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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 2755

February 8, 2010

Authored by Swails, McNamara, Dettmer, Bunn and Slawik

The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to elections; appropriating money for grants to counties for voting
1.3 equipment and vote-counting equipment; specifying grant terms and procedures.

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

1.5 Section 1. **APPROPRIATIONS; ASSISTIVE VOTING EQUIPMENT AND**
1.6 **VOTE-COUNTING EQUIPMENT.**

1.7 Subdivision 1. **Maintenance and operation grants.** \$300,000 is appropriated from
1.8 the Help America Vote Act account to the secretary of state for grants to counties to defray
1.9 operating and maintenance costs of the assistive voting equipment and vote-counting
1.10 equipment in each polling place. Grants of up to \$300 per polling place may be made until
1.11 this appropriation is exhausted. If the grant requests exceed the appropriation available,
1.12 the secretary of state shall prorate the grant amounts to each eligible county to match the
1.13 amount available.

1.14 Subd. 2. **Grant application.** To receive a grant under this subdivision, a county
1.15 must apply to the secretary of state on forms prescribed by the secretary of state that set
1.16 forth how the grant money will be spent. Grants for maintenance and operation costs for
1.17 the 2010 elections must be received by the secretary of state by August 1, 2010. Grant
1.18 awards must be made to the counties by December 1, 2010. If funds remain from this
1.19 appropriation, the secretary may also make grants available for the 2012 election, with
1.20 grant applications due by March 1, 2012, and grants made to counties by June 30, 2012.

1.21 Subd. 3. **Eligibility.** To be eligible to apply for a grant under this section, a county
1.22 must have fewer than 50,000 registered voters as of January 1, 2010, and must have less

2.1 than \$300 per polling place that was used in the 2008 general election as a balance in its
2.2 Help America Vote Act account from funds distributed to it in 2005.

2.3 Subd. 4. **Report.** Each county receiving a grant under this section must include
2.4 the expenditures it has made on the appropriate Help America Vote Act reports submitted
2.5 to the secretary of state. If a county does not use the funds it has received under this
2.6 section by June 30, 2013, it must return the funds to the secretary of state. In addition
2.7 to the report required by this section, each county receiving a grant under this act must
2.8 maintain financial records for each grant sufficient to satisfy federal audit standards and
2.9 must transmit those records to the secretary of state upon request of the secretary of state.

2.10 Subd. 5. **Operating costs.** "Operating costs" include actual county and municipal
2.11 costs for hardware maintenance, election day technical support, software licensing, system
2.12 programming, voting system testing, training of county or municipal staff in the use of
2.13 voting equipment, and transportation of and storage of the voting equipment.

2.14 **Sec. 2. APPROPRIATIONS; OPTICAL SCAN EQUIPMENT.**

2.15 Subdivision 1. **Optical scan voting equipment grants.** \$2,100,000 is appropriated
2.16 from the Help America Vote Act account to the secretary of state for grants to counties to
2.17 purchase optical scan voting equipment.

2.18 Subd. 2. **Grant application.** To receive a grant under this section, a county must
2.19 apply to the secretary of state on forms prescribed by the secretary of state that set forth
2.20 how the grant money will be spent. Applications for grants under this section must be
2.21 submitted to the secretary of state by December 1, 2010, and be for purchases made prior
2.22 to March 31, 2014. Any funds granted to a county and not spent by June 30, 2014, must
2.23 be returned to the secretary of state and the Help America Vote Act account.

2.24 Subd. 3. **Eligibility.** A county is eligible to apply for a grant under this section if it
2.25 purchased precinct-based optical scan equipment prior to September 1, 2002, and did not
2.26 receive any state or federal money to defray the cost of that purchase. Eligible counties
2.27 may apply for up to \$4,000 per polling place to replace each precinct-based optical scan
2.28 vote counter purchased without state or federal financial assistance and purchased prior to
2.29 January 1, 2001. If a county received a matching grant from the 2001 state grant available
2.30 to pay 50 percent of the cost for vote-counting equipment, those counties are not eligible
2.31 for this grant to replace the vote-counting equipment purchased partially with those grant
2.32 funds. Counties must agree to a 50 percent match of any state and federal funds granted
2.33 through this grant application.

3.1 If eligible counties apply for grants for more than 525 polling places, the secretary
3.2 of state shall prorate the amount granted per polling place to match the available
3.3 appropriation. A county may submit more than one grant application, so long as the
3.4 appropriation remains available.

3.5 Subd. 4. **Report.** Each county receiving a grant under this section must include
3.6 the expenditures it has made on the appropriate Help America Vote Act reports submitted
3.7 to the secretary of state. If a county does not use the funds it has received under this
3.8 section by June 30, 2014, it must return the funds to the secretary of state. In addition
3.9 to the report required by this section, each county receiving a grant under this act must
3.10 maintain financial records for each grant sufficient to satisfy federal audit standards and
3.11 must transmit those records to the secretary of state upon request of the secretary of state.