretary of state a nominating petition in a form prescribed by the secretary of state containing the valid signatures of party members in a number equal to at least ten percent of the total number of individuals who voted in the preceding state general election for that legislative office. A signature is valid only if signed no more than one year prior to the date the petition was filed.

Sec. 6. Minnesota Statutes 2014, section 200.02, is amended by adding a subdivision to read:

Subd. 27. **Partisan offices.** "Partisan offices" means federal offices, presidential electors, constitutional offices, and legislative offices.

Sec. 7. Minnesota Statutes 2014, section 200.02, is amended by adding a subdivision to read:

Subd. 28. **Nonpartisan offices.** "Nonpartisan offices" means all judicial, county, municipal, school district, and special district offices.

Sec. 8. Minnesota Statutes 2014, section 201.158, is amended to read:

**201.158 USE OF DEPARTMENT OF PUBLIC SAFETY DATA.**

As required by the Help America Vote Act of 2002, Public Law 107-252, the commissioner of public safety shall make electronic data on citizenship available to the secretary of state. The secretary of state must determine whether the data newly indicates that any individuals who have active records in the statewide voter registration system are not citizens. The secretary of state shall prepare a list of those voters for each county auditor at least monthly. The county auditor shall change the status of those registrants in the statewide voter registration system to reflect that they are challenged based upon their citizenship and must notify the county attorney.

~~In 2010, the secretary of state must make the determination and provide lists to the county auditors between 30 and 60 days before the general election and again between six and ten weeks after the election. In 2011, the secretary of state must make this determination again as part of the annual list maintenance. By August 1, 2012, the secretary of state must provide electronic lists to the counties at least monthly.~~

Sec. 9. Minnesota Statutes 2014, section 203B.01, subdivision 3, is amended to read:

Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast Guard or Merchant Marine of the United States, ~~and~~ all other uniformed services as defined in United States Code, title 42, ~~section 1973ff-6 52, section 20310, and military forces as defined by section 190.05, subdivision 3.~~

Sec. 10. Minnesota Statutes 2014, section 203B.07, subdivision 1, is amended to read:

Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal clerk shall prepare, print, and transmit a return envelope, a ballot envelope, and a copy of the directions for casting an absentee ballot to each applicant whose application for absentee ballots is accepted pursuant to section 203B.04. The county auditor or municipal clerk shall provide first class postage for the return envelope. The directions for casting an absentee ballot shall be printed in at least 14-point bold type with heavy leading and may be printed on the ballot envelope. When a person requests the directions in Braille or on ~~cassette tape~~ audio file, the county auditor or municipal clerk shall provide them in the form requested. The secretary of state shall prepare Braille and ~~cassette audio file~~ audio file copies and make them available.

When a voter registration application is sent to the applicant as provided in section 203B.06, subdivision 4, the directions or registration application shall include instructions for registering to vote.

Sec. 11. Minnesota Statutes 2014, section 203B.08, subdivision 1, is amended to read:

Subdivision 1. **Marking and return by voter.** An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots. The return envelope containing marked ballots may be mailed as provided in the directions for casting the absentee ballots or may be left with the county auditor or municipal clerk who transmitted the absentee ballots to the voter. If delivered in person ~~by an agent~~, the return envelope must be submitted to the county auditor or municipal clerk by 3:00 p.m. on election day.

The voter may designate an agent to deliver in person the sealed absentee ballot return envelope to the county auditor or municipal clerk or to deposit the return envelope in the mail. An agent

may deliver or mail the return envelopes of not more than three voters in any election. Any person designated as an agent who tampers with either the return envelope or the voted ballots or does not immediately mail or deliver the return envelope to the county auditor or municipal clerk is guilty of a misdemeanor.

Sec. 12. Minnesota Statutes 2014, section 203B.08, subdivision 3, is amended to read:

Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a county auditor or municipal clerk, that official shall stamp or initial and date the return envelope and place it in a secure location with other return envelopes received by that office. Within five days after receipt, the county auditor or municipal clerk shall deliver to the ballot board all ballots received, except that during the 14 days immediately preceding an election, the county auditor or municipal clerk shall deliver all ballots received to the ballot board within three days. Ballots received on election day either (1) after 3:00 p.m., if delivered by an agent in person; or (2) after the last mail delivery 8 p.m., if delivered by another method mail or a package delivery service, shall be marked as received late by the county auditor or municipal clerk, and must not be delivered to the ballot board.

Sec. 13. Minnesota Statutes 2014, section 203B.121, subdivision 2, is amended to read:

Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board shall take possession of all return envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each return envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the return envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

(1) the voter's name and address on the return envelope are the same as the information provided on the absentee ballot application;

(2) the voter signed the certification on the envelope;

(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as the a number provided on the voter's absentee ballot application for ballots or voter record. If the number does not match the number as submitted on the application, or if a number was not submitted on the application, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the return envelope;

(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the seventh day before the election, by absentee ballot.

The return envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a return envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the security envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(e) An absentee ballot return envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 14. Minnesota Statutes 2014, section 203B.16, subdivision 1, is amended to read:

Subdivision 1. **Military service; temporary residence outside United States.** Sections 203B.16 to 203B.27 provide alternative voting procedures for eligible voters who are absent from the precinct where they maintain residence because they are:

(1) either in the military or the spouses or dependents of individuals serving in the military; or

(2) temporarily outside the territorial limits of the United States.

Sections 203B.16 to 203B.27 are intended to implement the federal Uniformed and Overseas Citizens Absentee Voting Act, United States Code, title 42, ~~section 1973ff~~ section 52, sections 20301 to 20310.

Sec. 15. Minnesota Statutes 2014, section 203B.16, subdivision 2, is amended to read:

Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27 provide the exclusive voting procedure for United States citizens who are living indefinitely outside the

territorial limits of the United States who meet all the qualifications of an eligible voter except residence in Minnesota, but who are authorized by federal law to vote in Minnesota because they or, if they have never resided in the United States, a parent maintained residence in Minnesota for at least 20 days immediately prior to their departure from the United States. Individuals described in this subdivision shall be permitted to vote only for the offices of president, vice-president, senator in Congress, and representative in Congress.

Sec. 16. Minnesota Statutes 2014, section 203B.17, subdivision 1, is amended to read:

Subdivision 1. **Submission of application.** (a) An application for absentee ballots for a voter described in section 203B.16 must be in writing and may be submitted in person, by mail, by electronic facsimile device, by electronic mail, or electronically through a secure Web site that shall be maintained by the secretary of state for this purpose, upon determination by the secretary of state that security concerns have been adequately addressed. An application for absentee ballots for a voter described in section 203B.16 may be submitted by that voter or by that voter's parent, spouse, sister, brother, or child over the age of 18 years. ~~For purposes of an application under this subdivision, a person's Social Security number, no matter how it is designated, qualifies as the person's military identification number if the person is in the military.~~

(b) An application for a voter described in section 203B.16, subdivision 1, shall be submitted to the county auditor of the county where the voter maintains residence or through the secure Web site maintained by the secretary of state.

(c) An application for a voter described in section 203B.16, subdivision 2, shall be submitted to the county auditor of the county where the voter or the voter's parent last maintained residence in Minnesota or through the secure Web site maintained by the secretary of state.

(d) An application for absentee ballots shall be valid for any primary, special primary, general election, or special election from the time the application is received through the end of that calendar year.

(e) There shall be no limitation of time for filing and receiving applications for ballots under sections 203B.16 to 203B.27.

Sec. 17. Minnesota Statutes 2014, section 203B.17, subdivision 2, is amended to read:

Subd. 2. **Required information.** An application shall be accepted if it contains the following information stated under oath:

(a) the voter's name, birthdate, and present address of residence in Minnesota, or former address of residence or parent's former address of residence in Minnesota if the voter is living permanently outside the United States;

(b) a statement indicating that the voter is in the military, or is the spouse or dependent of an individual serving in the military, or is temporarily outside the territorial limits of the United States, or is living permanently outside the territorial limits of the United States and voting under federal law;

(c) a statement that the voter expects to be absent from the precinct at the time of the election;

(d) the address to which absentee ballots are to be mailed;

(e) the voter's signature or the signature and relationship of the individual authorized to apply on the voter's behalf;

(f) the voter's passport number, Minnesota driver's license or state identification card number, or the last four digits of the voter's Social Security number; if the voter does not have access to any of these documents, the voter or other individual requesting absentee ballots may attest to the truthfulness of the contents of the application under penalty of perjury; and

(g) the voter's e-mail address, if the application was submitted electronically through the secure Web site maintained by the secretary of state.

Notwithstanding paragraph (f), an application submitted through the secretary of state's Web site must include the voter's verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the voter's Social Security number, and may only be transmitted to the county auditor for processing if the secretary of state has verified the application information matches the information in a government database associated with the applicant's driver's license number, state identification card number, or Social Security number. The secretary of state must review all unverifiable applications for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

Sec. 18. Minnesota Statutes 2014, section 204B.06, subdivision 1b, is amended to read:

Subd. 1b. **Address and telephone number.** (a) An affidavit of candidacy must state a telephone number where the candidate can be contacted. An affidavit must also state the candidate's address of residence as determined under section 200.031, or at the candidate's request in accordance with paragraph (c), the candidate's campaign contact address. The form for the affidavit of candidacy must allow the candidate to request, if eligible, that the candidate's address of residence be classified as private data, and to provide the certification required under paragraph (c) for classification of that address.

(b) For an office whose residency requirement must be satisfied by the close of the filing period, a registered voter in this state may request in writing that the filing officer receiving the affidavit of candidacy review the address as provided in this paragraph, at any time up to one day after the last day for filing for office. If requested, the filing officer must determine whether the address provided in the affidavit of candidacy is within the area represented by the office the candidate is seeking. If the filing officer determines that the address is not within the area represented by the office, the filing officer must immediately notify the candidate and the candidate's name must be removed from the ballot for that office. A determination made by a filing officer under this paragraph is subject to judicial review under section 204B.44.

(c) If the candidate requests that the candidate's address of residence be classified as private data, the candidate must list the candidate's address of residence on a separate form to be attached to the affidavit. The candidate must also certify on the affidavit that a police report has been submitted or an order for protection has been issued in regard to the safety of the candidate or the candidate's family, or that the candidate's address is otherwise private pursuant to Minnesota law. The address of residence provided by a candidate who makes a request for classification on the candidate's affidavit of candidacy and provides the certification required by this paragraph is classified as private data, as defined in section 13.02, subdivision 12, but may be reviewed by the filing officer as provided in this subdivision.

(d) The requirements of this subdivision do not apply to affidavits of candidacy for a candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

Sec. 19. Minnesota Statutes 2014, section 204B.19, subdivision 6, is amended to read:

Subd. 6. **High school students.** Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota or who is in a home school in compliance with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge ~~in the county in which the student resides~~. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least ten days prior to the election. Students shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for a large employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance at the time of service as a trainee election judge.

Sec. 20. Minnesota Statutes 2014, section 204B.36, subdivision 1, is amended to read:

Subdivision 1. **Type.** All ballots shall be printed with black ink on paper of sufficient thickness to prevent the printing from being discernible from the back. All ballots shall be printed in easily readable type with suitable lines dividing candidates, offices, instructions and other matter printed on ballots. ~~The name of each candidate shall be printed in capital letters.~~ The same type shall be used for the names of all candidates on the same ballot.

Sec. 21. Minnesota Statutes 2014, section 204B.36, subdivision 2, is amended to read:

Subd. 2. **Candidates and offices.** The name of each candidate shall be printed at a right angle to the length of the ballot. At a general election the name of the political party or the political principle of each candidate for partisan office shall be printed above or below the name of the candidate. The name of a political party or a political principle shall be printed in capital and lowercase letters of the same type, with the capital letters at least one-half the height of the capital letters used for names of the candidates. At a general election, blank lines containing the words "write-in, if any" shall be printed below the name of the last candidate for each office, or below the title of the office if no candidate has filed for that office, so that a voter may write in the names of individuals whose names are not on the ballot. One blank line shall be printed for each officer of that kind to be elected. At a primary election, no blank lines shall be provided for writing in the names of individuals whose names do not appear on the primary ballot.

On the left side of the ballot at the same level with the name of each candidate and each blank line shall be printed ~~a square~~ an oval or similar target shape in which the voter may designate a vote by ~~a mark (X) filling in the oval or similar mark if a different target shape is used.~~ Each square shall be the same size. Above the first name on each ballot shall be ~~printed the words, "Put an (X) in the square opposite the name of each candidate you wish to vote for."~~ At the same level with these words and directly above the squares shall be printed a small arrow pointing downward instructions for voting. Directly underneath the official title of each office shall be printed the words "Vote for one" or "Vote for up to ..." (any greater number to be elected).

Sec. 22. Minnesota Statutes 2014, section 204B.36, subdivision 3, is amended to read:

Subd. 3. **Question; form of ballot.** When a question is to be submitted to a vote, a concise statement of the nature of the question shall be printed on the ballot. The words, "YES" "Yes" and "NO" "No" shall be printed to the left of this statement, with a square ~~an oval or similar target shape~~ to the left of each word so that the voter may indicate by a mark (X) either a negative or affirmative vote. The ballot shall include instructions directing the voter to ~~put an (X) in the square~~ fill in the oval or similar mark if a different target shape is used, before the word "YES" "Yes" if the voter desires to vote for the question, or to ~~put an (X) fill in the oval or similar mark if a different target shape is used~~, before the word "NO" "No" if the voter desires to vote against the question.

Sec. 23. Minnesota Statutes 2014, section 204B.36, subdivision 4, is amended to read:

Subd. 4. **Judicial candidates.** The official ballot shall contain the names of all candidates for each judicial office and shall state the number of those candidates for whom a voter may vote. Each seat for an associate justice, associate judge, or judge of the district court must be numbered. The words "SUPREME COURT," "COURT OF APPEALS," "Supreme Court," "Court of Appeals," and "~~(number) DISTRICT COURT~~" "(number) District Court" must be printed above the respective judicial office groups on the ballot. The title of each judicial office shall be printed on the official primary and general election ballot as follows:

(a) In the case of the Supreme Court:

"Chief justice";

"Associate justice (number)";

(b) In the case of the Court of Appeals:

"Judge (number)"; or

(c) In the case of the district court:

"Judge (number)."

Sec. 24. Minnesota Statutes 2014, section 204B.45, subdivision 1, is amended to read:

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

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

Sec. 25. Minnesota Statutes 2014, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly

scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the town or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

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

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

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

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

Sec. 26. Minnesota Statutes 2014, section 204C.04, subdivision 2, is amended to read:

Subd. 2. **Elections covered.** For purposes of this section, "election" means a regularly scheduled ~~state primary or general~~ election, an election to fill a vacancy in the office of United States senator or United States representative, an election to fill a vacancy in nomination for a constitutional office, or an election to fill a vacancy in the office of state senator or state representative.

Sec. 27. Minnesota Statutes 2014, section 204C.13, subdivision 2, is amended to read:

Subd. 2. **Voting booths.** One of the election judges shall explain to the voter the proper method of marking ~~and folding~~ the ballots and, during a primary election, the effect of attempting to vote in more than one party's primary. Except as otherwise provided in section 204C.15, the voter shall retire alone to an unoccupied voting booth or, at the voter's discretion, the voter may choose to use another

writing surface. The voter shall mark the ballots without undue delay. The voter may take sample ballots into the booth to assist in voting. The election judges may adopt and enforce reasonable rules governing the amount of time a voter may spend in the voting booth marking ballots.

Sec. 28. Minnesota Statutes 2014, section 204C.13, subdivision 3, is amended to read:

Subd. 3. **Marking ballots.** The voter shall mark each ballot in the following manner:

(a) ~~A mark (X) shall be placed in the square~~ The voter shall fill in the oval or similar mark if a different target shape is used, opposite the printed name of each candidate for whom the individual desires to vote, and in the square oval or other target shape before the "YES" "Yes" or "NO" "No" if the individual desires to vote for or against a question.

(b) The voter may write in other names on the lines provided under the printed names of the candidates, except that no names shall be written in on primary ballots.

(c) At a state primary an individual may vote for candidates of only one major political party on the partisan primary ballot. If a partisan primary ballot contains votes for the candidates of more than one major political party, the ballot is totally defective and no vote on the partisan section of the ballot shall be counted.

(d) An individual who spoils a ballot may return it to the election judges and receive another.

Sec. 29. Minnesota Statutes 2014, section 204C.13, subdivision 5, is amended to read:

Subd. 5. **Deposit of ballots in ballot boxes** ~~box.~~ The voter shall then withdraw from the voting booth with the ballots and ~~hand them to the election judge in charge of the ballot boxes. That election judge shall~~ immediately deposit each ballot in the proper ballot box. Ballots that have not been initialed by the election judges as provided in section 204C.09, shall not be deposited in the ballot box.

Sec. 30. Minnesota Statutes 2014, 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 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. 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. 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. 31. Minnesota Statutes 2014, section 204C.22, subdivision 3, is amended to read:

Subd. 3. **Votes for too many candidates.** If a voter places a mark (X) beside the names of more candidates for an office than are to be elected or nominated, the ballot is defective with respect only to that office. No vote shall be counted for any candidate for that office, but the rest of the ballot shall be counted if possible. At a primary, if a voter has not indicated a party preference and places a mark (X) beside the names of candidates of more than one party on the partisan ballot, the ballot is totally defective and no votes on it shall be counted. If a voter has indicated a party preference at a primary, only votes cast for candidates of that party shall be counted.

Sec. 32. Minnesota Statutes 2014, section 204C.22, subdivision 4, is amended to read:

Subd. 4. **Name written in proper place.** If a voter has written the name of an individual in the proper place on a general or special election ballot a vote shall be counted for that individual whether or not the voter makes a mark (X) in the square oval or other target shape opposite the blank.

Sec. 33. Minnesota Statutes 2014, section 204C.22, subdivision 7, is amended to read:

Subd. 7. **All written names or marks counted up to limit.** If a number of individuals are to be elected to the same office, the election judges shall count all names written in and all printed names with (X) marks in squares oval or other target shape opposite them, not exceeding the whole number to be elected. When fewer names than the number to be elected are marked with an (X) or written in, only the marked or written in names shall be counted. When more names than the number to be elected are marked or written in, the ballot is defective with respect to that office and no vote shall be counted for that office.

Sec. 34. Minnesota Statutes 2014, section 204C.22, subdivision 10, is amended to read:

Subd. 10. **Different marks.** If a voter uniformly uses a mark ~~other than (X) which that~~ clearly indicates an intent to mark a name or to mark yes or no on a question, and the voter does not use (X) the more standard mark anywhere else on the ballot, a vote shall be counted for each candidate or response to a question marked. If a voter uses two or more distinct marks, such as (X) and some other mark, a vote shall be counted for each candidate or response to a question marked, unless the ballot is marked by distinguishing characteristics that make the entire ballot defective as provided in subdivision 13.

Sec. 35. Minnesota Statutes 2014, section 204C.35, subdivision 1, is amended to read:

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

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

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office is less than one-quarter of one percent of the total number of votes counted for that nomination or is 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 upon receiving a written request from the candidate whose nomination is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the nomination, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. This written request must be received by the filing officer no later than ~~48 hours~~ 5:00 p.m. on the second day after the canvass of the primary for which the recount is being sought.

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

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

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office and the votes of any other candidate for that office is less than one-quarter of one percent of the total number of votes counted for that office or is 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 upon receiving a written request from the candidate whose election is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the general election, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. This written request must be received by the filing officer no later than ~~48 hours~~ 5:00 p.m. on the second day after the canvass of the election for which the recount is being sought.

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

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

Sec. 36. Minnesota Statutes 2014, section 204C.35, subdivision 2, is amended to read:

Subd. 2. **Discretionary candidate recounts.** (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 shall 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) A discretionary recount of a primary must not delay delivery of the notice of nomination to the winning candidate under section 204C.32.

(d) 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).

(e) The results of the recount must be certified by the canvassing board as soon as possible.

~~(d)~~ (f) 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)~~ (g) 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. 37. Minnesota Statutes 2014, section 204C.36, subdivision 1, is amended to read:

Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and (c), 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 vote cast for that candidate and for a winning candidate for nomination or election is less than one-quarter 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-quarter 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 less than one-half of one percent, and the total number of votes cast for the nomination or election of all candidates is more than 400 but less than 50,000. In cases 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.

(c) 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 vote 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.

(d) 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 shall be filed ~~during the time for notice of contest of the primary or~~ by 5:00 p.m. on the fifth day after the canvass of a primary or

special primary or by 5:00 p.m. on the seventh day of the canvass of a special or general election for which a recount is sought.

(e) 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.

Sec. 38. Minnesota Statutes 2014, section 204C.36, subdivision 2, is amended to read:

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, paragraphs (a) to (e). The votes shall 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 paragraph (b).

(c) A discretionary recount of a primary must not delay delivery of the notice of nomination to the winning candidate under section 204C.32.

(d) The results of the recount must be certified by the canvassing board as soon as possible.

(e) 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.

~~(f)~~ (f) 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. 39. Minnesota Statutes 2014, section 204C.40, subdivision 2, is amended to read:

Subd. 2. **Time of issuance; certain offices.** No certificate of election shall be issued until seven days after the canvassing board has declared the result of the election. ~~In case of a contest, an election certificate shall not be issued until a court of proper jurisdiction has finally determined the contest. This subdivision shall not apply to candidates elected to the office of state senator or representative.~~

Sec. 40. Minnesota Statutes 2014, section 204D.11, subdivision 4, is amended to read:

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

(b) This ballot shall be prepared by the county auditor in the same manner as the state general election ballot and shall be subject to the rules adopted by the secretary of state pursuant to subdivision 1. This ballot must be prepared and furnished in accordance with the federal Uniformed

and Overseas Citizens Absentee Voting Act, United States Code, title 42, ~~section 1973ff~~ 52, sections 20301 to 20310.

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

Sec. 41. Minnesota Statutes 2014, section 204D.27, subdivision 11, is amended to read:

Subd. 11. **Certificate of legislative election.** A certificate of election in a special election for state senator or state representative shall be issued by the secretary of state to the ~~individual declared elected by the county or state canvassing board~~ chief clerk of the house or the secretary of the senate two days, excluding Sundays and legal holidays, after the appropriate canvassing board finishes canvassing the returns for the election.

In case of a contest the certificate shall not be issued until the district court determines the contest.

Sec. 42. Minnesota Statutes 2014, section 206.90, subdivision 6, is amended to read:

Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card on which all ballot information is included must be printed in black ink on white colored material except that marks not to be read by the automatic tabulating equipment may be printed in another color ink. In state elections, a single ballot title must be used, as provided in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. In odd-numbered years when both municipal and school district offices or questions appear on the ballot, the single ballot title "City (or Town) and School District Ballot" must be used.

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

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

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

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

If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions to voters must include a statement that reads substantially as follows: "~~THIS BALLOT CARD CONTAINS A PARTISAN BALLOT AND A NONPARTISAN BALLOT. ON THE PARTISAN BALLOT YOU ARE PERMITTED TO VOTE FOR CANDIDATES OF ONE POLITICAL PARTY ONLY.~~" "This ballot card contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted to vote for candidates of one political party only." If a primary ballot contains political party columns on both sides of the ballot, the instructions to voters must include a statement that reads substantially as follows: "~~ADDITIONAL POLITICAL PARTIES ARE PRINTED ON THE OTHER SIDE OF THIS BALLOT. VOTE FOR ONE POLITICAL PARTY ONLY.~~" "Additional political parties are printed on the other side of this ballot. Vote for one political party only." At the bottom of each political party column on the primary ballot, the ballot must contain a statement that reads substantially as follows: "~~CONTINUE VOTING ON THE NONPARTISAN BALLOT.~~" "Continue voting on the nonpartisan ballot." The instructions

in section 204D.08, subdivision 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio ballot readers must follow the order of offices and questions on the optical scan or paper ballot used in the same precinct, or the sample ballot posted for that precinct.

Sec. 43. Minnesota Statutes 2014, section 209.021, subdivision 2, is amended to read:

Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for statewide office, the contestant shall file the notice of contest with the court administrator of District Court in Ramsey County. For contests relating to any other office, the contestant shall file the notice of contest with the court administrator of district court in the county where the contestee resides.

If the contest relates to a constitutional amendment ~~or other question voted on statewide~~, the contestant shall file the notice of contest with the court administrator of District Court in Ramsey County. If the contest relates to any other question, the contestant shall file the notice of contest with the court administrator of district court for the county or any one of the counties where the question appeared on the ballot.

Sec. 44. Minnesota Statutes 2014, section 209.021, subdivision 3, is amended to read:

Subd. 3. **Notice served on parties.** In all contests relating to the nomination or election of a candidate, the notice of contest must be served on the candidate who is the contestee, a copy of the notice must be sent to the contestee's last known address by certified mail, and a copy must be furnished to the official authorized to issue the certificate of election. If personal or substituted service on the contestee cannot be made, an affidavit of the attempt by the person attempting to make service and the affidavit of the person who sent a copy of the notice to the contestee by certified mail is sufficient to confer jurisdiction upon the court to decide the contest.

If the contest relates to a constitutional amendment ~~or other question voted on statewide or voted on in more than one county~~, notice of contest must be served on the secretary of state, who is the contestee. If a contest relates to a question voted on within only one county, school district, or municipality, a copy of the notice of contest must be served on the county auditor, clerk of the school district, or municipal clerk, respectively, who is the contestee. If the contest is upon the question of consolidation or reorganization of a school district, a copy of the notice of contest must be served on the county auditor authorized by law to issue the order.

Sec. 45. Minnesota Statutes 2014, section 209.09, subdivision 2, is amended to read:

Subd. 2. **Statewide offices and questions.** Section 209.10, subdivision 4, applies to a contest regarding a statewide office; or a constitutional amendment; ~~or other question voted on statewide~~. A copy of the Supreme Court's decision must be forwarded to the contestant and the contestee.

Sec. 46. Minnesota Statutes 2014, section 365.22, subdivision 2, is amended to read:

Subd. 2. **Questions, ballot details.** The questions to be voted on must be separately stated on the ballots, as worded in section 365.21. Two squares ovals or similar target shapes, one above the other, must be put just below each question with the word "yes" beside the upper square target shape and the word "no" beside the lower square target shape.

Sec. 47. Minnesota Statutes 2014, section 365.22, subdivision 3, is amended to read:

Subd. 3. **Voting.** An elector must vote separately on each question for the elector's vote to be counted on that question. To vote "yes" on a question, the elector shall ~~mark an "X" in the square~~

fill in the oval or similar target shape beside the word "yes" just below the question. To vote "no" on a question, the elector shall ~~mark an "X" in the square~~ fill in the oval or similar target shape beside the word "no" just below the question.

Sec. 48. Minnesota Statutes 2014, section 367.31, subdivision 4, is amended to read:

Subd. 4. **Election; form of ballot.** The proposals for adoption of the options shall be stated on the ballot substantially as follows:

"Shall option A, providing for a five-member town board of supervisors, be adopted for the government of the town?"

"Shall option B, providing for the appointment of the clerk and treasurer by the town board, be adopted for the government of the town?"

"Shall option C, providing for the appointment of a town administrator by the town board, be adopted for the government of the town?"

"Shall option D, providing for combining the offices of clerk and treasurer, be adopted for the government of the town?"

If a proposal under option B is to appoint only the clerk or only the treasurer, or if it is to appoint the combined clerk-treasurer following the adoption of option D or when submitted simultaneously with the ballot question for option D, the ballot question shall be varied to read appropriately. If an option B ballot question is submitted for the combined clerk-treasurer office at the same election in which option D is also on the ballot, the ballot must note that the approval of option B is contingent on the simultaneous approval of option D. In any of these cases, the question shall be followed by the words "Yes" and "No" with an appropriate ~~square~~ oval or similar target shape before each in which an elector may record a choice.

Sec. 49. Minnesota Statutes 2014, section 368.85, subdivision 4, is amended to read:

Subd. 4. **Ballot.** The town board shall provide ballots which shall read "Shall the territory described in the resolution adopted by the town board on the ..... day of ....., ....., constitute a special fire protection district?" The question shall be followed with a line with the word "Yes" and a ~~square~~ an oval or similar target shape after it and another line with the word "No" and a ~~square~~ an oval or similar target shape after it. The voters shall indicate their choice by placing a cross mark in one of the ~~squares~~ target shapes, and a direction to so indicate their choice shall be printed on the ballot.

Sec. 50. Minnesota Statutes 2014, section 376.04, is amended to read:

### **376.04 ELECTION, SEPARATE BALLOT.**

The question of purchasing and constructing hospital buildings shall be submitted to the voters of any county at a general election ~~and placed upon a separate ballot~~. This election must be called by a resolution of the county board. The resolution must state the time of the election, that a county hospital is proposed to be established, the proposed location, and the cost, including equipment, for not more than the amount stated in the resolution. When the resolutions are passed, the county auditor shall immediately notify each town or city clerk in the county that the question of constructing hospital buildings will be voted upon at the time stated in the resolution, in the manner provided under the state election laws.

The ballot must be in the following form:

"For the purchase and construction of hospital buildings, including equipment, to be located at ..... (state location), at a cost not more than ..... (state amount), pursuant to the resolution of the board of county commissioners passed ..... (state date).

Yes .....

No ..... "

To the left of each of the last two words, "yes" and "no," shall be followed by a square in which the voter may indicate by a mark (X) either a negative or affirmative vote printed an oval or similar target shape so that the voter may indicate by a mark either a negative or affirmative vote. These votes shall be cast in the same manner as votes cast at the general election and counted by the same officers. Returns must be made to the county auditor, and canvassed in the same manner as the returns on county officers.

Sec. 51. Minnesota Statutes 2014, section 412.551, subdivision 2, is amended to read:

Subd. 2. **Form of ballot.** The proposals for the adoption of optional plans shall be stated on the ballot substantially as follows:

"Shall Optional Plan A, modifying the standard plan of city government by providing for the appointment by the council of the clerk and treasurer be adopted for the government of the city?"

"Shall Optional Plan B, providing for the council-manager form of city government, be adopted for the government of the city?"

If the city has combined the offices of clerk and treasurer, the word "clerk-treasurer" shall be substituted for the words "clerk and treasurer" in the question on the ballot on adoption of Optional Plan A. In any of these cases, the question shall be followed by the words, "Yes" and "No" with an appropriate square before each in which a voter may record a choice oval or similar target shape to the left of each word so that the voter may indicate by a mark either a negative or affirmative vote.

Sec. 52. **ELECTIONS EMERGENCY PLANNING TASK FORCE.**

Subdivision 1. **Membership.** (a) The Elections Emergency Planning Task Force consists of the following members:

(1) the director of the Department of Public Safety, Division of Homeland Security and Emergency Management, or designee;

(2) the secretary of state, or designee;

(3) one individual designated by the secretary of state, from the elections division in the Office of the Secretary of State;

(4) the Minnesota Adjutant General, or designee;

(5) one county auditor, appointed by the Minnesota Association of County Officers;

(6) one local professional emergency manager, appointed by the Association of Minnesota Emergency Managers;

(7) one town election official, appointed by the Minnesota Association of Townships;

- (8) one city election official, appointed by the League of Minnesota Cities;
- (9) one school district election official, appointed by the Minnesota School Boards Association;
- (10) one representative appointed by the speaker of the house of representatives;
- (11) one representative appointed by the minority leader of the house of representatives;
- (12) one senator appointed by the senate majority leader; and
- (13) one senator appointed by the senate minority leader.

(b) Any vacancy shall be filled by appointment of the appointing authority for the vacating member.

(c) Members shall be appointed by July 1, 2015.

Subd. 2. **Duties.** The task force must research the following issues:

- (1) potential emergency scenarios that could impact elections;
- (2) current capacity and authority to address emergency situations;
- (3) potential direct and indirect costs of an emergency that disrupts elections;
- (4) maintaining ballot security in event of an emergency;
- (5) continuity of operations procedures; and
- (6) communications plans and key emergency contacts.

Subd. 3. **First meeting; chair.** The secretary of state, or the secretary's designee, must convene the initial meeting of the task force by August 1, 2015. The members of the task force must elect a chair and vice-chair from the members of the task force at the first meeting.

Subd. 4. **Compensation.** Public members of the task force shall be compensated pursuant to Minnesota Statutes, section 15.059, subdivision 3.

Subd. 5. **Staff.** The Legislative Coordinating Commission shall provide staff support, as needed, to facilitate the task force's work.

Subd. 6. **Report.** The task force must submit a report by January 1, 2016, to the chairs and ranking minority members of the committees in the senate and house of representatives with primary jurisdiction over elections, summarizing its findings and listing recommendations for the development of elections emergency plans statewide. The report shall include draft legislation to implement the recommendations of the task force.

Subd. 7. **Sunset.** The task force shall sunset the day following the submission of the report under subdivision 6, or January 1, 2016, whichever is earlier.

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

Sec. 53. **REPEALER.**

Minnesota Statutes 2014, sections 123B.09, subdivision 5; 204B.14, subdivision 6; 204C.13, subdivision 4; 204C.30, subdivision 1; and 383A.555, are repealed.

**ARTICLE 2****UNIFORM FAITHFUL PRESIDENTIAL ELECTORS ACT**

Section 1. Minnesota Statutes 2014, section 204B.07, subdivision 2, is amended to read:

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

Sec. 2. Minnesota Statutes 2014, section 208.02, is amended to read:

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

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

Sec. 3. Minnesota Statutes 2014, section 208.03, is amended to read:

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

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

Sec. 4. Minnesota Statutes 2014, section 208.06, is amended to read:

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

The presidential electors and alternate presidential electors, before 12:00 M. on the day before that fixed by Congress for the electors to vote for president and vice president of the United States, shall notify the governor that they are at the State Capitol and ready at the proper time to fulfill their duties as electors. The governor shall deliver to the electors present a certificate of the names of all the electors. If any elector named therein fails to appear before 9:00 a.m. on the day, and at the place, fixed for voting for president and vice president of the United States, an alternate, chosen from among the alternates by lot, shall be appointed to act for that elector. If more than eight alternates are necessary, the electors present shall, in the presence of the governor, immediately elect by ballot a person to fill the vacancy. If more than the number of persons required have the highest and an equal number of votes, the governor, in the presence of the electors attending, shall decide by lot which of those persons shall be elected. The electors shall meet at 12:00 p.m. in the executive chamber of

the State Capitol and shall perform all the duties imposed upon them as electors by the Constitution and laws of the United States and this state in the manner provided in section 208.46.

**Sec. 5. [208.40] SHORT TITLE.**

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

**Sec. 6. [208.41] DEFINITIONS.**

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

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

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

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

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

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

**Sec. 7. [208.42] DESIGNATION OF STATE'S ELECTORS.**

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

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

**Sec. 8. [208.43] PLEDGE.**

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

**Sec. 9. [208.44] CERTIFICATION OF ELECTORS.**

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

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

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

Sec. 10. [208.45] PRESIDING OFFICER; ELECTOR VACANCY.

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

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

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

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

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

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

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

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

Sec. 11. [208.46] ELECTOR VOTING.

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

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

(c) An elector who refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of the elector's pledge executed under section 208.43 or 208.45, paragraph (c), vacates the office of elector, creating a vacant position to be filled under section 208.45.

(d) The secretary of state shall distribute ballots to and collect ballots from a substitute elector and repeat the process under this section of examining ballots, declaring and filling vacant positions

as required, and recording appropriately completed ballots from the substituted electors, until all of this state's electoral votes have been cast and recorded.

Sec. 12. **[208.47] ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.**

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

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

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

Sec. 13. **[208.48] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

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

Sec. 14. Minnesota Statutes 2014, section 209.01, subdivision 2, is amended to read:

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

Sec. 15. **REPEALER.**

Minnesota Statutes 2014, sections 208.07; and 208.08, are repealed.

### ARTICLE 3

#### VOTER REGISTRATION

Section 1. Minnesota Statutes 2014, section 13.607, is amended by adding a subdivision to read:

Subd. 9. **Data derived from driver's license applications.** Data on an application for a driver's license, a Minnesota identification card, or an instruction permit transferred to the secretary of state that are provided by a person whom the secretary of state determines is not eligible to vote are governed by section 201.161.

Sec. 2. Minnesota Statutes 2014, section 201.054, subdivision 1, is amended to read:

Subdivision 1. **Registration.** (a) An individual may register to vote:

(1) at any time before the 20th day preceding any election as provided in section 201.061, subdivision 1;

(2) on the day of an election as provided in section 201.061, subdivision 3; or

(3) when submitting an absentee ballot, by enclosing a completed registration application as provided in section 203B.04, subdivision 4.

(b) An individual who is under the age of 18, but who is at least 16 years of age and otherwise eligible, may submit an application to register to vote as provided in section 201.061, subdivisions 1 and 1b.

Sec. 3. Minnesota Statutes 2014, section 201.054, subdivision 2, is amended to read:

Subd. 2. **Prohibitions; penalty.** No individual shall intentionally:

(a) cause or attempt to cause the individual's name to be registered in any precinct if the individual is not eligible to vote, except as permitted by section 201.061, subdivisions 1 and 1b;

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

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

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

A violation of this subdivision is a felony.

Sec. 4. Minnesota Statutes 2014, section 201.061, is amended by adding a subdivision to read:

Subd. 1b. **Preregistration.** An individual who is under the age of 18, but who is at least 16 years of age and meets all requirements for eligibility contained in section 201.014, except for age, may submit an application to register in which the voter maintains residence by completing a voter registration pursuant to subdivision 1. Nothing in this section shall be construed to entitle an individual to cast a ballot at an election if the individual does not meet all eligibility requirements for voting, including age.

Sec. 5. Minnesota Statutes 2014, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; 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, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

(1) will be at least 18 years old on election day am at least sixteen years old and understand that I must be at least eighteen years old to be eligible to vote;

- (2) am a citizen of the United States;
- (3) will have resided in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;
- (7) have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence am not currently incarcerated for a felony offense; and
- (8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

"(2) Are you at least 16 years of age and will you be at least 18 years of age on the day of the election in which you intend to vote?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

~~A paper voter registration application must be of suitable size and weight for mailing.~~ The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 6. Minnesota Statutes 2014, section 201.091, subdivision 4, is amended to read:

Subd. 4. **Public information lists.** The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county who is at least 18 years of age. The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The county auditor may adopt reasonable rules governing access to the list. No individual inspecting the public information list shall tamper with or alter it in any manner. No individual who inspects the public information list or who acquires a list of registered voters prepared from the public information list may use any information contained in the list for purposes unrelated to elections, political activities, or law enforcement. The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or in response to a law enforcement inquiry from

a public official concerning a failure to comply with any criminal statute or any state or local tax statute.

Before inspecting the public information list or obtaining a list of voters or other information from the list, the individual shall provide identification to the public official having custody of the public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

Upon receipt of a statement signed by the voter that withholding the voter's name from the public information list is required for the safety of the voter or the voter's family, the secretary of state and county auditor must withhold from the public information list the name of a registered voter.

Sec. 7. Minnesota Statutes 2014, section 201.161, is amended to read:

**201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE, INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICANTS APPLICANTS.**

Subdivision 1. **Automatic registration.** An individual who properly completes an application for a new or renewed Minnesota driver's license, instruction permit, or identification card, and who is eligible to vote under section 201.014, must be registered to vote as provided in this section, unless the applicant declines to be registered.

Subd. 2. **Applications.** The Department commissioner of public safety, in consultation with the secretary of state, shall change its the applications for an original, duplicate, or change of address driver's license, instruction permit, or identification card so that the forms may also serve as voter registration applications. The forms must contain spaces for all information collected by voter registration applications prescribed by the secretary of state and a box for the applicant to decline to be registered to vote. Applicants for driver's licenses or identification cards must be asked if they want to register to vote at the same time and that Unless the applicant has declined to be registered to vote or has provided an address other than the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the commissioner shall transmit the information ~~must be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing the voter's name, address, date of birth, citizenship, driver's license number or state identification number, county, ~~town~~, and city or town must be made available for access by the secretary of state and interaction with the statewide voter registration system.

Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant is currently registered in the statewide voter registration system. For each currently registered voter whose registration is not changed, the secretary of state shall update the voter's registration date in the statewide voter registration system. For each currently registered voter whose registration is changed, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(b) If the applicant is not currently registered in the statewide voter registration system, the secretary of state shall determine whether the applicant is 18 years of age or older and a citizen of the United States and compare the voter registration information received from the commissioner of public safety with the information on wards, incompetents, and felons received from the state court administrator under sections 201.15 and 201.155, and with data received from the commissioner

of corrections under section 201.157, to determine whether the applicant is eligible to vote. If an applicant is less than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years of age to determine whether the applicant is eligible to vote. For each applicant the secretary of state determines is an eligible voter, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(c) Any data on applicants who the secretary determines are not eligible to vote are private data on individuals, as defined in section 13.02, subdivision 12.

Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the voter the notice of registration required by section 201.121, subdivision 2.

Subd. 5. **Effective date.** An application for registration that is dated during the 20 days before an election in any jurisdiction within which the voter resides is not effective until the day after the election.

**EFFECTIVE DATE.** An applicant for a Minnesota driver's license, instruction permit, or identification card must not be registered to vote under this section until the commissioner of public safety has certified that the department's systems have been tested and can accurately provide the necessary data, and the secretary of state has certified that the system for automatic registration of those applicants has been tested and is capable of properly determining whether an applicant is eligible to vote.

#### ARTICLE 4

#### RESTORATION OF RIGHT TO VOTE

Section 1. Minnesota Statutes 2014, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted of a felony has the civil right to vote restored when the individual completes any incarceration imposed and executed by the court for the offense, and during any other period following conviction in which the individual is not incarcerated. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 2. Minnesota Statutes 2014, section 201.12, subdivision 2, is amended to read:

Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address in this state, the county auditor may change the voter's status to "inactive" in the statewide registration system and shall transmit a copy of the mailing to the auditor of the county in which the new address is located. If an election is scheduled to occur in the precinct in which the voter resides in the next 47 days, the county auditor shall promptly update the voter's address in the statewide voter registration system. If there is not an election scheduled, the auditor may wait to update the voter's address until after the next list of address changes is received from the secretary of state. Once updated, the county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, except that if the voter's record is challenged due to incarceration for a felony conviction offense, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21

days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

Sec. 3. Minnesota Statutes 2014, section 201.12, subdivision 3, is amended to read:

Subd. 3. **Moved out of state.** If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address outside this state, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence. If the voter's record is challenged due to incarceration for a felony conviction offense, lack of United States citizenship, legal incompetence, or court-ordered revocation of voting rights of persons under guardianship, the county auditor must not mail this notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

Sec. 4. Minnesota Statutes 2014, section 201.13, subdivision 3, is amended to read:

Subd. 3. **Use of change of address system.** (a) At least once each month the secretary of state shall obtain a list of individuals registered to vote in this state who have filed with the United States Postal Service a change of their permanent address. The secretary of state may also periodically obtain a list of individuals with driver's licenses or state identification cards to identify those who are registered to vote who have applied to the Department of Public Safety for a replacement driver's license or state identification card with a different address, and a list of individuals for whom the Department of Public Safety received notification of a driver's license or state identification card cancellation due to a change of residency out of state. However, the secretary of state shall not load data derived from these lists into the statewide voter registration system within the 47 days before the state primary or 47 days before a November general election.

(b) If the address is changed to another address in this state, the secretary of state shall locate the precinct in which the voter resides, if possible. If the secretary of state is able to locate the precinct in which the voter resides, the secretary must transmit the information about the changed address by electronic means to the county auditor of the county in which the new address is located. For addresses for which the secretary of state is unable to determine the precinct, the secretary may forward information to the appropriate county auditors for individual review. If the voter has not voted or submitted a voter registration application since the address change, upon receipt of the information, the county auditor shall update the voter's address in the statewide voter registration system. The county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, unless the voter's record is challenged due to incarceration for a felony conviction offense, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, in which case the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(c) If the change of permanent address is to an address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly resided that the voter has moved to another state. If the voter has not voted or submitted a voter registration application since the address change, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration

system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence, except that if the voter's record is challenged due to incarceration for a felony conviction offense, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

(d) If, in order to maintain voter registration records, the secretary of state enters an agreement to share information or data with an organization governed exclusively by a group of states, the secretary must first determine that the data security protocols are sufficient to safeguard the information or data shared. If required by such an agreement, the secretary of state may share the following data from the statewide voter registration system and data released to the secretary of state under section 171.12, subdivision 7a:

- (1) name;
- (2) date of birth;
- (3) address;
- (4) driver's license or state identification card number;
- (5) the last four digits of an individual's Social Security number; and
- (6) the date that an individual's record was last updated.

If the secretary of state enters into such an agreement, the secretary and county auditors must process changes to voter records based upon that data in accordance with this section. Except as otherwise provided in this subdivision, when data is shared with the secretary of state by another state, the secretary of state must maintain the same data classification that the data had while it was in the possession of the state providing the data.

Sec. 5. Minnesota Statutes 2014, section 201.14, is amended to read:

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

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

Sec. 6. Minnesota Statutes 2014, section 201.157, is amended to read:

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

(a) The commissioner of corrections shall make electronic data available to the secretary of state on individuals 18 years of age or older who are currently: incarcerated in a state correctional facility.

~~(1) serving felony sentences under the commissioner's jurisdiction; or~~

~~(2) on probation for felony offenses that would result in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.~~

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

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

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

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

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

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

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

For each state general election that occurs prior to the statewide voter registration system being programmed to generate lists as required by this section, the secretary of state must make the determination and provide lists to the county auditors between 30 and 60 days before the election and again between six and ten weeks after the election. In the year following that state election, the secretary of state must make this determination and provide lists to the county auditors again as part of the annual list maintenance.

**Sec. 7. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.**

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. The secretary of state must make this publication available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the Department of Corrections for distribution to corrections officials, parole and supervised release agents, and the public. The secretary of state must make the publication available to the public on the Office of the Secretary of State's Web site.

Sec. 8. Minnesota Statutes 2014, section 204C.08, subdivision 1d, is amended to read:

Subd. 1d. **Voter's Bill of Rights.** The county auditor shall prepare and provide to each polling place sufficient copies of a poster setting forth the Voter's Bill of Rights as set forth in this section. Before the hours of voting are scheduled to begin, the election judges shall post it in a conspicuous location or locations in the polling place. The Voter's Bill of Rights is as follows:

"VOTER'S BILL OF RIGHTS

For all persons residing in this state who meet federal voting eligibility requirements:

(1) You have the right to be absent from work for the purpose of voting in a state ~~or~~<sub>2</sub> federal<sub>2</sub> or regularly scheduled election without reduction to your pay, personal leave, or vacation time on election day for the time necessary to appear at your polling place, cast a ballot, and return to work.

(2) If you are in line at your polling place any time before 8:00 p.m., you have the right to vote.

(3) If you can provide the required proof of residence, you have the right to register to vote and to vote on election day.

(4) If you are unable to sign your name, you have the right to orally confirm your identity with an election judge and to direct another person to sign your name for you.

(5) You have the right to request special assistance when voting.

(6) If you need assistance, you may be accompanied into the voting booth by a person of your choice, except by an agent of your employer or union or a candidate.

(7) You have the right to bring your minor children into the polling place and into the voting booth with you.

~~(8) If you have been convicted of a felony but your felony sentence has expired (been completed) or you have been discharged from your sentence,~~ You have the right to vote, even if you have been convicted of a felony, if you are not currently incarcerated for the felony offense.

(9) If you are under a guardianship, you have the right to vote, unless the court order revokes your right to vote.

(10) You have the right to vote without anyone in the polling place trying to influence your vote.

(11) If you make a mistake or spoil your ballot before it is submitted, you have the right to receive a replacement ballot and vote.

(12) You have the right to file a written complaint at your polling place if you are dissatisfied with the way an election is being run.

(13) You have the right to take a sample ballot into the voting booth with you.

(14) You have the right to take a copy of this Voter's Bill of Rights into the voting booth with you."

**Sec. 9. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice required under this section to persons to whom the civil right to vote is restored by reason of the persons' release from actual incarceration. The official shall maintain an adequate supply of voter registration informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote must be provided as follows:

(1) the chief executive officer of each state and local correctional facility shall provide the notice to a person being released from the facility following incarceration for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice to all individuals under correctional supervision for a felony-level offense.

Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially as follows:

**"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

Your receipt of this notice today means that your right to vote in Minnesota has been restored. Before you can vote on election day, you still need to register to vote and you must satisfy all other voter eligibility criteria. To register, you may complete a voter registration application and return it to the Office of the Minnesota Secretary of State. You may also register to vote in your polling place on election day. You will not be permitted to cast a ballot until you register to vote. The first time you appear at your polling place to cast a ballot, you may be required to provide proof of your current residence."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of the person's civil right to vote.

Sec. 10. Minnesota Statutes 2014, section 609.165, subdivision 1, is amended to read:

Subdivision 1. **Restoration.** (a) When a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, with full right to ~~vote and~~ hold office, the same as if such conviction had not taken place, and the order of discharge shall so provide.

(b) Section 201.014, subdivision 2a, governs the restoration of voting rights for persons whose right to vote has been lost due to a felony conviction.

**Sec. 11. REPEALER.**

Minnesota Statutes 2014, sections 201.155; and 201.275, are repealed.

Sec. 12. **EFFECTIVE DATE.**

This article is effective August 1, 2015, and applies to elections held on or after that date. Notices required to be provided by Minnesota Statutes, section 243.205, must be provided to individuals released from incarceration on or after August 1, 2015.

**ARTICLE 5**

**EARLY VOTING**

Section 1. Minnesota Statutes 2014, 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 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; **and**

(15) provide reports necessary for early voting.

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

Sec. 2. Minnesota Statutes 2014, section 203B.001, is amended to read:

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

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

Sec. 3. Minnesota Statutes 2014, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Early voting.** "Early voting" means voting in person before election day at a polling place designated as provided in section 203B.33 during the time period provided in section 203B.31.

Sec. 4. Minnesota Statutes 2014, section 203B.03, subdivision 1, is amended to read:

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

- (a) (1) make or sign any false certificate required by this chapter;
- (b) (2) make any false or untrue statement in any application for absentee ballots;
- (c) (3) apply for absentee ballots or cast an early ballot more than once in any election with the intent to cast an illegal ballot;
- (d) (4) exhibit a ballot marked by that individual to any other individual;
- (e) (5) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;
- (f) (6) use information from absentee ballot or early voting materials or records for purposes unrelated to elections, political activities, or law enforcement;
- (g) (7) provide assistance to an absentee or early voter except in the manner provided by section 204C.15, subdivision 1;
- (h) (8) solicit the vote of an absentee or early voter while in the immediate presence of the voter during the time the individual knows the absentee or early voter is voting; or
- (i) (9) alter an absentee ballot application after it has been signed by the voter, except by an election official for administrative purposes.

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

Sec. 5. Minnesota Statutes 2014, section 203B.05, subdivision 1, is amended to read:

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

- (1) the county auditor of that county has designated the clerk to administer them; or
- (2) the clerk has given the county auditor of that county notice of intention to administer them.

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

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

Sec. 6. Minnesota Statutes 2014, section 203B.081, is amended to read:

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

(a) An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section.

(b) Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election. The county auditor shall make such designations at least 14 weeks before the election. At least one voting booth in each polling place must be made available by the county auditor for this purpose. The county auditor must also make available at least one electronic ballot marker in each polling place that has implemented a voting system that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.

(c) No voter may vote by absentee ballot in person during the period designated for early voting, as provided in section 203B.31.

Sec. 7. Minnesota Statutes 2014, section 203B.085, is amended to read:

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

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

Sec. 8. Minnesota Statutes 2014, 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 or to administer early voting 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 administration of early voting, and the use of the statewide voter registration system. The members must be appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee and early voting ballots.

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

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

Sec. 9. Minnesota Statutes 2014, section 203B.121, is amended by adding a subdivision to read:

Subd. 2a. **Duties of ballot board; early voting.** The members of the ballot board shall administer the process of early voting as prescribed in section 203B.35, and shall make a record of voters who cast ballots early and count those ballots as provided in subdivisions 3 and 5.

Sec. 10. Minnesota Statutes 2014, section 203B.121, subdivision 3, is amended to read:

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

(b) The roster must be marked, and a supplemental report of absentee and early voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

- (1) by the county auditor or municipal clerk before election day;
- (2) by the ballot board before election day; or
- (3) by the election judges at the polling place on election day.

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

Sec. 11. Minnesota Statutes 2014, section 203B.121, subdivision 4, is amended to read:

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

Sec. 12. Minnesota Statutes 2014, section 203B.121, subdivision 5, is amended to read:

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

- (1) remove the ballots from the ballot box at the end of the day;
- (2) without inspecting the ballots, ensure that the number of ballots removed from the ballot box is equal to the number of voters who cast early votes and whose absentee ballots were accepted that day; and
- (3) seal and secure all voted and unvoted ballots present in that location at the end of the day.

(b) After the polls have closed on election day, two members of the ballot board must count the ballots, tabulating the vote in a manner that indicates each vote of the voter and the total votes cast for each candidate or question. In state primary and state general elections, the results must indicate the total votes cast for each candidate or question in each precinct and report the vote totals tabulated for each precinct. The count must be recorded on a summary statement in substantially the same format as provided in section 204C.26. The ballot board shall submit at least one completed summary statement to the county auditor or municipal clerk. The county auditor or municipal clerk may require the ballot board to submit a sufficient number of completed summary statements to comply with the provisions of section 204C.27, or the county auditor or municipal clerk may certify reports containing the details of the ballot board summary statement to the recipients of the summary statements designated in section 204C.27.

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

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

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

Sec. 13. [203B.30] EARLY VOTING; APPLICABILITY.

Subdivision 1. Federal, state, and county elections. Any eligible voter may vote in person for every primary, special, and general election for a federal, state, or county office prior to the date of the election, in the manner provided in sections 203B.30 to 203B.35.

Subd. 2. Municipal and school district elections. (a) Subject to the requirements in paragraph (b), for municipal or school district elections not held in conjunction with a federal, state, or county election, the municipality or school district may authorize eligible voters to vote in the manner provided in sections 203B.30 to 203B.35 upon resolution of the governing body of the municipality or school district. The resolution must be adopted at least 74 days before the election. A home rule charter city may alternatively provide for authorization pursuant to this subdivision in the city's charter.

(b) A municipality or school district may only authorize voting under sections 203B.30 to 203B.35 if the municipal or school district clerk has the technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. The clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering voting authorized under this paragraph. The clerk may not use the statewide voter registration system until the clerk has received the required training.

Sec. 14. [203B.31] TIME PERIOD FOR EARLY VOTING.

In elections where early voting is required or authorized under section 203B.30, early voting must be available from 15 days before the election through 5:00 p.m. on the third day before the election. All voters in line at 5:00 p.m. on the third day before the election must be allowed to vote in the same manner as provided in section 204C.05, subdivision 2.

Sec. 15. [203B.32] HOURS FOR EARLY VOTING.

Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m. on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the election. For a primary election, early voting polling places are not required to be open on the first Saturday of the early voting period.

Sec. 16. [203B.33] LOCATIONS FOR EARLY VOTING; POLLING PLACE REQUIREMENTS.

Subdivision 1. Locations. Early voting must be made available at: (1) the county auditor's office; (2) at the municipal clerk's office in every municipality that has been delegated the responsibility to administer absentee voting as provided in section 203B.05; and (3) at any other location designated by the county auditor or municipal clerk at least 90 days before the election.

Subd. 2. Requirements for polling places. (a) At least one voting station and one ballot marking device for disabled voters must be made available in each polling place.

(b) The county auditor must make an electronic voting system available in each polling place.

(c) Each polling place must have access to the statewide voter registration system in a manner that allows election judges to enter data into the system from the polling place.

Sec. 17. **[203B.34] NOTICE TO VOTERS.**

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

Sec. 18. **[203B.35] PROCEDURES FOR EARLY VOTING.**

Subdivision 1. **Voting procedure.** (a) Before an individual is allowed to sign the polling place roster or a voter signature certificate, a ballot board member must access the statewide voter registration system to determine if the individual has cast a ballot in the election. If the individual has already cast a ballot in the election, the voter must not be allowed to sign the polling place roster or a voter signature certificate, and the individual must not be given a ballot. If the individual has not already cast a ballot in the election, the voter shall sign the polling place roster or a voter signature certificate as provided in section 204C.10. An individual who is not registered to vote must register in the manner provided in section 201.061, subdivision 3.

(b) After the voter has signed the polling place roster or a voter signature certificate, a member of the ballot board must provide a ballot to the voter. As soon as possible, after a ballot is provided to a voter, a ballot board member must indicate in the statewide voter registration system that the voter has cast a ballot in the election. Ballots must be prepared and distributed by members of the ballot board in the manner provided in section 204C.09. The voter must mark the ballot and deposit it in either a precinct count voting system or a sealed ballot box. A voter may not leave the polling place with the ballot.

Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35 must be processed and counted as provided in section 203B.121, subdivision 2a.

Sec. 19. Minnesota Statutes 2014, section 204B.28, subdivision 2, is amended to read:

Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as otherwise provided for absentee ballots in this section and in section 204B.35, subdivision 4, the county auditor shall complete the preparation of the election materials for which the auditor is responsible at least four days before every state primary and state general election. At any time after all election materials are available from the county auditor but not later than four days before the election each municipal clerk shall secure from the county auditor:

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

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

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

(d) (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot returns, and other supplies and materials required for each precinct in order to comply with the provisions of the Minnesota Election Law. The county auditor may furnish the election supplies to the municipal

clerks in the same manner as the supplies are furnished to precincts in unorganized territory pursuant to section 204B.29, subdivision 1.

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

Sec. 20. Minnesota Statutes 2014, 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 voter signature certificate which states that the individual:

- (1) is at least 18 years of age;
- (2) a citizen of the United States;
- (3) has resided in Minnesota for 20 days immediately preceding the election;
- (4) maintains residence at the address shown;
- (5) is not under a guardianship in which the court order revokes the individual's right to vote;
- (6) has not been found by a court of law to be legally incompetent to vote ~~or has the right to vote because;~~
- (7) ~~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 not currently incarcerated for a felony offense;
- (8) is registered; and
- (9) has not already voted in the election.

The roster and voter signature certificate 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) An individual voting early under section 203B.30 must sign the roster or a voter signature certificate that meets the additional requirements of this paragraph. In addition to the content required under paragraph (a), the roster or voter signature certificate must also state: "I understand that after I have cast my ballot today, I cannot vote again in this election."

(c) All of the text contained within the quotation marks in paragraphs (a) and (b) must be in bold type on rosters or voter signature certificates provided to individuals voting as provided in section 203B.30.

(d) A judge may, before the applicant signs the roster or voter signature certificate, confirm the applicant's name, address, and date of birth.

~~(e)~~ (e) After the applicant signs the roster or voter signature certificate, 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.

Sec. 21. Minnesota Statutes 2014, section 206.82, subdivision 1, is amended to read:

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

Sec. 22. Minnesota Statutes 2014, section 206.83, is amended to read:

#### **206.83 TESTING OF VOTING SYSTEMS.**

~~Within 14 days~~ No sooner than 22 days before election day and no later than 16 days before election day, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election. After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

#### **Sec. 23. EFFECTIVE DATE; APPLICABILITY.**

(a) This article is effective when the secretary of state makes the certification required in paragraph (b), and applies to elections held after the effective date or August 1, 2015, whichever is later.

(b) The secretary of state shall certify that:

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

(2) precinct count voting equipment that can tabulate at least 30 different ballot styles has been certified for use in this state.

## ARTICLE 6

### REDISTRICTING

Section 1. Minnesota Statutes 2014, section 103C.311, subdivision 2, is amended to read:

Subd. 2. **Supervisors elected by districts.** (a) A district board in the seven-county metropolitan area shall by resolution provide that supervisors will be elected by supervisor districts as provided in this subdivision.

(b) A district board outside of the seven-county metropolitan area, with the approval of the state board, may by resolution provide that supervisors will be elected by supervisor districts as provided in this subdivision.

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

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

(e) The district board shall provide staggered terms for supervisors elected by district. After each redistricting, there shall be a new election of supervisors in all the districts at the next general election, except that if the change made in the boundaries of a district is less than five percent of the average population of all the districts, the supervisor in office at the time of the redistricting shall serve for the full term for which elected. The district board shall determine by lot the seats to be filled for a two-year term, a four-year term, and a six-year term.

(f) "Population" as referenced in this section includes the redistricting population data prepared by the secretary of state pursuant to section 204B.145, subdivision 5.

Sec. 2. Minnesota Statutes 2014, section 204B.145, is amended to read:

#### **204B.145 DUTIES OF SECRETARY OF STATE; REDISTRICTING.**

Subdivision 1. Exchange of information. Following the completion of legislative redistricting, the secretary of state may coordinate and facilitate the exchange of information between the legislative redistricting computer system, the statewide voter registration system, and a computer system developed to assist the counties, municipalities, and school districts in redrawing election districts and establishing election precincts.

Subd. 2. **Corrections information transfer.** (a) In each year in which the federal decennial census is taken but in which the United States Bureau of the Census allocates incarcerated persons as residents of correctional facilities, the commissioner of corrections shall by May 1 of that same year transfer to the secretary of state the following:

(1) a unique identifier, not including the name, or Offender Identification (OID) number for each incarcerated person subject to the jurisdiction of the department on the date for which the decennial census reports population. The unique identifier shall enable the secretary of state to address inquiries about specific address records to the Department of Corrections, without making it possible for anyone outside of the Department of Corrections to identify the inmate for whom the address record pertains;

(2) the street address of the correctional facility in which the person was incarcerated at the time of the report;

(3) the last known address of the person prior to incarceration or other legal residence, if known;

(4) the person's race, whether the person is of Hispanic or Latino origin, and whether the person is over the age of 18, if known; and

(5) any additional information as the secretary of state may request pursuant to law.

(b) The commissioner of corrections shall provide the information specified in paragraph (a) in a form specified by the secretary of state.

(c) The secretary of state must provide the information to the Legislative Coordinating Commission.

(d) Notwithstanding any other provision of law, the information required to be provided to the secretary of state and the Legislative Coordinating Commission pursuant to this section shall not include the name or identification of any incarcerated person. The information shall be treated as confidential, and shall not be disclosed by the secretary of state or by the Legislative Coordinating Commission except as redistricting data aggregated by census block for purposes specified in subdivision 4.

Subd. 3. **Federal facilities.** The secretary of state shall request each agency that operates a federal facility in this state that incarcerates persons convicted of a criminal offense to provide the secretary of state with a report including the information listed in subdivision 2, paragraph (a).

Subd. 4. **Redistricting population.** The secretary of state shall work with the Legislative Coordinating Commission to prepare redistricting population data to reflect incarcerated persons at their residential address pursuant to subdivision 5. The data prepared pursuant to subdivision 5 shall be the basis of state house of representatives districts, state senate districts, and all local government districts that are based on population. Incarcerated populations residing at unknown geographic locations within the state, as determined under subdivision 5, paragraph (c), clause (2), shall not be used to determine the ideal population of any set of districts, wards, or precincts.

Subd. 5. **Determinations and data publication by the secretary of state.** (a) For each person included in a report received under subdivisions 2 and 3, the secretary of state shall work with the Legislative Coordinating Commission to determine the geographic units for which population counts are reported in the federal decennial census that contain the facility of incarceration and the legal residence as listed according to the report.

(b) For each person included in a report received under subdivisions 2 and 3, if the legal residence is known and in this state, the secretary of state shall work with the Legislative Coordinating Commission to:

(1) ensure that the person is not represented in any population counts reported by the secretary of state or the Legislative Coordinating Commission for the geographic units that include the facility at which the person was incarcerated, unless that geographic unit also includes the person's legal residence; and

(2) ensure that any population counts reported by the secretary of state and the Legislative Coordinating Commission reflect the persons' residential address as reported under subdivisions 2 and 3.

(c) For each person included in a report received under subdivisions 2 and 3 for whom a legal residence is unknown or not in this state, and for all persons reported in the census as residing in a federal correctional facility for whom a report was not provided, the secretary of state shall work with the Legislative Coordinating Commission to:

(1) ensure that the person is not represented in any population counts reported by the secretary of state or the Legislative Coordinating Commission for the geographic units that include the facility at which the person was incarcerated; and

(2) allocate the person to a state unit not tied to a specific determined geography, as other state residents with unknown state addresses are allocated, including but not limited to military and federal government personnel stationed overseas.

Subd. 6. **Data publishing.** The data prepared by the secretary of state and the Legislative Coordinating Commission pursuant to this section shall be completed and published no later than 30 days from the date that federal decennial Public Law 94-171 data is published for the state of Minnesota.

Subd. 7. **Data use.** (a) The secretary of state shall notify each county, home rule charter and statutory city, soil and water conservation districts, Three Rivers Park District, and the Metropolitan Council that subdivision 4 requires those governments to use the data prepared by the secretary pursuant to this section for redistricting purposes.

(b) The data prepared by the secretary of state in subdivision 5 shall not be used in the distribution of any state or federal aid.

Sec. 3. Minnesota Statutes 2014, section 205.84, subdivision 1, is amended to read:

**Subdivision 1. General provisions.** (a) In a city electing council members by wards, wards shall be as equal in population as practicable and each ward shall be composed of compact, contiguous territory. Each council member shall be a resident of the ward for which elected, but, except as otherwise provided by paragraph (b), a change in ward boundaries does not disqualify a council member from serving for the remainder of a term.

(b) Notwithstanding any home rule charter provision to the contrary, in a city of the first class where council members are elected by ward to serve for four years to terms that are not staggered, if the population of any ward changes by five percent or more, all council members must be elected to new terms at the first municipal general election after ward boundaries are redefined under subdivision 2; provided, however, that if no municipal general election would otherwise occur in

the year ending in "2" or the year ending in "3," a municipal general election must be held in one of those years.

(c) "Population" as referenced in this section includes the redistricting population data prepared by the secretary of state pursuant to section 204B.145, subdivision 5.

Sec. 4. **[241.0241] LEGAL RESIDENCE OF PERSONS ENTERING CUSTODY.**

(a) The commissioner of corrections shall collect and maintain an electronic record of the legal residence, presumptively outside of the facility, and other demographic data for any person entering its custody. At a minimum, this record shall contain the last known complete street address prior to incarceration, the person's race, whether the person is of Hispanic or Latino origin, and whether the person is over the age of 18. To the degree possible, the commissioner of corrections shall also allow the legal residence to be updated as appropriate.

(b) The commissioner shall transfer the data collected under this section to the secretary of state as provided under section 204B.145, subdivision 2.

Sec. 5. Minnesota Statutes 2014, section 375.025, subdivision 1, is amended to read:

Subdivision 1. **Standards.** (a) The redistricting plan in use in a county shall be used until a new plan is adopted in accordance with this section. Each county shall be divided into as many districts numbered consecutively as it has members of the county board. Commissioner districts shall be bounded by town, municipal, ward, or precinct lines. Each district shall be composed of contiguous territory as regular and compact in form as practicable, depending upon the geography of the county involved and shall be as nearly equal in population as possible. No district shall vary in population more than ten percent from the average for all districts in the county, unless the result forces a voting precinct to be split. A majority of the least populous districts shall contain not less than a majority of the population of the county. A county may be redistricted by the county board after each federal census. When it appears after a federal census that the districts of the county are not in accord with the standards set forth in this subdivision, the county shall be redistricted by the county board within the times set in section 204B.135, subdivision 2. Before acting to redistrict, the county board, or a redistricting commission if one is appointed, shall publish three weeks' notice of its purpose, stating the time and place of the meeting where the matter will be considered, in the newspaper having the contract to publish the commissioners' proceedings for the county for the current year.

(b) "Population" as referenced in this section includes the redistricting population data prepared by the secretary of state pursuant to section 204B.145, subdivision 5.

Sec. 6. Minnesota Statutes 2014, section 375A.09, subdivision 4, is amended to read:

Subd. 4. **Apportionment, redistricting, staggering, timing.** (a) The county shall be divided into the number of districts from which commissioners are nominated and elected and the population of the county shall be apportioned to the several districts so that each commissioner represents the same number of persons as nearly as may be possible. When the number of commissioners has been changed, the county board shall proceed to redistrict the county accordingly and it shall follow as nearly as possible the times and procedures specified in section 375.025, including determining the two-year and four-year terms first assigned to districts in order to provide as nearly as possible for an equal number of overlapping four-year terms in the future. The resolution redistricting the county shall be adopted not less than 30 days before the first day candidates may file for the office of county

commissioner. Commissioners to be elected pursuant to the modification of the county board shall be elected at the general election following the adoption of the modification.

(b) "Population" as referenced in this section includes the redistricting population data prepared by the secretary of state pursuant to section 204B.145, subdivision 5.

Sec. 7. Minnesota Statutes 2014, section 383B.68, subdivision 4, is amended to read:

Subd. 4. **Decennial redistricting.** (a) After September 1, 1985, and after at least 30 days' notice and public hearing, the Board of Park District Commissioners of the Three Rivers Park District shall divide the territory of Hennepin County outside the city of Minneapolis into five districts, which constitute the Three Rivers Park District. Each district shall be composed of contiguous territory as regular and compact in form as practicable and as nearly equal in population as possible, provided that no district shall vary in population more than ten percent from the average of all the districts, unless compliance with this requirement requires division of a voting precinct. After each federal census and by the date prescribed for redistricting of election districts in section 204B.135, subdivision 2, after at least 30 days' notice and public hearing, the Board of Park District Commissioners of the Three Rivers Park District shall redistrict the territory of the Three Rivers Park District into new commissioner districts as necessary to comply with the provisions of this subdivision. The districts established pursuant to this subdivision shall remain effective until new districts are established. Any person aggrieved by a districting plan established pursuant to this subdivision may challenge the plan in the same manner as a county commissioner districting plan may be challenged pursuant to section 375.025. The district court in reviewing any challenge to a districting plan under this subdivision shall proceed in the manner prescribed by section 375.025. Each districting plan established pursuant to this subdivision shall be filed in the office of the director of finance of Hennepin County or any successor office and shall be effective 31 days after its publication in a newspaper of general circulation in the county.

(b) "Population" as referenced in this section includes the redistricting population data prepared by the secretary of state pursuant to section 204B.145, subdivision 5.

Sec. 8. Minnesota Statutes 2014, section 473.123, subdivision 3a, is amended to read:

Subd. 3a. **Redistricting.** (a) The legislature shall redraw the boundaries of the council districts after each decennial federal census so that each district has substantially equal population. Redistricting is effective in the year ending in the numeral "3." Within 60 days after a redistricting plan takes effect, the governor shall appoint members from the newly drawn districts to serve terms as provided under subdivision 2a.

(b) "Population" as referenced in this section includes the redistricting population data prepared by the secretary of state pursuant to section 204B.145, subdivision 5.

## ARTICLE 7

### APPROPRIATIONS

#### Section 1. APPROPRIATION.

(a) \$..... is appropriated from the general fund to the Legislative Coordinating Commission in fiscal year 2016 for the purposes of the Elections Emergency Planning Task Force established in article 1, section 52.

(b) \$..... is appropriated in fiscal year 2016 from the general fund to the secretary of state to implement early voting."

Delete the title and insert:

"A bill for an act relating to elections; modifying various provisions related to election administration, including provisions related to school districts, voters, ballots, candidates, political party designation, military and overseas voting, and other election-related provisions; establishing the Elections Emergency Planning Task Force; enacting the Uniform Faithful Presidential Electors Act; amending voter registration procedures; restoring right to vote upon release from incarceration for a felony offense; providing for early voting; requiring use of actual address for redistricting purposes; making conforming changes; making technical changes; appropriating money; amending Minnesota Statutes 2014, sections 13.607, by adding a subdivision; 103C.311, subdivision 2; 123B.09, subdivision 1, by adding a subdivision; 200.02, subdivisions 7, 23, by adding subdivisions; 201.014, by adding a subdivision; 201.022, subdivision 1; 201.054, subdivisions 1, 2; 201.061, by adding a subdivision; 201.071, subdivision 1; 201.091, subdivision 4; 201.12, subdivisions 2, 3; 201.13, subdivision 3; 201.14; 201.157; 201.158; 201.161; 203B.001; 203B.01, subdivision 3, by adding a subdivision; 203B.03, subdivision 1; 203B.05, subdivision 1; 203B.07, subdivision 1; 203B.08, subdivisions 1, 3; 203B.081; 203B.085; 203B.121, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 203B.16, subdivisions 1, 2; 203B.17, subdivisions 1, 2; 204B.06, subdivision 1b; 204B.07, subdivision 2; 204B.145; 204B.19, subdivision 6; 204B.28, subdivision 2; 204B.36, subdivisions 1, 2, 3, 4; 204B.45, subdivisions 1, 2; 204C.04, subdivision 2; 204C.08, subdivision 1d; 204C.10; 204C.13, subdivisions 2, 3, 5; 204C.15, subdivision 1; 204C.22, subdivisions 3, 4, 7, 10; 204C.35, subdivisions 1, 2; 204C.36, subdivisions 1, 2; 204C.40, subdivision 2; 204D.11, subdivision 4; 204D.27, subdivision 11; 205.84, subdivision 1; 206.82, subdivision 1; 206.83; 206.90, subdivision 6; 208.02; 208.03; 208.06; 209.01, subdivision 2; 209.021, subdivisions 2, 3; 209.09, subdivision 2; 365.22, subdivisions 2, 3; 367.31, subdivision 4; 368.85, subdivision 4; 375.025, subdivision 1; 375A.09, subdivision 4; 376.04; 383B.68, subdivision 4; 412.551, subdivision 2; 473.123, subdivision 3a; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 123B; 201; 203B; 208; 241; 243; repealing Minnesota Statutes 2014, sections 123B.09, subdivision 5; 201.155; 201.275; 204B.14, subdivision 6; 204C.13, subdivision 4; 204C.30, subdivision 1; 208.07; 208.08; 383A.555."

And when so amended the bill do pass and be re-referred to the Committee on Transportation and Public Safety. Amendments adopted. Report adopted.

**Senator Bakk from the Committee on Rules and Administration, to which was re-referred**

**S.F. No. 113:** A resolution relating to ratification of the proposed Equal Rights Amendment to the United States Constitution; memorializing Congress to remove the deadline for ratification of the amendment by the states.

Reports the same back with the recommendation that the resolution do pass. Report adopted.

**Senator Bakk from the Committee on Rules and Administration, to which was re-referred**

**S.F. No. 355:** A bill for an act relating to public safety; restoring the civil right to vote of an individual upon release from incarceration; requiring notice; repealing county attorney obligation to promptly investigate voter registration and eligibility; amending Minnesota Statutes 2014, sections 201.014, by adding a subdivision; 201.071, subdivision 1; 201.157; 204C.08, subdivision

1d; 204C.10; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 201; 243; repealing Minnesota Statutes 2014, sections 201.155; 201.275.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 35, insert:

"Sec. 3. Minnesota Statutes 2014, section 201.12, subdivision 2, is amended to read:

Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address in this state, the county auditor may change the voter's status to "inactive" in the statewide registration system and shall transmit a copy of the mailing to the auditor of the county in which the new address is located. If an election is scheduled to occur in the precinct in which the voter resides in the next 47 days, the county auditor shall promptly update the voter's address in the statewide voter registration system. If there is not an election scheduled, the auditor may wait to update the voter's address until after the next list of address changes is received from the secretary of state. Once updated, the county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, except that if the voter's record is challenged due to incarceration for a felony conviction offense, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

Sec. 4. Minnesota Statutes 2014, section 201.12, subdivision 3, is amended to read:

Subd. 3. **Moved out of state.** If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address outside this state, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence. If the voter's record is challenged due to incarceration for a felony conviction offense, lack of United States citizenship, legal incompetence, or court-ordered revocation of voting rights of persons under guardianship, the county auditor must not mail this notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

Sec. 5. Minnesota Statutes 2014, section 201.13, subdivision 3, is amended to read:

Subd. 3. **Use of change of address system.** (a) At least once each month the secretary of state shall obtain a list of individuals registered to vote in this state who have filed with the United States Postal Service a change of their permanent address. The secretary of state may also periodically obtain a list of individuals with driver's licenses or state identification cards to identify those who are registered to vote who have applied to the Department of Public Safety for a replacement driver's license or state identification card with a different address, and a list of individuals for whom the Department of Public Safety received notification of a driver's license or state identification card cancellation due to a change of residency out of state. However, the secretary of state shall not load data derived from these lists into the statewide voter registration system within the 47 days before the state primary or 47 days before a November general election.

(b) If the address is changed to another address in this state, the secretary of state shall locate the precinct in which the voter resides, if possible. If the secretary of state is able to locate the precinct in which the voter resides, the secretary must transmit the information about the changed address by electronic means to the county auditor of the county in which the new address is located. For addresses for which the secretary of state is unable to determine the precinct, the secretary may forward information to the appropriate county auditors for individual review. If the voter has not voted or submitted a voter registration application since the address change, upon receipt of the information, the county auditor shall update the voter's address in the statewide voter registration system. The county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, unless the voter's record is challenged due to incarceration for a felony conviction offense, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, in which case the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(c) If the change of permanent address is to an address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly resided that the voter has moved to another state. If the voter has not voted or submitted a voter registration application since the address change, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence, except that if the voter's record is challenged due to incarceration for a felony conviction offense, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

(d) If, in order to maintain voter registration records, the secretary of state enters an agreement to share information or data with an organization governed exclusively by a group of states, the secretary must first determine that the data security protocols are sufficient to safeguard the information or data shared. If required by such an agreement, the secretary of state may share the following data from the statewide voter registration system and data released to the secretary of state under section 171.12, subdivision 7a:

- (1) name;
- (2) date of birth;
- (3) address;
- (4) driver's license or state identification card number;
- (5) the last four digits of an individual's Social Security number; and
- (6) the date that an individual's record was last updated.

If the secretary of state enters into such an agreement, the secretary and county auditors must process changes to voter records based upon that data in accordance with this section. Except as otherwise provided in this subdivision, when data is shared with the secretary of state by another state, the

secretary of state must maintain the same data classification that the data had while it was in the possession of the state providing the data.

Sec. 6. Minnesota Statutes 2014, section 201.14, is amended to read:

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

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

Page 5, line 33, strike the old language

Page 5, line 34, strike "the individual has" and delete the new language

Page 5, line 35, delete the new language and insert "is not currently incarcerated for a felony offense;"

Page 6, line 30, after the second "vote" insert "and you must satisfy all other voter eligibility criteria"

Page 7, line 13, after the period, insert "Notices required to be provided by Minnesota Statutes, section 243.205 must be provided to individuals released from incarceration on or after August 1, 2015."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Wiger from the Committee on Education, to which was referred**

**S.F. No. 1001:** A bill for an act relating to education; modifying certain student discipline provisions; amending Minnesota Statutes 2014, sections 121A.45, subdivision 3; 121A.46, by adding a subdivision; 121A.53; 121A.55; 121A.575; 121A.61, subdivision 3; 121A.67, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 121A.46, is amended by adding a subdivision to read:

Subd. 5. Suspensions, exclusions, and expulsions prohibited for young children. School administrators shall not suspend, exclude, or expel pupils in prekindergarten through grade 3

but may use alternatives to pupil suspension under section 121A.575, except where it appears to the school administrator that the pupil will create an immediate and substantial danger to self or surrounding persons or property.

Sec. 2. Minnesota Statutes 2014, section 121A.53, is amended to read:

**121A.53 REPORT TO COMMISSIONER OF EDUCATION.**

Subdivision 1. **Exclusions and expulsions.** The school board must report through the department electronic reporting system each exclusion or, expulsion, and verbal or written agreement of parents to withdraw a child from school as an alternative to expulsion within 30 days of the effective date of the action to the commissioner of education. This report must include a statement of alternative educational services given the pupil and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status.

Subd. 2. **Report.** The school board must include state student identification numbers of affected pupils on all dismissal reports required by the department. The department must report annually to the commissioner summary data on the number of dismissals by age, grade, gender, race, and special education status of the affected pupils. All dismissal reports must be submitted through the department electronic reporting system. The school board must also provide this summary data at the school level on the district Web site, except when doing so would unreasonably risk exposing student's personal identifiable information.

Sec. 3. Minnesota Statutes 2014, section 121A.55, is amended to read:

**121A.55 POLICIES TO BE ESTABLISHED.**

(a) The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies shall emphasize preventing dismissals through early detection of problems ~~and shall; avoid using suspension and expulsion from school until alternatives have been tried under section 121A.575, except where it appears to the school administrator that the pupil will create an immediate and substantial danger to self or surrounding persons or property;~~ be designed to ~~address prevent~~ students' inappropriate behavior from recurring; and include strategies to reengage the student in learning. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period and during the period when an agreement of parents to withdraw a child from school as an alternative to expulsion is in effect. The alternative educational services, ~~if the pupil wishes to take advantage of them,~~ must be adequate to allow the pupil to make progress towards meeting the graduation standards adopted under section 120B.02 and help prepare the pupil for readmission.

(b) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

(c) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

Sec. 4. Minnesota Statutes 2014, section 121A.575, is amended to read:

**121A.575 ALTERNATIVES TO PUPIL SUSPENSION.**

Notwithstanding any law to the contrary and in accordance with sections 121A.40 to 121A.56, after a school administration notifies a pupil of the grounds for suspension, the school administration may, instead of imposing the suspension, do one or more of the following:

(1) strongly encourage a parent or guardian of the pupil to attend school with the pupil for one day;

(2) assign the pupil to attend school on Saturday as supervised by the principal or the principal's designee; and

(3) petition the juvenile court that the student is in need of services under chapter 260C;

(4) implement an alternate restorative consequence such as restitution, community service, or circle of support;

(5) impose an in-school suspension;

(6) develop a positive behavior intervention plan based on a functional behavioral assessment;  
or

(7) coordinate crisis services to the extent funds are available with the county board responsible for implementing sections 245.487 to 245.4889 for students whose behavior may be addressed by crisis intervention.

Sec. 5. Minnesota Statutes 2014, section 121A.61, subdivision 3, is amended to read:

Subd. 3. **Policy components.** The policy must include at least the following components:

(a) rules governing student conduct and procedures for informing students of the rules;

(b) the grounds for removal of a student from a class;

(c) the authority of the classroom teacher to remove students from the classroom pursuant to procedures and rules established in the district's policy;

(d) the procedures for removal of a student from a class by a teacher, school administrator, or other school district employee;

(e) the period of time for which a student may be removed from a class, which may not exceed five class periods for a violation of a rule of conduct;

(f) provisions relating to the responsibility for and custody of a student removed from a class;

(g) the procedures for return of a student to the specified class from which the student has been removed;

(h) the procedures for notifying a student and the student's parents or guardian of violations of the rules of conduct and of resulting disciplinary actions;

(i) any procedures determined appropriate for encouraging early involvement of parents or guardians in attempts to improve a student's behavior;

(j) any procedures determined appropriate for encouraging early detection of behavioral problems;

(k) any procedures determined appropriate for referring a student in need of special education services to those services;

(l) the procedures for consideration of whether there is a need for a further assessment or of whether there is a need for a review of the adequacy of a current individualized education program of a student with a disability who is removed from class;

(m) procedures for detecting and addressing chemical abuse problems of a student while on the school premises;

(n) the minimum consequences for violations of the code of conduct;

(o) procedures for immediate and appropriate interventions tied to violations of the code;

(p) a provision that states that a teacher, school employee, school bus driver, or other agent of a district may use reasonable force in compliance with section 121A.582 and other laws; and

(q) an agreement regarding procedures to coordinate crisis services, including the use of mobile crisis response teams, to the extent funds are available with the county board responsible for implementing sections 245.487 to 245.4889 for students ~~with a serious emotional disturbance or other students who have an individualized education program~~ whose behavior may be addressed by crisis intervention.

Sec. 6. Minnesota Statutes 2014, section 121A.67, is amended by adding a subdivision to read:

Subd. 3. **Notification of parents.** A school administrator must make reasonable efforts to immediately contact the parent of any student who is removed from a school building, or school grounds by a peace officer, unless otherwise prohibited by law."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

**Senator Wiger from the Committee on Education, to which was referred**

**S.F. No. 1276:** A bill for an act relating to education; youth development; establishing an educational partnership fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Wiger from the Committee on Education, to which was referred**

**S.F. No. 664:** A bill for an act relating to education; collecting and reporting data on the efficacy of teacher preparation programs approved by the state Board of Teaching; appropriating money; amending Minnesota Statutes 2014, section 122A.09, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred**

**S.F. No. 1466:** A bill for an act relating to economic development; Department of Employment and Economic Development; making policy changes; modifying data sharing; amending Minnesota Statutes 2014, sections 116J.035, subdivision 1a; 171.12, subdivision 7; 268.19, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary. Report adopted.

**Senator Metzen from the Committee on Commerce, to which was re-referred**

**S.F. No. 1108:** A bill for an act relating to public safety; requiring proof of insurance to register, reregister, or transfer ownership of a motor vehicle or motorcycle; amending Minnesota Statutes 2014, section 169.798, subdivision 4.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Metzen from the Committee on Commerce, to which was referred**

**S.F. No. 26:** A bill for an act relating to insurance; regulating self-service storage insurance agents; proposing coding for new law in Minnesota Statutes, chapter 60K.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[60K.60] SALE OF SELF-STORAGE INSURANCE.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Occupant" means a person or the person's sublessee, successor, or assignee who is entitled to the use of a leased space or spaces at a self-service storage facility, to the exclusion of others.

(c) "Owner" means the owner or the owner's managing agent of a self-service storage facility.

(d) "Personal property" means movable property that is not affixed to land and includes:

(1) goods, wares, merchandise, household items, and furnishings;

(2) vehicles, motor vehicles, trailers, and semitrailers; and

(3) watercraft and motorized watercraft.

(e) "Self-service storage facility" means any real property that is used for renting or leasing storage space in which the occupants themselves customarily store and remove personal property on a self-service basis.

Subd. 2. **Requirements.** (a) An owner or the owner's employees and agents may offer or sell the kinds of insurance described in this section in connection with and incidental to the rental of space at a self-service storage facility. An owner and the owner's employees and agents are exempt from sections 60K.30 to 60K.56 with respect to the sale of this insurance.

(b) An owner shall file a written notice in a form prescribed by the commissioner that the owner plans to conduct insurance sales as authorized by this section. The notice must specify all

locations in this state at which the owner plans to conduct insurance sales. The owner shall notify the commissioner within 30 days after commencing insurance sales at any additional locations in this state.

(c) An owner may offer or sell insurance only in connection with and incidental to the rental of space at a self-service storage facility as an individual policy issued to an individual or as a group policy and only with respect to personal property insurance that provides coverage to occupants at the self-service storage facility at which the insurance is transacted, for the loss of or damage to stored personal property that occurs at that facility.

(d) An owner shall not offer or sell insurance under this section unless:

(1) the owner makes readily available to the prospective occupant brochures or other written materials that:

(i) summarize the material terms of insurance coverage offered to occupants, including the identity of the insurer, premium amount, benefits, exclusions, and conditions;

(ii) disclose that the policies offered by the owner may provide a duplication of coverage already provided by an occupant's homeowner's insurance policy, renter's insurance policy, vehicle insurance policy, watercraft insurance policy, or other source of property insurance coverage and that no liability coverage is provided by the insurance coverage;

(iii) state that if insurance is required as a condition of rental, the requirement may be satisfied by the occupant purchasing the insurance described in this section or by presenting evidence of other applicable insurance coverage; and

(iv) describe the process for filing a claim;

(2) all costs related to the insurance are stated in writing;

(3) evidence of coverage in a form approved by the insurer is provided to every occupant who purchases the coverage; and

(4) the insurance is provided by an insurer authorized to transact the applicable kinds of insurance in this state.

(e) An employee or agent of an owner may act on behalf of and under the supervision of the owner in matters relating to the sale of insurance under this section. The conduct of an employee or agent of an owner acting within the scope of employment or agency is deemed the conduct of the owner for purposes of this section.

(f) Each owner shall provide a training program that gives employees and agents of the owner basic instruction about the provisions of this section, including the kinds of insurance coverage described in this section.

(g) An owner shall not:

(1) offer or sell insurance except in connection with and incidental to the rental of space at a self-service storage facility; or

(2) advertise, represent, or otherwise portray itself or any of its employees or agents as licensed insurers or insurance producers.

(h) Nothing in this section prohibits:

(1) an insurer from paying, and an owner from receiving, a commission, service fee, or other valuable consideration dependent upon the sale of insurance; or

(2) an owner from paying, and its employees or agents from receiving, production payments or incentive payments if the payments are not dependent on the sale of insurance.

**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to self-service storage insurance sold on or after that date."

Amend the title as follows:

Page 1, line 2, after "regulating" insert "the sale of" and delete "agents"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred**

**S.F. No. 1480:** A bill for an act relating to workforce development; appropriating money for a grant to Ka Joog for a job skills and workforce development pilot program; appropriating money for grants to expand Takeoff 4-H STEAM for Somali youth.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred**

**S.F. No. 641:** A bill for an act relating to employment; creating a pilot program to provide, repair, and maintain motor vehicles for commuting to work; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred**

**S.F. No. 1154:** A bill for an act relating to economic development; modifying the urban challenge grants program; appropriating money; amending Minnesota Statutes 2014, sections 116M.14, by adding a subdivision; 116M.18, subdivisions 1, 2, 3, 4, 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 13, after "and" insert "to low-income persons"

Page 3, delete lines 17 to 19 and insert:

"(a) \$1,750,000 in fiscal year 2016 and \$1,750,000 in fiscal year 2017 are appropriated from the general fund to the commissioner of employment and economic development for the business development competitive grant program. Of this amount, up to five percent is for administration and monitoring of the business development competitive grant program. All grant awards shall be for two consecutive years. Grants shall be awarded the first year."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 1461:** A bill for an act relating to transportation; data practices; classifying data pertaining to certain construction project schedules; amending Minnesota Statutes 2014, section 13.72, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 898:** A bill for an act relating to highways; providing for use of certain national standards in design and construction of state-aid streets; amending Minnesota Statutes 2014, sections 162.02, by adding a subdivision; 162.09, by adding a subdivision; 174.75, subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **ROAD DESIGN STANDARDS.**

By August 15, 2016, the commissioner of transportation shall, in collaboration with city and county engineers, establish and adopt design standards and guidelines to be applied consistently to trunk highways, county state-aid highways, and municipal state-aid streets with similar characteristics. The standards and guidelines must align the state-aid standards with the Department of Transportation trunk highway standards and technical memoranda as appropriate. The commissioner shall report the adopted standards and guidelines to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over transportation policy by August 15, 2016, and present an interim report by March 15, 2016.

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

Delete the title and insert:

"A bill for an act relating to transportation; directing the commissioner of transportation to adopt consistent road design standards and report to the legislature."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was re-referred**

**S.F. No. 1553:** A bill for an act relating to human services; providing for human services policy modifications; authorizing the use of unmarked vehicles by tobacco inspector staff; modifying requirements for background study expenses; modifying cost of care requirements for persons committed by tribal courts; requiring compliance with the Minnesota Indian Family Preservation Act; continuing a council; authorizing rulemaking; amending Minnesota Statutes 2014, sections 168.012, subdivision 1; 245C.10, by adding a subdivision; 253B.212, subdivision 2, by adding a subdivision; 260C.168; proposing coding for new law in Minnesota Statutes, chapter 256.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, after line 31, insert:

"Sec. 7. Minnesota Statutes 2014, section 471.346, is amended to read:

**471.346 PUBLICLY OWNED AND LEASED VEHICLES IDENTIFIED.**

All motor vehicles owned or leased by a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision, except for unmarked vehicles used in general police and fire work, arson investigations, and Department of Human Services investigations including conducted by central office staff, and county fraud prevention investigations conducted by county or contract fraud prevention investigators, shall have the name of the political subdivision plainly displayed on both sides of the vehicle in letters not less than 2-1/2 inches high and one-half inch wide. The identification must be in a color that contrasts with the color of the part of the vehicle on which it is placed and must remain on and be clean and visible throughout the period of which the vehicle is owned or leased by the political subdivision. The identification must not be on a removable plate or placard except on leased vehicles but the plate or placard must not be removed from a leased vehicle at any time during the term of the lease."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Agriculture and Rural Development. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was referred**

**S.F. No. 1315:** A bill for an act relating to local government; changing the meeting requirement for the District 1 Hospital Board; amending Laws 1963, chapter 118, section 4, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 24, insert:

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

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 597:** A bill for an act relating to education; integrating service-learning into Minnesota's education system; establishing an evidence-based service-learning grant program; providing for a task force on teacher preparation and licensure requirements related to service learning; appropriating money; amending Minnesota Statutes 2014, section 124D.50, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 124D.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "create" and insert "reestablish"

Page 4, line 11, delete "TASK FORCE"

Page 4, delete lines 12 to 17 and insert:

"The Board of Teaching may make recommendations to the legislature on teacher preparation and licensure requirements in the area of service-learning, consistent with Minnesota Statutes, section 124D.50, and submit the recommendations to the legislature by February 15, 2016. The board must consult with representatives of teacher preparation programs and institutions, community-based service-learning practitioners, licensed teachers, and other interested stakeholders in developing the recommendations."

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete "related to service learning;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was referred**

**S.F. No. 1274:** A bill for an act relating to state government; ratifying a labor agreement for individual providers of direct support services.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 1246:** A bill for an act relating to health; implementing investment priorities of the Legislative Health Care Workforce Commission; establishing a grant program to expand clinical training of advanced practice registered nurses, physician assistants, and mental health professionals; establishing a grant program to expand primary care residency training; providing an incentive payment for health professions student preceptors and medical resident preceptors; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 20, insert:

"Subd. 2. **Terms of public members.** The terms of members appointed under subdivision 3, clauses (3) to (9), shall be four years. Members may serve until their successors are appointed and qualify. If a successor is not appointed by the July 1 after the scheduled end of a member's term, the term of the member for whom a successor has not been appointed shall be extended until the first Monday in January four years after the scheduled end of the term."

Renumber the subdivisions in sequence

Page 2, line 2, delete "three" and insert "five"

Page 2, line 12, before the semicolon, insert ", such as a physician assistant or an advanced practice registered nurse"

Page 2, line 22, delete "subdivision" and insert "subdivisions 2 and"

Page 7, line 24, after "weeks" insert "or 480 hours"

Page 8, line 22, delete "\$....." and insert "\$4,500,000" and delete "\$....." and insert "\$4,500,000"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 902:** A bill for an act relating to human services; modifying requirements for the State Quality Council and regional quality councils; appropriating money; amending Minnesota Statutes 2014, section 256B.097, subdivisions 3, 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 32, strike "(b)" and insert "(c)"

Page 3, lines 9 and 12, strike "(c)" and insert "(d)"

Page 3, after line 29, insert:

"(b) In establishing the regional quality councils, the commissioner shall:

(1) appoint the members from the groups identified in paragraph (a) by July 1, 2015;

(2) designate a chair for each council or prescribe a process for each council to select a chair from among its members;

(3) set term limits for members of the regional quality councils;

(4) set the total number or maximum number of members of each regional council;

(5) set the number or proportion of members representing each of the groups identified in paragraph (a);

(6) set deadlines and requirements for annual reports to the chair of the State Quality Council and to the chairs of the legislative committees in the senate and house of representatives with primary jurisdiction over human services on the status, outcomes, improvement priorities, and activities in the regions; and

(7) convene a first meeting of each regional quality council by July 1, 2016, or identify a person responsible for convening the first meeting of each regional quality council and require that the person convene the first meeting by July 1, 2016."

Page 3, line 30, strike "(b)" and insert "(c)"

Page 4, line 28, strike "(c)" and insert "(d)"

Page 4, line 33, strike "(d)" and insert "(e)"

Page 4, line 35, strike "(e)" and insert "(f)"

Page 5, line 1, strike "(f)" and insert "(g)"

Page 5, line 7, strike "(g)" and insert "(h)"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Wiger from the Committee on Education, to which was re-referred**

**S.F. No. 961:** A bill for an act relating to education finance; establishing an agricultural educator grant program; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was re-referred**

**S.F. No. 1215:** A bill for an act relating to health; prohibiting the use of certain flame-retardant chemicals in certain products; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Commerce. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 1275:** A bill for an act relating to health care; establishing a Health Care Innovation Task Force; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State and Local Government. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 1379:** A bill for an act relating to health; changing a quarantine provision; amending Minnesota Statutes 2014, section 144.4196, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2014, section 144.419, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of sections 144.419 to 144.4196, the following definitions apply:

(1) "bioterrorism" means the intentional use of any microorganism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bioengineered component of any such microorganism, virus, infectious substance, or biological product, to cause death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism in order to influence the conduct of government or to intimidate or coerce a civilian population;

(2) "communicable disease" means ~~a disease caused by a living organism or virus and believed to be viral hemorrhagic fevers, severe acute respiratory syndromes, influenza that can cause a pandemic, or a disease~~ caused by bioterrorism or a new or novel or previously controlled or eradicated infectious agent or biological toxin that can be transmitted person to person and for

which isolation or quarantine is an effective control strategy, excluding a disease that is directly transmitted as defined under section 144.4172, subdivision 5;

(3) "isolation" means separation, during the period of communicability, of a person infected with a communicable disease, in a place and under conditions so as to prevent direct or indirect transmission of an infectious agent to others; and

(4) "quarantine" means restriction, during a period of communicability, of activities or travel of an otherwise healthy person who likely has been exposed to a communicable disease to prevent disease transmission during the period of communicability in the event the person is infected."

Renumber the sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Agriculture and Rural Development. Amendments adopted. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 1292:** A bill for an act relating to human services; regulating nonemergency medical transportation providers; modifying payment rates for nonemergency medical transportation services; amending Minnesota Statutes 2014, sections 174.29, subdivision 1; 174.30, subdivisions 3, 4, by adding a subdivision; 256B.0625, subdivisions 17, 17a, 18a, 18e; Laws 2014, chapter 312, article 24, section 45, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2014, section 174.29, subdivision 1, is amended to read:

Subdivision 1. **Definition.** For the purpose of sections 174.29 and 174.30 "special transportation service" means motor vehicle transportation provided on a regular basis by a public or private entity or person that is designed exclusively or primarily to serve individuals who are elderly or disabled and who are unable to use regular means of transportation but do not require ambulance service, as defined in section 144E.001, subdivision 3. Special transportation service includes but is not limited to service provided by specially equipped buses, vans, taxis, and volunteers driving private automobiles. Special transportation service also means those nonemergency medical transportation services under section 256B.0625, subdivision 17, that are subject to the operating standards for special transportation service under sections 174.29 to 174.30 and Minnesota Rules, chapter 8840."

Page 2, lines 30 and 31, delete the new language

Page 3, line 1, delete "nonemergency medical transportation providers and all"

Page 3, line 2, after the period, insert "Providers of ambulance service, as defined in section 144E.001, subdivision 3, are exempt from the annual fee."

Page 3, line 4, delete "nonemergency medical transportation and" and delete "programs" and insert "program"

Page 3, line 19, delete "three" and insert "six"

Page 3, line 20, before the second period, insert "unless extended by the commissioner"

Page 3, line 26, strike everything after the period

Page 3, strike line 27

Page 7, line 6, after "18e" insert ". The local agency's financial obligation is limited to funds provided by the state or federal government"

And when so amended the bill do pass and be re-referred to the Committee on Transportation and Public Safety. Amendments adopted. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 1504:** A bill for an act relating to health; changing the expiration date for e-Health Advisory Committee, the Trauma Advisory Council, and the Maternal and Child Health Advisory Task Force; amending Minnesota Statutes 2014, sections 62J.495, subdivision 2; 144.608, subdivision 2; 145.8811, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 33, insert:

"Sec. 4. **STILLBIRTH REVIEW.**

The Maternal and Child Health Advisory Task Force, established by the commissioner of health under Minnesota Statutes, section 145.8811, is encouraged to conduct a review of current methods of data collection on stillbirths, prenatal protocols to prevent stillbirths, available supports for families who have experienced a stillbirth, and any other information related to stillbirths that the task force deems appropriate."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 1043:** A bill for an act relating to financial institutions; providing for savings promotion raffles; amending Minnesota Statutes 2014, sections 48.15, subdivision 1; 52.04, subdivision 1; 325F.755, subdivision 6; 609.75, by adding subdivisions; 609.761, by adding a subdivision; repealing Minnesota Statutes 2014, section 609.75, subdivision 13.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 924, 1218, 1196, 100, 113, 355, 1108, 26, 898 and 1315 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Champion, Hayden and Dzedzic introduced—**

**S.F. No. 1652:** A bill for an act relating to capital investment; appropriating money for infrastructure improvements along Penn Avenue in Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Schmit, Dahms, Sheran and Jensen introduced—**

**S.F. No. 1653:** A bill for an act relating to economic development; agriculture; appropriating money for the Center for Rural Policy and Development.

Referred to the Committee on Finance.

**Senators Saxhaug and Skoe introduced—**

**S.F. No. 1654:** A bill for an act relating to natural resources; establishing an outdoor heritage trust fund account; providing trust fund payments to counties; appropriating money; amending Minnesota Statutes 2014, sections 97A.056, subdivision 1a, by adding a subdivision; 477A.10; 477A.11, by adding a subdivision.

Referred to the Committee on Environment and Energy.

**Senators Saxhaug and Skoe introduced—**

**S.F. No. 1655:** A bill for an act relating to natural resources; establishing an environment and natural resources trust fund payment account; providing trust fund payments to counties; appropriating money; amending Minnesota Statutes 2014, sections 116P.02, subdivision 1, by adding a subdivision; 477A.10; 477A.11, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116P.

Referred to the Committee on Environment and Energy.

**Senators Sieben, Eaton, Marty, Hoffman and Rest introduced—**

**S.F. No. 1656:** A bill for an act relating to health; requiring labeling of children's products containing hazardous chemicals; amending Minnesota Statutes 2014, section 116.9401; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Energy.

**Senator Dahle introduced—**

**S.F. No. 1657:** A bill for an act relating to taxation; income and corporate franchise; providing a tax credit for certain energy improvements; allowing cooperative and municipal utilities to recover certain expenses; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senator Sieben introduced—**

**S.F. No. 1658:** A bill for an act relating to human rights; adding provisions to the certificate of compliance and equal pay certificate requirements; amending Minnesota Statutes 2014, sections 363A.36, subdivision 1; 363A.44, subdivision 1.

Referred to the Committee on Judiciary.

**Senators Eken, Westrom, Stumpf and Skoe introduced—**

**S.F. No. 1659:** A bill for an act relating to appropriations; appropriating money for construction of ring levees.

Referred to the Committee on Finance.

**Senators Dahle, Hall, Rest and Pederson, J. introduced—**

**S.F. No. 1660:** A bill for an act relating to local government; providing for alternative Web site publication; amending Minnesota Statutes 2014, section 331A.12, subdivision 2, by adding subdivisions.

Referred to the Committee on State and Local Government.

**Senators Dziezic and Hayden introduced—**

**S.F. No. 1661:** A bill for an act relating to housing finance; appropriating money for an emergency shelter facility in Hennepin County.

Referred to the Committee on Finance.

**Senators Saxhaug, Latz, Stumpf, Dibble and Ingebrigtsen introduced—**

**S.F. No. 1662:** A bill for an act relating to the arts and cultural heritage; appropriating money for the Perpich Center for Arts Education.

Referred to the Committee on Finance.

**Senator Pappas introduced—**

**S.F. No. 1663:** A bill for an act relating to horse racing; modifying and providing definitions; clarifying commission powers and duties; modifying and providing for licensure requirements and other regulatory provisions; providing for industry-related revenue; amending Minnesota Statutes 2014, sections 240.01, subdivision 22, by adding subdivisions; 240.011; 240.03; 240.08,

subdivisions 2, 4, 5; 240.10; 240.13, subdivisions 5, 6; 240.135; 240.15, subdivisions 1, 6; 240.16, subdivision 1; 240.22; 240.23; 240.30, subdivisions 6, 8; 364.09; repealing Minnesota Statutes 2014, section 240.01, subdivisions 12, 23.

Referred to the Committee on State and Local Government.

**Senator Sparks introduced—**

**S.F. No. 1664:** A bill for an act relating to economic development; appropriating money for sustainable child care in rural Minnesota.

Referred to the Committee on Finance.

**Senator Petersen, B. introduced—**

**S.F. No. 1665:** A bill for an act relating to criminal justice; addressing the use of predictive policing by law enforcement; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary.

**Senator Petersen, B. introduced—**

**S.F. No. 1666:** A bill for an act relating to transportation; capital investment; appropriating money for improvements to U.S. Highway 10 in Anoka County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Hayden introduced—**

**S.F. No. 1667:** A bill for an act relating to capital investment; appropriating money for the Pioneer and Soldiers Cemetery restoration; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Chamberlain, Benson and Newman introduced—**

**S.F. No. 1668:** A bill for an act relating to education; education finance; authorizing a reverse referendum for school board-approved revenue authority under certain circumstances; prohibiting public school employees from using public funds and resources to advocate to pass, elect, or defeat a political candidate, ballot question, or pending legislation; amending Minnesota Statutes 2014, section 126C.17, subdivision 9a; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

**Senator Ingebrigtsen introduced—**

**S.F. No. 1669:** A bill for an act relating to taxation; property; excluding homestead resort properties from levies based on referendum market value; amending Minnesota Statutes 2014, section 126C.01, subdivision 3.

Referred to the Committee on Taxes.

**Senators Jensen, Senjem, Dibble, Tomassoni and Pederson, J. introduced—**

**S.F. No. 1670:** A bill for an act relating to capital improvements; authorizing sale and issuance of general obligation bonds for local roads and bridges; appropriating money.

Referred to the Committee on Capital Investment.

**Senator Lourey introduced—**

**S.F. No. 1671:** A bill for an act relating to health; establishing a program requiring the commissioner of health to conduct health impact assessments on topics selected by the Legislative Audit Commission; appropriating money; amending Minnesota Statutes 2014, section 3.97, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health, Human Services and Housing.

**Senators Scalze, Osmek, Marty, Hawj and Housley introduced—**

**S.F. No. 1672:** A bill for an act relating to regional parks; modifying use of interest payments from metropolitan parks appropriations; using funds for all recreational space under Metropolitan Council jurisdiction.

Referred to the Committee on Finance.

**Senators Dziezic and Goodwin introduced—**

**S.F. No. 1673:** A bill for an act relating to judiciary; setting juror per diem rate in statute; requesting judicial branch study on jury service compensation; amending Minnesota Statutes 2014, section 593.48.

Referred to the Committee on Finance.

**Senators Wiger, Bakk, Johnson, Bonoff and Pratt introduced—**

**S.F. No. 1674:** A bill for an act relating to education; amending state high school graduation requirements; requiring students to demonstrate their knowledge of civics as a condition of receiving a high school diploma; amending Minnesota Statutes 2014, sections 120B.02, subdivision 2, by adding a subdivision; 120B.021, subdivision 1; 120B.024, subdivision 1; 120B.36, subdivision 1.

Referred to the Committee on Education.

**Senators Stumpf, Saxhaug, Dahms and Jensen introduced—**

**S.F. No. 1675:** A bill for an act relating to libraries; modifying the distribution of regional library basic system support; appropriating money for regional library basic system support; amending Minnesota Statutes 2014, section 134.355, subdivisions 5, 6.

Referred to the Committee on Finance.

**Senator Stumpf introduced—**

**S.F. No. 1676:** A bill for an act relating to state government; contracts; grant management; amending Minnesota Statutes 2014, sections 16B.97, subdivision 1; 16B.98, subdivisions 1, 11.

Referred to the Committee on State and Local Government.

**Senators Limmer, Benson, Chamberlain and Brown introduced—**

**S.F. No. 1677:** A bill for an act relating to health; changing provisions in electronic health records; amending Minnesota Statutes 2014, section 62J.495, subdivisions 1, 2, 3, 4, 5.

Referred to the Committee on Health, Human Services and Housing.

**Senators Rest, Skoe, Koenen, Thompson and Eaton introduced—**

**S.F. No. 1678:** A bill for an act relating to taxation; requiring the commissioner of revenue to implement a free electronic filing system for individual income tax returns; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 270C.

Referred to the Committee on Taxes.

**Senators Dzedzic, Jensen, Goodwin, Gazelka and Metzen introduced—**

**S.F. No. 1679:** A bill for an act relating to auto insurance; providing transportation network financial responsibility; amending Minnesota Statutes 2014, section 65B.64, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 65B.

Referred to the Committee on Commerce.

**Senator Osmek introduced—**

**S.F. No. 1680:** A bill for an act relating to capital investment; appropriating money for development of lakefront property for public use in the city of Wayzata; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Osmek introduced—**

**S.F. No. 1681:** A bill for an act relating to judiciary; considering county attorney as attorney for any town in which a violation occurs for purposes of allocation of court fines, penalties, and forfeitures; amending Minnesota Statutes 2014, section 484.90, subdivision 6.

Referred to the Committee on Judiciary.

**Senators Sieben, Kent and Hoffman introduced—**

**S.F. No. 1682:** A bill for an act relating to taxation; individual income; allowing a refundable credit for student loan interest; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Skoe, Rosen, Tomassoni, Saxhaug and Koenen introduced—**

**S.F. No. 1683:** A bill for an act relating to environment; modifying the duties of the Minnesota Pollution Control Agency Citizens' Board; amending Minnesota Statutes 2014, sections 116.02; 116.03, subdivision 1; repealing Minnesota Statutes 2014, section 116.02, subdivisions 7, 8, 10.

Referred to the Committee on Environment and Energy.

**Senator Hayden introduced—**

**S.F. No. 1684:** A bill for an act relating to retirement; Public Employees Retirement Association; excluding certain Minneapolis Parks and Recreation Board employees; amending Minnesota Statutes 2014, section 353.01, subdivision 2b.

Referred to the Committee on State and Local Government.

**Senator Clausen introduced—**

**S.F. No. 1685:** A bill for an act relating to state lands; providing for conveyance of certain tax-forfeited land.

Referred to the Committee on Environment and Energy.

**Senators Reinert and Bakk introduced—**

**S.F. No. 1686:** A bill for an act relating to economic development; providing for a loan from the Minnesota Investment Fund.

Referred to the Committee on Finance.

**Senators Franzen and Senjem introduced—**

**S.F. No. 1687:** A bill for an act relating to local government; requiring ten-day notice and a public hearing before a moratorium on residential development takes effect; amending Minnesota Statutes 2014, section 462.355, subdivision 4.

Referred to the Committee on State and Local Government.

**Senators Bonoff, Hayden and Pratt introduced—**

**S.F. No. 1688:** A bill for an act relating to state government; requiring policies and procedures that certain entities in the executive branch and the Minnesota State Colleges and Universities must follow when investigating an entity's own employee; amending Minnesota Statutes 2014, sections 16A.06, by adding a subdivision; 136F.06, by adding a subdivision.

Referred to the Committee on State and Local Government.

**Senators Carlson, Metzen, Gazelka, Eken and Sparks introduced—**

**S.F. No. 1689:** A bill for an act relating to construction codes; modifying water conditioning installation requirements; amending Minnesota Statutes 2014, sections 326B.50, subdivisions 3, 4, by adding subdivisions; 326B.55; proposing coding for new law in Minnesota Statutes, chapter 326B.

Referred to the Committee on Jobs, Agriculture and Rural Development.

**Senators Hawj, Ingebrigtsen, Scalze, Marty and Westrom introduced—**

**S.F. No. 1690:** A bill for an act relating to taxation; modifying eligibility for grants from revenue generated by lottery in lieu tax; amending Minnesota Statutes 2014, section 297A.94.

Referred to the Committee on Taxes.

**Senators Hawj, Hayden, Hoffman, Lourey and Rosen introduced—**

**S.F. No. 1691:** A bill for an act relating to human services; appropriating money for culturally specific mental health services for Southeast Asian veterans.

Referred to the Committee on Finance.

**Senators Sieben and Cohen introduced—**

**S.F. No. 1692:** A bill for an act relating to higher education; providing funding to the University of Minnesota to support regenerative medicine research activities; appropriating money.

Referred to the Committee on Finance.

**Senator Sheran introduced—**

**S.F. No. 1693:** A bill for an act relating to public safety; providing a grant for a police and community race dialogue and action project; appropriating money.

Referred to the Committee on Finance.

**Senator Lourey introduced—**

**S.F. No. 1694:** A bill for an act relating to public safety; providing for religious objections to autopsies in certain cases; amending Minnesota Statutes 2014, section 390.11, subdivisions 1, 2, by adding a subdivision.

Referred to the Committee on Health, Human Services and Housing.

**Senator Rest introduced—**

**S.F. No. 1695:** A bill for an act relating to taxation; sales and use; modifying certain sales tax rates; amending Minnesota Statutes 2014, sections 297A.62, subdivision 1; 297A.992, subdivision 2.

Referred to the Committee on Finance.

**Senators Franzen, Benson and Metzen introduced—**

**S.F. No. 1696:** A bill for an act relating to commerce; establishing continued care at home contracts; requiring providers to prove financial responsibility to the commissioner of commerce; amending Minnesota Statutes 2014, section 609.232, subdivision 11; proposing coding for new law as Minnesota Statutes, chapter 80H.

Referred to the Committee on Commerce.

**Senators Petersen, B. and Bonoff introduced—**

**S.F. No. 1697:** A bill for an act relating to education; empowering authorizers to terminate contracts based on student performance; amending Minnesota Statutes 2014, section 124D.10, subdivision 23.

Referred to the Committee on Education.

**Senator Jensen introduced—**

**S.F. No. 1698:** A bill for an act relating to commerce; weights and measures; modifying the commissioner of commerce's powers; clarifying diesel fuel advertisement sign requirements; modifying the definition for ethanol flex fuels; updating fuel standard references; correcting cross-references; amending Minnesota Statutes 2014, sections 239.011, subdivision 2; 239.44; 239.751, by adding a subdivision; 239.761, subdivisions 3, 4, 6, 10, 11, 13, by adding a subdivision; 296A.01, subdivisions 7, 8, 19, 23, 24.

Referred to the Committee on Commerce.

**Senator Jensen introduced—**

**S.F. No. 1699:** A bill for an act relating to local government; sanitization regulation and inspections for certain licensees who sell electronic delivery devices; amending Minnesota Statutes 2014, section 461.19; proposing coding for new law in Minnesota Statutes, chapter 461.

Referred to the Committee on Health, Human Services and Housing.

**Senator Jensen introduced—**

**S.F. No. 1700:** A bill for an act relating to health insurance; limiting certain types of provisions in vision care insurance agreements; modifying definitions of ophthalmic goods and services; regulating kiosks; imposing disciplinary action for optometrists and physicians; amending Minnesota Statutes 2014, sections 145.711; 145.714; 147.091, subdivision 1; 148.56, subdivision 3; 148.57, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 62A; 145.

Referred to the Committee on Commerce.

**Senators Hayden, Saxhaug, Champion and Skoe introduced—**

**S.F. No. 1701:** A bill for an act relating to health insurance; requiring coverage for colorectal screening test for individuals at high risk of colorectal cancer; amending Minnesota Statutes 2014, section 62A.30, subdivision 2.

Referred to the Committee on Commerce.

**Senators Rest, Gazelka, Koenen, Dzedzic and Housley introduced—**

**S.F. No. 1702:** A bill for an act relating to taxation; sales and use; providing a vendor allowance; amending Minnesota Statutes 2014, sections 289A.20, subdivision 4; 297A.77, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 297A.

Referred to the Committee on Taxes.

**Senator Pappas introduced—**

**S.F. No. 1703:** A bill for an act relating to state government; establishing the American Indian and Indigenous Peoples Day; proposing coding for new law in Minnesota Statutes, chapter 10.

Referred to the Committee on State and Local Government.

**Senator Pappas introduced—**

**S.F. No. 1704:** A bill for an act relating to health; regulating the practice of gestational carrying; creating rights and duties; providing for damages; proposing coding for new law in Minnesota Statutes, chapter 257.

Referred to the Committee on Health, Human Services and Housing.

**Senators Dzedzic; Jensen; Petersen, B. and Rest introduced—**

**S.F. No. 1705:** A bill for an act relating to transportation; specifying causes and types of damage for which railroads are responsible; amending Minnesota Statutes 2014, sections 219.76; 219.761.

Referred to the Committee on Transportation and Public Safety.

**Senators Champion and Latz introduced—**

**S.F. No. 1706:** A bill for an act relating to state government; extending the statute of limitations for a minor child filing a claim under the Human Rights Act; amending Minnesota Statutes 2014, sections 363A.07, subdivision 3; 363A.28, subdivision 3.

Referred to the Committee on Judiciary.

**Senators Benson, Gazelka and Hann introduced—**

**S.F. No. 1707:** A bill for an act relating to insurance; establishing a state reinsurance program for the individual and small group markets; requiring an assessment; establishing a health reinsurance account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

**Senator Sheran introduced—**

**S.F. No. 1708:** A bill for an act relating to human services; providing for human services policy modifications relating to the community first services and supports program; amending Minnesota Statutes 2014, section 256B.85.

Referred to the Committee on Health, Human Services and Housing.

**Senator Bakk introduced—**

**S.F. No. 1709:** A bill for an act relating to state lands; authorizing public or private sale of certain tax-forfeited land in Lake County; modifying previous sale authorization; amending Laws 2013, chapter 73, section 30.

Referred to the Committee on Environment and Energy.

**Senator Kiffmeyer introduced—**

**S.F. No. 1710:** A bill for an act relating to health; requiring a report on the treatment of pediatric attention deficit hyperactivity disorder; appropriating money.

Referred to the Committee on Health, Human Services and Housing.

**Senator Kiffmeyer introduced—**

**S.F. No. 1711:** A bill for an act relating to local government; requiring local referenda related to spending to be conducted on the first Tuesday after the first Monday in November; amending Minnesota Statutes 2014, sections 123B.63, subdivision 3; 126C.17, subdivision 9; 205.10, subdivision 1; 205A.05, subdivision 1; 216B.46; 237.19; 275.60; 275.73; 412.221, subdivision 2; 412.301; 426.19, subdivision 2; 447.045; 452.11; 455.24; 455.29; 459.06, subdivision 1; 469.053, subdivision 5; 469.0724; 469.107, subdivision 2; 469.190, subdivisions 1, 5; 471.57, subdivision 3; 471.571, subdivision 3; 471.572, subdivisions 2, 4; 475.59; repealing Minnesota Statutes 2014, sections 126C.17, subdivision 11; 205.10, subdivision 3.

Referred to the Committee on Rules and Administration.

**Senator Nelson introduced—**

**S.F. No. 1712:** A bill for an act relating to taxation; gross revenues; exempting certain payments; amending Minnesota Statutes 2014, section 295.53, subdivision 1.

Referred to the Committee on Taxes.

**Senators Benson, Limmer and Hall introduced—**

**S.F. No. 1713:** A bill for an act relating to health; requiring a patient's initials for each item of consent when requested to release health records; amending Minnesota Statutes 2014, section 144.293, subdivision 2.

Referred to the Committee on Health, Human Services and Housing.

**Senator Marty introduced—**

**S.F. No. 1714:** A bill for an act relating to capital investment; appropriating money for greenhouse replacement at the University of Minnesota; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Osmek introduced—**

**S.F. No. 1715:** A bill for an act relating to local government; appropriating money for a regional recreation complex in the city of Corcoran.

Referred to the Committee on Finance.

**Senators Dahms, Koenen, Sparks, Weber and Rosen introduced—**

**S.F. No. 1716:** A bill for an act relating to higher education; authorizing grants for agricultural growth, research, and innovation programs; appropriating money for agriculture-related programs, grants, and activities; amending Minnesota Statutes 2014, section 41A.12, subdivisions 2, 4.

Referred to the Committee on Finance.

**Senators Rosen and Dahms introduced—**

**S.F. No. 1717:** A bill for an act relating to insurance; requiring health plan companies to make specified health plan information available on public Web sites; requiring specified information on health plans to be made available on state agency Web sites; amending Minnesota Statutes 2014, section 256B.69, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce.

**Senator Pederson, J. introduced—**

**S.F. No. 1718:** A bill for an act relating to education; providing for a youth development and crime prevention program; appropriating money.

Referred to the Committee on Finance.

**Senators Kent, Housley, Fischbach and Gazelka introduced—**

**S.F. No. 1719:** A bill for an act relating to education finance; increasing the statewide cap on basic alternative teacher compensation aid; amending Minnesota Statutes 2014, section 122A.415, subdivision 4.

Referred to the Committee on Finance.

**Senators Pratt, Hoffman and Osmek introduced—**

**S.F. No. 1720:** A bill for an act relating to the Metropolitan Council; requiring a ten-year transit capital improvement program instead of a three-year program; amending Minnesota Statutes 2014, section 473.39, subdivision 4.

Referred to the Committee on State and Local Government.

**Senator Thompson introduced—**

**S.F. No. 1721:** A bill for an act relating to taxation; renter property tax refunds; reducing percentage of rent constituting property tax; amending Minnesota Statutes 2014, section 290A.03, subdivisions 11, 13.

Referred to the Committee on Taxes.

**Senator Thompson introduced—**

**S.F. No. 1722:** A bill for an act relating to property taxation; phasing out the state general levy over six years; repealing the student achievement levy; amending Minnesota Statutes 2014, sections 126C.13, subdivision 4; 275.025, subdivision 1; repealing Minnesota Statutes 2014, section 126C.13, subdivisions 3a, 3b, 3c.

Referred to the Committee on Taxes.

**Senator Thompson introduced—**

**S.F. No. 1723:** A bill for an act relating to economic development; the destination medical center; modifying computation of the city's local contribution; restricting the use of funds; amending Minnesota Statutes 2014, sections 469.40, subdivision 11, as amended; 469.45, subdivisions 1, 2; 469.46; 469.47, subdivision 4, as amended, by adding a subdivision; Laws 1998, chapter 389, article 8, section 43, subdivision 3, as amended; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Jobs, Agriculture and Rural Development.

**Senators Dahms, Thompson and Sparks introduced—**

**S.F. No. 1724:** A bill for an act relating to local government; requiring notice of proposed ordinances that affect business licenses; amending Minnesota Statutes 2014, section 375.51, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 415.

Referred to the Committee on State and Local Government.

**MOTIONS AND RESOLUTIONS**

Senator Sieben moved that the name of Senator Eken be added as a co-author to S.F. No. 455. The motion prevailed.

Senator Lourey moved that the name of Senator Reinert be added as a co-author to S.F. No. 708. The motion prevailed.

Senator Ruud moved that the name of Senator Ingebrigtsen be added as a co-author to S.F. No. 880. The motion prevailed.

Senator Hall moved that his name be stricken as a co-author to S.F. No. 924. The motion prevailed.

Senator Pappas moved that the name of Senator Schmit be added as a co-author to S.F. No. 1276. The motion prevailed.

Senator Sieben moved that the name of Senator Carlson be added as a co-author to S.F. No. 1346. The motion prevailed.

Senator Koenen moved that the name of Senator Saxhaug be added as a co-author to S.F. No. 1538. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Eken be added as a co-author to S.F. No. 1587. The motion prevailed.

Senator Sieben, for Senator Pappas, moved that S.F. No. 695 be withdrawn from the Committee on Health, Human Services and Housing and re-referred to the Committee on Finance. The motion prevailed.

Senator Eken moved that S.F. No. 739 be withdrawn from the Committee on Capital Investment and re-referred to the Committee on Finance. The motion prevailed.

Senator Rosen moved that S.F. No. 1229 be withdrawn from the Committee on Health, Human Services and Housing and re-referred to the Committee on Finance. The motion prevailed.

Senator Lourey moved that S.F. No. 1457 be withdrawn from the Committee on Health, Human Services and Housing and re-referred to the Committee on Finance. The motion prevailed.

Senator Bonoff moved that S.F. No. 138 be withdrawn from the Committee on State and Local Government and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Senjem moved that S.F. No. 1123 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Finance. The motion prevailed.

**Senator Pederson, J. introduced –**

**Senate Resolution No. 95:** A Senate resolution congratulating Will Unger for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 26, Senator Bakk, Chair of the Committee on Rules and Administration, designated H.F. No. 8 a Special Order to be heard immediately.

**SPECIAL ORDER**

**H.F. No. 8:** A bill for an act relating to human services; updating child protection provisions; amending Minnesota Statutes 2014, section 626.556, subdivisions 1, 7.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Fischbach	Kent	Pappas	Sheran
Benson	Franzen	Koenen	Pederson, J.	Sieben
Bonoff	Gazelka	Latz	Petersen, B.	Skoe
Carlson	Goodwin	Limmer	Pratt	Sparks
Chamberlain	Hall	Lourey	Reinert	Stumpf
Clausen	Hann	Marty	Rest	Thompson
Cohen	Hawj	Metzen	Rosen	Tomassoni
Dahle	Hoffman	Miller	Ruud	Torres Ray
Dibble	Housley	Nelson	Saxhaug	Weber
Dziedzic	Ingebrigtsen	Newman	Scalze	Westrom
Eaton	Jensen	Ortman	Schmit	Wiger
Eken	Johnson	Osmek	Senjem	Wiklund

So the bill passed and its title was agreed to.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Remaining on the Order of Business of Motions and Resolutions, Senator Bakk moved that the Senate take up the Confirmation Calendar. The motion prevailed.

#### **CONFIRMATION**

Senator Skoe moved that the report from the Committee on Taxes, reported March 9, 2015, pertaining to the appointment of the Commissioner of Revenue, be taken from the table. The motion prevailed.

Senator Skoe moved that the foregoing report be now adopted. The motion prevailed.

Senator Skoe moved that in accordance with the report from the Committee on Taxes, reported March 9, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

#### **DEPARTMENT OF REVENUE COMMISSIONER**

Cynthia Bauerly, 600 N. Robert St., Saint Paul, Ramsey County, effective January 5, 2015, for a term expiring on January 7, 2019.

The motion prevailed. So the appointment was confirmed.

#### **CONFIRMATION**

Senator Skoe moved that the report from the Committee on Taxes, reported March 9, 2015, pertaining to appointments to the Tax Court, be taken from the table. The motion prevailed.

Senator Skoe moved that the foregoing report be now adopted. The motion prevailed.

Senator Skoe moved that in accordance with the report from the Committee on Taxes, reported March 9, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

TAX COURT  
JUDGE

Bradford S. Delapena, 245 Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Ramsey County, effective January 9, 2015, for a term expiring on January 4, 2021.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Senator Sheran moved that the report from the Committee on Health, Human Services and Housing, reported March 11, 2015, pertaining to the appointment of the Commissioner of Health, be taken from the table. The motion prevailed.

Senator Sheran moved that the foregoing report be now adopted. The motion prevailed.

Senator Sheran moved that in accordance with the report from the Committee on Health, Human Services and Housing, reported March 11, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF HEALTH  
COMMISSIONER

Edward P. Ehlinger, 4815 Dupont Ave. S., Minneapolis, Hennepin County, effective January 5, 2015, for a term expiring on January 7, 2019.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Senator Sheran moved that the report from the Committee on Health, Human Services and Housing, reported March 11, 2015, pertaining to the appointment of the Commissioner of the Minnesota Housing Finance Agency, be taken from the table. The motion prevailed.

Senator Sheran moved that the foregoing report be now adopted. The motion prevailed.

Senator Sheran moved that in accordance with the report from the Committee on Health, Human Services and Housing, reported March 11, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA HOUSING FINANCE AGENCY  
COMMISSIONER

Mary Tingerthal, 1490 Mississippi River Blvd., Saint Paul, Ramsey County, effective January 5, 2015, for a term expiring on January 7, 2019.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported March 11, 2015, pertaining to the appointment of the Commissioner of Labor and Industry, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported March 11, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF LABOR AND INDUSTRY  
COMMISSIONER

Kenneth B. Peterson, 292 Ryan Ave., Saint Paul, Ramsey County, effective January 5, 2015, for a term expiring on January 7, 2019.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Senator Cohen moved that the report from the Committee on Finance, reported March 11, 2015, pertaining to the appointment of the Commissioner of Management and Budget, be taken from the table. The motion prevailed.

Senator Cohen moved that the foregoing report be now adopted. The motion prevailed.

Senator Cohen moved that in accordance with the report from the Committee on Finance, reported March 11, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF MANAGEMENT AND BUDGET  
COMMISSIONER

Myron L. Frans, 1704 Humboldt Ave. S., Minneapolis, Hennepin County, effective January 5, 2015, for a term expiring on January 7, 2019.

The motion prevailed. So the appointment was confirmed.

**MEMBERS EXCUSED**

Senators Anderson, Brown, Kiffmeyer and Nienow were excused from the Session of today. Senator Champion was excused from the Session of today at 11:40 a.m. Senator Dahms was excused from the Session of today from 11:40 to 11:50 a.m. Senator Hayden was excused from the Session of today from 11:40 to 11:55 a.m.

**ADJOURNMENT**

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Monday, March 16, 2015. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

