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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **813**

February 12, 2007

Authored by Eastlund and Hackbarth

The bill was read for the first time and referred to the Committee on E-12 Education

February 26, 2007

By motion, recalled and re-referred to the Committee on Governmental Operations, Reform, Technology and Elections

1.1 A bill for an act
1.2 relating to education; clarifying the requirements for petitioning a school board
1.3 to hold a special election; amending Minnesota Statutes 2006, section 205A.05,
1.4 subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2006, section 205A.05, subdivision 1, is amended to
1.7 read:

1.8 Subdivision 1. **Questions.** Special elections must be held for a school district on a
1.9 question on which the voters are authorized by law to pass judgment. The school board
1.10 may on its own motion call a special election to vote on any matter requiring approval of
1.11 the voters of a district. Upon petition of 50 or more voters of the school district or five
1.12 percent of the number of voters voting at the preceding regular school district election,
1.13 whichever is greater, the school board shall by resolution call a special election to vote on
1.14 any matter requiring approval of the voters of a district. A question is carried only with
1.15 the majority in its favor required by law. The election officials for a special election are
1.16 the same as for the most recent school district general election unless changed according
1.17 to law. Otherwise, special elections must be conducted and the returns made in the manner
1.18 provided for the school district general election. A special election may not be held during
1.19 the 30 days before and the 30 days after the state primary, during the 30 days before and
1.20 the 40 days after the state general election. In addition, a special election may not be
1.21 held during the 20 days before and the 20 days after any regularly scheduled election of
1.22 a municipality wholly or partially within the school district. Notwithstanding any other
1.23 law to the contrary, the time period in which a special election must be conducted under

2.1 any other law may be extended by the school board to conform with the requirements
2.2 of this subdivision.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.4 and applies to petitions for special election submitted 30 days after that date and later.