

Senators Pariseau, Wiger, Marty and Kleis introduced--  
S.F. No. 291: Referred to the Committee on Elections.

1                                   A bill for an act

2           relating to the legislature; specifying the size of  
3           the legislature; coordinating legislative districts  
4           and congressional districts; amending Minnesota  
5           Statutes 2004, sections 2.021; 2.031, subdivision 1.

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

7           Section 1. Minnesota Statutes 2004, section 2.021, is  
8 amended to read:

9           2.021 [NUMBER OF MEMBERS.]

10          For each legislature, until a new apportionment shall have  
11 been made, the senate is composed of 67 64 members and the house  
12 of representatives is composed of ~~134~~ 128 members.

13          In 2013 and thereafter, each senate must be composed of a  
14 number of senators evenly divisible by the number of  
15 representatives in Congress apportioned to the state.

16          Sec. 2. Minnesota Statutes 2004, section 2.031,  
17 subdivision 1, is amended to read:

18          Subdivision 1. [LEGISLATIVE DISTRICTS.] The  
19 representatives in the senate and house of representatives are  
20 apportioned throughout the state in ~~67-senate-districts-and-134~~  
21 ~~house-districts~~ the number of senate and house districts  
22 provided by law. No congressional district boundary may be  
23 crossed in forming a senate district. Each senate district is  
24 entitled to elect one senator and each house district is  
25 entitled to elect one representative.

1       Sec. 3. [EFFECTIVE DATE.]

2       This act is effective for any apportionment to be effective

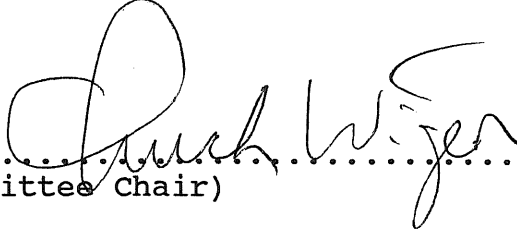
3 in 2013 or thereafter.

1 Senator Wiger from the Committee on Elections, to which was  
2 referred

3 S.F. No. 291: A bill for an act relating to the  
4 legislature; specifying the size of the legislature;  
5 coordinating legislative districts and congressional districts;  
6 amending Minnesota Statutes 2004, sections 2.021; 2.031,  
7 subdivision 1.

8 Reports the same back with the recommendation that the bill  
9 do pass. Report adopted.

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.....  
(Committee Chair)

January 31, 2005.....  
(Date of Committee recommendation)

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## S.F. No. 386 - Elections Miscellany

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**Date:** January 31, 2005

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**S.F. No. 386** makes a variety of changes to election law.

**Sections 1 to 4** clarify the right to vote of a person under guardianship. They strike references to the outdated term “guardianship of the person,” which is no longer used since adoption of the Uniform Guardianship and Protective Proceedings Act by Laws 2003, ch. 12, and clarify that a person under guardianship retains the right to vote unless the court order creating the guardianship revokes it.

**Section 5** eliminates the prohibition on a city redrawing its ward boundaries before the Legislature has been redistricted in a year ending in one or two and requires cities to redraw those boundaries, if necessary, no later than 60 days after the Legislature has been redistricted or at least 19 weeks before the state primary election in the year ending in two, whichever is first.

**Section 6** strikes a reference to the former policy that prohibited cities from redrawing their precinct boundaries before the adoption of a legislative redistricting plan.

**Section 7** shortens the decennial freeze on changes in precinct boundaries so that instead of ending when the Legislature has been redistricted in a year ending in one or two, it ends on April 1 in the year ending in one.

**Section 8** eliminates the requirement that election judges who are appointed after the party lists have been exhausted be affiliated with a major political party.

**Section 9** eliminates various restrictions on media access to polling places that were enacted last year as part of the Help America Vote Act compliance bill, Laws 2004, ch.293, art.2, § 24:

1. The requirement that a media representative get written authorization in advance from the county auditor, municipal or school district clerk, or their designee.
2. The 15-minute limit on the time they may remain in the polling place.
3. The requirement that they not approach within six feet of an election judge or voter.
4. The ban on conversing with a voter while in the polling place.

The section adds one new restriction: That the media representative not interfere with the voting process.

**Section 10** adds to the Voter's Bill of Rights a statement that "If you are unable to enter the polling place, you have the right to request assistance and to vote at the polling place without leaving your vehicle," and a statement that "If you are under a guardianship, you have the right to vote, unless the court order revokes your right to vote."

**Section 11** clarifies that a person under guardianship does not lose the right to vote unless the court order revokes it.

**Section 12** strikes a cross-reference to Minnesota Statutes, section 204D.10, subdivision 2, which is repealed by section 18.

**Section 13** requires city council redistricting to take effect no later than the year ending in three and requires all members of the city council to be elected at that election.

**Section 14** clarifies that nothing in Minnesota Statutes prohibits a city from adopting by ordinance for use in city elections cumulative voting, ranked-order voting, or another method of voting with a form of ballot that differs from the form required by Minnesota law. If a city does conduct an election using an alternative voting method, it is requested to report on its experience to the standing committees in the Senate and House of Representatives with jurisdiction over election law policy within 30 days after the opening of the first legislative session after the city first uses the alternative voting method.

**Section 15** lowers the threshold for candidates for local government elective office to report contributions from \$750 to \$100. Current law prohibits candidates from accepting contributions of more than \$100 in a nonelection year and \$300 in an election year, except that candidates whose constituency is over 100,000 people may accept contributions up to \$500 in an election year.

**Section 16** requires campaign finance reports filed by local government candidates to include the amount and date of each expenditure. It lowers the threshold for reporting the name of individual contributors from those who contribute \$500 or more to those who contribute \$100 or more. It also requires additional information about those contributions, including the address and employer of the contributor and the amount and date of each contribution.

**Section 17** requires that all county commissioners run at the next election following redistricting even if the change in their boundaries is less than five percent of the population.

**Section 18** repeals the requirement that at least one candidate of a major party receive at least ten percent of the average of the votes cast at the last state general election for state offices of that major political party within the district for which the office is voted in order for any of the candidates of that major political party to be nominated at the state primary. The repealed subdivision was declared unconstitutional by the Minnesota Supreme Court in the case of *Moore v. Kiffmeyer*, No. A04-1775 (Order, Sept. 27, 2004; Opinion, Nov. 10, 2004).

**Section 19** delays until January 1, 2006, the effective date of sections 5 to 7, which relate to city council redistricting; section 13, which relates to city council redistricting; sections 15 and 16, which relate to local government campaign finance reporting; and section 17, which relates to county redistricting.

PSW:ph  
cc: Kelly Wolfe

Senators Marty, Wiger and Scheid introduced--  
S.F. No. 386: Referred to the Committee on Elections.

A bill for an act

relating to elections; clarifying the voting rights of persons under guardianship and persons with disabilities; permitting local governments to redraw election districts before the legislature has been redistricted; requiring new election for all members of a city council or county board following redistricting; permitting appointment of election judges not affiliated with a major political party; increasing news media access to polling places; eliminating a requirement concerning major political party primary results; authorizing alternative methods of voting in city elections; permitting instant runoff voting; requiring a report; increasing disclosure of contributions and expenditures for local political campaigns; amending Minnesota Statutes 2004, sections 201.014, subdivision 2; 201.071, subdivision 1; 201.15; 204B.10, subdivision 6; 204B.135, subdivision 1; 204B.14, subdivisions 1a, 3; 204B.21, subdivision 2; 204C.06, subdivision 8; 204C.08, subdivision 1a; 204C.10; 204D.10, subdivision 1; 205.84, subdivision 2; 211A.02, subdivisions 1, 2; 375.025, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 205; repealing Minnesota Statutes 2004, section 204D.10, subdivision 2.

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

Section 1. Minnesota Statutes 2004, section 201.014, subdivision 2, is amended to read:

Subd. 2. [NOT ELIGIBLE.] The following individuals are not eligible to vote. Any individual:

(a) Convicted of treason or any felony whose civil rights have not been restored;

(b) Under a guardianship ~~of-the-person~~ in which the court order ~~provides-that-the-ward-does-not-retain~~ revokes the ward's right to vote; or

1 (c) Found by a court of law to be legally incompetent.  
2 Sec. 2. Minnesota Statutes 2004, section 201.071,  
3 subdivision 1, is amended to read:

4 Subdivision 1. [FORM.] A voter registration application  
5 must be of suitable size and weight for mailing and contain  
6 spaces for the following required information: voter's first  
7 name, middle name, and last name; voter's previous name, if any;  
8 voter's current address; voter's previous address, if any;  
9 voter's date of birth; voter's municipality and county of  
10 residence; voter's telephone number, if provided by the voter;  
11 date of registration; current and valid Minnesota driver's  
12 license number or Minnesota state identification number, or if  
13 the voter has no current and valid Minnesota driver's license or  
14 Minnesota state identification, the last four digits of the  
15 voter's Social Security number; and voter's signature. The  
16 registration application may include the voter's e-mail address,  
17 if provided by the voter, and the voter's interest in serving as  
18 an election judge, if indicated by the voter. The application  
19 must also contain the following certification of voter  
20 eligibility:

21 "I certify that I:

22 (1) will be at least 18 years old on election day;

23 (2) am a citizen of the United States;

24 (3) will have resided in Minnesota for 20 days immediately  
25 preceding election day;

26 (4) maintain residence at the address given on the  
27 registration form;

28 (5) am not under court-ordered guardianship ~~of-the-person~~  
29 ~~where-I-have-not-retained-the~~ in which the court order revokes  
30 my right to vote;

31 (6) have not been found by a court to be legally  
32 incompetent to vote;

33 (7) have not been convicted of a felony without having my  
34 civil rights restored; and

35 (8) have read and understand the following statement: that  
36 giving false information is a felony punishable by not more than



1 five years imprisonment or a fine of not more than \$10,000, or  
2 both."

The certification must include boxes for the voter to  
4 respond to the following questions:

5 "(1) Are you a citizen of the United States?" and

6 "(2) Will you be 18 years old on or before election day?"

7 And the instruction:

8 "If you checked 'no' to either of these questions, do not  
9 complete this form."

10 The form of the voter registration application and the  
11 certification of voter eligibility must be as provided in this  
12 subdivision and approved by the secretary of state. Voter  
13 registration forms authorized by the National Voter Registration  
14 Act may also be accepted as valid.

15 An individual may use a voter registration application to  
16 apply to register to vote in Minnesota or to change information  
17 on an existing registration.

18 Sec. 3. Minnesota Statutes 2004, section 201.15, is  
19 amended to read:

20 201.15 [DISTRICT JUDGE, REPORT GUARDIANSHIPS AND  
21 COMMITMENTS.]

22 Subdivision 1. [GUARDIANSHIPS AND INCOMPETENTS.] Pursuant  
23 to the Help America Vote Act of 2002, Public Law 107-252, the  
24 state court administrator shall report monthly by electronic  
25 means to the secretary of state the name, address, and date of  
26 birth of each individual 18 years of age or over, who during the  
27 month preceding the date of the report:

28 (a) was placed under a guardianship ~~of-the-person~~ in which  
29 the court order ~~provides-that-the-ward-does-not-retain~~ revokes  
30 the ward's right to vote; or

31 (b) was adjudged legally incompetent.

32 The court administrator shall also report the same  
33 information for each individual transferred to the jurisdiction  
34 of the court who meets a condition specified in clause (a) or  
35 (b). The secretary of state shall determine if any of the  
36 persons in the report is registered to vote and shall prepare a

1 list of those registrants for the county auditor. The county  
 2 auditor shall change the status on the record in the statewide  
 3 registration system of any individual named in the report to  
 4 indicate that the individual is not eligible to reregister or  
 5 vote.

6 Subd. 2. [~~RESTORATION-TO-CAPACITY~~ GUARDIANSHIP TERMINATION  
 7 OR MODIFICATION.] Pursuant to the Help America Vote Act of 2002,  
 8 Public Law 107-252, the state court administrator shall report  
 9 monthly by electronic means to the secretary of state the name,  
 10 address, and date of birth of each individual ~~transferred from~~  
 11 whose guardianship to conservatorship or who is restored to  
 12 capacity by the court was modified to restore the ward's right  
 13 to vote or whose guardianship was terminated by order of the  
 14 court under section 524.5-317 after being ineligible to vote for  
 15 any of the reasons specified in subdivision 1. The secretary of  
 16 state shall determine if any of the persons in the report is  
 17 registered to vote and shall prepare a list of those registrants  
 18 for the county auditor. The county auditor shall change the  
 19 status on the voter's record in the statewide registration  
 20 system to "active."

21 Sec. 4. Minnesota Statutes 2004, section 204B.10,  
 22 subdivision 6, is amended to read:

23 Subd. 6. [INELIGIBLE VOTER.] Upon receipt of a certified  
 24 copy of a final judgment or order of a court of competent  
 25 jurisdiction that a person who has filed an affidavit of  
 26 candidacy or who has been nominated by petition:

27 (1) has been convicted of treason or a felony and the  
 28 person's civil rights have not been restored;

29 (2) is under guardianship ~~of the person~~ in which the court  
 30 order revokes the ward's right to vote; or

31 (3) has been found by a court of law to be legally  
 32 incompetent;

33 the filing officer shall notify the person by certified mail at  
 34 the address shown on the affidavit or petition, and shall not  
 35 certify the person's name to be placed on the ballot. The  
 36 actions of a filing officer under this subdivision are subject

1 to judicial review under section 204B.44.

2 Sec. 5. Minnesota Statutes 2004, section 204B.135,  
3 subdivision 1, is amended to read:

4 Subdivision 1. [CITIES WITH WARDS.] A city that elects its  
5 council members by wards ~~may not redistrict those wards before~~  
6 ~~the legislature has been redistricted in a year ending in one or~~  
7 ~~two. The wards must be redistricted within~~ must redraw the ward  
8 boundaries, if necessary, no later than 60 days after the  
9 legislature has been redistricted or at least 19 weeks before  
10 the state primary election in the year ending in two, whichever  
11 is first.

12 Sec. 6. Minnesota Statutes 2004, section 204B.14,  
13 subdivision 1a, is amended to read:

14 Subd. 1a. [LEGISLATIVE POLICY.] It is the intention of the  
15 legislature to complete congressional and legislative  
16 redistricting activities ~~in time to permit counties and~~  
17 ~~municipalities to begin the process of reestablishing precinct~~  
18 ~~boundaries as soon as possible after the adoption of the~~  
19 ~~congressional and legislative redistricting plans but in no case~~  
20 later than 25 weeks before the state primary election in the  
21 year ending in two.

22 Sec. 7. Minnesota Statutes 2004, section 204B.14,  
23 subdivision 3, is amended to read:

24 Subd. 3. [BOUNDARY CHANGES; PROHIBITIONS; EXCEPTION.]  
25 Notwithstanding other law or charter provisions to the contrary,  
26 during the period from January 1 in any year ending in zero to  
27 ~~the time when the legislature has been redistricted~~ April 1 in a  
28 the next year ending in one ~~or two~~, no changes may be made in  
29 the boundaries of any election precinct except as provided in  
30 this subdivision.

31 (a) If a city annexes an unincorporated area located in the  
32 same county as the city and adjacent to the corporate boundary,  
33 the annexed area may be included in an election precinct  
34 immediately adjacent to it.

35 (b) A municipality or county may establish new election  
36 precincts lying entirely within the boundaries of any existing

1 precinct and shall assign names to the new precincts which  
2 include the name of the former precinct.

3 (c) Precinct boundaries must be reestablished within 60  
4 days ~~of-the-time-when~~ after the legislature has been  
5 redistricted, or at least 19 weeks before the state primary  
6 election in a year ending in two, whichever comes first. The  
7 adoption of reestablished precinct boundaries becomes effective  
8 on the date of the state primary election in the year ending in  
9 two.

10 Precincts must be arranged so that no precinct lies in more  
11 than one legislative or congressional district.

12 Sec. 8. Minnesota Statutes 2004, section 204B.21,  
13 subdivision 2, is amended to read:

14 Subd. 2. [APPOINTING AUTHORITY; POWERS AND DUTIES.]  
15 Election judges for precincts in a municipality shall be  
16 appointed by the governing body of the municipality. Election  
17 judges for precincts in unorganized territory and for performing  
18 election-related duties assigned by the county auditor shall be  
19 appointed by the county board. Election judges for a precinct  
20 composed of two or more municipalities must be appointed by the  
21 governing body of the municipality or municipalities responsible  
22 for appointing election judges as provided in the agreement to  
23 combine for election purposes. Appointments shall be made from  
24 lists furnished pursuant to subdivision 1 subject to the  
25 eligibility requirements and other qualifications established or  
26 authorized under section 204B.19. If no lists have been  
27 furnished or if additional election judges are required after  
28 all listed names have been exhausted, the appointing authority  
29 may appoint any other individual, whether or not affiliated with  
30 a major political party, to serve as an election judge subject  
31 ~~to-the-same-requirements-and-qualifications~~. The appointments  
32 shall be made at least 25 days before the election at which the  
33 election judges will serve.

*reinstate  
stricken  
language*

34 Sec. 9. Minnesota Statutes 2004, section 204C.06,  
35 subdivision 8, is amended to read:

36 Subd. 8. [ACCESS FOR NEWS MEDIA.] ~~The-county-auditor-or~~

~~municipal-or-school-district-clerk-or-their-designee-may-by~~  
~~written-authorization-permit~~ News media representatives to may  
 enter polling places ~~for-up-to-15-minutes~~ during voting hours to  
 observe the voting process. A media representative must ~~obtain~~  
~~prior-authorization-and~~ present photo identification to the head  
 election judge upon arrival at the polling place and must not  
 otherwise:

- (1) ~~approach-within-six-feet-of-an-election-judge-or-voter;~~  
~~(2)-converse-with-a-voter-while-in-the-polling-place;~~  
 (3) make a list of persons voting or not voting; or  
~~(4) (2) interview a voter within the polling place; or~~  
(3) interfere with the voting process.

3 Sec. 10. Minnesota Statutes 2004, section 204C.08,  
 14 subdivision 1a, is amended to read:

15 Subd. 1a. [VOTER'S BILL OF RIGHTS.] The county auditor  
 16 shall prepare and provide to each polling place sufficient  
 17 copies of a poster setting forth the Voter's Bill of Rights as  
 18 set forth in this section. Before the hours of voting are  
 19 scheduled to begin, the election judges shall post it in a  
 20 conspicuous location or locations in the polling place. The  
 21 Voter's Bill of Rights is as follows:

22 "VOTER'S BILL OF RIGHTS

23 For all persons residing in this state who meet federal  
 24 voting eligibility requirements:

- 25 (1) You have the right to be absent from work for the  
 26 purpose of voting during the morning of election day.  
 27 (2) If you are in line at your polling place any time  
 28 between 7:00 a.m. and 8:00 p.m., you have the right to vote.  
 29 (3) If you can provide the required proof of residence, you  
 30 have the right to register to vote and to vote on election day.  
 31 (4) If you are unable to sign your name, you have the right  
 32 to orally confirm your identity with an election judge and to  
 33 direct another person to sign your name for you.  
 34 (5) You have the right to request special assistance when  
 35 voting.  
 36 (6) If you are unable to enter the polling place, you have

1 the right to request assistance and to vote at the polling place  
2 without leaving your vehicle.

3 (7) If you need assistance, you may be accompanied into the  
4 voting booth by a person of your choice, except by an agent of  
5 your employer or union or a candidate.

6 (7) (8) You have the right to bring your minor children  
7 into the polling place and into the voting booth with you.

8 (8) (9) If you have been convicted of a felony but your  
9 civil rights have been restored, you have the right to vote.

10 (9) (10) If you are under a guardianship, you have the  
11 right to vote, unless the court order revokes your right to vote.

12 (11) You have the right to vote without anyone in the  
13 polling place trying to influence your vote.

14 (10) (12) If you make a mistake or spoil your ballot before  
15 it is submitted, you have the right to receive a replacement  
16 ballot and vote.

17 (11) (13) You have the right to file a written complaint at  
18 your polling place if you are dissatisfied with the way an  
19 election is being run.

20 (12) (14) You have the right to take a sample ballot into  
21 the voting booth with you.

22 (13) (15) You have the right to take a copy of this Voter's  
23 Bill of Rights into the voting booth with you."

24 Sec. 11. Minnesota Statutes 2004, section 204C.10, is  
25 amended to read:

26 204C.10 [PERMANENT REGISTRATION; VERIFICATION OF  
27 REGISTRATION.]

28 (a) An individual seeking to vote shall sign a polling  
29 place roster which states that the individual is at least 18  
30 years of age, a citizen of the United States, has resided in  
31 Minnesota for 20 days immediately preceding the election,  
32 maintains residence at the address shown, is not under a  
33 guardianship in which the ~~individual has not retained~~ court  
34 order revokes the individual's right to vote, has not been found  
35 by a court of law to be legally incompetent to vote or convicted  
36 of a felony without having civil rights restored, is registered

1 and has not already voted in the election. The roster must also  
2 state: "I understand that deliberately providing false  
3 information is a felony punishable by not more than five years  
4 imprisonment and a fine of not more than \$10,000, or both."

5 (b) A judge may, before the applicant signs the roster,  
6 confirm the applicant's name, address, and date of birth.

7 (c) After the applicant signs the roster, the judge shall  
8 give the applicant a voter's receipt. The voter shall deliver  
9 the voter's receipt to the judge in charge of ballots as proof  
10 of the voter's right to vote, and thereupon the judge shall hand  
11 to the voter the ballot. The voters' receipts must be  
12 maintained during the time for notice of filing an election  
13 contest.

14 Sec. 12. Minnesota Statutes 2004, section 204D.10,  
15 subdivision 1, is amended to read:

16 Subdivision 1. [PARTISAN OFFICES; NOMINEES.] The candidate  
17 for nomination of a major political party for a partisan office  
18 on the state partisan primary ballot who receives the highest  
19 number of votes shall be the nominee of that political party for  
20 that office~~7-except-as-otherwise-provided-in-subdivision-2.~~

21 Sec. 13. Minnesota Statutes 2004, section 205.84,  
22 subdivision 2, is amended to read:

23 Subd. 2. [EFFECTIVE DATE.] After the official  
24 certification of the federal decennial or special census, the  
25 governing body of the city shall either confirm the existing  
26 ward boundaries as conforming to the standards of subdivision 1  
27 or redefine ward boundaries to conform to those standards as  
28 provided in section 204B.135, subdivision 1. If the governing  
29 body of the city fails to take either action within the time  
30 required, no further compensation shall be paid to the mayor or  
31 council member until the wards of the city are either  
32 reconfirmed or redefined as required by this section. An  
33 ordinance establishing new ward boundaries pursuant to section  
34 204B.135, subdivision 1, becomes effective ~~on-the-date-of-the~~  
35 state-primary-election-in-the-year-ending-in-two for the first  
36 municipal general election after it has been adopted, but no

1 later than the year ending in three, and all members of the  
2 council must be elected at that election. In a city where  
3 council members are elected by ward to serve for staggered terms  
4 of four years, the council shall provide by ordinance for the  
5 manner in which some members will be elected initially to terms  
6 of four years and some to terms of two years.

7 Sec. 14. [205.85] [METHODS OF VOTING IN CITY ELECTIONS.]

8 Nothing in Minnesota Statutes prohibits a city from  
9 adopting by ordinance for use in city elections cumulative  
10 voting, ranked-order voting, or another method of voting with a  
11 form of ballot that differs from the form required by section  
12 204B.36, subdivision 2. If a city conducts a city election  
13 using an alternative method described in this section, the city  
14 is requested to report on its experience to the standing  
15 committees in the senate and house of representatives with  
16 jurisdiction over election law policy within 30 days after the  
17 opening of the first legislative session after the city first  
18 uses the alternative voting method.

19 Sec. 15. Minnesota Statutes 2004, section 211A.02,  
20 subdivision 1, is amended to read:

21 Subdivision 1. [WHEN AND WHERE FILED BY COMMITTEES.] (a) A  
22 committee or a candidate who receives contributions or makes  
23 disbursements of more than \$750 \$100 in a calendar year shall  
24 submit an initial report to the filing officer within 14 days  
25 after the candidate or committee receives or makes disbursements  
26 of more than \$750 \$100 and shall continue to make the reports  
27 listed in paragraph (b) until a final report is filed.

28 (b) The committee or candidate must file a report by  
29 January 31 of each year following the year when the initial  
30 report was filed and in a year when the candidate's name or a  
31 ballot question appears on the ballot, the candidate or  
32 committee shall file a report:

33 (1) ten days before the primary or special primary;

34 (2) ten days before the general election or special  
35 election; and

36 (3) 30 days after a general or special election.



1           Sec. 16. Minnesota Statutes 2004, section 211A.02,  
2 subdivision 2, is amended to read:

3           Subd. 2. [INFORMATION REQUIRED.] The report to be filed by  
4 a candidate or committee must include:

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

6           (2) the name and address of the person responsible for  
7 filing the report;

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

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

12           (5) the name, address, and employer, or occupation if  
13 self-employed, of any individual or committee that during the  
14 year has made one or more contributions that in the aggregate  
15 are equal to or greater than ~~\$500~~ \$100, and the amount and date  
16 of each contribution.

17           Sec. 17. Minnesota Statutes 2004, section 375.025,  
18 subdivision 4, is amended to read:

19           Subd. 4. [REDISTRICTING PLAN; ELECTION FOLLOWING  
20 REDISTRICTING.] A redistricting plan whether prepared by the  
21 county board or the redistricting commission shall be filed in  
22 the office of the county auditor. A redistricting plan shall be  
23 effective on the 31st day after filing unless a later effective  
24 date is specified but no plan shall be effective for the next  
25 election of county commissioners unless the plan is filed with  
26 the county auditor not less than 30 days before the first date  
27 candidates may file for the office of county commissioner. One  
28 commissioner shall be elected in each district who, at the time  
29 of the election, is a resident of the district. A person  
30 elected may hold the office only while remaining a resident of  
31 the commissioner district or, after June 15 during a year ending  
32 in "2", while remaining a resident of the county. The county  
33 board or the redistricting commission shall determine the number  
34 of members of the county board who shall be elected for two-year  
35 terms and for four-year terms to provide staggered terms on the  
36 county board. Thereafter, all commissioners shall be elected

1 for four years. When a county is redistricted, there shall be a  
2 new election of commissioners in all the districts at the next  
3 general election ~~except that if the change made in the~~  
4 ~~boundaries of a district is less than five percent of the~~  
5 ~~average of all districts of the county, the commissioner in~~  
6 ~~office at the time of the redistricting shall serve for the full~~  
7 ~~period for which elected.~~

8 Sec. 18. [REPEALER.]

9 Minnesota Statutes 2004, section 204D.10, subdivision 2, is  
10 repealed.

11 Sec. 19. [EFFECTIVE DATE.]

12 Sections 5 to 7, 13, and 15 to 17 are effective January 1,  
13 2006.

APPENDIX  
Repealed Minnesota Statutes for 05-0965

**204D.10 PRIMARY RESULTS; NOMINEES.**

Subd. 2. Party primary; ten percent requirement. If at the state primary any individual seeking a major political party's nomination for an office receives a number of votes equal to ten percent of the average of the votes cast at the last state general election for state officers of that major political party within the district for which the office is voted, then all candidates of that major political party who receive the highest vote for an office are the nominees of that major political party. If none of the candidates of a major political party receive the required ten percent, then no candidates are nominated, and all the candidates of that major political party may be nominated by nominating petition as provided in sections 204B.07 to 204B.09. For the purposes of this subdivision, "state officers" mean the governor, lieutenant governor, secretary of state, state auditor, and attorney general.

1 Senator ..... moves to amend S.F. No. 386 as follows:

2 Page 2, after line 1, insert:

3 "Sec. 2. Minnesota Statutes 2004, section 201.061,  
4 subdivision 3, is amended to read:

5 Subd. 3. [ELECTION DAY REGISTRATION.] An individual who is  
6 eligible to vote may register on election day by appearing in  
7 person at the polling place for the precinct in which the  
8 individual maintains residence, by completing a registration  
9 application, making an oath in the form prescribed by the  
10 secretary of state and providing proof of residence. An  
11 individual may prove residence for purposes of registering by:

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

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

16 (3) presenting one of the following:

17 (i) a current valid student identification card from a  
18 postsecondary educational institution in Minnesota, if a list of  
19 students from that institution has been prepared under section  
20 135A.17 and certified to the county auditor in the manner  
21 provided in rules of the secretary of state; or

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

25 (4) having a voter who is registered to vote in the  
26 precinct sign an oath in the presence of the election judge  
27 vouching that the voter personally knows that the individual is  
28 a resident of the precinct. A voter who has been vouched for on  
29 election day may not sign a proof of residence oath vouching for  
30 any other individual on that election day.

31 For tribal band members ~~living-on-an-Indian-reservation~~, an  
32 individual may prove residence for purposes of registering by  
33 presenting an identification card issued by the tribal  
34 government of a tribe recognized by the Bureau of Indian  
35 Affairs, United States Department of the Interior, that contains  
36 the name, street address, signature, and picture of the

1 individual. The county auditor of each county having territory  
2 within the reservation shall maintain a record of the number of  
3 election day registrations accepted under this section.

4 A county, school district, or municipality may require that  
5 an election judge responsible for election day registration  
6 initial each completed registration application."

7 Renumber the sections in sequence and correct the internal  
8 references

9 Amend the title accordingly

1 Senator ..... moves to amend S.F. No. 386 as follows:

2 Page 12, after line 7, insert:

3 "Sec. 18. Minnesota Statutes 2004, section 524.5-310, is  
4 amended to read:

5 524.5-310 [FINDINGS; ORDER OF APPOINTMENT.]

6 (a) The court may appoint a limited or unlimited guardian  
7 for a respondent only if it finds by clear and convincing  
8 evidence that:

9 (1) the respondent is an incapacitated person; and

10 (2) the respondent's identified needs cannot be met by less  
11 restrictive means, including use of appropriate technological  
12 assistance.

13 (b) Alternatively, the court, with appropriate findings,  
14 may treat the petition as one for a protective order under  
15 section 524.5-401, enter any other appropriate order, or dismiss  
16 the proceeding.

17 (c) The court shall grant to a guardian only those powers  
18 necessitated by the ward's limitations and demonstrated needs  
19 and, whenever feasible, make appointive and other orders that  
20 will encourage the development of the ward's maximum  
21 self-reliance and independence. Any power not specifically  
22 granted to the guardian, following a written finding by the  
23 court of a demonstrated need for that power, is retained by the  
24 ward.

25 (d) Within 14 days after an appointment, a guardian shall  
26 send or deliver to the ward, and counsel if represented at the  
27 hearing, a copy of the order of appointment accompanied by a  
28 notice which advises the ward of the right to appeal the  
29 guardianship appointment in the time and manner provided by the  
30 Rules of Appellate Procedure.

31 (e) Each year, within 30 days after the anniversary date of  
32 an appointment, a guardian shall send or deliver to the ward a  
33 notice of the right to request termination or modification of  
34 the guardianship and notice of the status of the ward's right to  
35 vote."

36 Renumber the sections in sequence and correct the internal

1 references

2 Amend the title accordingly

**COMMITTEE REPORT - WITH AMENDMENTS**Committee on ElectionsS.F. No. 386 Resolution Re-referred (from another committee)**Amendments:**

- delete section 9 and 14
- A-1 amendment (attached)
- A-2 amendment (attached)
- pg. 5 line 20 strike "25 weeks before state primary election" insert "January 31"
- pg. 6 lines 30 and 31 reinstate stricken language

**Committee recommendation:** And when so amended the bill do pass. And when so amended the bill do pass and be placed on the Consent Calendar. And when so amended the bill do pass and be re-referred to the Committee on \_\_\_\_\_**No recommendation:** And when so amended the bill be

\_\_\_\_\_ (re-referred to the Committee on \_\_\_\_\_)

OR \_\_\_\_\_ (reported to the Senate).

\_\_\_\_\_ 1/31/2005 (date of committee recommendation)



1 Senator Wiger from the Committee on Elections, to which was  
2 referred

3 S.F. No. 386: A bill for an act relating to elections;  
4 clarifying the voting rights of persons under guardianship and  
5 persons with disabilities; permitting local governments to  
6 redraw election districts before the legislature has been  
7 redistricted; requiring new election for all members of a city  
8 council or county board following redistricting; permitting  
9 appointment of election judges not affiliated with a major  
10 political party; increasing news media access to polling places;  
11 eliminating a requirement concerning major political party  
12 primary results; authorizing alternative methods of voting in  
13 city elections; permitting instant runoff voting; requiring a  
14 report; increasing disclosure of contributions and expenditures  
15 for local political campaigns; amending Minnesota Statutes 2004,  
16 sections 201.014, subdivision 2; 201.071, subdivision 1; 201.15;  
17 204B.10, subdivision 6; 204B.135, subdivision 1; 204B.14,  
18 subdivisions 1a, 3; 204B.21, subdivision 2; 204C.06, subdivision  
19 8; 204C.08, subdivision 1a; 204C.10; 204D.10, subdivision 1;  
20 205.84, subdivision 2; 211A.02, subdivisions 1, 2; 375.025,  
21 subdivision 4; proposing coding for new law in Minnesota  
22 Statutes, chapter 205; repealing Minnesota Statutes 2004,  
23 section 204D.10, subdivision 2.

24 Reports the same back with the recommendation that the bill  
25 be amended as follows:

26 Page 2, after line 1, insert:

27 "Sec. 2. Minnesota Statutes 2004, section 201.061,  
28 subdivision 3, is amended to read:

29 Subd. 3. [ELECTION DAY REGISTRATION.] An individual who is  
30 eligible to vote may register on election day by appearing in  
31 person at the polling place for the precinct in which the  
32 individual maintains residence, by completing a registration  
33 application, making an oath in the form prescribed by the  
34 secretary of state and providing proof of residence. An  
35 individual may prove residence for purposes of registering by:

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

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

40 (3) presenting one of the following:

41 (i) a current valid student identification card from a  
42 postsecondary educational institution in Minnesota, if a list of  
43 students from that institution has been prepared under section  
44 135A.17 and certified to the county auditor in the manner  
45 provided in rules of the secretary of state; or

46 (ii) a current student fee statement that contains the  
47 student's valid address in the precinct together with a picture

1 identification card; or

2 (4) having a voter who is registered to vote in the  
3 precinct sign an oath in the presence of the election judge  
4 vouching that the voter personally knows that the individual is  
5 a resident of the precinct. A voter who has been vouched for on  
6 election day may not sign a proof of residence oath vouching for  
7 any other individual on that election day.

8 For tribal band members ~~living-on-an-Indian-reservation~~, an  
9 individual may prove residence for purposes of registering by  
10 presenting an identification card issued by the tribal  
11 government of a tribe recognized by the Bureau of Indian  
12 Affairs, United States Department of the Interior, that contains  
13 the name, street address, signature, and picture of the  
14 individual. The county auditor of each county having territory  
15 within the reservation shall maintain a record of the number of  
16 election day registrations accepted under this section.

17 A county, school district, or municipality may require that  
18 an election judge responsible for election day registration  
19 initial each completed registration application."

20 Page 5, line 20, strike "25 weeks before the state primary  
21 election" and insert "January 31"

22 Page 6, lines 30 and 31, reinstate the stricken language

23 Pages 6 and 7, delete section 9

24 Page 10, delete section 14

25 Page 12, after line 7, insert:

26 "Sec. 17. Minnesota Statutes 2004, section 524.5-310, is  
27 amended to read:

28 524.5-310 [FINDINGS; ORDER OF APPOINTMENT.]

29 (a) The court may appoint a limited or unlimited guardian  
30 for a respondent only if it finds by clear and convincing  
31 evidence that:

32 (1) the respondent is an incapacitated person; and

33 (2) the respondent's identified needs cannot be met by less  
34 restrictive means, including use of appropriate technological  
35 assistance.

36 (b) Alternatively, the court, with appropriate findings,

1 may treat the petition as one for a protective order under  
2 section 524.5-401, enter any other appropriate order, or dismiss  
3 the proceeding.

4 (c) The court shall grant to a guardian only those powers  
5 necessitated by the ward's limitations and demonstrated needs  
6 and, whenever feasible, make appointive and other orders that  
7 will encourage the development of the ward's maximum  
8 self-reliance and independence. Any power not specifically  
9 granted to the guardian, following a written finding by the  
10 court of a demonstrated need for that power, is retained by the  
11 ward.

12 (d) Within 14 days after an appointment, a guardian shall  
13 send or deliver to the ward, and counsel if represented at the  
14 hearing, a copy of the order of appointment accompanied by a  
15 notice which advises the ward of the right to appeal the  
16 guardianship appointment in the time and manner provided by the  
17 Rules of Appellate Procedure.

18 (e) Each year, within 30 days after the anniversary date of  
19 an appointment, a guardian shall send or deliver to the ward a  
20 notice of the right to request termination or modification of  
21 the guardianship and notice of the status of the ward's right to  
22 vote."

23 Page 12, line 12, delete "5 to 7, 13, and 15 to 17" and  
24 insert "6 to 8, 13, and 14 to 16"

25 Renumber the sections in sequence

26 Amend the title as follows:

27 Page 1, delete line 10

28 Page 1, line 12, delete everything after the semicolon

29 Page 1, delete line 13

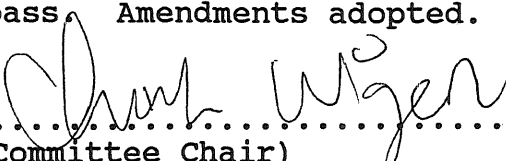
30 Page 1, line 14, delete everything before "increasing"

31 Page 1, line 17, after "2;" insert "201.061, subdivision 3;"

32 Page 1, line 20, delete "204C.06, subdivision 8;"

33 Page 1, lines 23 and 24, delete "proposing coding for new  
34 law in Minnesota Statutes, chapter 205" and insert "524.5-310"

35 And when so amended the bill do pass. Amendments adopted.  
36 Report adopted.

  
.....  
(Committee Chair)

January 31, 2005.....  
(Date of Committee recommendation)

Senators Marty and Scheid introduced--

S.F. No. 642: Referred to the Committee on Elections.

A bill for an act

relating to elections; authorizing alternative methods of voting in city elections; permitting instant runoff voting; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 205.

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

Section 1. [205.85] [METHODS OF VOTING IN CITY ELECTIONS.]

Nothing in Minnesota Statutes prohibits a city from

adopting by ordinance for use in city elections cumulative

voting, ranked-order voting, or another method of voting with a

form of ballot that differs from the form required by section

204B.36, subdivision 2. If a city conducts a city election

using an alternative method described in this section, the city

is requested to report on its experience to the house Committee

on Governmental Operations and Veterans Affairs Policy and the

senate Committee on Elections within 30 days after the opening

of the first legislative session after the city first uses the

alternative voting method.

## ROLL CALL VOTE

Date: January, 31, 2005

Senator Kleis requested a **Roll Call Vote** on:

1.  adoption of \_\_\_\_\_ amendment
2.  passage of S. F. No. 642
3.  adoption of \_\_\_\_\_ motion \_\_\_\_\_

SENATOR	YES	NO	PASS	ABSENT
Fischbach	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Higgins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hottinger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kleis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Limmer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marko	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pariseau	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scheid	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wiger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>TOTALS</b>				

There being 5 Yes votes and 4 No votes the Motion:

- Prevailed
- Did Not Prevail

# COMMITTEE REPORT - WITH AMENDMENTS

Committee on Elections

S.F. No. 1042

Resolution  
 Re-referred (from another committee)

**Amendments:**

Pg. 1 line 14 delete "house Committee"  
Pg. 1 delete line 15  
Pg. 1 line 16 delete "senate Committee on Elections"  
insert "senate and house Committees with jurisdiction over election laws"

**Committee recommendation:**

- And when so amended the bill do pass.
- And when so amended the bill do pass and be placed on the Consent Calendar.
- And when so amended the bill do pass and be re-referred to the Committee on \_\_\_\_\_

**No recommendation:** And when so amended the bill be \_\_\_\_\_ (re-referred to the Committee on \_\_\_\_\_)  
OR \_\_\_\_\_ (reported to the Senate).

1/31/2005 (date of committee recommendation)

1 Senator Wiger from the Committee on Elections, to which was  
2 referred

3 S.F. No. 642: A bill for an act relating to elections;  
4 authorizing alternative methods of voting in city elections;  
5 permitting instant runoff voting; requiring a report; proposing  
6 coding for new law in Minnesota Statutes, chapter 205.

7 Reports the same back with the recommendation that the bill  
8 be amended as follows:

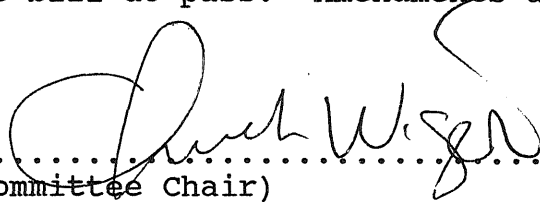
9 Page 1, line 14, delete "house Committee"

10 Page 1, delete line 15

11 Page 1, line 16, delete "senate Committee on Elections" and  
12 insert "senate and house committees with jurisdiction over  
13 election laws"

14 And when so amended the bill do pass. Amendments adopted.  
15 Report adopted.

16  
17 .....  
18 (Committee Chair)



19  
20 January 31, 2005.....  
21 (Date of Committee recommendation)