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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE No. 2509

February 4, 2010

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

March 8, 2010

By motion, recalled and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to elections; providing for transfer of general fund matching
1.3 appropriations to the Help America Vote Act account; amending Minnesota
1.4 Statutes 2008, section 5.30.

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

1.6 Section 1. Minnesota Statutes 2008, section 5.30, is amended to read:

1.7 5.30 HELP AMERICA VOTE ACT ACCOUNT.

1.8 Subdivision 1. Establishment. The Help America Vote Act account is established
1.9 as an account in the state treasury. Money received from the federal government under the
1.10 Help America Vote Act, Public Law 107-252, must be deposited in the state treasury and
1.11 credited to the account. Money appropriated from the general fund If the secretary of state
1.12 determines that this state is otherwise eligible to receive an additional payment of this
1.13 federal money, the secretary of state must certify to the commissioner of management and
1.14 budget the amount, if any, needed to meet the matching requirement of section 253(b)(5)
1.15 of the Help America Vote Act must be transferred to the account. In the certification, the
1.16 secretary of state shall specify the portion of the match that should be taken from an
1.17 unencumbered general fund appropriation to the secretary of state not designated for a
1.18 different purpose. Upon receipt of that certification or as soon as an unencumbered general
1.19 fund appropriation becomes available, whichever occurs later, the commissioner must
1.20 transfer the specified amount to the account. Money earned from investing the assets of
1.21 the account must be credited to the account. Money in the account does not cancel but
1.22 remains available until expended. The account is subject to the requirements of section
1.23 254(b) of the Help America Vote Act.

2.1 Subd. 2. **Appropriation.** ~~Notwithstanding section 4.07, money in the Help America~~
2.2 ~~Vote Act account may be spent only pursuant to direct appropriations enacted from time~~
2.3 ~~to time by law.~~ Money in the account is appropriated to the secretary of state and must
2.4 be spent to improve administration of elections in accordance with the Help America
2.5 Vote Act, the state plan certified by the governor under the act, and for reporting and
2.6 administrative requirements under the act and plan. Money in the account must be used
2.7 in a manner that is consistent with the maintenance of effort requirements of section
2.8 254(a)(7) of the Help America Vote Act, Public Law 107-252, based on the level of state
2.9 expenditures for the fiscal year ending June 30, 2000.

2.10 Sec. 2. **EFFECTIVE DATE.**

2.11 Section 1 is effective the day following final enactment.