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HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **965**

February 15, 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 7, 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 election judge balance requirements; permitting
1.3 appointment of election judges not affiliated with a major political party;
1.4 exempting certain town elections from party balance requirements; amending
1.5 Minnesota Statutes 2006, sections 204B.21, subdivision 2, by adding a
1.6 subdivision; 205A.10, subdivision 2.

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

1.8 Section 1. Minnesota Statutes 2006, section 204B.21, subdivision 2, is amended to read:

1.9 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts
1.10 in a municipality shall be appointed by the governing body of the municipality. Election
1.11 judges for precincts in unorganized territory and for performing election-related duties
1.12 assigned by the county auditor shall be appointed by the county board. Election judges for
1.13 a precinct composed of two or more municipalities must be appointed by the governing
1.14 body of the municipality or municipalities responsible for appointing election judges as
1.15 provided in the agreement to combine for election purposes. Appointments ~~shall~~ may be
1.16 made from lists furnished pursuant to subdivision 1 subject to the eligibility requirements
1.17 and other qualifications established or authorized under section 204B.19. At least two
1.18 election judges in each precinct must be affiliated with different major political parties. If
1.19 no lists have been furnished or if additional election judges are required ~~after all listed~~
1.20 ~~names have been exhausted~~, the appointing authority may appoint ~~any other individual to~~
1.21 ~~serve as an election judge subject to the same requirements and qualifications~~ individuals
1.22 who meet the qualifications to serve as an election judge, including persons who are not
1.23 affiliated with a major political party. The appointments shall be made at least 25 days
1.24 before the election at which the election judges will serve.

2.1 Sec. 2. Minnesota Statutes 2006, section 204B.21, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 2a. **Town elections.** The provisions of this section and sections 204B.19,
2.4 subdivision 5; 204C.15; 204C.19; 206.83; and 206.86, subdivision 2, relating to party
2.5 balance in the appointment of judges and to duties to be performed by judges of different
2.6 major political parties do not apply to town elections not held in conjunction with a
2.7 statewide election.

2.8 Sec. 3. Minnesota Statutes 2006, section 205A.10, subdivision 2, is amended to read:

2.9 Subd. 2. **Election, conduct.** A school district election must be by secret ballot and
2.10 must be held and the returns made in the manner provided for the state general election, as
2.11 far as practicable. The vote totals from an absentee ballot board established pursuant to
2.12 section 203B.13 may be tabulated and reported by the school district as a whole rather
2.13 than by precinct. For school district elections not held in conjunction with a statewide
2.14 election, the school board shall appoint election judges as provided in section 204B.21,
2.15 subdivision 2. The provisions of sections 204B.19, subdivision 5; 204B.21, subdivision 2;
2.16 204C.15; 204C.19; ~~206.64, subdivision 2;~~ 206.83; and 206.86, subdivision 2, relating to
2.17 party balance in appointment of judges and to duties to be performed by judges of different
2.18 major political parties do not apply to school district elections not held in conjunction
2.19 with a statewide election.