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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE NO. **646**

February 5, 2007

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The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

March 8, 2007

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act  
1.2 relating to elections; changing certain school district election provisions;  
1.3 eliminating an approval requirement for mail elections; authorizing certain  
1.4 school board primary elections; amending Minnesota Statutes 2006, sections  
1.5 204B.46; 205A.03, subdivision 1; 205A.06, subdivision 1a; 205A.12, by adding  
1.6 a subdivision.

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

1.8 Section 1. Minnesota Statutes 2006, section 204B.46, is amended to read:

1.9 **204B.46 MAIL ELECTIONS; QUESTIONS.**

1.10 A county, municipality, or school district submitting questions to the voters at a  
1.11 special election may ~~apply to the county auditor for approval of~~ conduct an election by  
1.12 mail with no polling place other than the office of the auditor or clerk. No more than two  
1.13 questions may be submitted at a mail election and no offices may be voted on. Notice of  
1.14 the election ~~and~~ must be given to the county auditor at least 53 days prior to the election.  
1.15 This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The  
1.16 special mail ~~procedure~~ ballot procedures must be ~~given~~ posted at least six weeks prior  
1.17 to the election. No earlier than 20 or later than 14 days prior to the election, the auditor  
1.18 or clerk shall mail ballots by nonforwardable mail to all voters registered in the county,  
1.19 municipality, or school district. Eligible voters not registered at the time the ballots are  
1.20 mailed may apply for ballots pursuant to chapter 203B.

1.21 Sec. 2. Minnesota Statutes 2006, section 205A.03, subdivision 1, is amended to read:

1.22 Subdivision 1. **Required Resolution requiring primary in certain circumstances.**  
1.23 ~~In~~ The school board of a school district election, may, by resolution adopted by June 1 of  
1.24 any year, decide to choose nominees for school board by a primary as provided in this

2.1 section. The resolution, when adopted, is effective for all ensuing elections of board  
2.2 members in that school district until it is revoked. If the board decides to choose nominees  
2.3 by primary and if there are more than two candidates for a specified school board position  
2.4 or more than twice as many school board candidates as there are at-large school board  
2.5 positions available, ~~a~~ the school district must hold a primary.

2.6 Sec. 3. Minnesota Statutes 2006, section 205A.06, subdivision 1a, is amended to read:

2.7 Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose  
2.8 nominees for school board by a primary election, affidavits of candidacy must be filed  
2.9 with the school district clerk no earlier than the 70th day and no later than the 56th day  
2.10 before the first Tuesday after the second Monday in September in the year when the  
2.11 school district general election is held. In all other school districts, affidavits of candidacy  
2.12 must be filed no earlier than the 70th day and no later than the 56th day before the school  
2.13 district general election.

2.14 Sec. 4. Minnesota Statutes 2006, section 205A.12, is amended by adding a subdivision  
2.15 to read:

2.16 Subd. 5a. **School districts.** The school board of a school district may provide for  
2.17 the use by the district of an electronic voting system in one or more polling places or  
2.18 combined polling places in the school district for an election not held in conjunction with a  
2.19 statewide election. No system may be adopted or used unless it has been approved by the  
2.20 secretary of state pursuant to section 206.57. The school district shall notify the secretary  
2.21 of state of its decision in compliance with section 206.58, subdivision 4.

2.22 Sec. 5. **EFFECTIVE DATE.**

2.23 This act is effective the day following final enactment and applies to school board  
2.24 elections held in 2007 and thereafter.