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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1670

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

A bill for an act

1.1 relating to elections; clarifying certain procedures and terminology; changing or
1.2 eliminating certain requirements; changing certain duties; imposing penalties;
1.3 amending Minnesota Statutes 2006, sections 103C.305, subdivision 3; 201.016,
1.4 subdivision 1a; 201.054, subdivision 1; 201.056; 201.061, subdivisions 1, 3,
1.5 4; 201.071, subdivisions 3, 4; 201.081; 201.091, subdivisions 1, 8; 201.27,
1.6 subdivision 1; 203B.04, subdivisions 1, 4, 6; 203B.05, subdivision 2; 203B.07,
1.7 subdivisions 1, 2; 203B.08, subdivision 3; 203B.081; 203B.10; 203B.12,
1.8 subdivision 4; 203B.13, subdivisions 1, 2; 203B.21, subdivision 3; 204B.06,
1.9 subdivision 8; 204B.08, subdivision 3; 204B.09, subdivisions 1, 3; 204B.16,
1.10 subdivision 1; 204B.45, subdivision 2; 205.10, by adding a subdivision;
1.11 205.13, by adding a subdivision; 205.16, subdivision 4; 205A.05, by adding a
1.12 subdivision; 205A.06, by adding a subdivision; 205A.07, subdivisions 3, 3a;
1.13 205A.10, subdivision 1; 205A.11, subdivision 2; 206.82, subdivision 2; 211A.02,
1.14 subdivision 2; 211A.05, subdivisions 1, 2; 211B.11, subdivision 1; 211B.37;
1.15 447.32, subdivision 4; Laws 2004, chapter 293, article 1, section 37, subdivision
1.16 2; repealing Minnesota Statutes 2006, sections 201.061, subdivision 7; 201.096;
1.17 203B.02, subdivision 1a; 203B.13, subdivision 3a; 204D.10, subdivision 2.

1.18 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

1.19 Section 1. Minnesota Statutes 2006, section 103C.305, subdivision 3, is amended to
1.20 read:

1.21 Subd. 3. **Ballots.** Ballots shall be prepared by the county auditor. The names of
1.22 candidates shall be placed on the "canary ballot" described in section 204D.11, subdivision
1.23 3. The office title printed on the ballot must be either "Soil and Water Conservation
1.24 District Supervisor" or "Conservation District Supervisor," based upon the district from
1.25 which the supervisor is to be elected.

1.26 Sec. 2. Minnesota Statutes 2006, section 201.016, subdivision 1a, is amended to read:

1.27 Subd. 1a. **Violations; penalty.** (a) The county auditor shall mail a violation notice
1.28 to any voter who the county auditor can determine has voted ~~in a precinct other than the~~
1.29

2.1 ~~precinct in~~ using an address at which the voter ~~maintains~~ does not maintain residence on
 2.2 election day. The notice must be in the form provided by the secretary of state. The
 2.3 county auditor shall also change the status of the voter in the statewide registration system
 2.4 to "challenged" and the voter shall be required to provide proof of residence to either the
 2.5 county auditor or to the election judges in the voter's precinct before voting in the next
 2.6 election. Any of the forms authorized by section 201.061 for registration at the polling
 2.7 place may be used for this purpose.

2.8 (b) A voter who votes in a precinct other than the precinct in which the voter
 2.9 maintains residence after receiving an initial violation notice as provided in this
 2.10 subdivision is guilty of a petty misdemeanor.

2.11 (c) A voter who votes in a precinct other than the precinct in which the voter
 2.12 maintains residence after having been found to have committed a petty misdemeanor
 2.13 under paragraph (b) is guilty of a misdemeanor.

2.14 (d) Reliance by the voter on inaccurate information regarding the location of the
 2.15 voter's polling place provided by the state, county, or municipality is an affirmative
 2.16 defense to a prosecution under this subdivision.

2.17 Sec. 3. Minnesota Statutes 2006, section 201.054, subdivision 1, is amended to read:

2.18 Subdivision 1. **Registration.** An individual may register to vote:

2.19 (1) at any time before the 20th day preceding any election as provided in section
 2.20 201.061, subdivision 1;

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

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

2.24 Sec. 4. Minnesota Statutes 2006, section 201.056, is amended to read:

2.25 **201.056 SIGNATURE OF REGISTERED VOTER; MARKS ALLOWED.**

2.26 An individual who is unable to write the individual's name shall be required to sign a
 2.27 registration ~~card~~ application by making the individual's mark. If the individual registers
 2.28 in person, the clerk or election judge accepting the registration shall certify the mark
 2.29 by signing the individual's name. If the individual registers by mail, the mark shall be
 2.30 certified by having a voter registered in the individual's precinct sign the individual's name
 2.31 and the voter's own name and give the voter's own address.

2.32 Sec. 5. Minnesota Statutes 2006, section 201.061, subdivision 1, is amended to read:

3.1 Subdivision 1. **Prior to election day.** At any time except during the 20 days
 3.2 immediately preceding any regularly scheduled election, an eligible voter or any
 3.3 individual who will be an eligible voter at the time of the next election may register to vote
 3.4 in the precinct in which the voter maintains residence by completing a voter registration
 3.5 application as described in section 201.071, subdivision 1, and submitting it in person
 3.6 or by mail to the county auditor of that county or to the Secretary of State's Office.
 3.7 A registration that is received no later than 5:00 p.m. on the 21st day preceding any
 3.8 election shall be accepted. An improperly addressed or delivered registration application
 3.9 shall be forwarded within two working days after receipt to the county auditor of the
 3.10 county where the voter maintains residence. A state or local agency or an individual that
 3.11 accepts completed voter registration applications from a voter must submit the completed
 3.12 applications to the secretary of state or the appropriate county auditor within ten business
 3.13 days after the applications are dated by the voter.

3.14 For purposes of this section, mail registration is defined as a voter registration
 3.15 application delivered to the secretary of state, county auditor, or municipal clerk by the
 3.16 United States Postal Service or a commercial carrier.

3.17 Sec. 6. Minnesota Statutes 2006, section 201.061, subdivision 3, is amended to read:

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

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

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

3.27 (3) presenting one of the following:

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

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

3.34 (4) having a voter who is registered to vote in the precinct, or who is an employee
 3.35 employed by and working in a residential facility in the precinct and vouching for a

4.1 resident in the facility, sign an oath in the presence of the election judge vouching that the
4.2 voter or employee personally knows that the individual is a resident of the precinct. A
4.3 voter who has been vouched for on election day may not sign a proof of residence oath
4.4 vouching for any other individual on that election day. A voter who is registered to vote in
4.5 the precinct may sign up to 15 proof-of-residence oaths on any election day. This limitation
4.6 does not apply to an employee of a residential facility described in this clause. The
4.7 secretary of state shall provide a form for election judges to use in recording the number
4.8 of individuals for whom a voter signs proof-of-residence oaths on election day. The
4.9 form must include space for the maximum number of individuals for whom a voter may
4.10 sign proof-of-residence oaths. For each proof-of-residence oath, the form must include
4.11 a statement that the voter is registered to vote in the precinct, personally knows that the
4.12 individual is a resident of the precinct, and is making the statement on oath. The form must
4.13 include a space for the voter's printed name, signature, telephone number, and address.

4.14 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must
4.15 be attached to the voter registration application ~~and the information on the oath must be~~
4.16 ~~recorded on the records of both the voter registering on election day and the voter who~~
4.17 ~~is vouching for the person's residence, and entered into the statewide voter registration~~
4.18 ~~system by the county auditor when the voter registration application is entered into that~~
4.19 ~~system.~~

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

4.24 (c) "Residential facility" means transitional housing as defined in section 256E.33,
4.25 subdivision 1; a supervised living facility licensed by the commissioner of health under
4.26 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
4.27 5; a residence registered with the commissioner of health as a housing with services
4.28 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by
4.29 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence
4.30 licensed by the commissioner of human services to provide a residential program as
4.31 defined in section 245A.02, subdivision 14; a residential facility for persons with a
4.32 developmental disability licensed by the commissioner of human services under section
4.33 252.28; group residential housing as defined in section 256I.03, subdivision 3; a shelter
4.34 for battered women as defined in section 611A.37, subdivision 4; or a supervised
4.35 publicly or privately operated shelter or dwelling designed to provide temporary living
4.36 accommodations for the homeless.

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

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

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

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

5.12 Sec. 7. Minnesota Statutes 2006, section 201.061, subdivision 4, is amended to read:

5.13 Subd. 4. **Registration by election judges; procedures.** Registration at the polling
5.14 place on election day shall be conducted by the election judges. The election judge who
5.15 registers an individual at the polling place on election day shall not handle that voter's
5.16 ballots at any time prior to the opening of the ballot box after the voting ends. Registration
5.17 ~~cards~~ applications and forms for oaths shall be available at each polling place. If an
5.18 individual who registers on election day proves residence by oath of a registered voter, the
5.19 form containing the oath shall be attached to the individual's registration ~~card~~ application.
5.20 Registration ~~cards~~ applications completed on election day shall be forwarded to the
5.21 county auditor who shall add the name of each voter to the registration system unless the
5.22 information forwarded is substantially deficient. A county auditor who finds an election
5.23 day registration substantially deficient shall give written notice to the individual whose
5.24 registration is found deficient. An election day registration shall not be found deficient
5.25 solely because the individual who provided proof of residence was ineligible to do so.

5.26 Sec. 8. Minnesota Statutes 2006, section 201.071, subdivision 3, is amended to read:

5.27 Subd. 3. **Deficient registration.** No voter registration application is deficient if it
5.28 contains the voter's name, address, date of birth, current and valid Minnesota driver's
5.29 license number or Minnesota state identification number, or if the voter has no current and
5.30 valid Minnesota driver's license or Minnesota state identification number, the last four
5.31 digits of the voter's Social Security number, if the voter has been issued a Social Security
5.32 number, prior registration, if any, and signature. The absence of a zip code number does
5.33 not cause the registration to be deficient. Failure to check a box on an application form
5.34 that a voter has certified to be true does not cause the registration to be deficient. The

6.1 election judges shall request an individual to correct a voter registration application if it is
 6.2 deficient or illegible ~~or if the name or number of the voter's school district is missing or~~
 6.3 ~~obviously incorrect~~. No eligible voter may be prevented from voting unless the voter's
 6.4 registration application is deficient or the voter is duly and successfully challenged in
 6.5 accordance with section 201.195 or 204C.12.

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

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

6.16 Sec. 9. Minnesota Statutes 2006, section 201.071, subdivision 4, is amended to read:

6.17 Subd. 4. **Change of registration.** ~~Any~~ A county auditor who receives a registration
 6.18 ~~card~~ application indicating that an individual was previously registered in a different
 6.19 county in Minnesota shall ~~notify the county auditor of that county~~ update the voter's
 6.20 record electronically through the statewide registration system in the manner prescribed
 6.21 ~~in the rules of~~ by the secretary of state. ~~A county auditor receiving a registration card~~
 6.22 ~~indicating that a voter was previously registered in a different precinct in the same county~~
 6.23 ~~or receiving a notification as provided in this subdivision shall remove that individual's~~
 6.24 ~~voter registration card from the files.~~ Any A county auditor who receives a registration
 6.25 ~~card~~ application or notification requiring a change of registration records under this
 6.26 subdivision as a result of an election day registration shall also check the statewide
 6.27 registration system to determine whether the individual voted in more than one precinct in
 6.28 the most recent election.

6.29 Sec. 10. Minnesota Statutes 2006, section 201.081, is amended to read:

6.30 **201.081 REGISTRATION FILES.**

6.31 The statewide registration system is the official record of registered voters. The
 6.32 voter registration ~~cards~~ applications and the terminal providing access to the statewide
 6.33 registration system must be under the control of the county auditor or the public official to
 6.34 whom the county auditor has delegated the responsibility for maintaining voter registration

7.1 records. The voter registration ~~cards~~ applications and terminals providing access to the
7.2 statewide registration system must not be removed from the control of the county auditor
7.3 except as provided in this subdivision. The county auditor may make photographic copies
7.4 of voter registration ~~cards~~ applications in the manner provided by section 138.17.

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

7.11 Sec. 11. Minnesota Statutes 2006, section 201.091, subdivision 1, is amended to read:

7.12 Subdivision 1. **Master list.** Each county auditor shall prepare and maintain a
7.13 current list of registered voters in each precinct in the county which is known as the
7.14 master list. The master list must be created by entering each completed voter registration
7.15 ~~card~~ application received by the county auditor into the statewide registration system. It
7.16 must show the name, residence address, and date of birth of each voter registered in
7.17 the precinct. The information contained in the master list may only be made available
7.18 to public officials for purposes related to election administration, jury selection, and in
7.19 response to a law enforcement inquiry concerning a violation of or failure to comply with
7.20 any criminal statute or state or local tax statute.

7.21 Sec. 12. Minnesota Statutes 2006, section 201.091, subdivision 8, is amended to read:

7.22 Subd. 8. **Registration places.** Each county auditor shall designate a number of
7.23 public buildings in those political subdivisions of the county where preregistration of
7.24 voters is allowed as provided in section 201.061, subdivision 1, where eligible voters may
7.25 register to vote. At least one public building must be designated for each 30,000 residents
7.26 of the county. At least one telecommunications device for the deaf must be available for
7.27 voter registration information in each county seat and in every city of the first, second,
7.28 and third class.

7.29 An adequate supply of registration ~~cards~~ applications and instructions must be
7.30 maintained at each designated location, and a designated individual must be available
7.31 there to accept registration ~~cards~~ applications and transmit them to the county auditor.

7.32 A person who, because of disability, needs assistance in order to determine eligibility
7.33 or to register must be assisted by a designated individual. Assistance includes but is not

8.1 limited to reading the registration form and instructions and filling out the registration
8.2 form as directed by the eligible voter.

8.3 Sec. 13. Minnesota Statutes 2006, section 201.27, subdivision 1, is amended to read:

8.4 Subdivision 1. **Intentional violation.** No officer, deputy, clerk, or other employee
8.5 shall intentionally:

8.6 (1) fail to perform or enforce any of the provisions of this chapter except subdivision
8.7 2;

8.8 (2) remove a registration ~~card~~ application or record from its proper place in the
8.9 registration files in a manner or for a purpose not authorized by law;

8.10 (3) destroy or make an unauthorized change to a record required to be kept by
8.11 this chapter; or

8.12 (4) add a name or names to the voter registration files, records, or cards, except as
8.13 authorized by law.

8.14 An individual who violates this subdivision is guilty of a felony.

8.15 Sec. 14. Minnesota Statutes 2006, section 203B.04, subdivision 1, is amended to read:

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

8.25 (a) the county auditor of the county where the applicant maintains residence; or

8.26 (b) the municipal clerk of the municipality, or school district if applicable, where
8.27 the applicant maintains residence.

8.28 An application shall be approved if it is timely received, signed and dated by the
8.29 applicant, contains the applicant's name and residence and mailing addresses, and states
8.30 that the applicant is eligible to vote by absentee ballot for one of the reasons specified in
8.31 section 203B.02. The application may contain a request for the voter's date of birth, which
8.32 must not be made available for public inspection. An application may be submitted to
8.33 the county auditor or municipal clerk by an electronic facsimile device. An application
8.34 mailed or returned in person to the county auditor or municipal clerk on behalf of a voter

9.1 by a person other than the voter must be deposited in the mail or returned in person to
 9.2 the county auditor or municipal clerk within ten days after it has been dated by the voter
 9.3 and no later than six days before the election. The absentee ballot applications or a list of
 9.4 persons applying for an absentee ballot may not be made available for public inspection
 9.5 until the close of voting on election day.

9.6 An application under this subdivision may contain an application under subdivision
 9.7 5 to automatically receive an absentee ballot application.

9.8 Sec. 15. Minnesota Statutes 2006, section 203B.04, subdivision 4, is amended to read:

9.9 Subd. 4. **Registration at time of application.** An eligible voter who is not
 9.10 registered to vote but who is otherwise eligible to vote by absentee ballot may register by
 9.11 including a completed voter registration ~~card~~ application with the absentee ballot. The
 9.12 individual shall present proof of residence as required by section 201.061, subdivision
 9.13 3, to the individual who witnesses the marking of the absentee ballots. A military voter,
 9.14 as defined in section 203B.01, may register in this manner if voting pursuant to sections
 9.15 203B.04 to 203B.15, or may register pursuant to sections 203B.16 to 203B.27.

9.16 Sec. 16. Minnesota Statutes 2006, section 203B.04, subdivision 6, is amended to read:

9.17 Subd. 6. **Ongoing absentee status; termination.** (a) An eligible voter may apply to
 9.18 a county auditor or municipal clerk for status as an ongoing absentee voter who reasonably
 9.19 expects to meet the requirements of section 203B.02, subdivision 1. Each applicant must
 9.20 automatically be provided with an absentee ballot application for each ensuing election
 9.21 other than an election by mail conducted under section 204B.45, and must have the status
 9.22 of ongoing absentee voter indicated on the voter's registration record.

9.23 (b) Ongoing absentee voter status ends on:

9.24 (1) the voter's written request;

9.25 (2) the voter's death;

9.26 (3) return of an ~~ongoing~~ automatically provided absentee ballot application as
 9.27 undeliverable;

9.28 (4) a change in the voter's status so that the voter is not eligible to vote under section
 9.29 201.15 or 201.155; or

9.30 (5) placement of the voter's registration on inactive status under section 201.171.

9.31 Sec. 17. Minnesota Statutes 2006, section 203B.05, subdivision 2, is amended to read:

9.32 Subd. 2. **City, school district, and town elections.** For city, town, and school
 9.33 district elections not held on the same day as a statewide election, ~~for school district~~

10.1 ~~elections not held on the same day as a statewide election, and for town elections~~
 10.2 ~~conducted under the Australian ballot system;~~ applications for absentee ballots shall be
 10.3 filed with the city, school district, or town clerk and the duties prescribed by this chapter for
 10.4 the county auditor shall be performed by the city, school district, or town clerk unless the
 10.5 county auditor agrees to perform those duties on behalf of the city, school district, or town
 10.6 clerk. The costs incurred to provide absentee ballots and perform the duties prescribed by
 10.7 this subdivision shall be paid by the city, town, or school district holding the election.

10.8 Notwithstanding any other law, this chapter applies to school district elections held
 10.9 on the same day as a statewide election or an election for a county or municipality wholly
 10.10 or partially within the school district.

10.11 Sec. 18. Minnesota Statutes 2006, section 203B.07, subdivision 1, is amended to read:

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

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

10.24 Sec. 19. Minnesota Statutes 2006, section 203B.07, subdivision 2, is amended to read:

10.25 Subd. 2. **Design of envelopes.** The return envelope shall be of sufficient size
 10.26 to conveniently enclose and contain the ballot envelope and a voter registration ~~card~~
 10.27 application folded along its perforations. The return envelope shall be designed to open
 10.28 on the left-hand end. ~~Notwithstanding any rule to the contrary, the return envelope must~~
 10.29 ~~be designed in one of the following ways:~~

10.30 ~~(1) it must be of sufficient size to contain an additional envelope that when sealed,~~
 10.31 ~~conceals the signature, identification, and other information; or~~

10.32 ~~(2) it must provide an additional flap that when sealed, conceals the signature,~~
 10.33 ~~identification, and other information. Election officials may open the flap or the additional~~
 10.34 ~~envelope at any time after receiving the returned ballot to inspect the returned certificate~~

11.1 ~~for completeness or to ascertain other information.~~ A certificate of eligibility to vote by
 11.2 absentee ballot shall be printed on the back of the envelope. The certificate shall contain a
 11.3 statement to be signed and sworn by the voter indicating that the voter meets all of the
 11.4 requirements established by law for voting by absentee ballot. The certificate shall also
 11.5 contain a statement signed by a person who is ~~registered~~ eligible to vote in Minnesota or
 11.6 by a notary public or other individual authorized to administer oaths stating that:

11.7 (a) the ballots were displayed to that individual unmarked;

11.8 (b) the voter marked the ballots in that individual's presence without showing how
 11.9 they were marked, or, if the voter was physically unable to mark them, that the voter
 11.10 directed another individual to mark them; and

11.11 (c) if the voter was not previously registered, the voter has provided proof of
 11.12 residence as required by section 201.061, subdivision 3.

11.13 The county auditor or municipal clerk shall affix first class postage to the return
 11.14 envelopes.

11.15 Sec. 20. Minnesota Statutes 2006, section 203B.08, subdivision 3, is amended to read:

11.16 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a
 11.17 county auditor or municipal clerk, that official shall stamp or initial and date the return
 11.18 envelope ~~with an official seal of the office~~ and place it in a secure location with other
 11.19 return envelopes received by that office. The county auditor or municipal clerk shall
 11.20 deliver to the appropriate election judges on election day all ballots received before or
 11.21 with the last mail delivery by the United States Postal Service on election day. A town
 11.22 clerk may request the United States Postal Service to deliver absentee ballots to the polling
 11.23 place on election day instead of to the official address of the town clerk.

11.24 Sec. 21. Minnesota Statutes 2006, section 203B.081, is amended to read:

11.25 **203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.**

11.26 An eligible voter may vote by absentee ballot during the 30 days before the election
 11.27 in the office of the county auditor and at any other polling place designated by the county
 11.28 auditor. The county auditor shall make such designations at least 90 days before the
 11.29 election. At least one voting booth and at least one electronic ballot marker in each polling
 11.30 place must be made available by the county auditor for this purpose.

11.31 Sec. 22. Minnesota Statutes 2006, section 203B.10, is amended to read:

11.32 **203B.10 DELIVERY OF ABSENTEE BALLOT APPLICATIONS TO**
 11.33 **ELECTION JUDGES.**

12.1 (a) On the day before an election:

12.2 ~~(a)~~ (1) the county auditor shall deliver to the municipal clerks within that county
 12.3 the applications for absentee ballots theretofore received and endorsed as provided in
 12.4 section 203B.06, subdivision 5; and

12.5 ~~(b)~~ (2) the municipal clerks shall deliver the applications received from the county
 12.6 auditor and the applications for absentee ballots filed with their respective offices and
 12.7 endorsed as provided in section 203B.06, subdivision 5, to the appropriate election
 12.8 judges. Applications received on election day pursuant to section 203B.04, subdivision
 12.9 2, shall be promptly delivered to the election judges in the precincts or to the judges of
 12.10 an absentee ballot board.

12.11 (b) Delivery of the applications to the municipal clerks and election judges in the
 12.12 precinct is not required if the absentee ballot envelopes have been accepted or rejected
 12.13 by an absentee ballot board pursuant to section 203B.13.

12.14 Sec. 23. Minnesota Statutes 2006, section 203B.12, subdivision 4, is amended to read:

12.15 Subd. 4. **Placement in container; opening and counting of ballots.** The ballot
 12.16 envelopes from return envelopes marked "Accepted" shall be placed by the election
 12.17 judges in a separate absentee ballot container. The container and each ballot envelope may
 12.18 be opened only after ~~the last regular mail delivery by the United States postal service~~
 12.19 noon on election day. The ballots shall then be initialed by the election judges in the
 12.20 same manner as ballots delivered by them to voters in person and shall be deposited in
 12.21 the appropriate ballot box.

12.22 If more than one ballot of any kind is enclosed in the ballot envelope, none of the
 12.23 ballots of that kind shall be counted but all ballots of that kind shall be returned in the
 12.24 manner provided by section 204C.25 for return of spoiled ballots.

12.25 Sec. 24. Minnesota Statutes 2006, section 203B.13, subdivision 1, is amended to read:

12.26 Subdivision 1. **Establishment.** The governing body of any county ~~that has~~
 12.27 ~~established a counting center as provided in section 206.85, subdivision 2,~~ any
 12.28 municipality, or any school district may by ordinance or resolution, authorize an absentee
 12.29 ballot board. The board shall consist of a sufficient number of election judges appointed as
 12.30 provided in sections 204B.19 to 204B.22.

12.31 Sec. 25. Minnesota Statutes 2006, section 203B.13, subdivision 2, is amended to read:

12.32 Subd. 2. **Duties.** The absentee ballot board may ~~do any of the following:~~

13.1 ~~(a) receive from each precinct in the municipality or school district all ballot~~
 13.2 ~~envelopes marked "Accepted" by the election judges; provided that the governing body of~~
 13.3 ~~a municipality or the school board of a school district may authorize the board to examine~~
 13.4 all return absentee ballot envelopes and receive accept or reject absentee ballots in the
 13.5 manner provided in section 203B.12;

13.6 ~~(b) open and count the absentee ballots, tabulating the vote in a manner that indicates~~
 13.7 ~~each vote of the absentee voter and the total absentee vote cast for each candidate or~~
 13.8 ~~question in each precinct; or~~

13.9 ~~(c) report the vote totals tabulated for each precinct.~~

13.10 The absentee ballot board may begin the process of examining the return envelopes
 13.11 and marking them "accepted" or "rejected" at any time during the 30 days before the
 13.12 election. If an envelope has been rejected at least five days before the election, the
 13.13 ballots in the envelope must be considered spoiled ballots and the official in charge of the
 13.14 absentee ballot board shall provide the voter with a replacement absentee ballot and return
 13.15 envelope in place of the spoiled ballot. ~~The secretary of state shall provide samples of the~~
 13.16 ~~replacement ballot and return envelope for use by the county auditor.~~

13.17 Sec. 26. Minnesota Statutes 2006, section 203B.21, subdivision 3, is amended to read:

13.18 Subd. 3. **Back of return envelope.** On the back of the return envelope an affidavit
 13.19 form shall appear with space for:

13.20 (a) the voter's address of present or former residence in Minnesota;

13.21 (b) a statement indicating the category described in section 203B.16 to which the
 13.22 voter belongs;

13.23 (c) a statement that the voter has not cast and will not cast another absentee ballot
 13.24 in the same election or elections;

13.25 (d) a statement that the voter personally marked the ballots without showing them to
 13.26 anyone, or if physically unable to mark them, that the voter directed another individual
 13.27 to mark them; and

13.28 (e) the voter's military identification card number, passport number, or, if the voter
 13.29 does not have a valid passport or identification card, the signature and certification of an
 13.30 individual authorized to administer oaths under federal law or the law of the place where
 13.31 the oath was administered or commissioned or noncommissioned personnel of the military
 13.32 not below the rank of sergeant or its equivalent.

13.33 The affidavit shall also contain a signed and dated oath in the form required by
 13.34 section 705 of the Help America Vote Act, Public Law 107-252, which must read:

13.35 "I swear or affirm, under penalty of perjury, that I am:

14.1 ~~I am~~ A member of the Uniformed Services or Merchant Marine on active duty;
 14.2 or an eligible spouse or dependent of such a member; ~~or a United States~~ U. S. citizen
 14.3 temporarily residing outside the ~~United States~~ U. S.; or other ~~United States~~ U. S. citizen
 14.4 residing outside the ~~United States~~ U. S.; and I am a ~~United States~~ U. S. citizen, at least
 14.5 18 years of age (or will be by the date of the election), and I am eligible to vote in the
 14.6 requested jurisdiction; and I have not been convicted of a felony, or other disqualifying
 14.7 offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been
 14.8 reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction
 14.9 in the ~~United States~~ U. S. except the jurisdiction cited in this voting form. In voting, I have
 14.10 marked and sealed my ballot in private and have not allowed any person to observe the
 14.11 marking of the ballot, except for those authorized to assist voters under State or Federal
 14.12 law. I have not been influenced.

14.13 My signature and date below indicate when I completed this document.

14.14 The information on this form is true, accurate, and complete to the best of my
 14.15 knowledge. I understand that a material misstatement of fact in completion of this
 14.16 document may constitute grounds for a conviction for perjury."

14.17 Sec. 27. Minnesota Statutes 2006, section 204B.06, subdivision 8, is amended to read:

14.18 Subd. 8. **Proof of eligibility.** A candidate for judicial office or for the office of
 14.19 county attorney shall submit with the affidavit of candidacy proof that the candidate is
 14.20 licensed to practice law in this state. Proof means providing a copy of a current attorney
 14.21 license.

14.22 A candidate for county sheriff shall submit with the affidavit of candidacy proof of
 14.23 licensure as a peace officer in this state. Proof means providing a copy of a current POST
 14.24 board license.

14.25 Sec. 28. Minnesota Statutes 2006, section 204B.08, subdivision 3, is amended to read:

14.26 Subd. 3. **Number of signatures.** The number of signatures required on a
 14.27 nominating petition shall be as follows:

14.28 (a) for a federal or state office voted on statewide ~~or for United States senator~~, one
 14.29 percent of the total number of individuals voting in the state at the last preceding state
 14.30 general election, or 2,000, whichever is less;

14.31 (b) for a congressional office, five percent of the total number of individuals voting
 14.32 in the district at the last preceding state general election, or 1,000, whichever is less;

15.1 (c) for a county or legislative office, ten percent of the total number of individuals
 15.2 voting in the county or legislative district at the last preceding state or county general
 15.3 election, or 500, whichever is less;

15.4 (d) for a municipal office in a city of the first class, the number specified in section
 15.5 205.121; and

15.6 (e) for any other municipal or school district office, ten percent of the total number
 15.7 of individuals voting in the municipality, ward, school district, or other election district
 15.8 at the last preceding municipal, or school district if applicable, general election, or 500,
 15.9 whichever is less.

15.10 Sec. 29. Minnesota Statutes 2006, section 204B.09, subdivision 1, is amended to read:

15.11 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
 15.12 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
 15.13 for county, state, and federal offices filled at the state general election shall be filed not
 15.14 more than 70 days nor less than 56 days before the state primary. The affidavit may
 15.15 be prepared and signed at any time between 60 days before the filing period opens and
 15.16 the last day of the filing period.

15.17 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be
 15.18 signed in the presence of a notarial officer or an individual authorized to administer oaths
 15.19 under section 358.10.

15.20 (c) This provision does not apply to candidates for presidential elector nominated by
 15.21 major political parties. Major party candidates for presidential elector are certified under
 15.22 section 208.03. Other candidates for presidential electors may file petitions on or before
 15.23 the state primary day pursuant to section 204B.07. Nominating petitions to fill vacancies
 15.24 in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall
 15.25 be accepted later than 5:00 p.m. on the last day for filing.

15.26 (d) Affidavits and petitions for county offices ~~to be voted on in only one county shall~~
 15.27 must be filed with the county auditor of that county. Affidavits and petitions for federal
 15.28 ~~offices to be voted on in more than one county shall~~ must be filed with the secretary of
 15.29 state. Affidavits and petitions for state offices must be filed with the secretary of state or
 15.30 with the county auditor of the county where the candidate resides.

15.31 Sec. 30. Minnesota Statutes 2006, section 204B.09, subdivision 3, is amended to read:

15.32 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office
 15.33 who wants write-in votes for the candidate to be counted must file a written request with

16.1 the filing office for the office sought no later than the ~~fifth~~ seventh day before the general
 16.2 election. The filing officer shall provide copies of the form to make the request.

16.3 (b) A candidate for president of the United States who files a request under this
 16.4 subdivision must include the name of a candidate for vice-president of the United States.
 16.5 The request must also include the name of at least one candidate for presidential elector.
 16.6 The total number of names of candidates for presidential elector on the request may not
 16.7 exceed the total number of electoral votes to be cast by Minnesota in the presidential
 16.8 election.

16.9 (c) A candidate for governor who files a request under this subdivision must include
 16.10 the name of a candidate for lieutenant governor.

16.11 Sec. 31. Minnesota Statutes 2006, section 204B.16, subdivision 1, is amended to read:

16.12 Subdivision 1. **Authority; location.** The governing body of each municipality and
 16.13 of each county with precincts in unorganized territory shall designate by ordinance or
 16.14 resolution a polling place for each election precinct. Polling places must be designated
 16.15 and ballots must be distributed so that no one is required to go to more than one polling
 16.16 place to vote in a school district and municipal election held on the same day. The polling
 16.17 place for a precinct in a city or in a school district located in whole or in part in the
 16.18 metropolitan area defined by section 200.02, subdivision 24, shall be located within the
 16.19 boundaries of the precinct or within ~~3,000 feet~~ one mile of one of those boundaries unless
 16.20 a single polling place is designated for a city pursuant to section 204B.14, subdivision
 16.21 2, or a school district pursuant to section 205A.11. The polling place for a precinct in
 16.22 unorganized territory may be located outside the precinct at a place which is convenient to
 16.23 the voters of the precinct. If no suitable place is available within a town or within a school
 16.24 district located outside the metropolitan area defined by section 200.02, subdivision 24,
 16.25 then the polling place for a town or school district may be located outside the town or
 16.26 school district within five miles of one of the boundaries of the town or school district.

16.27 Sec. 32. Minnesota Statutes 2006, section 204B.45, subdivision 2, is amended to read:

16.28 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be
 16.29 given at least six weeks prior to the election. ~~No earlier~~ Not more than 20 30 days ~~or nor~~
 16.30 later than 14 days prior to the election, the auditor shall mail ballots by nonforwardable
 16.31 mail to all voters registered in the ~~town~~ municipality or unorganized territory. No later
 16.32 than 14 days before the election, the auditor must make a subsequent mailing of ballots to
 16.33 those voters who register to vote after the initial mailing but before the 20th day before
 16.34 the election. Eligible voters not registered at the time the ballots are mailed may apply

17.1 for ballots as provided in chapter 203B. Ballot return envelopes, with return postage
17.2 provided, must be preaddressed to the auditor or clerk and the voter may return the ballot
17.3 by mail or in person to the office of the auditor or clerk. The auditor or clerk must appoint
17.4 election judges to examine the return envelopes and mark them "accepted" or "rejected"
17.5 at any time during the 30 days before the election. If an envelope has been rejected at
17.6 least five days before the election, the ballots in the envelope must be considered spoiled
17.7 ballots and the auditor or clerk shall provide the voter with a replacement ballot and
17.8 return envelope in place of the spoiled ballot. The costs of the mailing shall be paid by
17.9 the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on
17.10 the day of the election must be counted.

17.11 Sec. 33. Minnesota Statutes 2006, section 205.10, is amended by adding a subdivision
17.12 to read:

17.13 Subd. 6. **Cancellation.** A special election ordered by the governing body of the
17.14 municipality on its own motion under subdivision 1 may be canceled by motion of the
17.15 governing body, but not less than 46 days prior to the date of the election.

17.16 Sec. 34. Minnesota Statutes 2006, section 205.13, is amended by adding a subdivision
17.17 to read:

17.18 Subd. 7. **Write-in candidates.** A candidate for a city office who wants write-in
17.19 votes for the candidate to be counted must file a written request with the filing officer for
17.20 the office sought no later than the seventh day before the general election. The filing
17.21 officer must provide copies of the form to make the request.

17.22 Sec. 35. Minnesota Statutes 2006, section 205.16, subdivision 4, is amended to read:

17.23 Subd. 4. **Notice to auditor.** At least 53 days prior to every municipal election, the
17.24 municipal clerk shall provide a written notice to the county auditor, including the date of
17.25 the election, the offices to be voted on at the election, and the title and language for each
17.26 ballot question to be voted on at the election. The municipal clerk must provide a written
17.27 notice to the county auditor of any special election canceled pursuant to section 205.10,
17.28 subdivision 6, but not less than 46 days before the date of the election.

17.29 Sec. 36. Minnesota Statutes 2006, section 205A.05, is amended by adding a
17.30 subdivision to read:

18.1 Subd. 3. **Cancellation.** A special election ordered by the school board on its own
 18.2 motion under subdivision 1 may be canceled by motion of the school board, but not less
 18.3 than 46 days prior to the date of the election.

18.4 Sec. 37. Minnesota Statutes 2006, section 205A.06, is amended by adding a
 18.5 subdivision to read:

18.6 Subd. 6. **Write-in candidates.** A candidate for a school district office who wants
 18.7 write-in votes for the candidate to be counted must file a written request with the filing
 18.8 officer for the office sought no later than the seventh day before the general election. The
 18.9 filing officer must provide copies of the form to make the request.

18.10 Sec. 38. Minnesota Statutes 2006, section 205A.07, subdivision 3, is amended to read:

18.11 **Subd. 3. Notice to auditor.** At least 53 days prior to every school district election,
 18.12 the school district clerk shall provide a written notice to the county auditor of each county
 18.13 in which the school district is located. The notice must include the date of the election, the
 18.14 offices to be voted on at the election, and the title and language for each ballot question to
 18.15 be voted on at the election. For the purposes of meeting the timelines of this section, in
 18.16 a bond election, a notice, including a proposed question, may be provided to the county
 18.17 auditor prior to receipt of a review and comment from the commissioner of education and
 18.18 prior to actual initiation of the election. The school district clerk must provide a written
 18.19 notice to the county auditor of any special election canceled pursuant to section 205A.05,
 18.20 subdivision 3, but not less than 46 days before the date of the election.

18.21 Sec. 39. Minnesota Statutes 2006, section 205A.07, subdivision 3a, is amended to read:

18.22 **Subd. 3a. Notice to commissioner of education.** At least 49 days prior to every
 18.23 school district election, under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58,
 18.24 the school district clerk shall provide a written notice to the commissioner of education.
 18.25 The notice must include the date of the election and the title and language for each ballot
 18.26 question to be voted on at the election. The school district clerk must provide a written
 18.27 notice to the commissioner of education of any special election canceled pursuant to
 18.28 section 205A.05, subdivision 3, but not less than 46 days before the date of the election.
 18.29 The certified vote totals for each ballot question shall be provided in a written notice
 18.30 to the commissioner in a timely manner.

18.31 Sec. 40. Minnesota Statutes 2006, section 205A.10, subdivision 1, is amended to read:

19.1 Subdivision 1. **Materials, ballots.** The school district clerk shall prepare and have
 19.2 printed the necessary election materials, including ballots, for a school district election.
 19.3 ~~The name of each candidate for office shall be rotated with the names of the other~~
 19.4 ~~candidates for the same office so that the name of each candidate appears substantially~~
 19.5 ~~an equal number of times at the top, at the bottom, and at each intermediate place in the~~
 19.6 ~~group of candidates for that office~~ names must be arranged on school district ballots in
 19.7 the manner provided for state elections.

19.8 Sec. 41. Minnesota Statutes 2006, section 205A.11, subdivision 2, is amended to read:

19.9 Subd. 2. **Combined polling place.** When no other election is being held in two or
 19.10 more precincts on the day of a school district election, the school board may designate
 19.11 one or more combined polling places at which the voters in those precincts may vote in
 19.12 the school district election. In school districts which have organized into separate board
 19.13 member election districts pursuant to section 205A.12, combined polling places for school
 19.14 general elections must be arranged so that no combined polling place lies in more than one
 19.15 board member election district.

19.16 Sec. 42. Minnesota Statutes 2006, section 206.82, subdivision 2, is amended to read:

19.17 Subd. 2. **Plan.** ~~(a) Subject to paragraph (b);~~ The municipal clerk in a municipality
 19.18 where an electronic voting system is used and the county auditor of a county in which an
 19.19 electronic voting system is used in more than one municipality and the county auditor of
 19.20 a county in which a counting center serving more than one municipality is located shall
 19.21 prepare a plan which indicates acquisition of sufficient facilities, computer time, and
 19.22 professional services and which describes the proposed manner of complying with section
 19.23 206.80. The plan must be signed, notarized, and submitted to the secretary of state more
 19.24 than 60 days before the first election at which the municipality uses an electronic voting
 19.25 system. Prior to July 1 of each subsequent general election year, the clerk or auditor
 19.26 shall submit to the secretary of state notification of any changes to the plan on file with
 19.27 the secretary of state. The secretary of state shall review each plan for its sufficiency and
 19.28 may request technical assistance from the Department of Administration or other agency
 19.29 which may be operating as the central computer authority. The secretary of state shall
 19.30 notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days
 19.31 of receipt of the plan. The attorney general, upon request of the secretary of state, may
 19.32 seek a district court order requiring an election official to fulfill duties imposed by this
 19.33 subdivision or by rules promulgated pursuant to this section.

20.1 ~~(b) Systems implemented by counties and municipalities in calendar year 2006 are~~
 20.2 ~~exempt from paragraph (a) and section 206.58, subdivision 4, if:~~
 20.3 ~~(1) the municipality has fewer than 10,000 residents; and~~
 20.4 ~~(2) a valid county plan was filed by the county auditor of the county in which the~~
 20.5 ~~municipality is located.~~

20.6 Sec. 43. Minnesota Statutes 2006, section 211A.02, subdivision 2, is amended to read:

20.7 Subd. 2. **Information required.** The report to be filed by a candidate or committee
 20.8 must include:

20.9 (1) the name of the candidate or ballot question;

20.10 (2) the printed name and, address, phone number, signature, and e-mail address, if
 20.11 available, of the person responsible for filing the report;

20.12 (3) the total amount of receipts and expenditures for the period from the last previous
 20.13 report to five days before the current report is due;

20.14 (4) the amount, date, and purpose for each expenditure; and

20.15 (5) the name, address, and employer, or occupation if self-employed, of any
 20.16 individual or committee that during the year has made one or more contributions that in the
 20.17 aggregate are equal to or greater than \$100, and the amount and date of each contribution.

20.18 Upon receipt of a written statement signed by an individual making a contribution equal to
 20.19 or greater than \$100 that withholding the individual's address from the financial report is
 20.20 required for the safety of the individual or the individual's family, the filing officer must
 20.21 restrict public access to the address of the individual.

20.22 Sec. 44. Minnesota Statutes 2006, section 211A.05, subdivision 1, is amended to read:

20.23 Subdivision 1. **Penalty.** A candidate who intentionally fails to file a report required
 20.24 by this section or section 211A.02 is guilty of a misdemeanor. The treasurer of a
 20.25 committee formed to promote or defeat a ballot question who intentionally fails to file
 20.26 a report required by this section or section 211A.02 is guilty of a misdemeanor. Each
 20.27 candidate or treasurer of a committee formed to promote or defeat a ballot question shall
 20.28 certify to the filing officer that all reports required by section 211A.02 have been submitted
 20.29 to the filing officer or that the candidate or committee has not received contributions
 20.30 or made disbursements exceeding \$750 in the calendar year. The certification shall be
 20.31 submitted to the filing officer no later than seven days after the general or special election.
 20.32 The secretary of state shall prepare blanks for this certification. An officer who issues a
 20.33 certificate of election to a candidate who has not certified that all reports required by
 20.34 section 211A.02 have been filed is guilty of a misdemeanor.

21.1 Sec. 45. Minnesota Statutes 2006, section 211A.05, subdivision 2, is amended to read:

21.2 Subd. 2. **Notice of failure to file; penalty.** ~~If a candidate or committee fails to file~~
 21.3 ~~a report on the date it is due, the filing officer shall immediately notify the candidate or~~
 21.4 ~~committee of the failure to file. If a report is not filed within ten days after the notification~~
 21.5 ~~is mailed, the filing officer shall file a complaint under section 211B.32. No later than four~~
 21.6 business days after the date on which a report is due, the filing officer must send a notice
 21.7 by certified mail to any individual who fails to file a statement required by this chapter. If
 21.8 an individual fails to file a statement within ten business days after the notice of failure to
 21.9 file was sent, the filing officer must impose a late filing fee of \$10 per day, not to exceed
 21.10 \$200, commencing with the 11th day after the notice was sent. If the individual fails to
 21.11 file the statement within 30 days after the notice was sent, the filing officer must file a
 21.12 complaint under section 211B.32 and the late filing fee must be made payable to the office
 21.13 of administrative hearings in lieu of any payment that would otherwise be assessed to the
 21.14 county from which the complaint was filed.

21.15 Sec. 46. Minnesota Statutes 2006, section 211B.11, subdivision 1, is amended to read:

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

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

21.29 Sec. 47. Minnesota Statutes 2006, section 211B.37, is amended to read:

21.30 **211B.37 COSTS ASSESSED.**

21.31 Subdivision 1. **State offices and questions.** Except as otherwise provided in
 21.32 section 211B.36, subdivision 3, the chief administrative law judge shall assess the cost
 21.33 of considering complaints filed under section 211B.32 as provided in this section. Costs
 21.34 of complaints relating to a statewide ballot question or an election for a statewide or

22.1 legislative office must be assessed against the appropriation from the general fund to the
 22.2 general account of the state elections campaign fund in section 10A.31, subdivision 4.
 22.3 ~~Costs of complaints relating to any other ballot question or elective office must be assessed~~
 22.4 ~~against the county or counties in which the election is held. Where the election is held in~~
 22.5 ~~more than one county, the chief administrative law judge shall apportion the assessment~~
 22.6 ~~among the counties in proportion to their respective populations within the election district~~
 22.7 ~~to which the complaint relates according to the most recent decennial federal census.~~

22.8 Subd. 2. Local offices and questions. If a complaint relating to an election
 22.9 for a county, municipal, school district, or special district office or ballot question is
 22.10 dismissed, the chief administrative law judge must assess the costs to the complainant. If
 22.11 the complaint results in one of the actions provided in section 211B.35, subdivision 2,
 22.12 paragraphs (b) to (e), the chief administrative law judge must assess the costs to the person
 22.13 named in the complaint. If the chief administrative law judge determines that a complaint
 22.14 resulting in one of the actions provided in section 211B.35, subdivision 2, paragraphs (b)
 22.15 to (e), was the consequence of an error or omission on the part of an election official, the
 22.16 costs must be assessed to the appropriate jurisdiction.

22.17 Sec. 48. Minnesota Statutes 2006, section 447.32, subdivision 4, is amended to read:

22.18 **Subd. 4. Candidates; ballots; certifying election.** A person who wants to be a
 22.19 candidate for the hospital board shall file an affidavit of candidacy for the election either
 22.20 as member at large or as a member representing the city or town where the candidate
 22.21 resides. The affidavit of candidacy must be filed with the city or town clerk not more than
 22.22 70 days nor less than 56 days before the first Tuesday after the first Monday in November
 22.23 of the year in which the general election is held. The city or town clerk must forward the
 22.24 affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk
 22.25 of the most populous city or town immediately after the last day of the filing period. A
 22.26 candidate may withdraw from the election by filing an affidavit of withdrawal with the
 22.27 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits
 22.28 of candidacy. A candidate for a hospital district office who wants write-in votes for the
 22.29 candidate to be counted must file a written request with the filing officer for the office
 22.30 sought no later than the seventh day before the general election. The filing officer must
 22.31 provide copies of the form to make the request.

22.32 Voting must be by secret ballot. The clerk shall prepare, at the expense of the
 22.33 district, necessary ballots for the election of officers. Ballots must be printed on tan paper
 22.34 and prepared as provided in the rules of the secretary of state. The ballots must be marked
 22.35 and initialed by at least two judges as official ballots and used exclusively at the election.

23.1 Any proposition to be voted on may be printed on the ballot provided for the election
 23.2 of officers. The hospital board may also authorize the use of voting systems subject to
 23.3 chapter 206. Enough election judges may be appointed to receive the votes at each
 23.4 polling place. The election judges shall act as clerks of election, count the ballots cast,
 23.5 and submit them to the board for canvass.

23.6 After canvassing the election, the board shall issue a certificate of election to the
 23.7 candidate who received the largest number of votes cast for each office. The clerk shall
 23.8 deliver the certificate to the person entitled to it in person or by certified mail. Each person
 23.9 certified shall file an acceptance and oath of office in writing with the clerk within 30
 23.10 days after the date of delivery or mailing of the certificate. The board may fill any office
 23.11 as provided in subdivision 1 if the person elected fails to qualify within 30 days, but
 23.12 qualification is effective if made before the board acts to fill the vacancy.

23.13 Sec. 49. Laws 2004, chapter 293, article 1, section 37, subdivision 2, is amended to
 23.14 read:

23.15 Subd. 2. **Social security number.** A voter must not be included on the list of voters
 23.16 prepared under Minnesota Statutes, section 201.121, subdivision 1, whose registration is
 23.17 incomplete because of a failure to match the last four digits of the voter's Social Security
 23.18 number until the commissioner of public safety has:

23.19 (1) entered into an agreement with the commissioner of the Social Security
 23.20 Administration under Minnesota Statutes, section 201.1615, regarding the use of the last
 23.21 four digits of a Social Security number to verify voter registration information;

23.22 ~~(2) assembled a complete and current database of the last four digits of the Social~~
 23.23 ~~Security number of each resident of this state as maintained by the Social Security~~
 23.24 ~~Administration; and~~

23.25 ~~(3)~~ (2) certified, along with the secretary of state, that the voter registration system
 23.26 has been tested and shown to properly verify the last four digits of a voter's Social
 23.27 Security number.

23.28 Sec. 50. **REPEALER.**

23.29 Minnesota Statutes 2006, sections 201.061, subdivision 7; 201.096; 203B.02,
 23.30 subdivision 1a; 203B.13, subdivision 3a; and 204D.10, subdivision 2, are repealed.