

TWENTY-SECOND DAY

St. Paul, Minnesota, Wednesday, March 1, 2017

The Senate met at 12:00 noon and was called to order by the President.

**CALL OF THE SENATE**

Senator Gazelka imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Carol J. Tomer.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators answered to their names:

Abeler	Dibble	Hawj	Lang	Ruud
Anderson, B.	Draheim	Hoffman	Little	Schoen
Anderson, P.	Dziedzic	Ingebrigtsen	Marty	Senjem
Bakk	Eaton	Isaacson	Mathews	Simonson
Benson	Eichorn	Jasinski	Miller	Tomassoni
Carlson	Eken	Jensen	Nelson	Torres Ray
Chamberlain	Fischbach	Johnson	Newman	Utke
Champion	Franzen	Kent	Newton	Weber
Clausen	Frentz	Kiffmeyer	Pratt	Westrom
Cohen	Gazelka	Klein	Relph	Wiger
Cwodzinski	Goggin	Koran	Rest	Wiklund
Dahms	Hall	Laine	Rosen	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communication was received.

February 28, 2017

The Honorable Kurt L. Daudt  
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2017 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2017	Date Filed 2017
	113	5	10:05 a.m. February 28	February 28

Sincerely,  
Steve Simon  
Secretary of State

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 22.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted February 27, 2017

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

**H.F. No. 22:** A bill for an act relating to real property; exempting certain trusts from reporting requirements; amending Minnesota Statutes 2016, section 500.24, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 50, now on General Orders.

### REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

#### Senator Pratt from the Committee on E-12 Policy, to which was referred

**S.F. No. 768:** A bill for an act relating to education; health; increasing appropriations for school-linked mental health services; providing for school staff and program development; requiring an intermediate school district program evaluation; providing for additional supports for students attending alternative learning centers in intermediate districts; amending Minnesota Statutes 2016,

sections 123A.05, by adding a subdivision; 127A.47, subdivision 7; 245.4889, subdivision 1; Laws 2016, chapter 189, article 24, section 22; article 25, section 62, subdivision 2.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on E-12 Finance. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 901:** A bill for an act relating to agriculture; providing a nuisance exemption for certain livestock facilities; amending Minnesota Statutes 2016, section 561.19, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 561.19, subdivision 2, is amended to read:

Subd. 2. **Agricultural operation not a nuisance.** (a) An agricultural operation is not and shall not become a private or public nuisance after two years from its established date of operation as a matter of law if the operation:

(1) is located in an agriculturally zoned area;

(2) complies with the provisions of all applicable federal, state, or county laws, regulations, rules, and ordinances and any permits issued for the agricultural operation; and

(3) operates according to generally accepted agricultural practices.

(b) For a period of two years from its established date of operation, there is a rebuttable presumption that an agricultural operation in compliance with the requirements of paragraph (a), clauses (1) to (3), is not a public or private nuisance. For feedlot odor, this rebuttable presumption can only be satisfied by a showing that the commissioner of the Pollution Control Agency has determined that:

(1) the feedlot is in violation of the ambient air quality standards for hydrogen sulfide under Pollution Control Agency rules, and the violation occurred when a manure removal exemption authorized under section 116.0713, paragraphs (b) and (d), is not in effect; and

(2) the feedlot has not, when directed by the commissioner of the Pollution Control Agency under section 116.0713, paragraph (a), clause (2), taken appropriate actions necessary to ensure compliance with the ambient air quality standards for hydrogen sulfide.

(c) The provisions of this subdivision do not apply:

~~(1) to an animal feedlot facility with a swine capacity of 1,000 or more animal units as defined in the rules of the Pollution Control Agency for control of pollution from animal feedlots, or a cattle capacity of 2,500 animals or more;~~

~~(2)~~ (1) to any prosecution for the crime of public nuisance as provided in section 609.74 or to an action by a public authority to abate a particular condition which is a public nuisance; or

~~(3)~~ (2) to any enforcement action brought by a local unit of government related to zoning under chapter 394 or 462.

(d) Civil proceedings against an agricultural operation are subject to farmer-neighbor mediation under chapter 584.

Sec. 2. **[584.01] CITATION.**

Sections 584.01 to 584.12 may be cited as the "Farmer-Neighbor Mediation Act."

Sec. 3. **[584.02] LEGISLATIVE FINDINGS.**

The legislature finds that nuisance claims brought against agricultural operations are uniquely situated and readily amenable to alternative dispute resolution. Alternative dispute resolution benefits nuisance claimants by providing an inexpensive forum that allows claimants to be heard and benefits agricultural operations by providing them with a reasonable opportunity to undertake mitigation efforts to abate any alleged nuisance. Moreover, the legislature finds that mediation is an effective and desirable form of alternative dispute resolution in the agricultural sector. Therefore, an orderly process with state assistance that fosters agreement between nuisance claimants and agricultural operations preserves the general welfare and integrity of the state.

Sec. 4. **[584.03] DEFINITIONS.**

Subdivision 1. **Applicability.** The definitions in this section apply to sections 584.03 to 584.12.

Subd. 2. **Agricultural operation.** "Agricultural operation" has the meaning given in section 561.19, subdivision 1.

Subd. 3. **Director.** "Director" means the director of the Minnesota Extension Service or the director's designee.

Subd. 4. **Dispute.** "Dispute" means a controversy between an agricultural operation and other party that arises from a claim eligible to be resolved in a civil proceeding in law or equity, if the claim relates to an action or actions of an agricultural operation that is alleged to be or cause a nuisance.

Subd. 5. **File.** "File" means to deliver by the required date by certified mail or another method acknowledging receipt.

Subd. 6. **Mediator.** "Mediator" means a farm mediator appointed by the director.

Subd. 7. **Nuisance.** "Nuisance" means anything that is injurious to health, or indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

Subd. 8. **Participate.** "Participate" means attending a mediation meeting and having knowledge about and discussing issues concerning a subject relating to a dispute.

Subd. 9. **Other party.** "Other party" means any person or persons having a dispute with an agricultural operation.

Subd. 10. **Serve.** "Serve" means:

(1) personal service as in a district court civil action;

(2) service by certified mail using return receipt signed by addressee only;

(3) actual delivery of required documents with signed receipt; or

(4) if an unsuccessful attempt is made to serve under clause (1) or (2), service may be made by mail with a certificate of mailing to the last known address of the addressee.

For purposes of serving under clause (4), the addressee is considered to have been served the documents five days after the date on the certificate of mailing.

Sec. 5. **[584.04] FARM MEDIATION.**

Subdivision 1. **Training.** The director must provide training and support for mediators.

Subd. 2. **Appointment.** The director must provide mediators by contracting with qualified persons experienced in agriculture, agricultural law, and negotiation.

Subd. 3. **Administration.** The director may appoint a farm mediation administrator. The administrator and director shall provide training for farm mediators and coordinate community legal education programs for farmers.

Sec. 6. **[584.05] VOLUNTARY MEDIATION PROCEEDINGS.**

An agricultural operation or other party may request mediation of a dispute by a farm mediator by applying to the director. The director shall make voluntary mediation application forms available at the county recorder's and county extension office in each county. The director must evaluate each request and may direct a mediator to meet with the agricultural operation and other party to assist in mediation.

Sec. 7. **[584.06] MANDATORY MEDIATION PROCEEDINGS.**

Subdivision 1. **Mediation request.** (a) Any other party desiring to initiate a civil proceeding against an agricultural operation to resolve a dispute must serve a mediation request on the agricultural operation and the director. The mediation request must state the names and addresses of all other parties involved in the dispute, the name and address of the agricultural operation involved in the dispute, and a general statement that mediation is requested. The other party must also file with the director proof of the date the request for mediation was served on the agricultural operation. The other party shall not begin the civil proceeding until the other party receives a mediation release under subdivision 7.

(b) The director shall combine all mediation requests for the same agricultural operation that are received prior to the initial consultation into one mediation proceeding.

(c) The requirements of paragraph (a) are jurisdictional prerequisites to filing a civil action that initiates a civil proceeding to resolve a dispute subject to this chapter.

Subd. 2. **Initial consultation.** No less than 30 days after receipt of the request for mediation, a mediator shall conduct an initial consultation with the other party privately and without charge. At the initial consultation, the mediator shall hear the other party's claims and inform the other party of the litigation risks that would be involved in commencing a civil proceeding to resolve the dispute. Mediation may be waived after the initial consultation if the other party and the agricultural operation involved in the dispute agree in writing.

Subd. 3. **Supplemental information; opportunity to cure.** (a) If mediation is not waived after the initial consultation, the other party shall file with the director, and serve on the agricultural operation, information required by the director to conduct mediation, including, at a minimum:

(1) a detailed statement that explains with particularity the conditions creating the nuisance giving rise to the dispute;

(2) a report from a qualified expert that explains with particularity the conditions creating the nuisance giving rise to the dispute and the scientific basis for why the conditions create a nuisance; and

(3) a statement of settlement efforts that have taken place between the other party and the agricultural operation involved in the dispute and, if no settlement efforts have taken place, an explanation of why the settlement efforts would have been futile.

(b) Within 20 days of receiving the other party's supplemental information, the agricultural operation may file with the director, and serve on the other party, a plan proposing actions that the agricultural operation will take to abate the conditions creating the nuisance giving rise to the dispute. Upon filing the plan, the agricultural operation shall have a reasonable amount of time to implement it, during which time the proceedings of this chapter will be stayed.

(c) If the agricultural operation's plan abates the nuisance after the plan has been implemented, then the director shall dismiss the other party's mediation request. Dismissal of the other party's mediation request does not constitute a mediation release.

(d) If the agricultural operation's plan does not abate the nuisance after the plan has been implemented, then the other party may continue the mediation process imposed by this chapter by filing with the director, and serving on the agricultural operation, a detailed statement that explains with particularity the conditions creating the nuisance giving rise to the dispute that exist after implementation of the agricultural operation's plan.

Subd. 4. **Mediation proceeding notice.** (a) By ten days after the time in which the agricultural operation may file and serve a plan under subdivision 3, paragraph (b), the director shall send a mediation proceeding notice to the agricultural operation and the other party.

(b) The mediation proceeding notice must state:

(1) the name and address of the agricultural operation and the other party;

(2) that the other party has requested mediation under the Farmer-Neighbor Mediation Act;

(3) the time and place for the mediation proceeding;

(4) a list of the names of three mediators that may be assigned to the mediation proceeding, along with background information on those mediators, including biographical information, a summary of previous mediation experience, and the number of agreements signed by parties to previous mediation;

(5) that the agricultural operation and the other party may each request the director to exclude one mediator by notifying the director within three days after receiving the notice;

(6) that in lieu of having a mediator assigned by the director, the agricultural operation and any other party may agree to select and pay for a professional mediator that is approved by the director; and

(7) that the Farmer-Neighbor Mediation Act prohibits the other party from beginning or continuing a proceeding to resolve a dispute until it obtains a mediation release.

(c) The mediation proceeding must be held no less than 30 days after the director sends the mediation proceeding notice.

(d) The agricultural operation and the other party may each request the director to exclude one mediator from the list by sending the director a notice to exclude the mediator within three days after receiving the mediation proceeding notice.

(e) In lieu of the director assigning a mediator, the agricultural operation and any other party may agree to select and pay for a professional mediator for the mediation proceeding. The director must approve the professional mediator before the professional mediator may be assigned to the mediation proceeding. The professional mediator may not be approved unless the professional mediator prepares and signs an affidavit:

(1) disclosing any biases, relationships, or previous associations with the agricultural operation or other party subject to the mediation proceedings;

(2) stating certifications, training, or qualifications as a professional mediator;

(3) disclosing fees to be charged or a rate schedule of fees for the mediation proceeding; and

(4) affirming to uphold the Farmer-Neighbor Mediation Act and faithfully discharge the duties of a mediator.

Subd. 5. **Mediation proceeding.** (a) The agricultural operation and other party shall participate in a mediation proceeding with a mediator at the time specified in the mediation proceeding notice. At the mediation session, the mediator shall:

(1) listen to the other party and the agricultural operation;

(2) attempt to mediate between the other party and the agricultural operation;

(3) encourage compromise and workable solutions; and

(4) advise, counsel, and assist the other party and the agricultural operation in attempting to arrive at an agreement for the future conduct of relations between them.

(b) If the other party and the agricultural operation do not reach an agreement at the mediation proceeding, either the other party or the agricultural operation may request, at the end of the mediation proceeding, that an additional mediation proceeding be conducted in no less than 30 days. If an additional mediation proceeding is requested, it must be held, and the mediator shall have responsibilities at the additional mediation proceeding identical to those required at the prior mediation proceeding.

Subd. 6. **Mediation agreement.** (a) If an agreement is reached between the agricultural operation and other party, the mediator shall witness and sign a written mediation agreement and have it signed by the agricultural operation and other party.

(b) The agricultural operation and other party:

(1) are bound by the terms of the agreement;

(2) may enforce the mediation agreement as a legal contract; and

(3) may use the mediation agreement as a defense against an action contrary to the mediation agreement.

Subd. 7. **Mediation release.** (a) If an agreement is not reached between the other party and the agricultural operation at the mediation proceeding, the mediator shall issue a mediation release unless the other party fails to personally attend and participate in all mediation meetings. The mediator shall issue a mediation release if the agricultural operation waives or fails to attend and participate in all mediation meetings, regardless of participation by the other party. However, if the other party or the agricultural operation is not a natural person, the other party or agricultural operation must be represented by a natural person who is an officer, director, employee, or partner of the other party or agricultural operation. If a person acts in a fiduciary capacity for the other party or agricultural operation, the fiduciary may represent the other party or agricultural operation. If the other party or agricultural operation or eligible representative is not able to attend and participate as required in this paragraph due to physical infirmity, mental infirmity, or other exigent circumstances determined reasonable by the director, the other party or agricultural operation must be represented by another natural person. Any representative of the other party or the agricultural operation must be authorized to sign instruments provided by this chapter. This section does not require that the other party and the agricultural operation reach an agreement. This section does not require that the other party and the agricultural operation change a position, alter an activity that is a subject of the dispute, or restructure a contract in order to receive a mediation release.

(b) The mediator shall promptly notify the other party and the agricultural operation by certified mail of a denial to issue a mediation release and the reasons for the denial. The notice shall state that the other party or the agricultural operation has seven days from the date that the notice is delivered to appeal the mediator's decision to the director, pursuant to procedures adopted by the director. After a final decision by the director, the party may seek an action for judicial review pursuant to section 584.12.



(c) If mediation is waived by both the agricultural operation and the other party at any point during the mediation process imposed by this chapter, the parties may sign a statement prepared by the mediator that mediation was waived or that the parties did not reach an agreement. If any party does not sign the statement, the mediator shall sign the statement. The statement constitutes a mediation release.

Sec. 8. **[584.07] GOOD FAITH REQUIRED.**

Subdivision 1. **Obligation of good faith.** The other party and the agricultural operation must engage in mediation in good faith. The other party is not mediating in good faith if the other party rejects measures proposed by the agricultural operation that could mitigate the conditions that the other party alleges to cause a nuisance without providing justification for the rejection.

Subd. 2. **Party's bad faith; mediator's affidavit.** If the mediator determines that either the other party or the agricultural operation is not participating in good faith, the mediator shall file an affidavit indicating the reasons for the finding with the director and provide copies of the affidavit to the agricultural operation and the other party.

Subd. 3. **Review of good faith finding.** (a) Upon petition by either the other party or the agricultural operation, a court may review a mediator's affidavit of lack of good faith or a mediator's failure to file an affidavit of lack of good faith. The review is limited to whether the mediator committed an abuse of discretion in filing or failing to file an affidavit of lack of good faith. The petition must be reviewed by the court within 20 days after the petition is filed.

(b) If the court finds that either the other party or the agricultural operation failed to mediate in good faith, the court may:

(1) order court-supervised mediation; or

(2) require that the mediation process imposed by this chapter be restarted.

(c) A mediator may offer testimony but is not required to testify as part of the court's review.

Sec. 9. **[584.08] FORMS AND COMPENSATION.**

Subdivision 1. **Compensation.** The director shall set the compensation of mediators.

Subd. 2. **Forms.** The director shall adopt voluntary mediation application forms.

Sec. 10. **[584.09] EXTENSION OF DEADLINES.**

Upon petition by the agricultural operation or other party, the farm mediation service may, for good cause, extend a deadline imposed.

Sec. 11. **[584.10] PRIVATE DATA.**

All data regarding agricultural operations and other parties created, collected, and maintained by the mediators or the director are classified as private data on individuals under section 13.02, subdivision 12, or nonpublic data under section 13.02, subdivision 9.

Sec. 12. **[584.11] JUDICIAL REVIEW.**

An action for judicial review shall be brought in equity, and the action shall be limited to whether, based on clear and convincing evidence, the decision by the director is an abuse of discretion. The action may be brought in the district court in which the affected agricultural operation is located. Upon reversing the decision by the director, the court shall order that the director issue a mediation release.

Sec. 13. **[584.12] EFFECT OF MEDIATION.**

Subdivision 1. **Rights not affected.** An interest in property, or rights and obligations under a contract, are not affected by the failure of a person to obtain a mediation release, regardless of its validity.

Subd. 2. **Timing.** Time periods relating to a claim, including applicable statutes of limitations, shall be suspended upon filing a mediation request. Time periods affecting a claim in a civil proceeding shall be suspended upon filing a mediation request. The suspension shall terminate upon dismissal of a mediation request, waiver of mediation, signing a mediation agreement, or signing a mediation release.

Sec. 14. **[584.13] INCONSISTENT LAWS.**

The Farmer-Neighbor Mediation Act has precedence over any inconsistent or conflicting laws and statutes."

Delete the title and insert:

"A bill for an act relating to agriculture; modifying the nuisance liability protection for certain agricultural operations; establishing the farmer-neighbor mediation program; requiring mediation for certain disputes with farming operations; amending Minnesota Statutes 2016, section 561.19, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 584."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 1015:** A bill for an act relating to agriculture; modifying the nuisance liability protection for certain agricultural operations; establishing the farmer-neighbor mediation program; requiring mediation for certain disputes with farming operations; amending Minnesota Statutes 2016, section 561.19, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 584.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Report adopted.

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 245:** A bill for an act relating to natural resources; requiring an agreement with the city of Fairfax to operate Fort Ridgely State Park Golf Course.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2016, section 85.0505, is amended by adding a subdivision to read:

Subd. 3. **Fort Ridgely State Park.** Liquor may be sold and consumed by the drink on the golf course in Fort Ridgely State Park, subject to other laws relating to the sale of intoxicating liquor when the golf course is operated by a nonstate entity.

Sec. 2. **[85.0507] FORT RIDGELY GOLF COURSE; GOLF CARTS.**

Golf carts may be operated on the golf course portion of Fort Ridgely State Park when the golf course is operated by a nonstate entity.

Sec. 3. Minnesota Statutes 2016, section 85.054, is amended by adding a subdivision to read:

Subd. 19. **Fort Ridgely golf course.** A state park permit is not required and a fee may not be charged for motor vehicle entry or parking for persons using only the golf course portion of Fort Ridgely State Park when the golf course is operated by a nonstate entity."

Renumber the sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources Finance. Amendments adopted. Report adopted.

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 1155:** A bill for an act relating to environment; modifying Petroleum Tank Release Cleanup Act; amending Minnesota Statutes 2016, section 115C.021, by adding a subdivision.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2016, section 115C.021, subdivision 1, is amended to read:

Subdivision 1. **General rule.** Except as provided in subdivisions 2 to 45, a person is responsible for a release from a tank if the person is an owner or operator of the tank at any time during or after the release."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred**

**S.F. No. 514:** A bill for an act relating to elections; making changes to provisions related to the administration of elections; making technical changes; amending Minnesota Statutes 2016, sections 123B.09, subdivision 5b; 204B.09, subdivision 3; 204B.13, subdivision 1; 204B.16, subdivision 1a; 204C.32, subdivision 2; 204C.33, subdivision 3; 205.07, subdivision 1; 205A.05, subdivision 2; 208.04, subdivision 1.

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

Delete everything after the enacting clause and insert:

**"ARTICLE 1**

**ELECTION ADMINISTRATION**

Section 1. Minnesota Statutes 2016, section 3.088, subdivision 1, is amended to read:

Subdivision 1. **Leave of absence without pay.** Subject to this section, any appointed officer or employee of a political subdivision, municipal corporation, or school district of the state or an institution of learning maintained by the state who serves as a legislator or is elected to a full-time city or county office or to an Indian tribal council in Minnesota is entitled to a leave of absence from the public office or to employment without pay when on the business of the office, with right of reinstatement as provided in this section.

Sec. 2. Minnesota Statutes 2016, section 123B.09, subdivision 5b, is amended to read:

Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the board, other than a vacancy described in subdivision 4, must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective 30 days following adoption of the resolution, subject to paragraph (b). If the appointment becomes effective, it shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. A special election to fill the vacancy must be held no later than the first Tuesday after the first Monday in November following the vacancy. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, no special election is required. If the vacancy is filled by a special election, the person elected at that election for the ensuing term shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.

(b) An appointment made under paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within 30 days of the board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this paragraph, the appointment by the school board is ineffective and the board must name a new appointee as provided in paragraph (a).

Sec. 3. Minnesota Statutes 2016, section 201.225, subdivision 2, is amended to read:

Subd. 2. **Technology requirements.** (a) An electronic roster must:

(1) be able to be loaded with a data file that includes voter registration data in a file format prescribed by the secretary of state;

(2) allow for data to be exported in a file format prescribed by the secretary of state;

(3) allow for data to be entered manually or by scanning a Minnesota driver's license or identification card to locate a voter record or populate a voter registration application that would be printed and signed and dated by the voter. The printed registration application can be either a printed form, labels printed with voter information to be affixed to a preprinted form, or a combination of both;

(4) allow an election judge to update data that was populated from a scanned driver's license or identification card;

(5) cue an election judge to ask for and input data that is not populated from a scanned driver's license or identification card that is otherwise required to be collected from the voter or an election judge;

(6) immediately alert the election judge if the voter has provided information that indicates that the voter is not eligible to vote;

(7) immediately alert the election judge if the electronic roster indicates that a voter has already voted in that precinct, the voter's registration status is challenged, or it appears the voter resides in a different precinct;

(8) provide immediate instructions on how to resolve a particular type of challenge when a voter's record is challenged;

(9) provide for a printed voter signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature. The printed voter signature certificate can be either a printed form or a label printed with the voter's information to be affixed to the oath;

(10) contain only preregistered voters within the precinct, and not contain preregistered voter data on voters registered outside of the precinct;

(11) be only networked within the polling location on election day, except for the purpose of updating absentee ballot records;

(12) meet minimum security, reliability, and networking standards established by the Office of the Secretary of State in consultation with the Office of MN.IT Services;

(13) include the following security features: ability to remotely wipe data from an electronic roster; an intrusion detection system; an alarm system or a physical locking device; and tracking software that allows the location of an electronic roster to be determined;

(14) be capable of providing a voter's correct polling place; and

~~(14)~~ (15) perform any other functions necessary for the efficient and secure administration of the participating election, as determined by the secretary of state.

(b) Electronic rosters used only for election day registration do not need to comply with clauses (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need to comply with clauses (4) and (5).

Sec. 4. Minnesota Statutes 2016, section 204B.09, subdivision 3, is amended to read:

Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought not more than 84 days before the primary and no later than the seventh day before the general election. The filing officer shall provide copies of the form to make the request. No written request shall be accepted later than 5:00 p.m. on the last day for filing a written request.

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

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

Sec. 5. Minnesota Statutes 2016, section 204B.13, subdivision 1, is amended to read:

Subdivision 1. **Partisan office.** (a) A vacancy in nomination for a partisan office must be filled in the manner provided by this section. A vacancy in nomination exists for a partisan office when a major political party candidate who has been nominated in accordance with section 204D.03, subdivision 3, or 204D.10, subdivision 1:

(1) dies;

(2) withdraws by filing an affidavit of withdrawal, as provided in paragraph (b), at least one day prior to the general election with the same official who received the affidavit of candidacy; or

(3) is determined to be ineligible to hold the office the candidate is seeking, pursuant to a court order issued under section 204B.44.

(b) An affidavit of withdrawal filed under paragraph (a), clause ~~(3)~~ (2), must state that the candidate has been diagnosed with a catastrophic illness that will permanently and continuously

incapacitate the candidate and prevent the candidate from performing the duties of the office sought, if elected. The affidavit must be accompanied by a certificate verifying the candidate's illness meets the requirements of this paragraph, signed by at least two licensed physicians. The affidavit and certificate may be filed by the candidate or the candidate's legal guardian.

Sec. 6. Minnesota Statutes 2016, section 204B.16, subdivision 1a, is amended to read:

Subd. 1a. **Notice to voters.** If the location of a polling place has been changed, the governing body establishing the polling place shall send to every affected household with at least one registered voter in the precinct a nonforwardable mailed notice stating the location of the new polling place at least 25 days before the next election. The secretary of state shall prepare a sample of this notice. A notice that is returned as undeliverable must be forwarded immediately to the county auditor. This subdivision does not apply to a polling place location that is changed on election day under section ~~204B.17~~ 204B.175.

Sec. 7. Minnesota Statutes 2016, section 204C.32, subdivision 2, is amended to read:

Subd. 2. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's office~~ at a public meeting space located in the Capitol complex area seven days after the state primary to canvass the certified copies of the county canvassing board reports received from the county auditors. Immediately after the canvassing board declares the results, the secretary of state shall certify the names of the nominees to the county auditors. The secretary of state shall mail to each nominee a notice of nomination.

Sec. 8. Minnesota Statutes 2016, section 204C.33, subdivision 3, is amended to read:

Subd. 3. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's office~~ at a public meeting space located in the Capitol complex area on the third Tuesday following the state general election to canvass the certified copies of the county canvassing board reports received from the county auditors and shall prepare a report that states:

~~(a)~~ (1) the number of individuals voting in the state and in each county;

~~(b)~~ (2) the number of votes received by each of the candidates, specifying the counties in which they were cast; and

~~(c)~~ (3) the number of votes counted for and against each constitutional amendment, specifying the counties in which they were cast.

All members of the State Canvassing Board shall sign the report and certify its correctness. The State Canvassing Board shall declare the result within three days after completing the canvass.

Sec. 9. Minnesota Statutes 2016, section 205.065, subdivision 5, is amended to read:

Subd. 5. **Results.** ~~(a)~~ The municipal primary shall be conducted and the returns made in the manner provided for the state primary so far as practicable. ~~If the primary is conducted:~~

~~(1) only within that municipality, a~~ The canvass may be conducted on either the second or third day after the primary; ~~or~~

~~(2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).~~

The governing body of the municipality shall canvass the returns, and the two candidates for each office who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to the office, who receive the highest number of votes, shall be the nominees for the office named. Their names shall be certified to the municipal clerk who shall place them on the municipal general election ballot without partisan designation and without payment of an additional fee.

~~(b) Following a municipal primary as described in paragraph (a), clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the municipality is located agrees to administratively review the municipality's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.~~

Sec. 10. Minnesota Statutes 2016, section 205.07, subdivision 1, is amended to read:

Subdivision 1. **Date of election.** The municipal general election in each city shall be held on the first Tuesday after the first Monday in November in every even-numbered year. Notwithstanding any provision of law to the contrary and subject to the provisions of this section, the governing body of a city may, by ordinance passed at a regular meeting held ~~before June 1 of any year, elect to at least 180 calendar days before the first day to file for candidacy in the next municipal election,~~ decide to hold the election on the first Tuesday after the first Monday in November in each either an even- or odd-numbered year. A city may hold elections in either the even-numbered year or the odd-numbered year, but not both. When a city changes its elections from one year to another, and does not provide for the expiration of terms by ordinance, the term of an incumbent expiring at a time when no municipal election is held in the months immediately prior to expiration is extended until the date for taking office following the next scheduled municipal election. If the change results in having three council members to be elected at a succeeding election, the two individuals receiving the highest vote shall serve for terms of four years and the individual receiving the third highest number of votes shall serve for a term of two years. To provide an orderly transition to the odd or even year election plan, the governing body of the city may adopt supplementary ordinances regulating initial elections and officers to be chosen at the elections and shortening or lengthening the terms of incumbents and those elected at the initial election. The term of office for the mayor may be either two or four years. The term of office of council members is four years. Whenever the time of the municipal election is changed, the city clerk immediately shall notify in writing the county auditor and secretary of state of the change of date. Thereafter the municipal general election shall be held on the first Tuesday after the first Monday in November in each odd-numbered or even-numbered year until the ordinance is revoked and notification of the change is made. A municipal general election scheduled to be held in an odd-numbered year may be postponed for inclement weather as provided in section 205.105.

Sec. 11. Minnesota Statutes 2016, section 205A.05, subdivision 2, is amended to read:

Subd. 2. **Vacancies in school district offices.** Special elections to fill vacancies in elective school district offices shall be held in school districts pursuant to section ~~123B.095~~ 123B.09, subdivision 5b. When more than one vacancy exists in an office elected at-large, voters must be instructed to vote for up to the number of vacancies to be filled.



Sec. 12. Minnesota Statutes 2016, section 206.805, subdivision 1, is amended to read:

Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the commissioner of administration, ~~shall~~ must establish one or more state voting systems contracts. The contracts should, if practical, include provisions for maintenance of the equipment purchased. The voting systems contracts must address precinct-based optical scan voting equipment, ~~and ballot marking equipment for persons with disabilities and other voters~~ assistive voting technology, automatic tabulating equipment, and electronic roster equipment. The contracts must give the state a perpetual license to use and modify the software. The contracts must include provisions to escrow the software source code, as provided in subdivision 2. Bids for voting systems and related election services must be solicited from each vendor selling or leasing voting systems that have been certified for use by the secretary of state. Bids for electronic roster equipment, software, and related services must be solicited from each vendor selling or leasing electronic roster equipment that meets the requirements of section 201.225, subdivision 2. The contracts must be renewed from time to time.

(b) Counties and municipalities may purchase or lease voting systems and obtain related election services from the state contracts. All counties and municipalities are members of the cooperative purchasing venture of the Department of Administration for the purpose of this section. For the purpose of township elections, counties must aggregate orders under contracts negotiated under this section for products and services and may apportion the costs of those products and services proportionally among the townships receiving the products and services. The county is not liable for the timely or accurate delivery of those products or services.

Sec. 13. Minnesota Statutes 2016, section 208.04, subdivision 1, is amended to read:

Subdivision 1. **Form of presidential ballots.** When presidential electors and alternates are to be voted for, a vote cast for the party candidates for president and vice president shall be deemed a vote for that party's electors and alternates as filed with the secretary of state. The secretary of state shall certify the names of all duly nominated presidential and vice presidential candidates to the county auditors of the counties of the state. Each county auditor, subject to the rules of the secretary of state, shall cause the names of the candidates of each major political party and the candidates nominated by petition to be ~~printed in capital letters,~~ set in type of the same size and style as for candidates on the state general election ballot, before the party designation. To the left of, and on the same line with the names of the candidates for president and vice president, near the margin, shall be placed ~~a square or box~~ an oval or similar target shape, in which the voters may indicate their choice ~~by marking an "X."~~

The form for the presidential ballot and the relative position of the several candidates shall be determined by the rules applicable to other state officers. The state ballot, with the required heading, shall be printed on the same piece of paper and shall be below the presidential ballot with a blank space between one inch in width.

Sec. 14. **VOTING EQUIPMENT GRANT.**

Subdivision 1. **Voting equipment grant account.** A voting equipment grant is established. Funds are appropriated to the secretary of state to provide grants to counties and municipalities as authorized by this section. Funds appropriated for the grant are available until expended.

Subd. 2. **Authorized equipment.** (a) A county or municipality may apply to receive a grant under this section for the purchase or lease of the following equipment:

(1) electronic roster equipment and software that meets the technology requirements of Minnesota Statutes, section 201.225, subdivision 2;

(2) assistive voting technology; or

(3) automatic tabulating equipment.

A purchase or lease of equipment is eligible for a grant under this section if the purchase is made, or lease entered, on or after July 1, 2017. A county or municipality that has purchased or leased eligible equipment before July 1, 2017, may apply for reimbursement.

(b) The grant funds must not be used for maintenance or repair of voting equipment.

Subd. 3. **Amount of grant.** A county or municipal government is eligible to receive a grant equal to 75 percent of the total cost of the electronic roster equipment and software or 50 percent of the total cost for assistive voting technology or automatic tabulating equipment. The secretary of state must first award grants to counties and municipalities leasing or purchasing new equipment or software. If funds remain after awarding grants for new equipment or software, the secretary of state must use the remaining funds for grants to counties and municipalities seeking reimbursement for equipment or software already purchased.

Subd. 4. **Application for grant; certification of costs.** (a) To receive a grant, a county or municipality must submit an application to the secretary of state. The secretary of state shall prescribe a form for this purpose. At a minimum, the application must describe:

(1) the type of equipment or software proposed for purchase or lease;

(2) the expected total cost of the equipment or software, and sources of funding that will be used for the purchase or lease in addition to the grant funding provided by this section;

(3) the county's or municipality's plan to address the long-term maintenance, repair, and eventual replacement costs for the equipment or software without using any funds from the grant for these purposes; and

(4) any other information required by the secretary of state.

(b) The secretary of state must establish:

(1) a deadline for receipt of grant applications;

(2) a procedure for awarding and distributing grants;

(3) criteria for the fair, proportional distribution of grants if the funds do not completely cover the requests for a particular type of equipment; and

(4) a process for verifying the proper use of the grants after distribution.

Subd. 5. **Report to legislature.** No later than January 15, 2018, and annually thereafter until the appropriations provided for grants under this section have been exhausted, the secretary of state must submit a report to the legislative committees with jurisdiction over elections policy on grants awarded by this section. The report must detail each grant awarded, including the jurisdiction, the amount of the grant, and the type of equipment or software purchased.

Sec. 15. **VOTING EQUIPMENT GRANT ACCOUNT; APPROPRIATION.**

\$5,000,000 in fiscal year 2018 is appropriated from the general fund to the secretary of state for the voting equipment grant established in section 14. This is a onetime appropriation.

## ARTICLE 2

### UNIFORM ELECTION DATES

Section 1. Minnesota Statutes 2016, section 103B.545, subdivision 2, is amended to read:

Subd. 2. **Election.** The county board or joint county authority shall conduct a special election in July or August after receiving the referendum petition on a date authorized in section 205.10, subdivision 3a. The special election must be held within the proposed lake improvement district. The county auditor shall administer the special election.

Sec. 2. Minnesota Statutes 2016, section 123A.46, subdivision 12, is amended to read:

Subd. 12. **Election date.** If an election is required under subdivision 11, then before the expiration of a 45 day period after the date of the order for dissolution and attachment, the auditor shall set a date and call the election by filing a written order for the election and serving a copy of the order personally or by mail on the clerk of the district in which the election is to be held. ~~The date shall be not less than 15 nor more than 30 days after the date of the order, upon which date a special election shall be held in the district proposed for dissolution and must be held on a date authorized in section 205A.05, subdivision 1a.~~ The auditor shall post and publish notice of the election according to law. Upon receipt of the notice, the board shall conduct the election.

Sec. 3. Minnesota Statutes 2016, section 123A.48, subdivision 14, is amended to read:

Subd. 14. **Election.** The board shall determine the date of the election; authorized by section 205A.05, subdivision 1a, and the number of boundaries of voting precincts; ~~and the location of the polling places where voting shall be conducted, and the hours the polls will be open.~~ The board shall ~~also~~ coordinate county auditor, as defined in section 200.02, subdivision 16b, shall provide official ballots which must be used exclusively and shall be in the following form: "Shall the (name of school district) and the (name of school district) be consolidated as proposed? Yes .... No ...."

~~The board must appoint election judges who shall act as clerks of election. The ballots and results must be certified to the board~~ coordinate county auditor and administering counties, as defined in section 200.02, subdivision 16, who shall canvass and tabulate the total vote cast for and against the proposal.

Sec. 4. Minnesota Statutes 2016, section 123B.63, subdivision 3, is amended to read:

Subd. 3. **Capital project levy referendum.** (a) A district may levy the local tax rate approved by a majority of the electors voting on the question to provide funds for an approved project. The election must take place no more than five years before the estimated date of commencement of the project. The referendum must be held on a date ~~set by the board~~ authorized by section 205A.05, subdivision 1a. A district must meet the requirements of section 123B.71 for projects funded under this section. If a review and comment is required under section 123B.71, subdivision 8, a referendum for a project not receiving a positive review and comment by the commissioner must be approved by at least 60 percent of the voters at the election.

(b) The referendum may be called by the school board and may be held:

(1) separately, before an election for the issuance of obligations for the project under chapter 475; or

(2) in conjunction with an election for the issuance of obligations for the project under chapter 475; or

(3) notwithstanding section 475.59, as a conjunctive question authorizing both the capital project levy and the issuance of obligations for the project under chapter 475. Any obligations authorized for a project may be issued within five years of the date of the election.

(c) The ballot must provide a general description of the proposed project, state the estimated total cost of the project, state whether the project has received a positive or negative review and comment from the commissioner, state the maximum amount of the capital project levy as a percentage of net tax capacity, state the amount that will be raised by that local tax rate in the first year it is to be levied, and state the maximum number of years that the levy authorization will apply.

The ballot must contain a textual portion with the information required in this section and a question stating substantially the following:

"Shall the capital project levy proposed by the board of ..... School District No. .... be approved?"

If approved, the amount provided by the approved local tax rate applied to the net tax capacity for the year preceding the year the levy is certified may be certified for the number of years, not to exceed ten, approved.

(d) If the district proposes a new capital project to begin at the time the existing capital project expires and at the same maximum tax rate, the general description on the ballot may state that the capital project levy is being renewed and that the tax rate is not being increased from the previous year's rate. An election to renew authority under this paragraph may be called at any time that is otherwise authorized by this subdivision. The ballot notice required under section 275.60 may be modified to read:

"BY VOTING YES ON THIS BALLOT QUESTION, YOU ARE VOTING TO RENEW AN EXISTING CAPITAL PROJECTS REFERENDUM THAT IS SCHEDULED TO EXPIRE."

(e) In the event a conjunctive question proposes to authorize both the capital project levy and the issuance of obligations for the project, appropriate language authorizing the issuance of obligations must also be included in the question.

(f) The district must notify the commissioner of the results of the referendum.

Sec. 5. Minnesota Statutes 2016, section 126C.17, subdivision 11, is amended to read:

Subd. 11. **Referendum date.** (a) Except for a referendum held under paragraph (b), any referendum under this section held on a day other than the first Tuesday after the first Monday in November must be conducted by mail in accordance with section 204B.46 and held on a date authorized by section 205A.05, subdivision 1a. Notwithstanding subdivision 9, paragraph (b), to the contrary, in the case of a referendum conducted by mail under this paragraph, the notice required by subdivision 9, paragraph (b), must be prepared and delivered by first-class mail at least 20 days before the referendum.

(b) In addition to the referenda allowed in subdivision 9, ~~clause paragraph~~ (a), the commissioner may grant authority to a district to hold a referendum on a ~~different day date~~ date authorized by section 205A.05, subdivision 1a, if the district is in statutory operating debt and has an approved plan or has received an extension from the department to file a plan to eliminate the statutory operating debt.

(c) The commissioner must approve, deny, or modify each district's request for a referendum levy on a different day within 60 days of receiving the request from a district.

Sec. 6. Minnesota Statutes 2016, section 128D.05, subdivision 2, is amended to read:

Subd. 2. **Time of change.** A proposed change in election years adopted under subdivision 1 is effective 240 days after passage and publication or at a later date fixed in the proposal. Within 180 days after passage and publication of the proposal, a petition requesting a referendum on the proposal may be filed with the school district clerk. The petition must be signed by eligible voters equal in number to five percent of the total number of votes cast in the city of Minneapolis at the most recent state general election. If the requisite petition is filed within the prescribed period, the proposal does not become effective until it is approved by a majority of the voters voting on the question at a general or special election held ~~at least 60 days after submission of the petition~~ on a date authorized by section 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its action in adopting the proposal.

Sec. 7. Minnesota Statutes 2016, section 200.02, subdivision 4, is amended to read:

Subd. 4. **Special election.** "Special election" means:

(~~a~~) (1) an election held at any time to fill vacancies in ~~public~~ state or federal offices; or

(~~b~~) (2) an election ~~held by a subdivision of the state~~ held by a subdivision of the state on a date authorized by section 205.10, subdivision 3a, or 205A.05, subdivision 1a.

Sec. 8. Minnesota Statutes 2016, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing.** During the 46 days before the election, an eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election regular business hours of the polling place, except as provided in this section. A voter waiting in line to register or to vote at the close of business must be allowed to vote.

Sec. 9. Minnesota Statutes 2016, section 203B.085, is amended to read:

**203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

The county auditor's office in each county and the clerk's office in each city or town authorized under section 203B.05 to administer absentee balloting must be open for acceptance of absentee ballot applications and casting of absentee ballots from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary, special, or general election unless that day falls on a Saturday or Sunday. Town clerks' offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March. ~~The school district clerk, when performing the county auditor's election duties, need not comply with this section.~~ A voter waiting in line to register or to vote at the close of the polling location must be allowed to vote. On the Saturday before the election and on the day immediately preceding an election, a county auditor or municipal clerk must not accept absentee ballots at times other than those specified in this section.

Sec. 10. Minnesota Statutes 2016, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. **Authority; location.** By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory shall must designate by ordinance or resolution a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made:

- (1) pursuant to section 204B.175; or
- (2) because a polling place has become unavailable.

Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 11. Minnesota Statutes 2016, section 204D.19, is amended by adding a subdivision to read:

Subd. 3a. **Preferred election dates.** Whenever possible, special elections to fill a vacancy in the office of state senator or state representative should be held on one of the following dates: the fourth Tuesday in February, the second Tuesday in May, the second Tuesday in August, or the first Tuesday after the first Monday in November.

Sec. 12. Minnesota Statutes 2016, section 205.07, subdivision 3, is amended to read:

Subd. 3. **Effect of ordinance; referendum.** An ordinance changing the year of the municipal election is effective 240 days after passage and publication or at a later date fixed in the ordinance. Within 180 days after passage and publication of the ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. The petition shall be signed by eligible voters equal in number to ten percent of the total number of votes cast in the city at the last municipal general election. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by a majority of the voters voting on the question at a general or special election held at least 60 days after submission of the petition on a date authorized by section 205.10, subdivision 3a. If the petition is filed, the governing body may reconsider its action in adopting the ordinance.

Sec. 13. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to read:

Subd. 3a. **Uniform election dates.** (a) Except as allowed in paragraph (b) and subdivision 4, a special election held in a city or town must be held on one of the following dates: the fourth Tuesday in February, the second Tuesday in May, the second Tuesday in August, or the first Tuesday after the first Monday in November. A special election primary must be held on the uniform date prior to the uniform date on which the election is scheduled. A home rule charter city must not designate additional dates in its charter.

(b) A special election may be held on a date other than those designated in paragraph (a) if the special election is held in response to an emergency or disaster. "Emergency" means an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring. "Disaster" means a situation that creates an actual or imminent, serious threat to the health and safety of persons or a situation that has resulted or is likely to result in catastrophic loss to property or the environment.

Sec. 14. Minnesota Statutes 2016, section 205.10, subdivision 4, is amended to read:

Subd. 4. **Vacancies in town offices.** Special elections ~~must be held with the town general election~~ to fill vacancies in town offices as provided in section 367.03, subdivision 6, must be held with the town general election or on a date authorized by subdivision 3a.

Sec. 15. Minnesota Statutes 2016, section 205A.05, subdivision 1, is amended to read:

Subdivision 1. **Questions.** ~~(a)~~ Special elections must be held for a school district on a question on which the voters are authorized by law to pass judgment. The school board may on its own motion call a special election to vote on any matter requiring approval of the voters of a district. Upon petition filed with the school board of 50 or more voters of the school district or five percent of the number of voters voting at the preceding school district general election, whichever is greater, the school board shall by resolution call a special election to vote on any matter requiring approval of the voters of a district. Within seven days of adoption, the school board must transmit a copy of the

resolution to the county auditor of the coordinating county. A question is carried only with the majority in its favor required by law. The election officials for a special election are the same as for the most recent school district general election unless changed according to law. Otherwise, special elections must be conducted and the returns made in the manner provided for the school district general election.

~~(b) A special election may not be held:~~

~~(1) during the 56 days before and the 56 days after a regularly scheduled primary or general election conducted wholly or partially within the school district;~~

~~(2) on the date of a regularly scheduled town election or annual meeting in March conducted wholly or partially within the school district; or~~

~~(3) during the 30 days before or the 30 days after a regularly scheduled town election in March conducted wholly or partially within the school district.~~

~~(c) Notwithstanding any other law to the contrary, the time period in which a special election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.~~

Sec. 16. Minnesota Statutes 2016, section 205A.05, is amended by adding a subdivision to read:

Subd. 1a. **Uniform election dates.** (a) Except as allowed in paragraph (b), a special election held in a school district must be held on one of the following dates: the fourth Tuesday in February, the second Tuesday in May, the second Tuesday in August, or the first Tuesday after the first Monday in November. A special election primary must be held on the uniform date prior to the uniform date on which the election is scheduled.

(b) A special election may be held on a date other than those designated in paragraph (a) if the special election is held in response to an emergency or disaster. "Emergency" means an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring. "Disaster" means a situation that creates an actual or imminent, serious threat to the health and safety of persons or a situation that has resulted or is likely to result in catastrophic loss to property.

Sec. 17. Minnesota Statutes 2016, section 216B.46, is amended to read:

**216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION.**

Any municipality which desires to acquire the property of a public utility as authorized under the provisions of section 216B.45 may determine to do so by resolution of the governing body of the municipality taken after a public hearing of which at least 30 days' published notice shall be given as determined by the governing body. The determination shall become effective when ratified by a majority of the qualified electors voting on the question at a special election to be held ~~for that purpose, not less than 60 nor more than 120 days after the resolution of the governing body of the municipality~~ on a date authorized by section 205.10, subdivision 3a.

Sec. 18. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:



Subd. 2. **Election.** The town board shall hold a special election within the boundaries of the proposed district ~~not less than 30 nor more than 90 days after receipt of the petition on a date authorized by section 205.10, subdivision 3a.~~ The question submitted and voted upon by the property owners within the territory of the proposed district must be phrased substantially as follows:

"Shall a subordinate service district be established to provide (service or services to be provided) financed by (revenue sources)?"

If a majority of those voting on the question favor creation of the district, the district shall begin upon certification of the vote by the town clerk. The town clerk shall administer the election.

Sec. 19. Minnesota Statutes 2016, section 367.33, subdivision 1, is amended to read:

Subdivision 1. **Election at annual election or special election.** Following the adoption of option A in a town, except a town exercising the powers of a statutory city, the town board may call a special town election to be held ~~not less than 30 nor more than 60 days after the annual town election at which the option is adopted~~ on a date authorized by section 205.10, subdivision 3a, to elect two additional members to the board of supervisors. In lieu of a special election, the town board may determine to elect the additional members at the next annual town election.

If the town is exercising the powers of a statutory city under section 368.01 or a special law granting substantially similar powers, the town board shall call a special election to be held ~~not less than 30 nor more than 60 days after the annual election~~ on a date authorized by section 205.10, subdivision 3a, at which option A is adopted to elect the two additional supervisors.

Sec. 20. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided in subdivision 3, a vacancy in the office of county commissioner may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The county board may by resolution call for a special election to be held ~~according to the earliest of the following time schedules:~~

~~(1) not less than 120 days following the date the vacancy is declared, but no later than 12 weeks prior to the date of the next regularly scheduled primary election;~~

~~(2) concurrently with the next regularly scheduled primary election and general election; or~~

~~(3) no sooner than 120 days following the next regularly scheduled general election~~ on a date authorized by section 205.10, subdivision 3a.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

Sec. 21. Minnesota Statutes 2016, section 375B.07, subdivision 2, is amended to read:

Subd. 2. **Election.** The county board shall make arrangements for the holding of a special election ~~not less than 30 nor more than 90 days after receipt of the petition~~ on a date authorized by section 205.10, subdivision 3a, within the boundaries of the proposed district. The question to be submitted and voted upon by the qualified voters within the territory of the proposed district shall be phrased substantially as follows:

"Shall a subordinate service district be established in order to provide (service or services to be provided) financed by (revenue sources)?"

If a majority of those voting on the question favor creation of the proposed district, the district shall be deemed created upon certification of the vote by the county auditor. The county auditor shall administer the election.

Sec. 22. Minnesota Statutes 2016, section 375B.10, is amended to read:

**375B.10 WITHDRAWAL; ELECTION.**

Upon receipt of a petition signed by ten percent of the qualified voters within the territory of the subordinate service district requesting the removal of the district, or pursuant to its own resolution, the county board shall make arrangements for the holding of a special election within the boundaries of the service district ~~not less than 30 nor more than 90 days after the resolution or receipt of the petition~~ on a date authorized by section 205.10, subdivision 3a. The question to be submitted and voted upon by the qualified voters within the territory of the district shall be phrased substantially as follows:

"Shall the subordinate service district presently established be removed and the service or services of the county as provided for the service district be discontinued?"

If a majority of those voting on the question favor the removal and discontinuance of the services, the service district shall be removed and the services shall be discontinued upon certification of the vote by the county auditor. The county auditor shall administer the election.

Sec. 23. Minnesota Statutes 2016, section 383B.031, subdivision 1, is amended to read:

Subdivision 1. **More than six months; special election.** Notwithstanding the provisions of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of Hennepin County more than six months before the general election in which a commissioner will next be selected to occupy such seat the county auditor shall, within seven days after the vacancy occurs, call a special election within the affected district to fill such vacancy. The auditor shall specify a date for the election ~~which shall be between 56 and 77 days after the vacancy occurred~~ to be held on a date authorized by section 205.10, subdivision 3a. Candidates shall file with the county auditor prior to the 35th day before the election. The primary election shall be held 14 days before the election. If no more than two candidates file for the office, the primary election shall be canceled and the date of the general election advanced 14 days.

Sec. 24. Minnesota Statutes 2016, section 383E.24, subdivision 7, is amended to read:

Subd. 7. **Referendum.** (a) Upon receipt of a petition signed by five percent of the qualified voters within the territory of the proposed service district prior to the effective date of its creation

as specified in subdivision 6, the creation shall be held in abeyance pending a referendum vote of all qualified electors residing within the boundaries of the proposed service district.

(b) The county board shall make arrangements for the holding of a special election ~~not less than 30 or more than 90 days after receipt of such petition~~ on a date authorized by section 205.10, subdivision 3a, and within the boundaries of the proposed taxing district. The question to be submitted and voted upon by the qualified voters within the territory of the proposed service district shall be phrased substantially as follows:

"Shall a subordinate service district be established in order to provide (service or services to be provided) financed by (revenue sources)?"

(c) If a majority of those voting on the question favor creation of the proposed subordinate service district, the district shall be deemed created upon certification of the vote by the county auditor. The county auditor shall administer the election.

Sec. 25. Minnesota Statutes 2016, section 410.10, subdivision 1, is amended to read:

Subdivision 1. **Timing; procedure; recall.** Upon delivery of such draft, the council or other governing body of the city shall cause the proposed charter to be submitted at the next general election thereafter occurring in the city within six months after the delivery of such draft, and if there is no general city election occurring in the city within six months after the delivery of such draft, then the council or other governing body of the city shall cause the proposed charter to be submitted at a special election to be held ~~within 90 days after the delivery of such draft~~ on a date authorized by section 205.10, subdivision 3a. The council or other governing body may call a special election for that purpose only at any time. If the election is held at the same time with the general election, the voting places and election officers shall be the same for both elections. At any time before the council has fixed the date of the election upon the proposed charter, the charter commission may recall it for further action; and the council may authorize recall of the charter by the commission at any later date prior to the first publication of the proposed charter.

Sec. 26. Minnesota Statutes 2016, section 447.32, subdivision 2, is amended to read:

Subd. 2. **Elections.** Except as provided in this chapter, the Minnesota Election Law applies to hospital district elections, as far as practicable. Regular elections must be held in each hospital district at the same time, in the same election precincts, and at the same polling places as general elections of state and county officers. It may establish the whole district as a single election precinct or establish two or more different election precincts and polling places for the elections. If there is more than one precinct, the boundaries of the election precincts and the locations of the polling places must be defined in the notice of election, either in full or by reference to a description or map on file in the office of the clerk.

Special elections may be called by the hospital board to vote on any matter required by law to be submitted to the voters. A special election ~~may not be conducted either during the 56 days before or the 56 days after a regularly scheduled primary or general election, conducted wholly or partially within the hospital district~~ must be held on a date authorized by section 205.10, subdivision 3a. Special elections must be held within the election precinct or precincts and at the polling place or places designated by the board. In the case of the first election of officers of a new district, precincts

and polling places must be set by the governing body of the most populous city or town included in the district.

Advisory ballots may be submitted by the hospital board on any question it wishes, concerning the affairs of the district, but only at a regular election or at a special election required for another purpose.

Sec. 27. Minnesota Statutes 2016, section 475.59, is amended to read:

**475.59 MANNER OF SUBMISSION; NOTICE.**

Subdivision 1. **Generally; notice.** When the governing body of a municipality resolves to issue bonds for any purpose requiring the approval of the electors, it shall provide for submission of the proposition of their issuance at a general or special election or town or school district meeting. Notice of such election or meeting shall be given in the manner required by law and shall state the maximum amount and the purpose of the proposed issue. In any school district, the school board or board of education may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance for any one or more of the following, stated conjunctively or in the alternative: acquisition or enlargement of sites, acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses, remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or more existing schoolhouses. In any city, town, or county, the governing body may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance, stated conjunctively or in the alternative, for the acquisition, construction, or improvement of any facilities at one or more locations.

Subd. 2. **Election date.** An election to approve issuance of bonds under this section held by a municipality or school district must be held on a date authorized in section 205.10, subdivision 3a, or 205A.05, subdivision 1a.

Sec. 28. **REPEALER.**

Minnesota Statutes 2016, sections 204B.16, subdivision 3; 205.10, subdivision 3; and 205.175, are repealed.

Sec. 29. **EFFECTIVE DATE.**

This article is effective January 1, 2018, and applies to any special election held on or after that date.

### ARTICLE 3

#### SCHOOL ELECTION ADMINISTRATION

Section 1. Minnesota Statutes 2016, section 123A.48, subdivision 15, is amended to read:

Subd. 15. **Effective date.** If a majority of the votes cast on the question at the election approve the consolidation, and if the necessary approving resolutions of boards entitled to act on the plat have been adopted, ~~the board must, within ten days of the election, notify the county auditor who~~

shall, within ten days of the ~~notice~~ election or of the expiration of the period during which an election can be called, issue an order setting a date for the effective date of the change. The effective date must be July 1 of the year determined by the board in the original resolution adopted under subdivision 2. The auditor shall mail or deliver a copy of such order to each auditor holding a copy of the plat and to the clerk of each district affected by the order and to the commissioner. ~~The board must similarly notify the county auditor.~~ If the election fails, the proceedings are then terminated and the county auditor shall so notify the commissioner and the auditors and the clerk of each district affected.

Sec. 2. Minnesota Statutes 2016, section 126C.69, subdivision 11, is amended to read:

Subd. 11. **District referendum.** After receipt of the review and comment on the project and before January 1 of the even-numbered year, the question authorizing the borrowing of money for the facilities must be submitted by the school board to the voters of the district at a regular or special election. The question submitted must state the total amount to be borrowed from all sources. Approval of a majority of those voting on the question is sufficient to authorize the issuance of the obligations on public sale in accordance with chapter 475. The face of the ballot must include the following statement: "APPROVAL OF THIS QUESTION DOES NOT GUARANTEE THAT THE SCHOOL DISTRICT WILL RECEIVE A CAPITAL LOAN FROM THE STATE. THE LOAN MUST BE APPROVED BY THE STATE LEGISLATURE AND IS DEPENDENT ON AVAILABLE FUNDING." ~~The district~~ coordinating county auditor, as defined in section 200.02, subdivision 16b, must mail to the commissioner a certificate by the ~~clerk~~ auditor showing the vote at the election.

Sec. 3. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 16a. **Coordinating county.** "Coordinating county" means the county where the school district administrative offices are located.

Sec. 4. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 16b. **Coordinating county auditor.** "Coordinating county auditor" means the county auditor where the school district administrative offices are located.

Sec. 5. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 16c. **Administering county or administering counties.** "Administering county" or "administering counties" means a county or counties, other than the coordinating county, that include any part of the school district.

Sec. 6. Minnesota Statutes 2016, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

(3) provide for entering data into the statewide registration system;

(4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;

(5) assign a unique identifier to each legally registered voter in the state;

(6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;

(7) coordinate with other agency databases within the state;

(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;

(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;

(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;

(11) provide access to municipal clerks to use the system;

(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; and

(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

Sec. 7. Minnesota Statutes 2016, section 201.061, subdivision 3, is amended to read:

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

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

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

(3) presenting one of the following:

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

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

(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be attached to the voter registration application.

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

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

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

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

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

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

Sec. 8. Minnesota Statutes 2016, section 201.061, subdivision 6, is amended to read:

Subd. 6. **Precinct map.** Except as otherwise provided by this subdivision, the county auditor shall provide each precinct with an accurate precinct map or precinct finder to assist the election judges in determining whether an address is located in that precinct. A county auditor may delegate this responsibility as provided in section 201.221, subdivision 4, to a municipal ~~or school district~~ clerk who prepares precinct maps as provided in section 204B.14, subdivision 5.

Sec. 9. Minnesota Statutes 2016, section 201.225, subdivision 1, is amended to read:

Subdivision 1. **Authority.** A county, ~~or municipality, or school district~~ may use electronic rosters for any election. In a county, ~~or municipality, or school district~~ that uses electronic rosters, the head elections official may designate that some or all of the precincts use electronic rosters. An electronic roster must comply with all of the requirements of this section. An electronic roster must include information required in section 201.221, subdivision 3, and any rules adopted pursuant to that section.

Sec. 10. Minnesota Statutes 2016, section 201.225, subdivision 6, is amended to read:

Subd. 6. **Reporting; certification.** (a) A county, ~~or municipality, or school district~~ that intends to use electronic rosters in an upcoming election must notify the Office of the Secretary of State at least 90 days before the first election in which the county, ~~or municipality, or school district~~ intends to use electronic rosters. The notification must specify whether all precincts will use electronic rosters, and if not, specify which precincts will be using electronic rosters. The notification is valid for all subsequent elections, unless revoked by the county, ~~or municipality, or school district~~. If precincts within a county, ~~or municipality, or school district~~ that were not included in the initial notification intend to use electronic rosters, a new notification must be submitted.

(b) The county, ~~or municipality, or school district~~ that intends to use electronic rosters must certify to the Office of the Secretary of State at least 30 days before the election that the electronic rosters meet all of the requirements in this section.

Sec. 11. Minnesota Statutes 2016, section 201.27, subdivision 2, is amended to read:

Subd. 2. **Knowledge of violation.** A deputy, clerk, employee, or other subordinate of a county auditor or municipal ~~or school district~~ clerk who has knowledge or reason to believe that a violation of this chapter has occurred shall immediately transmit a report of the knowledge or belief to the county auditor or municipal ~~or school district~~ clerk, together with any possessed evidence of the



violation. Any county auditor or municipal ~~or school district~~ clerk who has knowledge or reason to believe that a violation of this chapter has occurred shall immediately transmit a report of the knowledge or belief to the county attorney of the county where the violation is thought to have occurred, together with any possessed evidence of the violation. The county auditor or municipal ~~or school district~~ clerk shall also immediately send a copy of the report to the secretary of state. A violation of this subdivision is a misdemeanor.

Sec. 12. Minnesota Statutes 2016, section 203B.01, subdivision 2, is amended to read:

Subd. 2. **Municipal clerk.** "Municipal clerk" means a full-time town or city clerk who is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as provided in section 203B.05. ~~"Municipal clerk" also means clerk of the school district who is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as provided in section 203B.05 for a school district election not held on the same day as a statewide election.~~

Sec. 13. Minnesota Statutes 2016, section 203B.04, subdivision 1, is amended to read:

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

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

(2) the municipal clerk of the municipality, ~~or school district if applicable~~, where the applicant maintains residence.

For a federal, state, or county election, an absentee ballot application may alternatively be submitted electronically through a secure Web site that shall be maintained by the secretary of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require applicants using the Web site to submit the applicant's e-mail address and verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the applicant's Social Security number.

An application submitted electronically under this paragraph may only be transmitted to the county auditor for processing if the secretary of state has verified the application information matches the information in a government database associated with the applicant's driver's license number, state identification card number, or Social Security number. The secretary of state must review all unverifiable applications for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

(b) An application shall be approved if it is timely received, signed and dated by the applicant, contains the applicant's name and residence and mailing addresses, date of birth, and at least one of the following:

- (1) the applicant's Minnesota driver's license number;
- (2) Minnesota state identification card number;
- (3) the last four digits of the applicant's Social Security number; or
- (4) a statement that the applicant does not have any of these numbers.

(c) To be approved, the application must contain an oath that the information contained on the form is accurate, that the applicant is applying on the applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

(d) An applicant's full date of birth, Minnesota driver's license or state identification number, and the last four digits of the applicant's Social Security number must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election. The absentee ballot applications or a list of persons applying for an absentee ballot may not be made available for public inspection until the close of voting on election day, except as authorized in section 203B.12.

(e) An application under this subdivision may contain an application under subdivision 5 to automatically receive an absentee ballot application.

Sec. 14. Minnesota Statutes 2016, section 203B.05, subdivision 2, is amended to read:

**Subd. 2. City, school district, and town elections.** For city, ~~and town, and school district~~ elections not held on the same day as a statewide election, applications for absentee ballots shall be filed with the city, ~~school district,~~ or town clerk and the duties prescribed by this chapter for the county auditor shall be performed by the city, ~~school district,~~ or town clerk unless the county auditor agrees to perform those duties on behalf of the city, ~~school district,~~ or town clerk. For school district elections not held on the same day as a statewide election, applications for absentee ballots shall be filed with the coordinating county auditor, and the coordinating county auditor shall perform the duties prescribed by this chapter for school district elections. The costs incurred to provide absentee ballots and perform the duties prescribed by this subdivision shall be paid by the city, ~~or town, or school district~~ holding the election. The school district shall reimburse the coordinating county for the costs incurred to provide absentee ballots and perform the duties prescribed in this subdivision.

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

Sec. 15. Minnesota Statutes 2016, section 203B.11, subdivision 1, is amended to read:

Subdivision 1. **Generally.** Each full-time municipal clerk ~~or school district clerk~~ who has authority under section 203B.05 to administer absentee voting laws shall designate election judges to deliver absentee ballots in accordance with this section. The county auditor must also designate election judges to perform the duties in this section. A ballot may be delivered only to an eligible

voter who is a temporary or permanent resident or patient in a health care facility or hospital located in the municipality in which the voter maintains residence. The ballots shall be delivered by two election judges, each of whom is affiliated with a different major political party. When the election judges deliver or return ballots as provided in this section, they shall travel together in the same vehicle. Both election judges shall be present when an applicant completes the certificate of eligibility and marks the absentee ballots, and may assist an applicant as provided in section 204C.15. The election judges shall deposit the return envelopes containing the marked absentee ballots in a sealed container and return them to the clerk on the same day that they are delivered and marked.

Sec. 16. Minnesota Statutes 2016, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, ~~and municipality, and school district~~ with responsibility to accept and reject absentee ballots must, by ordinance or resolution, establish a ballot board. The coordinating county board must, by ordinance or resolution, establish a ballot board for school district elections. The board must consist of a sufficient number of election judges trained in the handling of absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

Sec. 17. Minnesota Statutes 2016, section 203B.121, subdivision 2, is amended to read:

Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board shall take possession of all return envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or ~~school district clerk~~ coordinating county auditor, two or more members of the ballot board shall examine each return envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the return envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

(1) the voter's name and address on the return envelope are the same as the information provided on the absentee ballot application;

(2) the voter signed the certification on the envelope;

(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as a number on the voter's absentee ballot application or voter record. If the number does not match, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the return envelope;

(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the seventh day before the election, by absentee ballot.

The return envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a return envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the security envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(e) An absentee ballot return envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 18. Minnesota Statutes 2016, section 203B.15, is amended to read:

**203B.15 ADMINISTRATIVE EXPENSES.**

Each county shall pay the expenses incurred by its county auditor ~~and~~, each municipality ~~or school district~~ shall pay the expenses incurred by its clerk, and each school district shall pay the expenses incurred by the coordinating county for administering the provisions of sections 203B.04 to 203B.15.

Sec. 19. Minnesota Statutes 2016, section 204B.181, subdivision 2, is amended to read:

Subd. 2. **County elections emergency plans.** (a) County election officials, in consultation with the political subdivision's local organization for emergency management established under section 12.25 and the municipalities and school districts within the county, must develop a county elections emergency plan to be made available for use in all state, county, municipal, and school district elections held in that county.

(b) In developing the county elections emergency plan, the county must address the needs of voters with disabilities in all aspects of the plan. Where ballot security is affected, the plan must provide procedures to maintain the security of the ballots. When an emergency requires the relocation of the polling place, the plan must include procedures for securing the ballots and voting equipment, notifying the public and other government officials, and restoring voting activities as soon as possible. If the county contains jurisdictions that cross county lines, the affected counties must make efforts to ensure that the emergency procedures affecting the local jurisdiction are uniform throughout the jurisdiction.

(c) ~~Cities; and towns; and school districts~~ may create a local elections emergency plan that meets the requirements of the county elections emergency plan. If a local jurisdiction creates a local elections emergency plan, the procedures within the local elections emergency plan govern in all election emergencies within that local jurisdiction.

(d) County election officials and any municipality with a local elections emergency plan must review their county or local elections emergency plan prior to each state general election. Any revisions to the county or local elections emergency plan must be completed and filed with the secretary of state by July 1 prior to the state general election.

Sec. 20. Minnesota Statutes 2016, section 204B.25, subdivision 4, is amended to read:

Subd. 4. **Training for local election officials.** At least once every two years, the county auditor shall conduct training sessions for the municipal ~~and school district~~ clerks in the county. The training sessions must be conducted in the manner provided by the secretary of state. No local election official may administer an election without receiving training from the county auditor.

Sec. 21. Minnesota Statutes 2016, section 204B.29, is amended to read:

#### **204B.29 ELECTION JUDGES; ELECTION SUPPLIES; DUTIES.**

Subdivision 1. **Securing election materials.** Before 9:00 p.m. on the day preceding an election, at least one election judge from each precinct in each municipality, or school district if applicable, shall secure voter registration files, ballots, forms, envelopes and other required supplies from the municipal clerk, ~~school district clerk~~ coordinating county auditor, or other legal custodian. The election judge shall deliver the materials to the polling place before the time when voting is scheduled to begin on election day. The county auditor shall send or deliver the election supplies enumerated

in this section to the election judges in the precincts in unorganized territory. The election supplies may be sent by certified mail, parcel post, express mail or any other postal service providing assured delivery by no later than the day before the election. If the election supplies are delivered by any other means, they shall be delivered by no later than the day before the election.

Each precinct shall be furnished with 100 ballots of each kind for every 85 individuals who voted in that precinct at the last election for the same office or on similar questions, or with ballots of each kind in an amount at least ten percent greater than the number of votes which are reasonably expected to be cast in that precinct in that election, whichever supply of ballots is greater. No precinct shall be furnished with any ballots containing the name of any candidate who cannot properly be voted for in that precinct.

The election judges shall be responsible for the preservation of all election materials received by them until returned to the appropriate election officials after the voting has ended.

Subd. 2. **Failure of election judges to secure materials.** If no election judge secures the election materials for a precinct in any municipality, or school district if applicable, as provided in subdivision 1, the municipal ~~or school district~~ clerk or coordinating county auditor shall deliver them to an election judge for that precinct not later than the time when voting is scheduled to begin. The municipal ~~or school district~~ clerk or coordinating county auditor shall require the election judge accepting delivery of the election supplies to sign a receipt for them. The election judges of that precinct shall pay the expenses of delivery of the materials and shall be liable for the penalty provided by law for neglect of duty.

Sec. 22. Minnesota Statutes 2016, section 204B.32, is amended to read:

**204B.32 ELECTION EXPENSES; PAYMENT.**

Subdivision 1. **Payment.** (a) The secretary of state shall pay the compensation for presidential electors and all necessary expenses incurred by the secretary of state in connection with elections.

(b) The counties shall pay the compensation prescribed in section 204B.31, clauses (2) and (3), the cost of printing the state general election ballots when machines are used, the state partisan primary ballots, and the state and county nonpartisan primary ballots, all necessary expenses incurred by county auditors in connection with elections, and the expenses of special county elections.

(c) Subject to subdivision 2, the municipalities shall pay the compensation prescribed for election judges and sergeants at arms, the cost of printing the municipal ballots, providing ballot boxes, providing and equipping polling places and all necessary expenses of the municipal clerks in connection with elections, except special county elections.

(d) ~~The school districts shall pay the compensation prescribed for election judges and sergeants at arms, the cost of printing the school district ballots, providing ballot boxes, providing and equipping polling places and all necessary expenses of the school district clerks in connection with school district elections not held in conjunction with state elections.~~ When school district elections are held in conjunction with state elections, the school district shall pay must reimburse the coordinating county for the costs of printing the school district ballots, providing ballot boxes, and all necessary expenses of the school district clerk coordinating county or administering counties. When school district elections are not held in conjunction with state elections, the school district

must reimburse the coordinating county for the following costs incurred in the coordinating county or any administering county: the compensation prescribed for election judges and sergeants-at-arms, the cost of printing the school district ballots, providing ballot boxes, providing and equipping polling places, and all necessary expenses of the coordinating county and administering counties.

(e) All disbursements under this section shall be presented, audited, and paid as in the case of other public expenses.

Subd. 2. **Allocation of election expenses.** The secretary of state shall develop procedures for the allocation of election expenses among counties, municipalities, and school districts for elections that are held concurrently. The following expenses must be included in the procedures: salaries of election judges; postage for absentee ballots and applications; preparation of polling places; preparation and testing of electronic voting systems; ballot preparation; publication of election notices and sample ballots; transportation of ballots and election supplies; and compensation for administrative expenses of the county auditor, coordinating county auditor, administering county auditor, or municipal clerk, or school district clerk. The costs attributable to the school district election must be paid by the school district to the coordinating county auditor.

Subd. 3. **School district reimbursement of county costs.** For all school district elections, each administering county must submit to the coordinating county an itemized list of expenses for conducting the administering county's share of the school district election. The coordinating county auditor must seek reimbursement from the school district for the total cost of the school district election. The coordinating county auditor must then reimburse each administering county for that county's share of the election expenses.

Sec. 23. Minnesota Statutes 2016, section 204B.40, is amended to read:

**204B.40 BALLOTS; ELECTION RECORDS AND OTHER MATERIALS; DISPOSITION; INSPECTION OF BALLOTS.**

The county auditors, municipal clerks, and ~~school district clerks~~ coordinating county auditor shall retain all election materials returned to them after any election for at least 22 months from the date of that election. All election materials involved in a contested election must be retained for 22 months or until the contest has been finally determined, whichever is later. Abstracts filed by canvassing boards shall be retained permanently by any officer with whom those abstracts are filed. Election materials no longer required to be retained pursuant to this section shall be disposed of in accordance with sections 138.163 to 138.21. Sealed envelopes containing voted ballots must be retained unopened, except as provided in this section, in a secure location. The county auditor, municipal clerk, or ~~school district clerk~~ coordinating county auditor shall not permit any voted ballots to be tampered with or defaced.

After the time for filing a notice of contest for an election has passed, the secretary of state may, for the purpose of monitoring and evaluating election procedures: (1) open the sealed ballot envelopes and inspect the ballots for that election maintained by the county auditors, municipal clerks, or ~~school district clerks~~ coordinating county auditor; (2) inspect the polling place rosters and completed voter registration applications; or (3) examine other forms required in the Minnesota election laws for use in the polling place. No inspected ballot or document may be marked or identified in any manner. After inspection, all ballots must be returned to the ballot envelope and the ballot envelope

must be securely resealed. Any other election materials inspected or examined must be secured or resealed. No polling place roster may be inspected until the voting history for that precinct has been posted. No voter registration application may be inspected until the information on it has been entered into the statewide registration system.

Sec. 24. Minnesota Statutes 2016, section 204B.46, is amended to read:

**204B.46 MAIL ELECTIONS; QUESTIONS.**

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election. Notice of the election must be given to the county auditor at least 74 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, ~~or deputy municipal clerks, or deputy school district clerks~~ who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from ballots may be made public before the close of voting on election day.

Sec. 25. Minnesota Statutes 2016, section 204C.08, subdivision 4, is amended to read:



Subd. 4. **Ballot box boxcar seals.** The governing body of a municipality or school district by resolution may direct the municipal ~~or school district~~ clerk or coordinating county auditor to furnish a boxcar seal for each ballot box in place of a lock and key. Each seal shall consist of a numbered strap with a self-locking device securely attached to one end of the strap so that the other end may be inserted and securely locked in the seal. No two straps shall bear the same number.

Sec. 26. Minnesota Statutes 2016, section 204C.20, subdivision 4, is amended to read:

Subd. 4. **Ballots not counted; disposition.** When the final count of ballots agrees with the number of ballots to be counted, those ballots not counted shall be attached to a certificate made by the election judges which states why the ballots were not counted. The certificate and uncounted ballots shall be sealed in a separate envelope and returned to the county auditor ~~or~~ municipal ~~or school district~~ clerk, or coordinating county auditor from whom they were received.

Sec. 27. Minnesota Statutes 2016, section 204C.25, is amended to read:

#### **204C.25 DISPOSITION OF BALLOTS.**

After the count and the summary statements have been completed, in the presence of all the election judges, the counted, defective, and blank ballots shall be placed in envelopes, and the envelopes shall be sealed. The election judges shall sign each envelope over the sealed part so that the envelope cannot be opened without disturbing the continuity of the signatures. The number of ballots in each envelope, the name of the town or city, and the name of the precinct shall be plainly written upon the envelopes. The number and name of the district must be plainly written on envelopes containing school district ballots. The spoiled ballots shall be placed in separate envelopes and returned with the unused ballots to the county auditor ~~or~~ municipal ~~or school district~~ clerk, or coordinating county auditor from whom they were received.

Sec. 28. Minnesota Statutes 2016, section 204C.26, subdivision 3, is amended to read:

Subd. 3. **Secretary of state.** No later than ten weeks before the state primary in each even-numbered year, the secretary of state shall prescribe the form for summary statements of election returns and the methods by which returns for the state primary and state general election shall be recorded by precinct, county, and state election officials. Each county auditor ~~and~~ municipal ~~or school district~~ clerk, and coordinating county auditor required to furnish summary statements shall prepare them in the manner prescribed by the secretary of state. The summary statement of the primary returns shall be in the same form as the summary statement of the general election returns except that a separate part of the summary statement shall be provided for the partisan primary ballot and a separate part for the nonpartisan primary ballot.

Sec. 29. Minnesota Statutes 2016, section 204C.27, is amended to read:

#### **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

One or more of the election judges in each precinct shall deliver two sets of summary statements; all spoiled ballots; and the envelopes containing the ballots either directly to the municipal clerk for transmittal to the county auditor's office or directly to the county auditor's office as soon as possible after the vote counting is completed but no later than 24 hours after the end of the hours for voting. One or more election judges shall deliver the remaining set of summary statements and returns, all

unused and spoiled municipal and school district ballots, the envelopes containing municipal and school district ballots, and all other things furnished by the municipal ~~or school district~~ clerk or coordinating county auditor, to the municipal ~~or school district~~ clerk's or coordinating county auditor's office within 24 hours after the end of the hours for voting. The municipal ~~or school district~~ clerk or coordinating county auditor shall return all polling place rosters and completed voter registration cards to the county auditor within 48 hours after the end of the hours for voting.

Sec. 30. Minnesota Statutes 2016, section 204C.28, subdivision 3, is amended to read:

Subd. 3. **School district returns and materials.** At a school district election held in conjunction with a state election, the county auditor or municipal clerk shall deliver the summary statements of the school district election returns, all unused and spoiled school district ballots, and the envelope containing the school district ballots from each precinct to the ~~clerk of the appropriate school district~~ coordinating county auditor within 48 hours after the polls close.

Sec. 31. Minnesota Statutes 2016, section 204C.29, subdivision 1, is amended to read:

Subdivision 1. **Failure of election judges to make delivery; penalty.** If the election judges fail to deliver returns as required by section 204C.27, the county auditor ~~or~~ municipal ~~or school district~~ clerk, or coordinating county auditor to whom the returns should have been delivered shall dispatch a special messenger to obtain them. The messenger shall receive the same compensation as an election judge would receive for performing the same service and shall be subject to the same penalties as an election judge for violation of any provision of the Minnesota Election Law.

Sec. 32. Minnesota Statutes 2016, section 204C.36, subdivision 1, is amended to read:

Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and (c), a losing candidate for nomination or election to a county, municipal, or school district office may request a recount of the votes cast for the nomination or election to that office if the difference between the vote cast for that candidate and for a winning candidate for nomination or election is less than one-quarter of one percent of the total votes counted for that office. In case of offices where two or more seats are being filled from among all the candidates for the office, the one-quarter of one percent difference is between the elected candidate with the fewest votes and the candidate with the most votes from among the candidates who were not elected.

(b) A losing candidate for nomination or election to a county, municipal, or school district office may request a recount of the votes cast for nomination or election to that office if the difference between the votes cast for that candidate and for a winning candidate for nomination or election is less than one-half of one percent, and the total number of votes cast for the nomination or election of all candidates is more than 400 but less than 50,000. In cases of offices where two or more seats are being filled from among all the candidates for the office, the one-half of one percent difference is between the elected candidate with the fewest votes and the candidate with the most votes from among the candidates who were not elected.

(c) A losing candidate for nomination or election to a county, municipal, or school district office may request a recount of the votes cast for nomination or election to that office if the difference between the vote cast for that candidate and for a winning candidate for nomination or election is ten votes or less, and the total number of votes cast for the nomination or election of all candidates is no more than 400. In cases of offices where two or more seats are being filled from among all the

candidates for the office, the ten vote difference is between the elected candidate with the fewest votes and the candidate with the most votes from among the candidates who were not elected.

(d) Candidates for county offices shall file a written request for the recount with the county auditor. Candidates for municipal ~~or school district~~ offices shall file a written request with the municipal ~~or school district~~ clerk ~~as appropriate~~. Candidates for school district offices shall file a written request for the recount with the coordinating county auditor. All requests shall be filed by 5:00 p.m. on the fifth day after the canvass of a primary or special primary or by 5:00 p.m. on the seventh day of the canvass of a special or general election for which a recount is sought.

(e) Upon receipt of a request made pursuant to this section, the county auditor shall recount the votes for a county office at the expense of the county, the governing body of the municipality shall recount the votes for a municipal office at the expense of the municipality, and the ~~school board of the school district~~ coordinating county auditor shall recount the votes for a school district office at the expense of the school district.

Sec. 33. Minnesota Statutes 2016, section 204C.36, subdivision 2, is amended to read:

Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate for nomination or election to a county, municipal, or school district office may request a recount in the manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by subdivision 1, paragraphs (a) to (e). The votes shall be manually recounted as provided in this section if the requesting candidate files with the county auditor, municipal clerk, or ~~school district clerk~~ coordinating county auditor a bond, cash, or surety in an amount set by the governing body of the jurisdiction ~~or the school board of the school district~~ for the payment of the recount expenses.

(b) The requesting candidate may provide the filing officer with a list of up to three precincts that are to be recounted first and may waive the balance of the recount after these precincts have been counted. If the candidate provides a list, the recount official must determine the expenses for those precincts in the manner provided by paragraph (b).

(c) A discretionary recount of a primary must not delay delivery of the notice of nomination to the winning candidate under section 204C.32.

(d) The results of the recount must be certified by the canvassing board as soon as possible.

(e) If the winner of the race is changed by the optional recount, the cost of the recount must be paid by the jurisdiction conducting the recount.

(f) If a result of the vote counting in the manual recount is different from the result of the vote counting reported on election day by a margin greater than the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4, the cost of the recount must be paid by the jurisdiction conducting the recount.

Sec. 34. Minnesota Statutes 2016, section 204C.36, subdivision 3, is amended to read:

Subd. 3. **Discretionary ballot question recounts.** A recount may be conducted for a ballot question when the difference between the votes for and the votes against the question is less than

or equal to the difference provided in subdivision 1. A recount may be requested by any person eligible to vote on the ballot question. A written request for a recount must be filed with the ~~filing officer of the county, municipality, or school district~~ municipal clerk, county auditor, or coordinating county auditor placing the question on the ballot and must be accompanied by a petition containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a written request when the difference between the votes for and the votes against the question is less than or equal to the difference provided in subdivision 1, the county auditor shall recount the votes for a county question at the expense of the county, the governing body of the municipality shall recount the votes for a municipal question at the expense of the municipality, and the ~~school board of the school district~~ coordinating county auditor shall recount the votes for a school district question at the expense of the school district. If the difference between the votes for and the votes against the question is greater than the difference provided in subdivision 1, the person requesting the recount shall also file with the filing officer of the county, municipality, or school district a bond, cash, or surety in an amount set by the appropriate governing body for the payment of recount expenses. The written request, petition, and any bond, cash, or surety required must be filed during the time for notice of contest for the election for which the recount is requested.

Sec. 35. Minnesota Statutes 2016, section 204C.36, subdivision 5, is amended to read:

Subd. 5. **Notice of contest.** Time for notice of contest of a nomination or election to a county office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the county canvassing board. Time for notice of contest of a nomination or election to a municipal office which is recounted pursuant to this section shall begin to run upon certification of the results by the governing body of the municipality. Time for notice of contest of a school district election that is recounted under this subdivision begins to run on certification of the results of the recount by the school ~~board~~ district canvassing boards.

Sec. 36. Minnesota Statutes 2016, section 204D.09, subdivision 1, is amended to read:

Subdivision 1. **Example ballot.** No later than May 1 of each year, the secretary of state shall supply each auditor with a copy of an example ballot to be used at the state primary and state general election. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year. The county auditor shall distribute copies of the example ballot to municipal ~~and school district~~ clerks in municipalities ~~and school districts~~ holding elections that year. The official ballot must conform in all respects to the example ballot.

Sec. 37. Minnesota Statutes 2016, section 205A.03, subdivision 3, is amended to read:

Subd. 3. **Candidates, filing.** The ~~clerk~~ coordinating county auditor shall place upon the primary ballot without partisan designation the names of individuals whose candidacies have been filed and for whom the proper filing fee has been paid. When not more than twice as many school board candidates as there are at-large school board positions available file for nomination for the office or when not more than two candidates for a specified school board position file for nomination for that office, their names must not be placed upon the primary ballot and must be placed on the school district general election ballot as the nominees for that office. When more than one school board member is to be elected for full terms at the same election, the candidates' names shall be placed under one office on the ballot with the number to be elected to the office specified directly underneath the title and identification of the office.

Sec. 38. Minnesota Statutes 2016, section 205A.03, subdivision 4, is amended to read:

Subd. 4. **Results.** (a) The school district primary must be conducted and the returns made in the manner provided for the state primary as far as practicable. ~~If the primary is conducted:~~

~~(1) only within that school district, A canvass may be conducted on either the second or third day after the primary; or~~

~~(2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).~~

The ~~school board of the~~ school district canvassing board shall canvass the returns, and the two candidates for each specified school board position who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to at-large school board positions who receive the highest number of votes, are the nominees for the office named. Their names must be certified to the ~~school district clerk~~ coordinating county auditor who shall place them on the school district general election ballot without partisan designation and without payment of an additional fee.

(b) Following a school district primary as described in paragraph (a), clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the school district is located agrees to administratively review the school district's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.

Sec. 39. Minnesota Statutes 2016, section 205A.04, subdivision 3, is amended to read:

Subd. 3. **Change in year of general election.** The school board may, by resolution, change the year in which the school district general election will be held. The resolution must be approved no later than four weeks before the first day to file affidavits of candidacy for the general election. A plan for the orderly transition to the new election year must be included in the resolution. The terms of school board members may be lengthened or shortened by one year as a part of the transition process. Within seven days of adoption, the school board must transmit a copy of the resolution to the coordinating county auditor.

Sec. 40. Minnesota Statutes 2016, section 205A.05, subdivision 3, is amended to read:

Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion under subdivision 1 may be canceled by motion of the school board, but not less than 74 days before an election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other election. Within three days of adoption, the school board must notify the county auditor of the coordinating county that the election is canceled.

Sec. 41. Minnesota Statutes 2016, section 205A.055, subdivision 2, is amended to read:

Subd. 2. **Postponement of election.** (a) In the event of severe or inclement weather, the ~~school district clerk~~ coordinating county auditor may postpone an election when the National Weather Service or a law enforcement agency has issued storm warnings or travel advisories indicating that

the weather conditions would make travel to a polling place difficult or hazardous for voters and election judges. When one or more jurisdictions are holding elections in conjunction with one another, the jurisdiction that covers the largest geographic area has the authority, after consulting with the other auditors and clerks, to make the decision to postpone all of the elections. A decision to postpone an election must apply to every precinct in the jurisdiction.

(b) A decision to postpone an election must be made no later than 6:00 p.m. on the day before the election. The ~~clerk~~ coordinating county auditor must contact the election judges and notify local media outlets of the postponement. The clerk and coordinating county auditor must also post a notice on ~~the~~ each jurisdiction's Web site, if practicable.

(c) A postponed election must be rescheduled for the next following Tuesday after the election was originally scheduled. The date on which the postponed election will be held shall be considered the date of the election for purposes of absentee voting under chapter 203B. An election that is postponed due to weather may be postponed again if necessary under this section.

Sec. 42. Minnesota Statutes 2016, section 205A.06, subdivision 1, is amended to read:

Subdivision 1. **Affidavit of candidacy.** An individual who is eligible and desires to become a candidate for an office to be voted on at the election must file an affidavit of candidacy with the ~~school district clerk~~ coordinating county auditor. The affidavit must be in the form prescribed by section 204B.06. The ~~school district clerk~~ coordinating county auditor shall also accept an application signed by at least five voters and filed on behalf of an eligible voter in the school district whom they desire to be a candidate, if service of a copy of the application has been made on the candidate and proof of service is endorsed on the application being filed. No individual shall be nominated by nominating petition for a school district elective office. Upon receipt of the proper filing fee, the ~~clerk~~ coordinating county auditor shall place the name of the candidate on the official ballot without partisan designation.

Sec. 43. Minnesota Statutes 2016, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the ~~school district clerk~~ auditor of the coordinating county no earlier than the 84th day and no later than the 70th day before the second Tuesday in August in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the 98th day and no later than the 84th day before the school district general election.

Sec. 44. Minnesota Statutes 2016, section 205A.06, subdivision 2, is amended to read:

Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits of candidacy, the ~~school district clerk~~ coordinating county auditor shall publish a notice in the official newspaper stating the first and last dates on which affidavits of candidacy may be filed in the ~~clerk's~~ coordinating county auditor's office and the closing time for filing on the last day for filing. The school district clerk shall post a similar notice in the administrative offices of the school district at least ten days before the first day to file affidavits of candidacy.

Sec. 45. Minnesota Statutes 2016, section 205A.06, subdivision 5, is amended to read:

Subd. 5. **Withdrawal.** A candidate for a school district elective office may withdraw from the election by filing an affidavit of withdrawal with the ~~school district clerk~~ coordinating county auditor no later than 5:00 p.m. two days after the last day for filing affidavits of candidacy. After that date, no candidate may file an affidavit of withdrawal.

Sec. 46. Minnesota Statutes 2016, section 205A.07, subdivision 1, is amended to read:

Subdivision 1. **Publication and posting.** The ~~clerk of a school district~~ coordinating county auditor shall give two weeks' published notice and give ten days' posted notice of a school district primary, general, or special election, stating the time of the election, the location of each polling place, the offices to be filled, and all propositions or questions to be voted upon at the primary, general, or special election. The notice shall be posted for public inspection in the administrative offices of the school district ~~for public inspection~~ and at the county seat of the coordinating county and each administering county.

Sec. 47. Minnesota Statutes 2016, section 205A.07, subdivision 2, is amended to read:

Subd. 2. **Sample ballot, posting.** For every school district primary, general, or special election, the school district clerk shall at least four days before the primary, general, or special election, post a sample ballot in the administrative offices of the school district for public inspection, ~~and~~ The auditor of the coordinating county and each administering county must post a sample ballot at the county seat. The coordinating county auditor shall post a sample ballot in each polling place on election day.

Sec. 48. Minnesota Statutes 2016, section 205A.07, subdivision 3, is amended to read:

Subd. 3. **Notice to auditor.** At least 74 days before every school district election, the ~~school district clerk~~ coordinating county auditor shall provide a written notice to the county auditor of each administering county in which the school district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. For the purposes of meeting the timelines of this section, in a bond election, a notice, including a proposed question, may be provided to the county auditor before receipt of a review and comment from the commissioner of education and before actual initiation of the election. At least 74 days before every school district election, the school district clerk must provide written notice to the county auditor of any special election canceled under section 205A.05, subdivision 3.

Sec. 49. Minnesota Statutes 2016, section 205A.07, subdivision 3a, is amended to read:

Subd. 3a. **Notice to commissioner of education.** At least 74 days before every school district election under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the ~~school district clerk~~ coordinating county auditor shall provide a written notice to the commissioner of education. The notice must include the date of the election and the title and language for each ballot question to be voted on at the election. At least 74 days before every school district election, the ~~school district clerk~~ coordinating county auditor must provide a written notice to the commissioner of education of any special election canceled under section 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided in a written notice to the commissioner in a timely manner.

Sec. 50. Minnesota Statutes 2016, section 205A.07, subdivision 3b, is amended to read:

Subd. 3b. **Notice to secretary of state.** At least 74 days before every school district election ~~for which a notice is provided to the county auditor under subdivision 3,~~ the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 51. Minnesota Statutes 2016, section 205A.08, subdivision 5, is amended to read:

Subd. 5. **Form of ballot.** The ballots for school district elections must be prepared by the ~~school district clerk~~ coordinating county auditor in the manner provided in the rules of the secretary of state.

Sec. 52. Minnesota Statutes 2016, section 205A.10, subdivision 1, is amended to read:

Subdivision 1. **Materials, ballots.** The ~~school district clerk~~ coordinating county auditor shall prepare and have printed the necessary election materials, including ballots, for a school district election. The names must be arranged on school district ballots in the manner provided in section 204D.08, subdivision 3, for state elections.

Sec. 53. Minnesota Statutes 2016, section 205A.10, subdivision 2, is amended to read:

Subd. 2. **Election, conduct.** A school district election must be by secret ballot and must be held and the returns made in the manner provided for the state general election, as far as practicable. The vote totals from a ballot board established pursuant to section 203B.121 may be tabulated and reported by the school district as a whole rather than by precinct. ~~For school district elections not held in conjunction with a statewide election, the school board shall appoint election judges as provided in section 204B.21, subdivision 2. The provisions of sections 204B.19, subdivision 5; 204B.21, subdivision 2; 204C.15; 204C.19; 206.83; and 206.86, subdivision 2, relating to party balance in appointment of judges and to duties to be performed by judges of different major political parties do not apply to school district elections not held in conjunction with a statewide election.~~

Sec. 54. Minnesota Statutes 2016, section 205A.10, subdivision 3, is amended to read:

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the third and tenth days after a school district election other than a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school ~~board~~ district canvassing board shall canvass the returns and declare the results of the election. After the time for contesting elections has passed, the ~~school district clerk~~ coordinating county auditor shall issue a certificate of election to each successful candidate. If there is a contest, the certificate of election to that office must not be issued until the outcome of the contest has been determined by the proper court. If there is a tie vote, the ~~school board~~ coordinating county auditor shall determine the result by lot. The ~~clerk~~ coordinating county auditor shall deliver the certificate of election to the successful candidate by personal service or certified mail. The successful candidate shall file an acceptance and oath of office in writing with the ~~clerk~~ coordinating county auditor within 30 days of the date of mailing or personal service. A person who fails to qualify prior to the time specified shall be deemed to have refused to serve, but that filing may be made at any time before action to fill the vacancy has been taken. ~~The school district clerk shall certify the results of the election to the county auditor, and the clerk~~ coordinating county auditor shall be the final custodian of the ballots and the returns of the election. The coordinating county auditor must notify the school district clerk of the election results.



~~A school district canvassing board shall perform the duties of the school board according to the requirements of this subdivision for a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59.~~

Sec. 55. Minnesota Statutes 2016, section 205A.10, subdivision 5, is amended to read:

Subd. 5. **School district canvassing board.** For the purpose of a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school district canvassing board shall consist of one member of the school board other than the clerk, selected by the board, the clerk of the school board, the coordinating county auditor of the county in which the greatest number of school district residents reside, ~~the county auditor from each coordinating county~~, the court administrator of the district court of the judicial district in which the greatest number of school district residents reside, and the mayor or chair of the town board of the school district's most populous municipality. Any member of the canvassing board may appoint a designee to appear at the meeting of the board, except that no designee may be a candidate for public office. If one of the individuals fails to appear at the meeting of the canvassing board, the county auditor shall appoint an eligible voter of the school district, who must not be a member of the school board, to fill the vacancy. Not more than two school board members shall serve on the canvassing board at one time. Four members constitute a quorum.

~~The school district canvassing board shall serve as the school district canvassing board for canvass the election of school board members.~~

Sec. 56. Minnesota Statutes 2016, section 205A.11, subdivision 2a, is amended to read:

Subd. 2a. **Notice of special elections.** ~~The school district clerk~~ coordinating county auditor shall prepare a notice to the voters who will be ~~voting in a combined polling place for~~ eligible to vote in a school district special election. The notice must include the following information: the date of the election, the hours of voting, and the location of the voter's polling place. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter. The notice must be mailed no later than 14 days before the election. The mailed notice is not required for a school district special election that is held on the second Tuesday in August, the Tuesday following the first Monday in November, or for a special election conducted entirely by mail. ~~A notice that is returned as undeliverable must be forwarded immediately to the county auditor.~~

Sec. 57. Minnesota Statutes 2016, section 209.021, subdivision 3, is amended to read:

Subd. 3. **Notice served on parties.** In all contests relating to the nomination or election of a candidate, the notice of contest must be served on the candidate who is the contestee, a copy of the notice must be sent to the contestee's last known address by certified mail, and a copy must be furnished to the official authorized to issue the certificate of election. If personal or substituted service on the contestee cannot be made, an affidavit of the attempt by the person attempting to make service and the affidavit of the person who sent a copy of the notice to the contestee by certified mail is sufficient to confer jurisdiction upon the court to decide the contest.

If the contest relates to a constitutional amendment, notice of contest must be served on the secretary of state, who is the contestee. If a contest relates to a question voted on within only one county, school district, or municipality, a copy of the notice of contest must be served on the county auditor, ~~clerk of the school district~~ coordinating county auditor, or municipal clerk, respectively,

who is the contestee. If the contest is upon the question of consolidation or reorganization of a school district, a copy of the notice of contest must be served on the county auditor authorized by law to issue the order.

Sec. 58. Minnesota Statutes 2016, section 211B.11, subdivision 1, is amended to read:

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

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

Sec. 59. **REVISOR'S INSTRUCTION.**

The revisor of statutes must make any corrections to cross-references made necessary by this article. The revisor of statutes must make any changes to statutory language to reflect the changes made in this article.

Sec. 60. **REPEALER.**

Minnesota Statutes 2016, sections 201.096; 205A.09; 205A.11, subdivisions 2 and 3; and 205A.12, subdivision 5a, are repealed.

Sec. 61. **EFFECTIVE DATE.**

This article is effective January 1, 2018, and applies to school elections held on or after that date.

## ARTICLE 4

### CHALLENGES; VOTER INFORMATION

Section 1. Minnesota Statutes 2016, section 13.607, is amended by adding a subdivision to read:

Subd. 9. **Election judge party affiliation.** The party affiliation of election judges is classified as provided in section 204B.21, subdivision 3.

Sec. 2. Minnesota Statutes 2016, section 13.6905, subdivision 33, is amended to read:

Subd. 33. **Citizenship data; voter registration.** The use of citizenship data reported to the secretary of state is governed by section ~~201.158~~ 201.145.

Sec. 3. Minnesota Statutes 2016, section 13.841, subdivision 3, is amended to read:

Subd. 3. **Felony conviction data; voter registration.** Felony conviction data reported to the secretary of state is governed by section ~~201.155~~ 201.145.

Sec. 4. Minnesota Statutes 2016, section 13.851, subdivision 10, is amended to read:

Subd. 10. **Felony offender data; voter registration.** The use of felony offender data made available to the secretary of state is governed by section ~~201.157~~ 201.145.

Sec. 5. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 29. **Personal knowledge.** "Personal knowledge" means knowledge gained through firsthand observation or experience, as opposed to knowledge based on what someone else has said.

Sec. 6. Minnesota Statutes 2016, section 201.091, subdivision 4, is amended to read:

Subd. 4. **Public information lists.** (a) The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county. The list must indicate each voter whose status is challenged in the statewide voter registration system at the time the list was prepared. For each voter, the list must include the history of each change in status and the date that the change to that status was made. The list must include the party choice of any voter who voted in the most recent presidential nomination primary. The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The list must also include individuals that were previously registered but were removed from the statewide voter registration system, and the reason for the removal.

(b) The county auditor may adopt reasonable rules governing access to the list. No individual inspecting the public information list shall tamper with or alter it in any manner. No individual who inspects the public information list or who acquires a list of registered voters prepared from the public information list may use any information contained in the list for purposes unrelated to elections, political activities, or law enforcement.

(c) The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute.

(d) Before inspecting the public information list or obtaining a list of voters or other information from the list, the individual shall provide identification to the public official having custody of the public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

(e) Upon receipt of a statement signed by the voter that withholding the voter's name from the public information list is required for the safety of the voter or the voter's family, the secretary of

state and county auditor must withhold from the public information list the name of a registered voter.

**EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to public information lists created on or after that date. No information on status changes or individuals removed from the statewide voter registration system collected prior to July 1, 2017, must not be included on a public information list.

Sec. 7. Minnesota Statutes 2016, section 201.121, subdivision 3, is amended to read:

Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor shall send the notice required by subdivision 2 to a random sampling of the individuals registered on election day. The random sampling shall be determined in accordance with the rules of the secretary of state. As soon as practicable after the election, the county auditor shall mail the notice required by subdivision 2 to all other individuals registered on election day. If a notice is returned as not deliverable, the county auditor shall attempt to determine the reason for the return. A county auditor who does not receive or obtain satisfactory proof of an individual's eligibility to vote shall immediately notify the county attorney of all of the relevant information ~~and the secretary of state of the numbers by precinct.~~ The county auditor must notify the secretary of state of the following information for each precinct:

(1) the total number of all notices that were returned as nondeliverable;

(2) the total number of nondeliverable notices that the county auditor was able to determine the reason for the return along with the reason for each return;

(3) the total number of nondeliverable notices that the county auditor was unable to determine the reason for the return.

(b) By March 1 of every odd-numbered year, the secretary of state shall report to the chair and ranking minority members of the legislative committees with jurisdiction over elections ~~the number of notices reported under this subdivision to the secretary of state for the previous state general election by county and precinct.~~ following information for each precinct and each county:

(1) the total number of all notices that were returned as nondeliverable;

(2) the total number of nondeliverable notices that a county auditor was able to determine the reason for the return along with the reason for each return; and

(3) the total number of nondeliverable notices that a county auditor was unable to determine the reason for the return.

Sec. 8. **[201.145] REPORTS ON GUARDIANSHIPS, LEGAL INCOMPETENCE, FELONY CONVICTIONS, AND CITIZENSHIP; STATUS CHANGES.**

Subdivision 1. **Report requirements.** (a) Reports from the state court administrator that are required under this section must be made on a daily basis, excluding weekends and holidays. Reports from the commissioner of corrections and the commissioner of public safety that are required under this section must be made to the secretary of state at least monthly. Reports must be submitted by

electronic means. Reports from the commissioner of corrections and the commissioner of public safety must include a complete list of each individual under the reporting entity's jurisdiction and must not provide only the changes since the last report.

(b) The secretary of state must retain each report for a minimum of four years. The reports must be retained in the statewide voter registration system in a manner that allows users to search the reports for a particular date.

**Subd. 2. State court administrator report.** (a) The state court administrator must report on individuals 17 years of age or older who are under a guardianship in which the court order revokes the ward's right to vote or where the court has found the individual to be legally incompetent to vote.

(b) The state court administrator must report on individuals transferred to the jurisdiction of the court who meet a condition specified in paragraph (a).

(c) Each report required under this subdivision must include the following information for each individual in the report: name, address, date of birth, and, if available, last four digits of the Social Security number and driver's license or state identification card number.

(d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraphs (a) and (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list. The county auditor must include the reason for the challenge.

**Subd. 3. Commissioner of corrections report; state court administrator report.** (a) The state court administrator must report on individuals who have been convicted of a felony.

(b) The commissioner of corrections must report on individuals 17 years of age or older who are currently:

(1) serving felony sentences under the commissioner's jurisdiction; or

(2) on probation for felony offenses that resulted in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.

(c) Each report under this subdivision must include the following information for each individual: name, address or last known residential address that is not a correctional facility, and date of birth. If available, each report must also include the individual's: corrections' state identification number, last four digits of the Social Security number, driver's license or state identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

(d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraphs (a) and (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the

record in the statewide voter registration system of each individual named in the list. The county auditor must include the reason for the challenge.

(e) The county auditor must identify an individual who registered to vote or voted while serving a felony sentence under the commissioner's jurisdiction or while on probation for a felony offense that resulted in the loss of civil rights during a period when the individual's civil rights were revoked. The county auditor must immediately send notice to the county attorney. The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual registered to vote or voted during the period when the individual's civil rights were revoked.

**Subd. 4. Reports; restoration of right to vote.** (a) The state court administrator must report on each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph (a).

(b) The state court administrator must report on individuals previously convicted of a felony whose civil rights have been restored.

(c) The commissioner of corrections must report on individuals who were serving a felony sentence under the commissioner's jurisdiction, or who were on probation for a felony offense, that resulted in the loss of civil rights but who have been discharged from the sentence.

(d) Each report under this subdivision must include the following information for each individual: name, address, date of birth, and, if available, the last four digits of the Social Security number. For reports required by paragraphs (b) and (c), each report must also include the individual's, if available: corrections' state identification number, driver's license or state identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

(e) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must remove the challenge status on the record in the statewide voter registration system of each individual named in the list. The county auditor must include the reason for removing the challenge.

**Subd. 5. Commissioner of public safety report.** (a) The commissioner of public safety must report on individuals identified by department data as noncitizens.

(b) The report under this section must include the following information for each individual: name, address, date of birth, driver's license or state identification card number, and, if available, last four digits of the Social Security number.

(c) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) is registered to vote and prepare a list of those voters for the county auditor. Within seven calendar days of receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide

voter registration system of each individual named in the list. The county auditor must include the reason for the challenge.

(d) The county auditor must also immediately send notice to the county attorney. The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual registered to vote or voted and is not a citizen.

Subd. 6. **Notice of challenge.** No later than seven days after changing the status of a registrant in the statewide voter registration system, the county auditor must mail a notice to the registrant. The notice must include, at a minimum, the following information:

(1) a statement that the voter's status was challenged or that a challenge was removed;

(2) the reason for the change;

(3) a copy of the information provided by the entity that was the basis for the change in status; and

(4) a description of the process to contest the change in status, as provided in section 201.146.

**Sec. 9. [201.146] CONTESTING A CHALLENGE.**

(a) An individual whose status was challenged in the statewide voter registration system pursuant to section 201.145 has the right to contest the challenge as provided in this section.

(b) To contest the challenge, the individual must file a contest petition with the named entity. The petition must state the basis for the contest and provide any supporting documentation. The individual may request a review meeting as part of the petition. The petition must be in a form prescribed by the secretary of state.

(c) No later than seven days after receiving the contest petition, the named entity must review the contest petition and any supporting documentation, as well as the data provided to the secretary of state. If the individual requested a review meeting, the named entity must schedule a meeting with the individual within 14 days after receiving the contest petition.

(d) After reviewing the required data, and after the review meeting if one occurred, the named entity must determine whether the data is accurate or should be changed. If the named entity determines that no change to the data is required, the named entity must notify the individual. If the named entity determines that the data must be changed, the named entity must promptly notify the individual and the secretary of state. Upon receiving the changed data from the named entity, the secretary of state must promptly remove the challenged status. If an individual disagrees with the decision of the named entity, the individual may appeal to the district court.

(e) For purposes of this section, "named entity" means the entity listed in the notice as required by section 201.145, subdivision 6.

Sec. 10. Minnesota Statutes 2016, section 204B.21, subdivision 2, is amended to read:

Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a municipality shall be appointed by the governing body of the municipality. Election judges for

precincts in unorganized territory and for performing election-related duties assigned by the county auditor shall be appointed by the county board. Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes. Except as otherwise provided in this section, appointments shall be made from lists furnished pursuant to subdivision 1 subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. If no lists have been furnished or if additional election judges are required after all listed names in that municipality have been exhausted, the appointing authority may appoint other individuals who meet the qualifications to serve as an election judge, including persons who are not affiliated with a major political party. An individual who is appointed from a source other than the list furnished pursuant to subdivision 1 must provide to the appointing authority the individual's major political party affiliation or a statement that the individual does not affiliate with any major political party. An individual who refuses to provide the individual's major political party affiliation or a statement that the individual does not affiliate with a major political party must not be appointed as an election judge. The appointments shall be made at least 25 days before the election at which the election judges will serve, except that the appointing authority may pass a resolution authorizing the appointment of additional election judges within the 25 days before the election if the appointing authority determines that additional election judges will be required.

Sec. 11. Minnesota Statutes 2016, section 204B.21, is amended by adding a subdivision to read:

Subd. 3. **Election judge major party affiliation; data classification.** (a) Each appointing authority must maintain a list of all election judges that served at the state primary election or state general election. This list must indicate the major political party affiliation of each election judge or a statement that the judge does not affiliate with a major political party. A list created under this paragraph is public data on individuals.

(b) The lists described in subdivisions 1 and 2 are not public data on individuals.

Sec. 12. Minnesota Statutes 2016, section 204C.10, is amended to read:

**204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.**

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, the felony sentence has expired or been completed or the individual has been discharged from the sentence, is registered and has not already voted in the election. The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote, and I



understand that my choice of a party's ballot will be public information." This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

(c) ~~A judge may~~, Before the applicant signs the roster or voter signature certificate, an election judge must confirm the applicant's name, address, and date of birth. A voter whose registration status is listed as challenged must not be allowed to sign the polling place roster or sign a voter signature certificate, but the voter must be allowed to cast a provisional ballot as provided in section 204C.135.

(d) After the applicant signs the roster or voter signature certificate, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

(e) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 13. Minnesota Statutes 2016, section 204C.12, subdivision 1, is amended to read:

Subdivision 1. **Manner of challenging.** An election judge shall, and an authorized challenger or other voter may, challenge an individual ~~whom the person knows or reasonably believes~~ based on personal knowledge that the individual is not an eligible voter.

Sec. 14. Minnesota Statutes 2016, section 204C.12, subdivision 2, is amended to read:

Subd. 2. **Statement of grounds; oath.** A challenger must be a resident of this state. The secretary of state shall prepare a form that challengers must complete and sign when making a challenge. The form must include space to state the ground for the challenge, a statement that the challenge is based on the challenger's personal knowledge, and a statement that the challenge is made under oath. The form must include a space for the challenger's printed name, signature, telephone number, and address.

~~An election judge shall administer to the challenged individual the following oath:~~

~~"Do you solemnly swear (or affirm) that you will fully and truly answer all questions put to you concerning your eligibility to vote at this election?"~~

~~The election judge shall then ask the challenged individual sufficient questions to test that individual's residence and right to vote.~~

Sec. 15. [204C.135] PROVISIONAL BALLOTS.

Subdivision 1. Casting provisional ballots. (a) A voter whose registration status is challenged is entitled to cast a provisional ballot.

(b) A voter seeking to cast a provisional ballot must sign a provisional ballot roster or a provisional voter signature certificate and complete a provisional ballot envelope. The envelope must contain a space for the voter to list the voter's name, address of residence, date of birth, voter

identification number, and any other information prescribed by the secretary of state. The voter must also swear or affirm, in writing, that the voter is eligible to vote, has not voted previously in the same election, and meets the criteria for registering to vote in the precinct in which the voter appears.

(c) Once the voter has completed the provisional ballot envelope, the voter must be allowed to cast a provisional ballot. The provisional ballot must be in the same form as the official ballot available in the precinct on election day. A completed provisional ballot shall be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's provisional ballot envelope and deposited by the voter in a secure, sealed provisional ballot box. Completed provisional ballots may not be combined with other voted ballots in the polling place.

(d) The form of the secrecy and provisional ballot envelopes shall be prescribed by the secretary of state. The provisional ballot envelope must be a color other than that provided for absentee ballot envelopes and must be prominently labeled "Provisional Ballot Envelope."

(e) Provisional ballots and related documentation shall be delivered to and securely maintained by the county auditor or municipal clerk in the same manner as required for other election materials under sections 204C.27 and 204C.28.

**Subd. 2. Accepting or rejecting provisional ballot envelopes.** (a) Before the meeting of the canvassing board, the county auditor or municipal clerk must accept or reject each provisional ballot. The county auditor or municipal clerk must review the information in the statewide voter registration system, required by section 201.145, subdivision 1, paragraph (b), for the date of the election. If the information shows that the voter was not challenged, or should not have been challenged on that date and was otherwise eligible to vote, that voter's provisional ballot must be accepted. The county auditor or municipal clerk must mark the provisional ballot envelope "Accepted" and initial or sign the envelope below the word "Accepted." If a provisional ballot envelope is not accepted, the county auditor or municipal clerk must mark the provisional ballot envelope "Rejected," initial or sign it below the word "Rejected," and list the reason for the rejection on the envelope. The county auditor or municipal clerk must promptly record in the statewide voter registration system that a voter's provisional ballot has been accepted or rejected.

(b) The county auditor or municipal clerk must mail the voter a written notice of provisional ballot rejection between six and ten weeks following the election. The notice must include the reason for rejection and the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(c) A provisional ballot envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

**Subd. 3. Provisional ballots; reconciliation.** Prior to counting any provisional ballots in the final vote totals from a precinct, the county auditor or municipal clerk must verify that the number of signatures appearing on the provisional ballot roster from that precinct is equal to or greater than the number of provisional ballots submitted by voters in the precinct on election day. Any discrepancy must be resolved before the provisional ballots from the precinct may be counted. Excess provisional ballots to be counted must be randomly withdrawn in the manner required by section 204C.20, subdivision 2.

Subd. 4. **Counting provisional ballots.** Accepted provisional ballot envelopes must be opened, duplicated as needed in the manner provided in section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate ballot box. If more than one ballot is enclosed in the ballot envelope, the ballots must be spoiled and must not be counted.

Sec. 16. Minnesota Statutes 2016, section 204C.14, subdivision 1, is amended to read:

Subdivision 1. **Violations; penalty.** (a) No individual shall intentionally:

(~~a~~) (1) misrepresent the individual's identity in applying for a ballot, depositing a ballot in a ballot box, requesting a provisional ballot or requesting that a provisional ballot be counted, or attempting to vote by means of a voting machine or electronic voting system;

(~~b~~) (2) vote more than once at the same election;

(~~e~~) (3) put a ballot in a ballot box for any illegal purpose;

(~~a~~) (4) give more than one ballot of the same kind to an election judge to be placed in a ballot box;

(~~e~~) (5) aid, abet, counsel or procure another to go into any precinct for the purpose of voting in that precinct, knowing that the other individual is not eligible to vote in that precinct; or

(~~f~~) (6) aid, abet, counsel or procure another to do any act in violation of this section.

(b) A violation of this section is a felony.

Sec. 17. Minnesota Statutes 2016, section 241.065, subdivision 2, is amended to read:

Subd. 2. **Establishment.** The Department of Corrections shall administer and maintain a computerized data system for the purpose of assisting criminal justice agencies in monitoring and enforcing the conditions of conditional release imposed on criminal offenders by a sentencing court or the commissioner of corrections. The adult data and juvenile data as defined in section 260B.171 in the statewide supervision system are private data as defined in section 13.02, subdivision 12, but are accessible to criminal justice agencies as defined in section 13.02, subdivision 3a, to the Minnesota sex offender program as provided in section 246B.04, subdivision 3, to public defenders as provided in section 611.272, to all trial courts and appellate courts, and to criminal justice agencies in other states in the conduct of their official duties. Adult data in the statewide supervision system are accessible to the secretary of state for the purposes described in section ~~201.157~~ 201.145.

Sec. 18. **REPEALER.**

Minnesota Statutes 2016, sections 201.15; 201.155; 201.157; 201.158; and 204C.12, subdivisions 3 and 4, are repealed."

Delete the title and insert:

"A bill for an act relating to elections; modifying provisions related to elections and election administration; establishing a voting equipment grant; establishing uniform election dates, polling place hours, and polling places; requiring counties to administer school district elections; requiring

additional voter data to be public; modifying voter status challenge provisions; establishing a provisional ballot system; appropriating money; amending Minnesota Statutes 2016, sections 3.088, subdivision 1; 13.607, by adding a subdivision; 13.6905, subdivision 33; 13.841, subdivision 3; 13.851, subdivision 10; 103B.545, subdivision 2; 123A.46, subdivision 12; 123A.48, subdivisions 14, 15; 123B.09, subdivision 5b; 123B.63, subdivision 3; 126C.17, subdivision 11; 126C.69, subdivision 11; 128D.05, subdivision 2; 200.02, subdivision 4, by adding subdivisions; 201.022, subdivision 1; 201.061, subdivisions 3, 6; 201.091, subdivision 4; 201.121, subdivision 3; 201.225, subdivisions 1, 2, 6; 201.27, subdivision 2; 203B.01, subdivision 2; 203B.04, subdivision 1; 203B.05, subdivision 2; 203B.081, subdivision 1; 203B.085; 203B.11, subdivision 1; 203B.121, subdivisions 1, 2; 203B.15; 204B.09, subdivision 3; 204B.13, subdivision 1; 204B.16, subdivisions 1, 1a; 204B.181, subdivision 2; 204B.21, subdivision 2, by adding a subdivision; 204B.25, subdivision 4; 204B.29; 204B.32; 204B.40; 204B.46; 204C.08, subdivision 4; 204C.10; 204C.12, subdivisions 1, 2; 204C.14, subdivision 1; 204C.20, subdivision 4; 204C.25; 204C.26, subdivision 3; 204C.27; 204C.28, subdivision 3; 204C.29, subdivision 1; 204C.32, subdivision 2; 204C.33, subdivision 3; 204C.36, subdivisions 1, 2, 3, 5; 204D.09, subdivision 1; 204D.19, by adding a subdivision; 205.065, subdivision 5; 205.07, subdivisions 1, 3; 205.10, subdivision 4, by adding a subdivision; 205A.03, subdivisions 3, 4; 205A.04, subdivision 3; 205A.05, subdivisions 1, 2, 3, by adding a subdivision; 205A.055, subdivision 2; 205A.06, subdivisions 1, 1a, 2, 5; 205A.07, subdivisions 1, 2, 3, 3a, 3b; 205A.08, subdivision 5; 205A.10, subdivisions 1, 2, 3, 5; 205A.11, subdivision 2a; 206.805, subdivision 1; 208.04, subdivision 1; 209.021, subdivision 3; 211B.11, subdivision 1; 216B.46; 241.065, subdivision 2; 365A.06, subdivision 2; 367.33, subdivision 1; 375.101, subdivision 1; 375B.07, subdivision 2; 375B.10; 383B.031, subdivision 1; 383E.24, subdivision 7; 410.10, subdivision 1; 447.32, subdivision 2; 475.59; proposing coding for new law in Minnesota Statutes, chapters 201; 204C; repealing Minnesota Statutes 2016, sections 201.096; 201.15; 201.155; 201.157; 201.158; 204B.16, subdivision 3; 204C.12, subdivisions 3, 4; 205.10, subdivision 3; 205.175; 205A.09; 205A.11, subdivisions 2, 3; 205A.12, subdivision 5a."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources Finance, to which was referred**

**S.F. No. 1131:** A bill for an act relating to natural resources; providing for goals and strategies for Minnesota River basin; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103B.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Environment and Natural Resources Policy and Legacy Finance. Report adopted.

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources Finance, to which was referred**

**S.F. No. 787:** A bill for an act relating to game and fish; eliminating dedication of certain license revenue for wolf management and monitoring; amending Minnesota Statutes 2016, section 97A.075, subdivision 1.

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

Page 2, line 9, delete ", 2018" and insert "of the year following the year the wolf is delisted under the federal Endangered Species Act"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Hall from the Committee on Local Government, to which was referred**

**H.F. No. 375:** A bill for an act relating to local government; allowing a county board to appropriate money for a veterans memorial anywhere in the county; amending Minnesota Statutes 2016, section 375.18, subdivision 10.

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

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 1113:** A bill for an act relating to counties; allowing a county law library to transfer money to the county for certain construction costs; proposing coding for new law in Minnesota Statutes, chapter 134A.

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

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 201:** A bill for an act relating to local government; requiring a two-thirds vote to impose an interim ordinance; requiring a public hearing after ten-day notice before imposing an interim ordinance relating to housing; amending Minnesota Statutes 2016, section 462.355, subdivision 4.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 462.355, subdivision 4, is amended to read:

Subd. 4. **Interim ordinance.** (a) If a municipality is conducting studies or has authorized a study to be conducted or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 462.352, subdivision 15, or if new territory for which plans or controls have not been adopted is annexed to a municipality, the governing body of the municipality may adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety and welfare of its citizens. The interim ordinance may regulate, restrict, or prohibit any use, development, or subdivision within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective.

(b) If a proposed interim ordinance purports to regulate, restrict, or prohibit activities relating to livestock production, a public hearing must be held following a ten-day notice given by publication in a newspaper of general circulation in the municipality before the interim ordinance takes effect.

(c) A statutory or home rule charter city may adopt an interim ordinance that regulates, restricts, or prohibits a housing proposal only if the ordinance is approved by at least two-thirds of city council members present. Before adopting the interim ordinance, the city council must hold a public hearing after providing written notice to any person who has submitted written information to the city regarding a housing proposal that is potentially affected by the proposed interim ordinance. The written notice must be provided at least three business days before the public hearing. Notice also must be posted on the city's official Web site, if the city has an official Web site. The date of the public hearing shall be the earlier of the next regularly scheduled city council meeting after the notice period or within ten days of the notice. The activities proposed to be restricted by the proposed interim ordinance may not be undertaken before the public hearing. For the purposes of this paragraph, "housing proposal" means a written request for city approval of a project intended primarily to provide residential dwellings, either single family or multi-family, and involves the subdivision or development of land or the demolition, construction, reconstruction, alteration, repair, or occupancy of residential dwellings.

~~(c)~~ (d) The period of an interim ordinance applicable to an area that is affected by a city's master plan for a municipal airport may be extended for such additional periods as the municipality may deem appropriate, not exceeding a total additional period of 18 months. In all other cases, no interim ordinance may halt, delay, or impede a subdivision that has been given preliminary approval, nor may any interim ordinance extend the time deadline for agency action set forth in section 15.99 with respect to any application filed prior to the effective date of the interim ordinance. The governing body of the municipality may extend the interim ordinance after a public hearing and written findings have been adopted based upon one or more of the conditions in clause (1), (2), or (3). The public hearing must be held at least 15 days but not more than 30 days before the expiration of the interim ordinance, and notice of the hearing must be published at least ten days before the hearing. The interim ordinance may be extended for the following conditions and durations, but, except as provided in clause (3), an interim ordinance may not be extended more than an additional 18 months:

(1) up to an additional 120 days following the receipt of the final approval or review by a federal, state, or metropolitan agency when the approval is required by law and the review or approval has not been completed and received by the municipality at least 30 days before the expiration of the interim ordinance;

(2) up to an additional 120 days following the completion of any other process required by a state statute, federal law, or court order, when the process is not completed at least 30 days before the expiration of the interim ordinance; or

(3) up to an additional one year if the municipality has not adopted a comprehensive plan under this section at the time the interim ordinance is enacted.

**EFFECTIVE DATE.** This section is effective for interim ordinances proposed on or after August 1, 2017."

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

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 1245:** A bill for an act relating to local government; modifying the requirements for payment of claims; amending Minnesota Statutes 2016, section 471.38; repealing Minnesota Statutes 2016, section 471.391, subdivision 1.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2016, section 471.38, is amended to read:

**471.38 CLAIMS.**

Subdivision 1. **Itemization; declaration.** Except as provided in subdivision 2, ~~where~~ if an account, claim or demand against ~~any county, local social services agency, county board of education for unorganized territory, school district, town or home rule charter city of the second, third or fourth class, or any park district;~~ a local government for any property or services can be itemized in the ordinary course of business, the board or officer authorized by law to audit and allow claims shall not audit or allow the claim until the person claiming payment, or the person's agent, ~~reduces it to~~ provides to the board or officer an itemized list in writing or in an electronic transaction record, in items and signs a declaration to the effect. By making the claim for payment, the person making the claim is declaring that such the account, claim, or demand is just and correct and that no part of it has been paid. The board or officer may in its discretion allow a claim prepared by the clerk or secretary of such the board or officer prior to such the declaration by the claimant if the declaration is made on the check or order-check by which the claim is paid, as provided in section 471.391, subdivision 2. For the purposes of this section, "local government" means any county, local social services agency, school district, town, or home rule charter city of the second, third, or fourth class, or any park district.

Subd. 2. **Application.** The provisions of this section do not apply to any claim or demand for an annual salary or fees of jurors or witnesses, fixed by law, nor to the salary or wages of any employee whose salary or wages have been fixed on an hourly, daily, weekly or monthly basis, by the governing board of the municipality, and which is now authorized by law to be paid on a payroll basis.

Subd. 3. **Electronic funds transfer.** Electronic funds transfer is the process of value exchange via mechanical means without the use of checks, drafts, or similar negotiable instruments. A ~~school district~~ local government may make an electronic funds transfer for the following:

- (1) for a claim for a payment from an imprest payroll bank account or investment of excess money;
- (2) for a payment of tax or aid anticipation certificates;
- (3) for a payment of contributions to pension or retirement fund;
- (4) for vendor payments; and

(5) for payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund.

Subd. 3a. **School-district Eligibility.** The authorization in subdivision 3 extends only to a ~~school district~~ local government that has enacted all of the following policy controls:

(a) the ~~school board~~ governing body shall annually delegate the authority to make electronic funds transfers to a designated business administrator or chief financial officer or the officer's designee;

(b) the disbursing bank shall keep on file a certified copy of the delegation of authority;

(c) the initiator of the electronic transfer shall be identified;

(d) the initiator shall document the request and obtain an approval from the designated business administrator, or chief financial officer or the officer's designee, before initiating the transfer as required by internal control policies;

(e) a written confirmation of the transaction shall be made no later than one business day after the transaction and shall be used in lieu of a check, order check or warrant required to support the transaction;

(f) a list of all transactions made by electronic funds transfer shall be submitted to the ~~school board~~ governing body at its next regular meeting after the transaction."

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

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 1001:** A bill for an act relating to the city of Edina; extending the time to file approval of a 2014 special law.

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

Page 1, line 8, delete "2017" and insert "2021"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Senator Gazelka, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 434** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
434	326				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 434 be amended as follows:



Delete all the language after the enacting clause of H.F. No. 434, the second engrossment; and insert the language after the enacting clause of S.F. No. 326, the third engrossment; further, delete the title of H.F. No. 434, the second engrossment; and insert the title of S.F. No. 326, the third engrossment.

And when so amended H.F. No. 434 will be identical to S.F. No. 326, and further recommends that H.F. No. 434 be given its second reading and substituted for S.F. No. 326, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 1060:** A bill for an act relating to transportation; modifying various provisions governing commercial motor vehicles, highway-rail grade crossing signs, Department of Transportation contract preference requirements, and transportation plan due dates; amending Minnesota Statutes 2016, sections 161.321, subdivision 6; 169.85, subdivision 1; 169.865, subdivision 3; 171.12, subdivision 6; 174.03, subdivisions 1a, 1c; 219.20, subdivision 1; 221.031, by adding a subdivision.

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

Page 2, delete section 2

Page 5, delete section 7

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "highway-rail grade crossing signs,"

Amend the title numbers accordingly

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 1059:** A bill for an act relating to transportation; providing for conveyance of unused or divided lands owned or controlled by the Department of Transportation; removing and modifying highways on the trunk highway system; authorizing conveyance of certain state-owned lands in Koochiching County; amending Minnesota Statutes 2016, sections 161.115, subdivision 190; 161.44, subdivisions 5, 6a, by adding a subdivision; repealing Minnesota Statutes 2016, section 161.115, subdivision 32.

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 187:** A bill for an act relating to motor vehicles; regulating transfers of manufactured homes when ownership is at issue; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 168A.141, is amended to read:

**168A.141 MANUFACTURED HOME AFFIXED TO REAL PROPERTY.**

Subdivision 1. **Certificates surrendered for cancellation.** (a) When a manufactured home is to be affixed or is affixed, as defined in section 273.125, subdivision 8, paragraph (b), to real property, and financed by the giving of a mortgage on the real property, the owner of the manufactured home shall may surrender the manufacturer's certificate of origin or certificate of title to the department for cancellation. The owner of so that the manufactured home shall give the department the address and legal description of the becomes an improvement to real property. The department may require the filing of other information and is no longer titled as personal property. The department must not issue a certificate of title for a manufactured home under chapter 168A if the manufacturer's certificate of origin is or has been surrendered under this subdivision, except as provided in section 168A.142. Upon surrender of the manufacturer's certificate of origin or the certificate of title, the department shall issue notice of surrender to the owner, and upon recording an affidavit of affixation, which the county recorder or registrar of titles, as applicable, shall accept, the manufactured home is deemed to be an improvement to real property. The notice of surrender may be recorded in the office of the county recorder or with the registrar of titles if the land is registered but need not contain an acknowledgment. An affidavit of affixation by the owner of the manufactured home must include the following information:

(1) the name, residence address, and mailing address of owner or owners of the manufactured home;

(2) the legal description of the real property in which the manufactured home is, or will be, located;

(3) a copy of the surrendered manufacturer's certificate of origin or certificate of title and the notice of surrender;

(4) a written statement from the county auditor or county treasurer of the county where the manufactured home is located stating that all property taxes payable in the current year, as provided under section 273.125, subdivision 8, paragraph (b), have been paid, or are not applicable;

(5) the name and address of the person designated by the applicant to record the original affidavit of affixation with the county recorder or registrar of titles for the county where the real property is located;

(6) the signature of the person who executes the affidavit, properly executed before a person authorized to authenticate an affidavit in this state;

(7) the person designated in clause (5), shall record, or arrange for the recording of, the affidavit of affixation, accompanied by the fees for recording and for issuing a certified copy of the notice, including all attachments, showing the recording date; and

(8) upon obtaining the certified copy of the notice under clause (7), the person designated in the affidavit shall deliver the certified copy to the county auditor of the county in which the real property to which the manufactured home was affixed is located.

(b) The department is not liable for any errors, omissions, misstatements, or other deficiencies or inaccuracies in documents presented to the department under this section, if the documents presented appear to satisfy the requirements of this section. The department has no obligation to investigate the accuracy of statements contained in the documents.

Subd. 1a. **Affidavit form.** The affidavit referred to in subdivision 1 shall be in substantially the following form and shall contain the following information.

**MANUFACTURED HOME AFFIDAVIT OF AFFIXATION**

**PURSUANT TO MINNESOTA STATUTES, SECTION 168A.141**

Homeowner, being duly sworn, on his or her oath, states as follows:

1. Homeowner owns the manufactured home ("home") described as follows:

<u>New/Used</u>	<u>Year</u>	<u>Manufacturer's Name</u>	<u>Model Name or Model No.</u>	<u>Manufacturer's Serial No.</u>	<u>Length/Width</u>
.....	.....	.....	.....	.....	.....

2. A copy of the surrendered manufacturer's certificate of origin or certificate of title is attached hereto.

3. A copy of the notice of surrender issued from the Minnesota Department of Public Safety Driver and Vehicle Services is attached hereto.

4. The home is or will be located at the following "Property Address":

.....  
Street or Route ..... City ..... County ..... State ..... Zip Code .....

5. The legal description of the property address ("land") is as follows or as attached hereto:

.....  
 .....  
 .....

6. The homeowner is the owner of the land.

7. The home is, or shall be promptly upon delivery, anchored to the land by attachment to a permanent foundation and connected to appropriate residential utilities (e.g., water, gas, electricity, sewer).

8. The homeowner intends that the home be an immovable permanent improvement to the land, free of any personal property security interest.

9. A copy of the written statement from the county auditor or county treasurer of the county in which the manufactured home is then located, stating that all property taxes payable in the current year (pursuant to Minnesota Statutes, section 273.125, subdivision 8, paragraph (b)), have been paid, or are not applicable, is attached hereto.

10. The home shall be assessed and taxed as an improvement to the land.

11. The name and address of the person designated by the homeowner to record the original affidavit of surrender with the county recorder or registrar of titles of the county in which the real estate is located is:

Name .....  
Street Address .....  
City, State, Zip Code .....  
Phone .....  
E-mail .....

IN WITNESS WHEREOF, homeowner(s) have executed this affidavit on this ..... day of ....., 20...

.....  
Homeowner Signature Address

.....  
Printed Name City, State

.....  
Homeowner Signature (if applicable)

.....  
Printed Name

This instrument was drafted by, and when recorded return to:

.....  
.....  
.....

Subscribed and sworn to before me this ..... day of ....., .....

.....  
Signature of Notary Public or Other Official

Notary Stamp or Seal

(optional)

Lender's Statement of Intent:

The undersigned ("lender") intends that the home be immovable and a permanent improvement to the land free of any personal property security interest.

.....

Lender

By: .....

Authorized Signature

STATE OF .....)

.....) ss:

COUNTY OF .....)

On the ..... day of ..... in the year ..... before me, the undersigned, a Notary Public in and for said state, personally appeared

.....

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

.....

Notary Signature

.....

Notary Printed Name

Notary Public, State of .....

Qualified in the County of .....

My commission expires .....

Official seal:

**Subd. 2. Perfected security interest avoids cancellation prevents surrender.** The department may not cancel a certificate of title if, under this chapter a security interest has been perfected on the manufactured home. If a security interest has been perfected, the department shall notify the owner and that each secured party that the must release or satisfy the security interest prior to proceeding with surrender of the manufacturer's certificate of origin or certificate of title and a description of the security interest have been surrendered to the department and that the department will not cancel the certificate of title until the security interest is satisfied for cancellation. Permanent attachment to real property or the recording of an affidavit of affixation does not extinguish an otherwise valid security interest in or tax lien on the manufactured home, unless the requirements of section 168A.141 subdivisions 1, 1a, and 2, including the release of any security interest, have been satisfied.

**Subd. 3. Notice of security interest avoids surrender.** The manufacturer's certificate of origin or the certificate of title need not be surrendered to the department under subdivision 1 When a

perfected security interest exists, or will exist, on the manufactured home at the time the manufactured home is affixed to real property, ~~if and the owner has not satisfied the requirements of section 168A.141 subdivision 1,~~ the owner of the manufactured home ~~files~~, or its secured party, may record a notice with the county recorder, or with the registrar of titles, if the land is registered, stating that the manufactured home located on the property is encumbered by a perfected security interest and is not an improvement to real property. The notice must state the name and address of the secured party as set forth on the certificate of title, the legal description of the real property, and the name and address of the record fee owner of the real property on which the manufactured home is affixed. When the security interest is released or satisfied, the secured party shall attach a copy of the release or satisfaction to a notice executed by the secured party containing the county recorder or registrar of titles document number of the notice of security interest. The notice of release or satisfaction must be ~~filed~~ recorded with the county recorder, or registrar of titles, if the land is registered. Neither the notice described in this subdivision nor the security interest on the certificate of title is deemed to be an encumbrance on the real property. The notices provided for in this subdivision need not be acknowledged.

Sec. 2. Minnesota Statutes 2016, section 168A.142, is amended to read:

**168A.142 MANUFACTURED HOME UNAFFIXED FROM REALTY.**

Subdivision 1. **Certificate of title requirements.** The department shall issue an initial certificate of title or reissue a previously surrendered certificate of title for a manufactured home to an applicant if:

(1) ~~for the purpose of affixing the manufactured home to real property,~~ the owner of the manufactured home, or a previous owner, surrendered the manufacturer's certificate of origin or certificate of title to the department as provided in section 168A.141, subdivision 1 ~~or 2~~;

(2) the applicant provides the written proof evidence specified in subdivision 2 ~~that the applicant owns (i) the manufactured home and (ii) the real property to which the manufactured home was affixed as provided under section 273.125, subdivision 8, paragraph (b)~~;

~~(3) the applicant provides proof that no liens exist on the manufactured home, including liens on the real property to which it is affixed; and~~

~~(4)~~ (3) the owner of the manufactured home ~~meets~~ fulfills the applicable application requirements of section 168A.04<sub>2</sub>; and

(4) the application is accompanied by a written statement from the county auditor or county treasurer of the county in which the manufactured home is then located and affixed, stating that all property taxes payable in the current year, as provided under section 273.125, subdivision 8, paragraph (b), have been paid.

Subd. 2. **Proof Evidence of eligibility for reissuance.** (a) The proof evidence required under subdivision 1, ~~clauses~~ clause (2) ~~and (3)~~, is as follows:

(1) an affidavit of severance recorded in the office of the county recorder or registrar of titles, which they shall accept, and whichever applies to the real property, of the county ~~in which~~ where

the affidavit of affixation or notice of surrender was recorded ~~under~~ as required in section 168A.141, subdivision 1, and the affidavit of severance contains:

(i) the name, residence address, and mailing address of the owner or owners of the manufactured home;

(ii) a description of the manufactured home being severed, including the name of the manufacturer; ~~the make, model number, model year, and dimensions, and if available, the make, model year, and manufacturer's serial number of the manufactured home; and whether the manufactured home is new or used,~~ and such information as may be available from the previously recorded affidavit of affixation or notice of surrender as required in section 168A.141, subdivision 1; and

(iii) a statement of any facts or information known to the person executing the affidavit that could affect the validity of the title of the manufactured home ~~or~~ the existence or nonexistence of a security interest in the manufactured home or a lien on it, or and a statement that no such facts or information are known to the person executing the affidavit;

(2) as an attachment to the affidavit of severance, an opinion by an attorney admitted to practice law in this state, stating:

(i) the nature of the examination of title performed prior to giving this opinion by the person signing the opinion;

(ii) that the manufactured home and the real property on which it is located is not subject to, or pending completion of a refinance, purchase, or sale transaction, and will not be subject to any recorded mortgages, security interests, liens, or other encumbrances of any kind;

(iii) that the person signing the opinion knows of no facts or circumstances that could affect the validity of the title of the manufactured home or the existence or nonexistence of any recorded mortgages, security interests, or other encumbrances of any kind, other than property taxes payable in the year the affidavit is signed;

(iv) the person or persons owning record title to the real property to which the manufactured home has been affixed and the nature and extent of the title owned by each of these persons; and

(v) that the person signing the opinion has reviewed all provisions of the affidavit of severance and certifies that they are correct and complete to the best of the knowledge of the person signing the opinion;

(3) the name and address of the person ~~or~~ persons designated by the applicant to file a certified copy of the original affidavit of severance with the county auditor of the county in which the real estate is located, after the affidavit has been properly recorded in the office of the county recorder or county registrar of titles, whichever applies to the real property; and

(4) the signature of the person who executes the affidavit, properly executed before a person authorized to authenticate an affidavit in this state.

(b) The person designated in paragraph (a), clause (3), shall record, or arrange for the recording of, the affidavit of severance as referenced in that item, accompanied by the fees for recording and for issuing a certified copy of the affidavit, including all attachments, showing the recording date.

(c) Upon obtaining the certified copy under paragraph (b), the person designated in the affidavit shall deliver the certified copy to the county auditor of the county in which the real estate to which it was affixed is located.

(d) The department is not liable for any errors, omissions, misstatements, or other deficiencies or inaccuracies in documents presented to the department under this section, so long as the documents presented appear to satisfy the requirements of this section. The department has no obligation to investigate the accuracy of statements contained in the documents.

Subd. 3. **Affidavit form.** The affidavit referred to in subdivision 2 shall be in substantially the following form and shall contain the following information.

**MANUFACTURED HOME AFFIDAVIT OF SEVERANCE**

**PURSUANT TO MINNESOTA STATUTES, SECTION 168A.142**

Homeowner, being duly sworn, on his or her oath, states as follows:

1. Homeowner owns the manufactured home ("home") described as follows:

.....

<u>New/Used</u>	<u>Year</u>	<u>Manufacturer's Name</u>	<u>Model Name or Model No.</u>	<u>Manufacturer's Serial No.</u>	<u>Length/Width</u>
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2. A copy of the previously surrendered manufacturer's certificate of origin or certificate of title is attached hereto (if available).

3. A copy of the notice of surrender issued from the Minnesota Department of Public Safety Driver and Vehicle Services is attached hereto (if available).

4. The home is or will be located at the following "Property Address":

.....  
Street or Route ..... City ..... County ..... State ..... Zip Code .....

5. The legal description of the property address ("land") is as follows or as attached hereto:

.....  
.....  
.....

6. The homeowner does not know of any facts or information that could affect the validity of title of the manufactured home, except:

.....  
.....



7. The homeowner does not know of any such security interest in the manufactured home which has not been satisfied or released.

8. A copy of an opinion by an attorney admitted to practice law in Minnesota is attached, which provides for the required title evidence as set forth in Minnesota Statutes, section 168A.142 subdivision (2), clause (2), items (i) to (v).

9. A copy of the written statement from the county auditor or county treasurer of the county in which the manufactured home is then located, stating that all property taxes payable in the current year (pursuant to Minnesota Statutes, section 273.125, subdivision 8, paragraph (b)), have been paid, or are not applicable, is attached hereto.

10. The name and address of the person designated by the homeowner to record the original affidavit of surrender with the county recorder or registrar of titles of the county in which the real estate is located is:

Name .....

Street Address .....

City, State, Zip Code .....

Phone .....

E-mail .....

IN WITNESS WHEREOF, homeowner(s) have executed this affidavit on this ..... day of ....., 20...

.....	.....
<u>Homeowner Signature</u>	<u>Address</u>
.....	.....
<u>Printed Name</u>	<u>City, State</u>
.....	.....
<u>Homeowner Signature (if applicable)</u>	
.....	
<u>Printed Name</u>	

This instrument was drafted by, and when recorded return to:

.....

.....

Subscribed and sworn to before me this ..... day of ....., .....

.....

Signature of Notary Public or Other Official

Notary Stamp or Seal

Subdivision 1. **Requirements for certificate issuance or reissuance.** When an applicant is unable to obtain from or locate previous owners no longer holding an interest in the manufactured home based on a certificate of title, or to locate, obtain, or produce the original certificate of origin or certificate of title for a manufactured home, and there is no evidence of a surrendered certificate of title or manufacturer's statement of origin as provided in section 168A.141, subdivision 1, which has not otherwise been unaffixed or is being unaffixed as provided in section 168A.142, the department must issue or reissue, a certificate of title to a manufactured home when the applicant submits:

(1) the application, pursuant to the requirements of section 168A.04, in a form prescribed by the department;

(2) an affidavit that:

(i) identifies the name of the manufacturer and dimensions, and if available, the make, model number, model year, and manufacturer's serial number of the manufactured home; and

(ii) certifies the applicant is the owner of the manufactured home, has physical possession of the manufactured home, knows of no facts or circumstances that materially affect the validity of the title of the manufactured home as represented in the application, and provides copies of such ownership documents, so far as the documents exist, including by way of example:

(A) bill of sale;

(B) financing, replevin, or foreclosure documents;

(C) appraisal;

(D) insurance certification;

(E) personal property tax bill;

(F) landlord certification;

(G) affidavit of survivorship or estate documents;

(H) divorce decree; or

(I) court order;

(3) an affidavit by an attorney admitted to practice law in this state stating:

(i) the attorney has performed a search of the Minnesota Department of Public Safety Driver and Vehicles Services records within 120 days of the date of application to obtain a certificate of origin or certificate of title on behalf of the applicant, but was unable to determine the names or locations of one or more owners or prior owners of the manufactured home;

(ii) if applicable, the attorney was unable to successfully contact one or more owners, or prior owners, after providing written notice 45 days prior to the registered and last known owner by certified mail at the address shown on Driver and Vehicles Services records, or if the last known

address if different from Driver and Vehicles Services records, then also the last known address as known to the applicant;

(iii) if the attorney is unable to contact one or more owners, or previous owners, by sending a letter by certified mail, then the attorney must present to the department, as an attachment to its affidavit, the returned letter as evidence of the attempted contact, or the acknowledgement of receipt of the letter, together with an affidavit of nonresponse; and

(iv) the attorney knows of no facts or circumstances that materially affect the validity of the title of the manufactured home as represented in the application, other than property taxes payable in the year the affidavit is signed; and

(4) payment for required current year taxes and fees as prescribed by the department.

Subd. 2. **Satisfaction of manufactured home security lien; release.** A security interest perfected under this chapter may be canceled seven years from the perfection date for a manufactured home, upon the request of the owner of the manufactured home, if the owner has paid the lien in full or the lien has been abandoned and the owner is unable to locate the lienholder to obtain a lien release. The owner must send a letter to the lienholder by certified mail, return receipt requested, stating the reason for the release and requesting a lien release. If the owner is unable to obtain a lien release by sending a letter by certified mail, then the owner must present to the department the returned letter as evidence of the attempted contact, or the acknowledgement of receipt of the letter, together with a copy of the letter and an owner affidavit of nonresponse.

Subd. 3. **Suspension or revocation of certificate.** (a) Pursuant to section 168A.23, the department may revoke a previously issued certificate of title issued under this section.

(b) The department is not liable for any errors, omissions, misstatements, or other deficiencies or inaccuracies in documents submitted to the department under this section, provided the documents submitted appear to satisfy the requirements of this section. The department is not required to investigate the accuracy of statements contained in submitted documents."

Amend the title as follows:

Page 1, line 2, after the first semicolon, insert "amending titling process for manufactured homes;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

**Senator Housley, for Senator Dahms, from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred**

**S.F. No. 720:** A bill for an act relating to commerce; authorizing the Minnesota premium security plan as a state-based reinsurance program administered by the Minnesota Comprehensive Health Association; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62E.

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

Delete everything after the enacting clause and insert:

"Section 1. **62E.21** **DEFINITIONS.**

Subdivision 1. **Application.** For the purposes of sections 62E.21 to 62E.25, the terms and phrases defined in this section have the meanings given them.

Subd. 2. **Affordable Care Act.** "Affordable Care Act" means the Affordable Care Act as defined in section 62A.011, subdivision 1a.

Subd. 3. **Attachment point.** "Attachment point" means the threshold dollar amount for claims costs incurred by an eligible health carrier for an enrolled individual's covered benefits in a plan year, after which threshold the claims costs for such benefits are eligible for Minnesota premium security plan payments.

Subd. 4. **Board.** "Board" means the board of directors of the Minnesota Comprehensive Health Association established under section 62E.10.

Subd. 5. **Coinsurance rate.** "Coinsurance rate" means the rate, established by the board of the Minnesota Comprehensive Health Association, at which the association will reimburse the eligible health carrier for claims costs incurred for an enrolled individual's covered benefits in a plan year after the attachment point and before the reinsurance cap.

Subd. 6. **Commissioner.** "Commissioner" means the commissioner of commerce.

Subd. 7. **Eligible health carrier.** "Eligible health carrier" means:

(1) an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01;

(2) a nonprofit health service plan corporation operating under chapter 62C; or

(3) a health maintenance organization operating under chapter 62D

offering health plans in the individual market and incurring claims costs for an individual enrollee's covered benefits in the applicable plan year that exceed the attachment point under the Minnesota premium security plan.

Subd. 8. **Individual market.** "Individual market" has the meaning given in section 62A.011, subdivision 5.

Subd. 9. **Minnesota Comprehensive Health Association or association.** "Minnesota Comprehensive Health Association" or "association" has the meaning given in section 62E.02, subdivision 14.

Subd. 10. **Minnesota premium security plan.** The "Minnesota premium security plan" means the state-based reinsurance program authorized under section 62E.23.

Subd. 11. **Plan year.** "Plan year" means a calendar year for which an eligible health carrier provides coverage under a health plan in the individual market.

Subd. 12. **Reinsurance cap.** "Reinsurance cap" means the threshold dollar amount for claims costs incurred by an eligible health carrier for an enrolled individual's covered benefits, after which threshold the claims costs for such benefits are no longer eligible for Minnesota premium security plan payments, established by the board of the Minnesota Comprehensive Health Association.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 2. **[62E.22] DUTIES OF COMMISSIONER.**

In the implementation and operation of the Minnesota premium security plan, established under section 62E.23, the commissioner shall require eligible health carriers to calculate the premium amount the eligible health carrier would have charged for the applicable plan year had the Minnesota premium security plan not been established and to submit this information as part of the rate filing.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 3. **[62E.23] MINNESOTA PREMIUM SECURITY PLAN.**

Subdivision 1. **The Minnesota premium security plan as state-based reinsurance.** The association is Minnesota's reinsurance entity to administer the state-based reinsurance program referred to as the Minnesota premium security plan. The Minnesota premium security plan shall be designed to protect consumers by mitigating the impact of high-risk individuals on rates in the individual market.

Subd. 2. **Minnesota premium security plan parameters.** (a) The board shall propose to the commissioner the Minnesota premium security plan payment parameters for the next plan year by January 15 of the calendar year prior to the applicable plan year. In developing the proposed payment parameters, the board shall consider the anticipated impact on premiums. The commissioner shall approve the payment parameters no later than 14 calendar days following the board proposal. In developing the proposed payment parameters for plan year 2019 and after, the board may develop methods to account for variations in costs within the Minnesota premium security plan.

(b) For plan year 2018, the Minnesota premium security plan parameters, including the attachment point, reinsurance cap, and coinsurance rate, shall be established within the parameters of the appropriated funds as follows:

- (1) the attachment point is set at \$45,000;
- (2) the reinsurance cap is set at \$250,000; and
- (3) the coinsurance rate is set at 80 percent.

(c) All eligible health carriers receiving Minnesota premium security plan payments must apply the Minnesota premium security plan's parameters established under paragraph (a) or (b), as applicable, when calculating reinsurance payments.

Subd. 3. **Payments under Minnesota premium security plan.** (a) Each Minnesota premium security plan payment must be calculated with respect to an eligible health carrier's incurred claims costs for an individual enrollee's covered benefits in the applicable plan year. If such claims costs do not exceed the attachment point, payment will be zero dollars. If such claims costs exceed the attachment point, payment will be calculated as the product of the coinsurance rate multiplied by the lesser of:

- (1) such claims costs minus the attachment point; or
- (2) the reinsurance cap minus the attachment point.

(b) The board must ensure that the payments made to eligible health carriers must not exceed the eligible health carrier's total paid amount for any eligible claim. For purposes of this paragraph, "total paid amount of an eligible claim" means the amount paid by the eligible health carrier based upon the allowed amount less any deductible, coinsurance, or co-payment, as of the time the data is submitted or made accessible under subdivision 4, paragraph (b), clause (1).

Subd. 4. **Requests for Minnesota premium security plan payments.** (a) An eligible health carrier may make a request for payment when the eligible health carrier's claims costs for an enrollee meet the criteria for payment under subdivision 3 and the requirements of this subdivision.

(b)(1) To be eligible for Minnesota premium security plan payments, an eligible health carrier must provide to the association access to the data within the dedicated data environment established by the eligible health carrier under the federal Risk Adjustment Program. Eligible health carriers must submit an attestation to the board asserting entity compliance with the dedicated data environments, data requirements, establishment and usage of masked enrollee identification numbers, and data submission deadlines; and

(2) an eligible health carrier must provide the required access under clause (1) for the applicable plan year by April 30 of the year following the end of the applicable plan year.

(c) An eligible health carrier must make requests for payment according to the requirements established by the board.

(d) An eligible health carrier must maintain documents and records, whether paper, electronic, or in other media, sufficient to substantiate the requests for Minnesota premium security plan payments made pursuant to this section for a period of at least ten years and must make those documents and records available upon request from the state or its designee for purposes of verification, investigation, audit, or other review of Minnesota premium security plan payment requests.

(e) The association or its designee may audit an eligible health carrier to assess the health carrier's compliance with the requirements of this section. The eligible health carrier must ensure that its relevant contracts, subcontractors, or agents cooperate with any audit under this section. If an audit results in a proposed finding of material weakness or significant deficiency with respect to compliance with any requirement under this section, the eligible health carrier may provide a response to the draft audit report within 30 calendar days. Within 30 calendar days of the issuance of the final audit report, the eligible health carrier must complete the following:

(1) provide a written corrective action plan to the association for approval if the final audit results in a finding of material weakness or significant deficiency with respect to compliance with any requirement under this section;

(2) implement that plan; and

(3) provide to the association written documentation of the corrective actions once taken.

**Subd. 5. Notification of Minnesota premium security plan payments.** (a) For each applicable plan year, the association must notify eligible health carriers annually of Minnesota premium security plan payments, if applicable, to be made for the applicable plan year no later than June 30 of the year following the applicable plan year.

(b) An eligible health carrier may follow the appeals procedure under section 62E.10, subdivision 2a.

(c) For each applicable plan year, the board must provide to each eligible health carrier the calculation of total Minnesota premium security plan payment requests on a quarterly basis during the applicable plan year.

**Subd. 6. Disbursement of Minnesota premium security plan payments.** The association must:

(1) collect or access data required to determine Minnesota premium security plan payments from an eligible health carrier according to the data requirements under subdivision 5; and

(2) make Minnesota premium security plan payments to the eligible health carrier after receiving a valid claim for payment from that eligible health carrier by August 15 of the year following the applicable plan year.

**Subd. 7. Data.** Government data of the association under this section are private data on individuals or nonpublic data as defined in section 13.02, subdivision 9 or 12.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

**Sec. 4. [62E.24] ACCOUNTING, REPORTING, AND AUDITING.**

**Subdivision 1. Accounting requirements.** For each plan year, the board must ensure that it keeps an accounting of:

(1) all claims for Minnesota premium security plan payments received from eligible health carriers;

(2) all Minnesota premium security plan payments made to eligible health carriers;

(3) all administrative expenses incurred for the Minnesota premium security plan; and

(4) all assessments made for security plan costs.

Subd. 2. **Summary report.** The board must submit to the commissioner and make public a report on the Minnesota premium security plan operations for each plan year by November 1 following the applicable year or 60 calendar days following the last disbursement of Minnesota premium security plan payments for the applicable plan year.

Subd. 3. **Audits.** The commissioner or designee may conduct a financial or programmatic audit of the Minnesota premium security plan to assess its compliance with the requirements. The board must ensure that it and any relevant contractors, subcontractors, or agents cooperate with any audit. The Minnesota premium security plan is subject to audit by the legislative auditor.

Subd. 4. **Independent external audit.** The board must engage an independent qualified auditing entity to perform a financial and programmatic audit for each plan year of the Minnesota premium security plan in accordance with generally accepted auditing standards. The board must:

(1) provide to the commissioner the results of the audit, in the manner and time frame to be specified by the commissioner;

(2) identify to the commissioner any material weakness or significant deficiency identified in the audit, and address in writing to the commissioner how the board intends to correct any such material weakness or significant deficiency; and

(3) make public the results of the audit, including any material weakness or significant deficiency and how the board intends to correct the material weakness or significant deficiency.

Subd. 5. **Action on audit findings.** If an audit results in a finding of material weakness or significant deficiency with respect to compliance with any requirement under this section, the commissioner of commerce must ensure the board:

(1) within 60 calendar days of the issuance of the final audit report, provides a written corrective action plan to the commissioner for approval;

(2) implements that plan; and

(3) provides to the commissioner written documentation of the corrective actions once taken.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 5. **[62E.25] FUNDING OF MINNESOTA PREMIUM SECURITY PLAN.**

(a) The reinsurance fund account is created in the special revenue fund of the state treasury. Funds in the account are appropriated to the commissioner of commerce as fiscal agent for the association for the Minnesota premium security plan. Notwithstanding section 11A.20, all investment income and all investment losses attributable to the investment of the reinsurance account not currently needed shall be credited to the reinsurance fund account.

(b) The association shall fund the Minnesota premium security plan using the following sources, in the following order:

(1) any federal funds available, whether through grants or otherwise;



(2) monetary reserves of the association; and

(3) the reinsurance tax imposed by section 295.52, subdivision 9.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 6. Minnesota Statutes 2016, section 295.52, subdivision 1, is amended to read:

Subdivision 1. **Hospital tax.** A tax is imposed on each hospital equal to ~~two~~ one percent of its gross revenues.

**EFFECTIVE DATE.** This section is effective for the tax year beginning January 1, 2018.

Sec. 7. Minnesota Statutes 2016, section 295.52, subdivision 1a, is amended to read:

Subd. 1a. **Surgical center tax.** A tax is imposed on each surgical center equal to ~~two~~ one percent of its gross revenues.

**EFFECTIVE DATE.** This section is effective for the tax year beginning January 1, 2018.

Sec. 8. Minnesota Statutes 2016, section 295.52, subdivision 3, is amended to read:

Subd. 3. **Wholesale drug distributor tax.** A tax is imposed on each wholesale drug distributor equal to ~~two~~ one percent of its gross revenues.

**EFFECTIVE DATE.** This section is effective for the tax year beginning January 1, 2018.

Sec. 9. Minnesota Statutes 2016, section 295.52, subdivision 4, is amended to read:

Subd. 4. **Use tax; legend drugs.** (a) A person that receives legend drugs for resale or use in Minnesota, other than from a wholesale drug distributor that is subject to tax under subdivision 3 or 9, is subject to a tax equal to the price paid for the legend drugs multiplied by the tax percentage specified in this section. Liability for the tax is incurred when legend drugs are received or delivered in Minnesota by the person.

(b) A tax imposed under this subdivision does not apply to purchases by an individual for personal consumption.

Sec. 10. Minnesota Statutes 2016, section 295.52, subdivision 4a, is amended to read:

Subd. 4a. **Tax collection.** A wholesale drug distributor with nexus in Minnesota, who is not subject to tax under subdivision 3 or 9, on all or a particular transaction is required to collect the tax imposed under subdivision 4, from the purchaser of the drugs and give the purchaser a receipt for the tax paid. The tax collected shall be remitted to the commissioner in the manner prescribed by section 295.55, subdivision 3.

Sec. 11. Minnesota Statutes 2016, section 295.52, is amended by adding a subdivision to read:

Subd. 9. **Reinsurance tax.** (a) A tax is imposed on each hospital equal to one percent of its gross revenues.

- (b) A tax is imposed on each surgical center equal to one percent of its gross revenues.
- (c) A tax is imposed on each wholesale drug distributor equal to one percent of its gross revenues.
- (d) This subdivision expires January 1, 2020.

**EFFECTIVE DATE.** This section is effective for the tax year beginning January 1, 2018.

Sec. 12. Minnesota Statutes 2016, section 295.58, is amended to read:

**295.58 DEPOSIT OF REVENUES AND PAYMENT OF REFUNDS.**

(a) The commissioner shall deposit all revenues, including penalties and interest, derived from the taxes imposed by sections 295.50 to 295.57, except the tax imposed by section 295.52, subdivision 9, and from the insurance premiums tax imposed by section 2971.05, subdivision 5, on health maintenance organizations, community integrated service networks, and nonprofit health service plan corporations in the health care access fund. There is annually appropriated from the health care access fund to the commissioner of revenue the amount necessary to make refunds under this chapter.

(b) The commissioner shall deposit all revenues, including penalties and interest, from the tax imposed by section 295.52, subdivision 9, in the reinsurance fund account created under section 62E.25.

**EFFECTIVE DATE.** This section is effective for the tax year beginning January 1, 2018.

Sec. 13. **STATE INNOVATION WAIVER.**

Subdivision 1. **Authority to submit a waiver application.** The commissioner of commerce shall apply to the United States Secretary of Health and Human Services under United States Code, title 42, section 18052, for a waiver of applicable provisions of the Affordable Care Act with respect to health insurance coverage in the state for a plan year beginning on or after January 1, 2018, for the sole purpose of implementing the Minnesota premium security plan in a manner that maximizes federal funding for Minnesota. The commissioner shall implement a state plan for meeting the waiver requirements in a manner consistent with state and federal law, and as approved by the United States Secretary of Health and Human Services.

Subd. 2. **Consultation.** In developing the waiver application, the commissioner shall consult with the Department of Human Services and MNsure.

Subd. 3. **Application deadline.** The commissioner shall submit the application waiver to the appropriate federal agency on or before July 5, 2017. The commissioner shall follow all application instructions. The commissioner shall complete the draft application for public review and comment by June 1, 2017.

Subd. 4. **Appropriation.** \$155,000 in fiscal year 2018 is appropriated to the commissioner of commerce to prepare and submit a state innovation waiver.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, after the first semicolon, insert "modifying certain provider taxes; imposing a reinsurance tax;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Amendments adopted. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 1016:** A bill for an act relating to environment; modifying public notice and comment provisions for animal feedlot facilities; modifying requirements for environmental review for certain animal feedlot facilities; amending Minnesota Statutes 2016, section 116D.04, subdivision 2a.

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

Page 3, line 25, delete everything after the period

Page 3, delete lines 26 to 29

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources Policy and Legacy Finance. Amendments adopted. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 835:** A bill for an act relating to natural resources; requiring certain seed mixes for buffer compliance to be grown and processed in Minnesota; amending Minnesota Statutes 2016, section 103F.48, subdivision 3.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Environment and Natural Resources Policy and Legacy Finance. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 111:** A bill for an act relating to taxation; property; providing for a study of valuing agricultural land based on its production value; requiring a report; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 1545:** A bill for an act relating to agriculture; extending Food Safety and Defense Task Force; modifying definition of animals; amending Minnesota Statutes 2016, sections 28A.21, subdivision 6; 31A.02, subdivision 4.

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred**

**S.F. No. 511:** A bill for an act relating to state government; repealing the state auditor enterprise fund; providing funding for the Office of the State Auditor from the general fund; appropriating money; amending Minnesota Statutes 2016, sections 6.481, subdivision 6; 6.56, subdivision 2; 6.581, subdivision 4; repealing Minnesota Statutes 2016, section 6.581, subdivision 1.

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

Page 2, line 16, after "receipts" insert "received by the state auditor on or after July 1, 2017,"

Page 2, line 17, after "auditor" insert "under Minnesota Statutes, chapter 6," and delete "beginning July 1, 2017"

Page 2, line 18, after the first "fund" insert "at the end of fiscal year 2017" and delete "on July 1, 2017"

Page 2, line 20, delete everything before "appropriated" and insert "\$6,502,000 in fiscal year 2018 and \$6,502,000 in fiscal year 2019 are"

Page 2, after line 23, insert:

"Sec. 7. **EFFECTIVE DATE.**

Sections 1 to 6 are effective July 1, 2017."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred**

**S.F. No. 745:** A bill for an act relating to administrative rulemaking; requiring agencies to determine the impact of a proposed rule on the cost of residential construction or remodeling; requiring notice to the applicable legislative committees; permitting a legislative committee to require approval of a rule by law; proposing coding for new law in Minnesota Statutes, chapter 14.

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

Page 1, line 15, delete everything after "record" and insert a period

Page 1, delete lines 16 to 18 and insert "Upon request of a party affected by the proposed rule, an administrative law judge must review and approve or disapprove an agency's determination that any portion of a proposed rule will increase the cost of a dwelling unit by \$1,000 or more."

Page 1, line 21, delete everything after "judge" and insert "separately confirms the cost of any portion of a rule exceeds the cost threshold provided in subdivision 2,"

Page 1, line 22, delete everything before the first "the"

Page 2, line 2, delete "or disapproval"

Page 2, line 4, after the first "rule" insert "or a portion of a rule that meets or exceeds the threshold in subdivision 2"

Page 2, line 12, delete "vote is conducted" and insert "has voted" and after "3" insert "to advise an agency that the rule should not be adopted as proposed"

And when so amended the bill do pass and be re-referred to the Committee on Jobs and Economic Growth Finance and Policy. Amendments adopted. Report adopted.

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 333:** A bill for an act relating to education; requiring a nationally normed college entrance exam for high school graduation; amending Minnesota Statutes 2016, sections 120B.02, subdivision 2; 120B.30, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. [120B.300] NATIONALLY NORMED COLLEGE ENTRANCE EXAM.

Upon approval of the state's accountability plan under the federal Every Student Succeeds Act, the commissioner must replace the high school Minnesota Comprehensive Assessments required for graduation with a nationally normed college entrance exam that is aligned with the state academic standards and includes career and college readiness benchmarks."

Delete the title and insert:

"A bill for an act relating to education; allowing for completion of a nationally normed college entrance as a high school graduation requirement; proposing coding for new law in Minnesota Statutes, chapter 120B."

And when so amended the bill do pass and be re-referred to the Committee on E-12 Finance. Amendments adopted. Report adopted.

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 1195:** A bill for an act relating to local government; prohibiting local governments from banning or taxing paper or plastic bags; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Page 1, after line 18, insert:

"Sec. 2. APPROPRIATION; PLASTIC BAG RECYCLING PILOT PROJECT.

\$20,000 in fiscal year 2018 from the environmental fund is appropriated to the commissioner of the Pollution Control Agency for four grants to local units of government to assist with plastic bag recycling efforts. Two of the grants must be for local units of government in urban areas and two of the grants to local units of government in rural areas of the state. By January 15, 2018, grantees shall report to the commissioner on the activities and results of their efforts to increase plastic bag recycling."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money for a pilot program,"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources Finance. Amendments adopted. Report adopted.

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred**

**S.F. No. 702:** A bill for an act relating to health; limiting use of funds for state-sponsored health programs for funding abortions.

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred**

**S.F. No. 704:** A bill for an act relating to health; requiring licensure of certain facilities that perform abortions; requiring a licensing fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Page 2, line 7, after the period, insert "The commissioner of health or a person performing an inspection under this section does not have access to a health record, as defined in section 144.291, or records that identify a provider who furnishes health care services in a facility."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Rosen from the Committee on Finance, to which was referred**

**H.F. No. 3:** A bill for an act relating to transportation; authorizing and governing implementation of requirements of the federal REAL ID Act; amending certain requirements governing driver's licenses and Minnesota identification cards; amending imposition of certain fees; requiring legislative reporting; amending Minnesota Statutes 2016, sections 171.01, by adding subdivisions; 171.017; 171.04, by adding a subdivision; 171.06, subdivisions 1, 2, 3, by adding a subdivision; 171.07, subdivisions 1, 3, 4, 9a; 171.071, subdivision 3; 171.072; 171.12, by adding subdivisions; 171.27;

proposing coding for new law in Minnesota Statutes, chapter 171; repealing Laws 2009, chapter 92, section 1, as amended.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant license," "noncompliant identification card," or "noncompliant license or identification card," means a driver's license or Minnesota identification card issued under section 171.019, subdivision 2, paragraph (b).

Sec. 2. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 45b. **REAL ID Act.** "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

Sec. 3. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 48b. **Temporary lawful status.** "Temporary lawful status" has the meaning given in Code of Federal Regulations, title 6, section 37.3.

Sec. 4. Minnesota Statutes 2016, section 171.017, is amended to read:

**171.017 BACKGROUND INVESTIGATIONS; DEPARTMENT DRIVER'S LICENSE AGENTS AND CERTAIN EMPLOYEES.**

Subdivision 1. **Background checks authorized.** The commissioner ~~shall~~ must investigate the criminal history background of any driver's license agent and any current or prospective employees of the department or driver's license agent being considered for any position ~~with the department~~ that has or will have the ability to:

(1) ~~the ability to~~ create or modify records of applicants for identification cards and drivers' licenses, including enhanced drivers' licenses under section 171.01, subdivision 31a, or and enhanced identification cards under section 171.01, subdivision 31b;

(2) ~~the ability to~~ issue enhanced drivers' licenses ~~under section 171.01, subdivision 31a,~~ or enhanced identification cards ~~under section 171.01, subdivision 31b;~~ or

(3) ~~the ability to~~ administer knowledge or skills tests under section 171.13 to an applicant for a commercial driver's license.

Subd. 2. **Procedure.** (a) The commissioner must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all individuals specified in subdivision 1. A request under this section must be accompanied by an executed criminal history consent form, including fingerprints, signed by the agent or the current or prospective employee being investigated.

(b) After receiving a request under paragraph (a), the superintendent of the Bureau of Criminal Apprehension shall perform the background check required under subdivision 1. The superintendent shall retrieve criminal history data as defined in section 13.87, conduct a search of the national criminal records repository, and provide wants and warrant information from federal and state repositories. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall return the results of the background checks to the commissioner to determine whether:

(1) the agent, employee, or applicant for employment specified in subdivision 1, clause (1) or (2), has committed a disqualifying crime under Code of Federal Regulations, title 49, section 1572.103; or

(2) the employee or applicant for employment specified in subdivision 1, clause (3), has a conviction of the type specified by Code of Federal Regulations, title 49, section 384.228(j).

(c) The superintendent shall recover the cost to the bureau of a bureau's background check cost for the person on whom the background check is performed through a fee charged to the commissioner or the driver's license agent who requested the background check.

Subd. 3. **Notification by other criminal justice agencies.** Criminal justice agencies, as defined by section 13.02, subdivision 3a, shall provide the commissioner with information they possess and that the commissioner requires for the purposes of determining the employment suitability of current or prospective employees subject to this section.

Subd. 4. **Annual background checks in certain instances.** Consistent with Code of Federal Regulations, title 49, section 384.228, the commissioner shall request and the superintendent shall conduct annual background checks for the department employees specified in subdivision 1, clause (3). Annual background checks under this subdivision ~~shall~~ must be performed in a manner consistent with subdivisions 2 and 3.

#### Sec. 5. [171.019] REAL ID ACT CONFORMITY; LIMITATIONS.

Subdivision 1. **Definition.** For purposes of this section, "federal change" means a modification or addition to REAL ID Act requirements, made by the federal government after the effective date of this act, with respect to: legal requirements; processes; policies and procedures; or data collection, storage, and dissemination. Federal change includes but is not limited to a modification:

(1) in what constitutes an official purpose under Code of Federal Regulations, title 6, part 37;

(2) in the machine-readable technology standards for a license or Minnesota identification card;

(3) in the information provided on the face of the license or Minnesota identification card;

(4) that relates to dissemination of state-provided data to or among federal agencies, other states, organizations operating under agreement among the states, or private entities; or

(5) that imposes an identifiable cost for the state of Minnesota.

Subd. 2. **License and Minnesota identification card options.** (a) The commissioner must meet the requirements of the REAL ID Act for licenses and identification cards, including but not limited



to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

(b) The commissioner must establish a license and Minnesota identification card that does not meet all requirements of the REAL ID Act, including but not limited to section 171.12, subdivision 7b, as provided in this chapter.

(c) The commissioner must establish an enhanced driver's license or enhanced identification card as provided in this chapter.

Subd. 3. **Limitations.** Compliance under subdivision 2, paragraph (a), is limited to those requirements of the REAL ID Act and any rules or regulations promulgated pursuant to the REAL ID Act in effect as of the effective date of this act. The commissioner may not take any action to implement or meet the requirements of a federal change.

Subd. 4. **Legislative notification.** (a) Upon identification of an impending or completed federal change, the commissioner must notify the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance, public safety, and data practices, and the Legislative Commission on Data Practices and Personal Data Privacy. Notification must be submitted as required under section 3.195, except that printed copies are not required.

(b) Notification under this subdivision must include a review of the federal change, an initial analysis of data practices impacts, and any preliminary estimates of implementation costs, including the availability of additional federal funds.

Subd. 5. **Statutory construction.** (a) Unless specifically provided otherwise, a driver's license, instruction permit, or provisional license includes any noncompliant license. Unless specifically provided otherwise, a Minnesota identification card includes any noncompliant identification card.

(b) A noncompliant license does not include an enhanced driver's license, and a noncompliant identification card does not include an enhanced identification card.

Sec. 6. Minnesota Statutes 2016, section 171.04, is amended by adding a subdivision to read:

Subd. 5. **Temporary lawful admission.** The commissioner is prohibited from issuing a driver's license or Minnesota identification card to an applicant whose lawful temporary admission period, as demonstrated under section 171.06, subdivision 3, paragraph (b), expires within 30 days of the date of the application.

Sec. 7. Minnesota Statutes 2016, section 171.06, subdivision 1, is amended to read:

Subdivision 1. ~~Forms of Application format and requirements.~~ (a) Every application for a Minnesota identification card, ~~for including an enhanced identification card, or for a driver's license including for an instruction permit, for a provisional license, for a driver's license, or for and an enhanced driver's license,~~ must be made in a format approved by the department, ~~and~~. Every application must be accompanied by payment of the proper fee. ~~All first-time applications and change-of-status applications must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public. All applications requiring evidence of legal presence in the United States or United States citizenship~~

(b) All applicants must sign the application and declare, under penalty of perjury, that the information and documentation presented in the application is true and correct. The application must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

Sec. 8. Minnesota Statutes 2016, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

<u>REAL ID Compliant Classified</u>				
Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
<u>Noncompliant Classified</u>				
Driver's License	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$36.25</u>
<u>REAL ID Compliant Classified</u>				
Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
<u>Noncompliant Classified</u>				
Under-21 D.L.	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$16.25</u>
Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
Instruction Permit				\$5.25
Enhanced Instruction Permit				\$20.25
Commercial Learner's Permit				\$2.50
Provisional License				\$8.25
Enhanced Provisional License				\$23.25
Duplicate <u>REAL ID Compliant</u>				
License or duplicate <u>REAL ID</u>				
<u>Compliant identification card</u>				\$6.75
<u>Duplicate Noncompliant</u>				
<u>License or duplicate</u>				
<u>noncompliant identification</u>				
<u>card</u>				<u>\$6.75</u>
Enhanced Duplicate License				
or enhanced duplicate				
identification card				\$21.75
<u>REAL ID Compliant</u>				
Minnesota identification card				
or <u>REAL ID Compliant</u>				
Under-21 Minnesota				
identification card, other than				
duplicate, except as otherwise				
provided in section 171.07,				
subdivisions 3 and 3a				\$11.25
<u>Noncompliant identification</u>				
<u>card or noncompliant Under-21</u>				
<u>Minnesota identification card</u>				<u>\$11.25</u>

Enhanced Minnesota  
identification card

\$26.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional \$4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

(d) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(e) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account.

(f) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

Sec. 9. Minnesota Statutes 2016, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant certifies that the applicant ~~does not have~~ is not eligible for a Social Security number;

~~(4) in the case of an application for an enhanced driver's license or enhanced identification card, present:~~

~~(i) proof satisfactory to the commissioner of the applicant's full legal name, United States citizenship, identity, date of birth, Social Security number, and residence address; and~~

~~(ii) a photographic identity document;~~

~~(5) contain a space where the applicant may indicate a desire to make an anatomical gift according to paragraph (b);~~

~~(6) (4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and~~

~~(7) (5) contain a space spaces where the applicant may;~~

(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;

(ii) indicate a desire to make an anatomical gift under paragraph (d); and

(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c.

(b) Applications must be accompanied by satisfactory evidence demonstrating:

(1) identity, date of birth, and any legal name change if applicable; and

(2) for drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:

(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;

(ii) Social Security number, or related documentation as applicable; and

(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:

(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and

(2) a photographic identity document.

~~(b)~~ (d) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:

(1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and

(2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.

~~(e)~~ (e) The application must be accompanied also by information containing relevant facts relating to:

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

(3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and

(4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

Sec. 10. Minnesota Statutes 2016, section 171.06, is amended by adding a subdivision to read:

**Subd. 3b. Information for applicants.** (a) The commissioner must develop summary information on identity document options and must ensure availability of the information for driver's license and Minnesota identification card applicants. Renewal notifications mailed to license and identification cardholders must include the Web site address required by paragraph (b), and the nearest physical address where an individual may obtain a copy of the summary.

(b) The summary information must, at a minimum, identify:

(1) each available type of driver's license and Minnesota identification card, including a noncompliant license or identification card, an enhanced driver's license, and an enhanced identification card;

(2) the official purposes of and limitations on use for each type of driver's license and Minnesota identification card;

(3) an overview of data shared outside the state, including through electronic validation or verification systems, as part of the application and issuance of each type;

(4) a statement notifying applicants that a driver's license or Minnesota identification card that meets the requirements of the REAL ID Act is not mandatory; and

(5) an Internet address linking to a department Web page containing more complete information.

(c) An applicant for a noncompliant license or identification card must sign an acknowledgment that the applicant understands the limitations on use of the license or card.

Sec. 11. **[171.0605] EVIDENCE OF IDENTITY AND LAWFUL PRESENCE.**

Subdivision 1. **Scope and application.** This section applies only to drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act. Except as otherwise provided under this section, the requirements of Minnesota Rules, chapter 7410, or successor rules, apply.

Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph (b):

(1) a driver's license or identification card that:

(i) complies with all requirements of the REAL ID Act;

(ii) is not designated as temporary or limited term; and

(iii) is current or has been expired for five years or less;

(2) a valid, unexpired United States passport booklet or passport card issued by the United States Department of State;

(3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;

(4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, DS-1350, or FS-545;

(5) a valid, unexpired permanent resident card issued by the United States Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551;

(6) a certificate of naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

(7) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-56;

(8) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B;

(9) a valid, unexpired passport issued by a foreign country and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States; or

(10) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11(c)(1)(x).

(b) A document under paragraph (a) must be legible and unaltered.

Subd. 3. **Evidence; lawful status.** Only a form of documentation identified under subdivision 2 or a document issued by a federal agency that demonstrates the applicant's lawful status are satisfactory evidence of an applicant's lawful status under section 171.06, subdivision 3, clause (2).

Subd. 4. **Evidence; Social Security number.** The following is satisfactory evidence of an applicant's Social Security number or related documentation under section 171.06, subdivision 3, paragraph (b):

(1) a Social Security card;

(2) if a Social Security card is not available:

(i) a federal Form W-2;

(ii) a federal Form SSA-1099 or other federal Form 1099 having the applicant's Social Security number; or

(iii) a computer-printed United States employment pay stub with the applicant's name, address, and Social Security number; or

(3) for an applicant who provides a passport under subdivision 2, paragraph (a), clause (9), documentation demonstrating nonwork authorized status.

Subd. 5. **Evidence; residence in Minnesota.** Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

(1) a home utility services bill issued no more than 90 days before the application, provided that the commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill;

(2) a home utility services hook-up work order issued no more than 90 days before the application, provided that the commissioner must not accept a home utility services hook-up work order if two unrelated people are listed on the work order;

(3) United States financial information issued no more than 90 days before the application, with account numbers redacted, including:

- (i) a bank account statement;
- (ii) a canceled check; or
- (iii) a credit card statement;
- (4) a United States high school identification card with a certified transcript from the school, if issued no more than 180 days before the application;
- (5) a Minnesota college or university identification card with a certified transcript from the college or university, if issued no more than 180 days before the application;
- (6) an employment pay stub issued no more than 90 days before the application that lists the employer's name, address, and telephone number;
- (7) a Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;
- (8) a statement from a housing with services building registered under chapter 144D, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than 90 days before the application;
- (9) a life, health, automobile, homeowner's, or renter's insurance policy issued no more than 90 days before the application, provided that the commissioner must not accept a proof of insurance card;
- (10) a federal or state income tax return or statement for the most recent tax filing year;
- (11) a Minnesota property tax statement for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;
- (12) a Minnesota vehicle certificate of title, if issued no more than 12 months before the application;
- (13) a filed property deed or title for current residence, if issued no more than 12 months before the application;
- (14) a Supplemental Security Income award statement issued no more than 12 months before the application;
- (15) mortgage documents for the applicant's principal residence;
- (16) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;
- (17) a valid driver's license, including an instruction permit, issued under this chapter;
- (18) a valid Minnesota identification card;
- (19) an unexpired Minnesota professional license;



(20) an unexpired Selective Service card; or

(21) military orders that are still in effect at the time of application.

(b) A document under paragraph (a) must include the applicant's name and an address in Minnesota.

Subd. 6. **Exceptions process.** (a) The commissioner may grant a variance from the requirements of this section as provided under Minnesota Rules, part 7410.0600, or successor rules, for evidence of:

(1) identity or date of birth under subdivision 2;

(2) lawful status under subdivision 3, only for demonstration of United States citizenship;

(3) Social Security number under subdivision 4; and

(4) residence in Minnesota under subdivision 5.

(b) The commissioner must not grant a variance for an applicant having a lawful temporary admission period.

Sec. 12. Minnesota Statutes 2016, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents and design.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear: (1) a distinguishing number assigned to the licensee; (2) the licensee's full name and date of birth; (3) either ~~(+)~~ (i) the licensee's residence address, or ~~(2)~~ (ii) the designated address under section 5B.05; (4) a description of the licensee in a manner as the commissioner deems necessary; and (5) the usual signature of the licensee; and (6) designations and markings as provided in this section. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the license, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Every license issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

~~(d) The department shall use processes in issuing a license that prohibit, as nearly as possible, the ability to alter or reproduce a license, or prohibit the ability to superimpose a photograph or electronically produced image on a license, without ready detection.~~

~~(e)~~ A license issued to an applicant age 65 or over must be plainly marked "senior" if requested by the applicant.

(e) Except for an enhanced driver's license or a noncompliant license, a license must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant license must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion;  
and

(2) have a unique design or color indicator.

(g) A license issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

(h) A license must display the licensee's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

Sec. 13. Minnesota Statutes 2016, section 171.07, subdivision 3, is amended to read:

Subd. 3. **Identification card; content and design; fee.** (a) Upon payment of the required fee, the department shall issue to every qualifying applicant a Minnesota identification card. The department may not issue a Minnesota identification card to an individual who has a driver's license, other than a limited license. The department may not issue an enhanced identification card to an individual who is under 16 years of age, not a resident of this state, or not a citizen of the United States of America. The card must bear: (1) a distinguishing number assigned to the applicant; (2) a colored photograph or an electronically produced image of the applicant; (3) the applicant's full name and date of birth; (4) either (+) (i) the licensee's residence address, or (-) (ii) the designated address under section 5B.05; (5) a description of the applicant in the manner as the commissioner deems necessary; and (6) the usual signature of the applicant; and (7) designations and markings provided under this section.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the Minnesota identification card, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Each identification card issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(e) Except for an enhanced identification card or a noncompliant identification card, a Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant identification card must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion; and

(2) have a unique design or color indicator.

(g) A Minnesota identification card issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

(h) A Minnesota identification card must display the cardholder's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

~~(i)~~ (i) The fee for a Minnesota identification card is 50 cents when issued to a person who is developmentally disabled, as defined in section 252A.02, subdivision 2; a physically disabled person, as defined in section 169.345, subdivision 2; or, a person with mental illness, as described in section 245.462, subdivision 20, paragraph (c).

Sec. 14. Minnesota Statutes 2016, section 171.07, subdivision 4, is amended to read:

Subd. 4. **Identification card expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of a Minnesota identification card ~~cards of applicants under the age of 65 shall be card~~ is the birthday of the applicant in the fourth year following the date of issuance of the card.

~~(b) A Minnesota identification card issued to~~ For an applicant age 65 or older shall be:

(1) the expiration date of a Minnesota identification card is the birthday of the applicant in the eighth year following the date of issuance of the card; or

(2) a noncompliant identification card is valid for the lifetime of the applicant, except that

(c) For the purposes of this paragraph (b), "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

~~(d)~~ (d) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

(e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

Sec. 15. Minnesota Statutes 2016, section 171.07, subdivision 9a, is amended to read:

Subd. 9a. **Security for enhanced driver's license and identification card features.** ~~An enhanced~~ (a) A driver's license or enhanced identification card must include reasonable security measures to: prevent forgery, alteration, reproduction, and counterfeiting; facilitate detection of fraud; prohibit

the ability to superimpose a photograph or electronically produced image; and to protect against unauthorized disclosure of personal information regarding residents of this state that is contained in the enhanced driver's license or enhanced identification card. The enhanced driver's license must include the best available anticounterfeit laminate technology.

~~The~~ (b) An enhanced driver's license or enhanced identification card may include radio frequency identification technology that is limited to a randomly assigned number, which must be encrypted if agreed to by the United States Department of Homeland Security and does not include biometric data or any information other than the citizenship status of the license holder or cardholder. The commissioner shall ensure that the radio frequency identification technology is secure from unauthorized data access. An applicant must sign an acknowledgment of understanding of the radio frequency identification technology and its use for the sole purpose of verifying United States citizenship before being issued an enhanced driver's license or an enhanced identification card.

Sec. 16. Minnesota Statutes 2016, section 171.071, subdivision 3, is amended to read:

Subd. 3. **Exception Limitations.** Subdivision 1 applies only to a noncompliant license or identification card. Subdivisions 1 and 2 do not apply to the commissioner's requirements pertaining to a photograph or electronically produced image on an enhanced driver's license or an enhanced identification card.

Sec. 17. Minnesota Statutes 2016, section 171.072, is amended to read:

#### **171.072 TRIBAL IDENTIFICATION CARD.**

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of identification. A tribal identification card is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules, when an applicant applies for a noncompliant license or identification card.

(b) For purposes of this section, "tribal identification card" means an unexpired identification card issued by a Minnesota tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the legal name, date of birth, signature, and picture of the enrolled tribal member.

(c) The tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must use materials that are not readily available to the general public. The tribal identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

(d) ~~The requirements of this section do not apply to:~~ (1) except as provided in paragraph (a), to an application for a driver's license or Minnesota identification card under this chapter; or (2) to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

Sec. 18. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 1a. **Driver and vehicle services information system; security and auditing.** (a) The commissioner must establish written procedures to ensure that only individuals authorized by law may enter, update, or access not public data collected, created, or maintained by the driver and vehicle services information system. An authorized individual's ability to enter, update, or access data in the system must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public to the extent the data are not otherwise classified by law.

(b) The commissioner must immediately and permanently revoke the authorization of any individual who willfully entered, updated, accessed, shared, or disseminated data in violation of state or federal law. If an individual willfully gained access to data without authorization by law, the commissioner must forward the matter to the appropriate prosecuting authority for prosecution.

(c) The commissioner must arrange for an independent biennial audit of the driver and vehicle services information system to determine whether data currently in the system are classified correctly, how the data are used, and to verify compliance with this subdivision. The results of the audit are public. No later than 30 days following completion of the audit, the commissioner must provide a report summarizing the audit results to the commissioner of administration; the chairs and ranking minority members of the committees of the house of representatives and the senate with jurisdiction over transportation policy and finance, public safety, and data practices; and the Legislative Commission on Data Practices and Personal Data Privacy. The report must be submitted as required under section 3.195, except that printed copies are not required.

**EFFECTIVE DATE.** This section is effective on the date of implementation of the driver's license portion of the Minnesota licensing and registration system. The commissioner shall notify the revisor of statutes on the date of implementation.

Sec. 19. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 3c. **Record retention; birth certificates.** (a) If the procedures established by the commissioner for driver's license or Minnesota identification card records include retention of a physical copy or digital image of a birth certificate, the commissioner must:

(1) notify a driver's license or identification card applicant of the retention procedure; and

(2) allow the applicant, licensee, or identification cardholder to designate that the applicant, licensee, or identification cardholder's birth certificate physical copy or digital image must not be retained.

(b) The commissioner must not retain a birth certificate if directed by an applicant, licensee, or identification cardholder under paragraph (a), clause (2), but must record and retain data on the birth certificate required under Code of Federal Regulations, title 6, section 37.31(c).

Sec. 20. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 7b. **Data privacy; noncompliant license or identification card.** (a) The commissioner is prohibited from, with respect to noncompliant licenses or identification cards:

(1) electronically disseminating outside the state data that is not disseminated as of the effective date of this act; or

(2) utilizing any electronic validation or verification system accessible from or maintained outside of the state that is not in use as of the effective date of this act.

(b) The limitations in paragraph (a) do not apply to the extent necessary to maintain compliance with the driver's license compact under section 171.50 and applicable federal law governing commercial drivers' licenses.

(c) For purposes of this subdivision, "outside the state" includes federal agencies, states other than Minnesota, organizations operating under agreement among the states, and private entities.

Sec. 21. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 7c. **Other data provisions.** (a) The commissioner must not share any data the department maintains under section 171.07, subdivision 13, with any federal agency, department, or entity for a use that would otherwise be permissible under United States Code, title 18, section 2721, or other law.

(b) Data collected by government entities pursuant to sections 624.712 to 624.719 are classified under section 13.87, subdivision 2.

Sec. 22. Minnesota Statutes 2016, section 171.27, is amended to read:

**171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.**

(a) Except as otherwise provided in this section, the expiration date for each driver's license; ~~other than under-21 licenses;~~ is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on the application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

(b) The expiration date for each under-21 license shall be the 21st birthday of the licensee. Upon the licensee attaining the age of 21 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued unless the commissioner determines that the licensee is no longer qualified as a driver.

(c) The expiration date for each provisional license is two years after the date of application for the provisional license.

(d) Notwithstanding paragraphs (a) to (c), the expiration date for a license issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

~~(d)~~ (e) Any valid Minnesota driver's license issued to a person then or subsequently serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any

branch or unit of the armed forces of the United States, or the person's spouse, shall continue in full force and effect without requirement for renewal until the date one year following the service member's separation or discharge from active military service, and until the license holder's birthday in the fourth full year following the person's most recent license renewal or, in the case of a provisional license, until the person's birthday in the third full year following the renewal.

Sec. 23. **REAL ID ACT IMPLEMENTATION.**

**Subdivision 1. Definition.** For purposes of this section, "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

**Subd. 2. Implementation; deadline.** The commissioner of public safety must begin issuing drivers' licenses and Minnesota identification cards that fully comply with the REAL ID Act no later than October 1, 2018. The commissioner shall submit a notification of the specific full compliance implementation date to: the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance, public safety, and data practices; the revisor of statutes; and the Legislative Commission on Data Practices and Personal Data Privacy.

**Subd. 3. Mandatory reissuance prohibition.** When implementing the REAL ID Act requirements as provided in this act, the commissioner of public safety is prohibited from requiring renewal or reissuance of a driver's license or Minnesota identification card earlier than required under the regular issuance time period. Nothing in this subdivision prevents suspension, cancellation, or revocation as provided in Minnesota Statutes, chapter 171.

**Subd. 4. Optional early reissuance and expiration date extension.** (a) For purposes of this subdivision, "full compliance date" means the date when full compliance with the REAL ID Act is required and no extensions are in effect for federal acceptance of Minnesota-issued licenses and identification cards for official purposes, as most recently specified by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.

(b) For purposes of this subdivision, "eligible applicant" means an applicant for a REAL ID-compliant driver's license or identification card who:

(1) holds a valid Minnesota driver's license or Minnesota identification card that:

(i) was issued prior to the date Minnesota commenced issuing REAL ID-compliant licenses and Minnesota identification cards; and

(ii) either (A) has an expiration date that is after the full compliance date; or (B) does not have an expiration date as provided under Minnesota Statutes, section 171.07, subdivision 4;

(2) submits the license or identification card application no later than October 31, 2020; and

(3) is otherwise eligible to obtain the license or identification card under Minnesota Statutes, chapter 171.

(c) For the first instance of issuing a REAL ID-compliant driver's license to an eligible applicant, the expiration date as provided in Minnesota Statutes, section 171.27, paragraph (a), is extended by two years, notwithstanding the requirements of that section.

(d) For the first instance of issuing a REAL ID-compliant identification card to an eligible applicant, the expiration date as provided in Minnesota Statutes, section 171.07, subdivision 4, paragraph (a), is extended by two years, notwithstanding the requirements of that section.

(e) The expiration date extension under paragraphs (c) and (d) does not apply to:

(1) issuance of a new driver's license or Minnesota identification card;

(2) issuance or renewal of a noncompliant license or identification card, as defined in Minnesota Statutes, section 171.01, subdivision 41a;

(3) issuance or renewal of an enhanced driver's license or enhanced identification card;

(4) reinstatement of a canceled, suspended, or revoked license;

(5) a driver's license subject to Minnesota Statutes, section 171.27, paragraphs (b) to (d); and

(6) a Minnesota identification card subject to Minnesota Statutes, section 171.07, subdivision 4, paragraphs (b) to (e).

#### Sec. 24. **RULEMAKING.**

The commissioner of public safety may adopt rules and amend existing Minnesota Rules using the expedited rulemaking process in section 14.389 only to the extent necessary to implement the technical aspects of the tiered license program required by this act to issue:

(1) drivers' licenses and Minnesota identification cards that are acceptable for federal identification under the REAL ID Act; and

(2) drivers' licenses and Minnesota identification cards that are not acceptable for federal identification, but comply with Code of Federal Regulations, title 6, section 37.71, state law, and applicable provisions of this act.

The grant of expedited rulemaking under this section does not authorize the commissioner of public safety to adopt rules or amend existing Minnesota Rules regarding the necessary documentation required to obtain any license, permit, or card from the department.

The grant of expedited rulemaking under this section expires on October 31, 2018, or upon publication of the notice of adoption in the State Register, whichever occurs earlier. Notwithstanding Minnesota Statutes, section 14.05, subdivision 1, rules adopted pursuant to this grant of rulemaking authority may continue to be enforced.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

#### Sec. 25. **APPROPRIATION.**

\$3,270,000 in fiscal year 2019 is appropriated from the driver services operating account in the special revenue fund to the commissioner of public safety for implementation and conformity with the requirements of the REAL ID Act of 2005, Public Law 109-13, Division B, as provided under this act. This is a onetime appropriation.



Sec. 26. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall renumber Minnesota Statutes, section 171.06, subdivision 3, paragraphs (d) and (e), as Minnesota Statutes, section 171.06, subdivision 3b, paragraphs (d) and (e). The revisor shall also make any necessary cross-reference changes consistent with the renumbering.

Sec. 27. **REPEALER.**

Laws 2009, chapter 92, section 1, as amended by Laws 2016, chapter 83, section 1, is repealed.

Sec. 28. **EFFECTIVE DATE.**

Except as specifically provided otherwise, this act is effective the day following final enactment. Sections 1 to 23 apply for application and issuance of drivers' licenses and Minnesota identification cards on and after the full compliance implementation date under section 23, subdivision 2."

Delete the title and insert:

"A bill for an act relating to transportation; authorizing and governing implementation of requirements of the federal REAL ID Act; amending certain requirements governing drivers' licenses and Minnesota identification cards; amending imposition of certain fees; requiring legislative reporting; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2016, sections 171.01, by adding subdivisions; 171.017; 171.04, by adding a subdivision; 171.06, subdivisions 1, 2, 3, by adding a subdivision; 171.07, subdivisions 1, 3, 4, 9a; 171.071, subdivision 3; 171.072; 171.12, by adding subdivisions; 171.27; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Laws 2009, chapter 92, section 1, as amended."

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 218:** A bill for an act relating to transportation; prohibiting road authorities from establishing certain requirements and permits that govern mowing; amending Minnesota Statutes 2016, section 160.232.

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

Delete everything after the enacting clause and insert:

"Section 1. **DITCH MOWING PERMITS; MORATORIUM.**

The commissioner of transportation is prohibited from requiring, issuing, or enforcing permits under Minnesota Statutes, sections 160.232 and 160.2715, or any other Minnesota statute or administrative rule, to mow or bale hay in rights-of-way under the control of the Department of Transportation until after April 30, 2018.

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017."

Amend the title numbers accordingly

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

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 1113, 201, 1245, 1060, 1059, 1545, 702, and 218 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. Nos. 375, 434, and 3 were read the second time.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

#### **Senator Jasinski introduced--**

**S.F. No. 1573:** A bill for an act relating to state government; clarifying certain prize provisions of the lottery; providing for certain budget and expenses of the State Lottery; amending Minnesota Statutes 2016, sections 349A.08, subdivision 2; 349A.10, subdivision 6; repealing Minnesota Statutes 2016, section 349A.08, subdivision 3.

Referred to the Committee on State Government Finance and Policy and Elections.

#### **Senator Wiger introduced--**

**S.F. No. 1574:** A bill for an act relating to transportation; authorizing Legion of Merit special license plates; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation Finance and Policy.

#### **Senators Pratt, Benson, and Draheim introduced--**

**S.F. No. 1575:** A bill for an act relating to horse racing; providing for ongoing operation of the Minnesota Racing Commission; amending Minnesota Statutes 2016, sections 240.15, subdivision 6; 240.155, subdivision 1; 240.30, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 240.

Referred to the Committee on State Government Finance and Policy and Elections.

#### **Senators Eaton and Marty introduced--**

**S.F. No. 1576:** A bill for an act relating to taxation; gross revenues and gross receipts; exempting certain massage therapy from sales taxation; imposing the health care provider tax on certain massage therapy; amending Minnesota Statutes 2016, sections 295.50, subdivisions 4, 9b, by adding subdivisions; 297A.61, subdivision 3; 297A.67, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Clausen introduced--**

**S.F. No. 1577:** A bill for an act relating to insurance; requiring coverage for treatment and services provided by mental health professionals and clinical trainees; requiring a denial of a claim for mental health services be made or reviewed by a licensed mental health professional; amending Minnesota Statutes 2016, section 62A.15, subdivision 4, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Jasinski, Rosen, Senjem, and Sparks introduced--**

**S.F. No. 1578:** A bill for an act relating to taxation; personal property; exempting a certain electric generation facility; amending Minnesota Statutes 2016, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Hall; Anderson, P.; Tomassoni; and Wiklund introduced--**

**S.F. No. 1579:** A bill for an act relating to education finance; making grants to the Minnesota Youth Council; appropriating money; amending Minnesota Statutes 2016, section 124D.957, subdivision 1, by adding a subdivision.

Referred to the Committee on E-12 Finance.

**Senator Utke introduced--**

**S.F. No. 1580:** A bill for an act relating to education finance; extending the early repayment aid incentive to Independent School District No. 36, Kelliher; appropriating money; amending Laws 2016, chapter 189, article 30, section 25, subdivision 5.

Referred to the Committee on E-12 Finance.

**Senators Abeler and Hoffman introduced--**

**S.F. No. 1581:** A bill for an act relating to health; providing for the licensure of prescribed pediatric extended care centers by the commissioner of health; setting fees; authorizing rulemaking; providing for criminal penalties; classifying certain data; amending Minnesota Statutes 2016, sections 13.381, by adding a subdivision; 144.057, subdivision 1; 626.556, subdivisions 2, 3, 3c, 10d; proposing coding for new law as Minnesota Statutes, chapter 144H.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Chamberlain, Pratt, and Hawj introduced--**

**S.F. No. 1582:** A bill for an act relating to education; allowing charter schools to change authorizers; amending Minnesota Statutes 2016, section 124E.10, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senators Pappas and Hawj introduced--**

**S.F. No. 1583:** A bill for an act relating to workforce development; appropriating money for a grant to the Hmong American Partnership.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Gazelka introduced--**

**S.F. No. 1584:** A bill for an act relating to capital investment; appropriating money for a wastewater infrastructure project in Grey Eagle; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Anderson, P.; Draheim; Abeler; Jensen; and Hawj introduced--**

**S.F. No. 1585:** A bill for an act relating to higher education; providing financial aid for teacher candidates of color; appropriating money; amending Minnesota Statutes 2016, section 136A.1275; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Champion introduced--**

**S.F. No. 1586:** A bill for an act relating to capital investment; appropriating money for trail connections and Mississippi River access in Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Koran introduced--**

**S.F. No. 1587:** A bill for an act relating to public employment; specifying means for certain payroll deductions and wage assignments; amending Minnesota Statutes 2016, sections 16A.133; 179A.06, subdivisions 3, 6; 181.06; 181.063.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Clausen, Hoffman, and Carlson introduced--**

**S.F. No. 1588:** A bill for an act relating to education; requiring commissioner of education to develop child abuse awareness posters; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on E-12 Policy.

**Senators Abeler, Limmer, and Latz introduced--**

**S.F. No. 1589:** A bill for an act relating to public safety; enabling the reporting of information related to the use of electronic device location tracking warrants; amending Minnesota Statutes 2016, sections 626A.08, subdivision 2; 626A.37, subdivision 4.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Chamberlain introduced--**

**S.F. No. 1590:** A bill for an act relating to taxes; allowing a reverse referendum for property tax levies under certain circumstances; modifying dates for local referenda related to spending; amending Minnesota Statutes 2016, sections 123B.63, subdivision 3; 126C.17, subdivision 9; 205.10, subdivision 1; 205A.05, subdivision 1; 216B.46; 237.19; 275.065, subdivision 3; 275.07, subdivision 1; 275.60; 276.04, subdivisions 1, 2; 412.221, subdivision 2; 412.301; 426.19, subdivision 2; 447.045, subdivisions 2, 3, 4, 6, 7; 452.11; 455.24; 455.29; 459.06, subdivision 1; 469.053, subdivision 5; 469.107, subdivision 2; 469.190, subdivisions 1, 5; 471.57, subdivision 3; 471.571, subdivision 3; 471.572, subdivisions 2, 4; 475.59; proposing coding for new law in Minnesota Statutes, chapter 275; repealing Minnesota Statutes 2016, section 205.10, subdivision 3.

Referred to the Committee on Taxes.

**Senators Lourey, Hayden, Rosen, Isaacson, and Abeler introduced--**

**S.F. No. 1591:** A bill for an act relating to human services; modifying provisions governing chemical and mental health services; amending Minnesota Statutes 2016, sections 245A.03, subdivision 2; 245A.191; 254A.01; 254A.02, subdivisions 2, 3, 5, 6, 8, 10, by adding subdivisions; 254A.03; 254A.035, subdivision 1; 254A.04; 254A.08; 254A.09; 254A.19, subdivision 3; 254B.01, subdivision 3, by adding a subdivision; 254B.03, subdivision 2; 254B.04, subdivisions 1, 2b; 254B.05, subdivisions 1, 1a, 5; 254B.051; 254B.07; 254B.08; 254B.09; 254B.12, subdivision 2; 254B.13, subdivision 2a; proposing coding for new law as Minnesota Statutes, chapter 245G; repealing Minnesota Statutes 2016, sections 245A.1915; 245A.192; 254A.02, subdivision 4; Minnesota Rules, parts 9530.6405, subparts 1, 1a, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 15a, 16, 17, 17a, 17b, 17c, 18, 20, 21; 9530.6410; 9530.6415; 9530.6420; 9530.6422; 9530.6425; 9530.6430; 9530.6435; 9530.6440; 9530.6445; 9530.6450; 9530.6455; 9530.6460; 9530.6465; 9530.6470; 9530.6475; 9530.6480; 9530.6485; 9530.6490; 9530.6495; 9530.6500; 9530.6505.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Ingebrigtsen introduced--**

**S.F. No. 1592:** A bill for an act relating to natural resources; appropriating money to negotiate agreements for assumption of section 404 permit program.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Franzen and Abeler introduced--**

**S.F. No. 1593:** A bill for an act relating to insurance; health; creating a state-based individual health plan reinsurance program; appropriating money; amending Minnesota Statutes 2016, section 13.7191, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 62W; repealing Laws 2011, First Special Session chapter 9, article 6, section 97, subdivision 6.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Little and Pratt introduced--**

**S.F. No. 1594:** A bill for an act relating to capital investment; appropriating money for a new MnPASS lane on Interstate Highway 35; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Newman introduced--**

**S.F. No. 1595:** A bill for an act relating to transportation; providing for railroad oil and hazardous materials emergency preparedness; amending Minnesota Statutes 2016, sections 13.6905, by adding a subdivision; 13.7411, by adding a subdivision; 115E.042; 219.015; 299A.55; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Transportation Finance and Policy.

**Senator Anderson, P. introduced--**

**S.F. No. 1596:** A bill for an act relating to state government; appropriating money for Veterans' Voices radio programming.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senators Eichorn and Ingebrigtsen introduced--**

**S.F. No. 1597:** A bill for an act relating to natural resources; modifying off-highway motorcycle registration requirements; modifying all-terrain vehicle training age restrictions; amending Minnesota Statutes 2016, sections 84.788, subdivision 2; 84.9256, subdivision 1.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Hall, Limmer, Relph, and Schoen introduced--**

**S.F. No. 1598:** A bill for an act relating to family law; adding domestic assault by strangulation to list of crimes impacting custody, parenting plans, and parenting time; amending Minnesota Statutes 2016, sections 518.179, subdivision 2; 631.52, subdivision 2.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Abeler, Clausen, Hoffman, Isaacson, and Benson introduced--**

**S.F. No. 1599:** A bill for an act relating to education; mental health; appropriating money for mental health counselors at Minnesota Transitions Charter School.

Referred to the Committee on E-12 Policy.

**Senator Clausen introduced--**

**S.F. No. 1600:** A bill for an act relating to taxes; property; extending the spousal benefit under the disabled veterans homestead exclusion to surviving spouses of veterans with a 70 percent disability rating or higher; eliminating the eight year limitation on the spousal benefit; amending Minnesota Statutes 2016, section 273.13, subdivision 34.

Referred to the Committee on Taxes.

**Senator Clausen introduced--**

**S.F. No. 1601:** A bill for an act relating to taxation; income; establishing a temporary refundable energy credit for retrofitting commercial property for motion-sensing technology; requiring a report; appropriating money.

Referred to the Committee on Taxes.

**Senators Torres Ray, Champion, Pappas, and Hall introduced--**

**S.F. No. 1602:** A bill for an act relating to capital investment; appropriating money for repair and renovation of the historic truss bridge on the campus of the Minneapolis Veterans Home; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Klein, Rosen, and Cohen introduced--**

**S.F. No. 1603:** A bill for an act relating to state government; requiring the Minnesota Sports Facilities Authority to provide suites to charitable organizations for NFL events; amending Minnesota Statutes 2016, section 473J.09, by adding a subdivision.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Chamberlain introduced--**

**S.F. No. 1604:** A bill for an act relating to public safety; modifying length of probation for certain offenses; clarifying that court can grant early termination and discharge of probation; amending Minnesota Statutes 2016, section 609.135, subdivision 2.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Benson and Hoffman introduced--**

**S.F. No. 1605:** A resolution recognizing pornography as a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms and memorializing Congress to recognize this hazard and address pornography at a national level.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Clausen, Hall, Pratt, Kent, and Wiger introduced--**

**S.F. No. 1606:** A bill for an act relating to education finance; making grants to the Minnesota Alliance With Youth; appropriating money.

Referred to the Committee on E-12 Finance.

**Senators Relph, Franzen, Nelson, and Abeler introduced--**

**S.F. No. 1607:** A bill for an act relating to health; appropriating money for targeted home visiting services for high-risk populations.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Dahms introduced--**

**S.F. No. 1608:** A bill for an act relating to education finance; clarifying the allowed uses of long-term facilities maintenance revenue and capital levies; increasing lease levy authority for school districts that are members of cooperative units; amending Minnesota Statutes 2016, sections 123B.595, subdivision 3; 126C.40, subdivision 1.

Referred to the Committee on E-12 Finance.

**Senators Utke and Koran introduced--**

**S.F. No. 1609:** A bill for an act relating to health; specifying optometrist services payment and certain contract requirements; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Anderson, B.; Utke; Tomassoni; Housley; and Little introduced--**

**S.F. No. 1610:** A bill for an act relating to vocational rehabilitation; providing for rate increases for providers of extended employment services; appropriating money; amending Minnesota Statutes 2016, section 268A.15, by adding a subdivision.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.



**Senator Utke introduced--**

**S.F. No. 1611:** A bill for an act relating to education finance; authorizing a levy adjustment for Independent School District No. 308, Nevis, to be spread over more than one year.

Referred to the Committee on E-12 Finance.

**Senators Utke and Johnson introduced--**

**S.F. No. 1612:** A bill for an act relating to capital investment; appropriating money for expansion of the Northwest Angle School in Warroad; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Limmer introduced--**

**S.F. No. 1613:** A bill for an act relating to health care; authorizing an entity with jurisdiction over an inmate to apply for medical assistance on behalf of the inmate; amending Minnesota Statutes 2016, section 256B.055, subdivision 14.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Limmer introduced--**

**S.F. No. 1614:** A bill for an act relating to courts; permitting the Department of Public Safety to share data with the courts; amending Minnesota Statutes 2016, section 13.69, subdivision 1.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Limmer introduced--**

**S.F. No. 1615:** A bill for an act relating to courts; updating outdated statutes pertaining to court reporters; modifying name of drug court to treatment court; authorizing direct appeals of referee orders and decrees in probate or civil commitment court proceedings to the Court of Appeals; clarifying statutes related to penalty of perjury for documents provided to the court; modifying service of harassment restraining orders; amending Minnesota Statutes 2016, sections 243.49; 299A.707, subdivision 2; 357.42; 358.116; 484.70, subdivision 7; 484.702, by adding a subdivision; 486.01; 486.02; 486.05, subdivision 1; 486.06; 609.48, by adding a subdivision; 609.748, subdivision 4; repealing Minnesota Statutes 2016, sections 484.72; 486.05, subdivision 1a; 525.112.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Lourey and Benson introduced--**

**S.F. No. 1616:** A bill for an act relating to human services; establishing a contingent, alternate medical assistance payment method for children's hospitals; amending Minnesota Statutes 2016, section 256.969, subdivisions 4b, 9.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Latz introduced--**

**S.F. No. 1617:** A bill for an act relating to driving while impaired; modifying the ignition interlock program by requiring indigent program participants to submit a sworn statement regarding indigency and making submitting a false statement a crime, making ignition interlock crimes nonpayable offenses, specifying which program participants must present a noncancelable insurance certificate as a prerequisite to participating in the program, and providing for the reissuance of impounded plates for program participants; amending Minnesota Statutes 2016, sections 169A.60, subdivision 13; 171.09, subdivision 1; 171.306, subdivisions 2, 4, 6.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Latz introduced--**

**S.F. No. 1618:** A bill for an act relating to driving while impaired; extending certain time periods to request reviews in DWI-related proceedings; amending Minnesota Statutes 2016, sections 97B.066, subdivision 8; 169A.53, subdivision 2; 169A.60, subdivision 10.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Latz introduced--**

**S.F. No. 1619:** A bill for an act relating to driving while impaired; providing that DWI offenders are not required to take a specified examination as a condition of driver's license reinstatement; amending Minnesota Statutes 2016, sections 169A.55, subdivision 2; 171.29, subdivision 1.

Referred to the Committee on Transportation Finance and Policy.

**Senator Latz introduced--**

**S.F. No. 1620:** A bill for an act relating to driving while impaired; modifying how license plates are impounded and reissued under the DWI law; providing criminal penalties; amending Minnesota Statutes 2016, sections 169A.37, subdivision 1; 169A.60, subdivisions 4, 5.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Latz introduced--**

**S.F. No. 1621:** A bill for an act relating to courts; lowering or eliminating certain court-related fees; amending Minnesota Statutes 2016, sections 357.021, subdivision 2; 609.748, subdivision 3a.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Benson and Gazelka introduced--**

**S.F. No. 1622:** A bill for an act relating to insurance; permitting certain entities to administer unified personal health premium accounts; modifying availability of coverage provisions for the small employer market; proposing coding for new law as Minnesota Statutes, chapter 62W; repealing Minnesota Statutes 2016, sections 62A.303; 62L.12, subdivisions 3, 4.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Benson, Gazelka, Chamberlain, and Dahms introduced--**

**S.F. No. 1623:** A bill for an act relating to taxation; individual income; providing a subtraction for health insurance premiums; amending Minnesota Statutes 2016, sections 290.0132, by adding a subdivision; 290.091, subdivision 2.

Referred to the Committee on Taxes.

**Senator Dahms introduced--**

**S.F. No. 1624:** A bill for an act relating to transportation; canceling and providing loan forgiveness on a Department of Transportation contract.

Referred to the Committee on Transportation Finance and Policy.

**Senator Dahms introduced--**

**S.F. No. 1625:** A bill for an act relating to capital investment; appropriating money for paving a road to serve as access to the State Veterans Cemetery in Redwood County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Clausen introduced--**

**S.F. No. 1626:** A bill for an act relating to mental health; expanding distribution of medical education funds to clinical medical education programs training marriage and family therapists and professional clinical counselors; establishing mental health practicum incentive payments; appropriating money for the health professional education loan forgiveness program; amending Minnesota Statutes 2016, sections 62J.692, subdivisions 1, 3; 245.464, by adding a subdivision.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Relph introduced--**

**S.F. No. 1627:** A bill for an act relating to health; requiring health plans to indicate level of coverage for certain anticancer medication; amending Minnesota Statutes 2016, section 62A.3075.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senator Rest introduced--**

**S.F. No. 1628:** A bill for an act relating to judicial enforcement; creating new administrative procedures; modifying penalties; modifying provisions for paid preparers; amending Minnesota Statutes 2016, sections 270C.445, subdivisions 2, 3, 5a, 6, 6a, 6b, 6c, 7, 8, by adding a subdivision; 270C.446, subdivisions 2, 3, 4, 5; 270C.447, subdivisions 1, 2, 3, by adding a subdivision; 289A.60,

subdivisions 13, 28; repealing Minnesota Statutes 2016, sections 270C.445, subdivision 1; 270C.447, subdivision 4.

Referred to the Committee on Taxes.

**Senators Torres Ray, Kent, and Wiger introduced--**

**S.F. No. 1629:** A bill for an act relating to education; modifying the safe schools levy; amending Minnesota Statutes 2016, section 126C.44.

Referred to the Committee on E-12 Policy.

**Senators Utke, Eichorn, Johnson, and Tomassoni introduced--**

**S.F. No. 1630:** A bill for an act relating to taxation; property; requiring the state to pay the costs of property tax judgments against state-assessed property; appropriating money; amending Minnesota Statutes 2016, section 278.12.

Referred to the Committee on Taxes.

**Senator Anderson, P. introduced--**

**S.F. No. 1631:** A bill for an act relating to metropolitan government; providing for additional financing of metropolitan-area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2016, section 473.39, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senators Abeler and Hoffman introduced--**

**S.F. No. 1632:** A bill for an act relating to human services; establishing a law enforcement and mental health co-response pilot project; appropriating money.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Clausen, Hoffman, and Abeler introduced--**

**S.F. No. 1633:** A bill for an act relating to insurance; requiring coverage for treatment and services provided by mental health professionals and clinical trainees; requiring a denial of a claim for mental health services be made or reviewed by a licensed mental health professional; amending Minnesota Statutes 2016, section 62A.15, subdivision 4, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Chamberlain, Pratt, and Clausen introduced--**

**S.F. No. 1634:** A bill for an act relating to taxation; income; allowing a subtraction and establishing a refundable credit for certain contributions for higher education expenses; appropriating

money; amending Minnesota Statutes 2016, section 290.0132, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Schoen, Abeler, Lourey, and Latz introduced--**

**S.F. No. 1635:** A bill for an act relating to civil commitment; requesting a task force to assess civil commitment laws and procedures.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Simonson introduced--**

**S.F. No. 1636:** A bill for an act relating to taxation; sales and use; providing an exemption for nonprofit corporations operating ice arenas or ice rinks used primarily for youth and high school programs; amending Minnesota Statutes 2016, section 297A.70, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Lourey introduced--**

**S.F. No. 1637:** A bill for an act relating to commerce; allowing an exemption from posting a surety bond for certain vehicle dealers who demonstrate financial responsibility; amending Minnesota Statutes 2016, section 168.27, subdivision 24.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Kent, Rest, Laine, and Carlson introduced--**

**S.F. No. 1638:** A bill for an act relating to state government; providing for oversight of publicly owned stadiums and other facilities; requiring record keeping and reports; amending Minnesota Statutes 2016, sections 3.8842, subdivisions 1, 7; 473J.07, subdivision 2; 473J.09, subdivision 13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Newton introduced--**

**S.F. No. 1639:** A bill for an act relating to transportation; requiring an intersection improvement study at a location on marked Trunk Highway 65 in Blaine; appropriating money.

Referred to the Committee on Transportation Finance and Policy.

**Senator Newton introduced--**

**S.F. No. 1640:** A bill for an act relating to military veterans; authorizing additional uses of GI Bill benefits; making changes to the GI Bill; amending Minnesota Statutes 2016, section 197.791, subdivisions 1, 2, 3, 4, 5, 5a, by adding a subdivision.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senator Housley introduced--**

**S.F. No. 1641:** A bill for an act relating to cosmetology; making technical changes to definitions; clarifying eyelash extension regulation; authorizing rulemaking; amending Minnesota Statutes 2016, sections 155A.23, subdivisions 10, 15, 16, by adding a subdivision; 155A.29, subdivision 2; 155A.30, subdivisions 2, 5; Laws 2015, chapter 77, article 2, section 81; repealing Minnesota Statutes 2016, section 155A.23, subdivision 8.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Senjem, Rosen, Schoen, Limmer, and Newton introduced--**

**S.F. No. 1642:** A bill for an act relating to retirement; Minnesota State Retirement System; providing general state employees retirement plan coverage for employees of the National Sports Center Foundation; amending Minnesota Statutes 2016, section 352.01, subdivision 2a.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Dzierdzic introduced--**

**S.F. No. 1643:** A bill for an act relating to data practices; providing for certain disclosures by the commissioner of revenue; amending Minnesota Statutes 2016, section 270B.14, subdivision 1, by adding subdivisions.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Rest; Gazelka; Anderson, P.; Pratt; and Senjem introduced--**

**S.F. No. 1644:** A bill for an act relating to taxation; individual income; providing sourcing rules for income of nonresident board members; amending Minnesota Statutes 2016, section 290.191, subdivision 5.

Referred to the Committee on Taxes.

**Senator Weber introduced--**

**S.F. No. 1645:** A bill for an act relating to human services; providing an operating payment rate increase for an intermediate care facility for persons with disabilities located in Murray County; amending Minnesota Statutes 2016, section 256B.5012, by adding a subdivision.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Weber, Sparks, Ingebrigtsen, Tomassoni, and Ruud introduced--**

**S.F. No. 1646:** A bill for an act relating to natural resources; appropriating money for water-quality credit trading program for storm water.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Weber, Sparks, Ingebrigtsen, Tomassoni, and Ruud introduced--**

**S.F. No. 1647:** A bill for an act relating to clean water; appropriating money for water-quality credit trading program for storm water.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Abeler, Clausen, Hoffman, Isaacson, and Miller introduced--**

**S.F. No. 1648:** A bill for an act relating to education finance; providing for supplemental aid for approved recovery programs; amending Minnesota Statutes 2016, section 124D.695, by adding a subdivision.

Referred to the Committee on E-12 Finance.

**Senators Ingebrigtsen, Osmek, Tomassoni, Hoffman, and Goggin introduced--**

**S.F. No. 1649:** A bill for an act relating to energy; modifying the solar energy standard; amending resource planning requirements; amending Minnesota Statutes 2016, sections 216B.1691, subdivision 2f; 216B.2422, subdivisions 2, 4.

Referred to the Committee on Energy and Utilities Finance and Policy.

**Senators Ruud, Ingebrigtsen, Tomassoni, Lang, and Dzedzic introduced--**

**S.F. No. 1650:** A bill for an act relating to solid waste; amending allocation of revenues from solid waste management tax; amending Minnesota Statutes 2016, section 297H.13, subdivision 2.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Jensen introduced--**

**S.F. No. 1651:** A bill for an act relating to parks and trails; appropriating money for Lake Waconia Regional Park.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Senjem introduced--**

**S.F. No. 1652:** A bill for an act relating to taxation; sales and use; Sustainable Forest Incentive Act; modifying collection and refund provisions; allowing for disclosure of certain information and a collection agreement between the commissioner of revenue and the commissioner of the natural resources; modifying requirements for land enrolled in the Sustainable Forest Incentive Act; amending Minnesota Statutes 2016, sections 84.82, subdivision 10; 84.922, subdivision 11; 86B.401, subdivision 12; 115A.1314, subdivision 1; 270B.14, by adding a subdivision; 290C.03; proposing coding for new law in Minnesota Statutes, chapters 290C; 297A; repealing Minnesota Statutes 2016, sections 290C.02, subdivisions 5, 9; 290C.06.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Dzedzic introduced--**

**S.F. No. 1653:** A bill for an act relating to judicial enforcement; tobacco; modifying provisions for the regulation and taxation of tobacco and vapor products; appropriating money; amending Minnesota Statutes 2016, sections 270C.722, subdivision 1; 270C.728, by adding a subdivision; 297F.01, subdivisions 9a, 10, 14, 17, 19, 20, 21, by adding subdivisions; 297F.03, subdivisions 1, 2, 3, 5, 6, 7, by adding a subdivision; 297F.04, subdivisions 1, 2; 297F.05, subdivision 3, by adding a subdivision; 297F.06, by adding a subdivision; 297F.08, subdivision 8a; 297F.09, subdivisions 2, 7, 10; 297F.12, subdivision 3; 297F.13, subdivisions 2, 4, by adding a subdivision; 297F.15, subdivision 9; 297F.19, by adding a subdivision; 297F.20, subdivisions 5, 6, 7, 9, by adding subdivisions; 297F.21, subdivision 1; 461.12, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 297F; repealing Minnesota Statutes 2016, section 297F.185.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Latz introduced--**

**S.F. No. 1654:** A bill for an act relating to legislative enactments; making miscellaneous technical corrections to laws and statutes; correcting erroneous, obsolete, and omitted text and references; removing redundant, conflicting, and superseded provisions; amending Minnesota Statutes 2016, sections 10A.01, subdivision 3; 10A.20, subdivision 1b; 13.321, by adding a subdivision; 13.381, by adding a subdivision; 13.383, by adding a subdivision; 13.461, by adding a subdivision; 13.598, by adding a subdivision; 13.7191, by adding a subdivision; 15A.0825, subdivision 8; 16A.152, subdivision 1b; 43A.23, subdivision 1; 43A.316, subdivision 9; 62A.46, subdivision 7; 69.021, subdivision 10; 97A.075, subdivision 5; 97A.133, subdivision 2; 103F.601, subdivision 2; 116R.02, subdivision 4; 119B.06, subdivision 1; 124D.19, subdivision 3; 126C.05, subdivision 14; 127A.41, subdivision 8; 144.0571; 144.0722, subdivision 1; 144.0724, subdivisions 1, 2, 9; 144A.071, subdivisions 3, 4a, 4c, 4d; 144A.073, subdivision 3c; 144A.10, subdivision 4; 144A.15, subdivision 2; 144A.154; 144A.161, subdivision 10; 144A.1888; 144A.611, subdivision 1; 144D.01, subdivision 6; 146B.03, subdivision 7; 148.512, subdivision 16; 148.725, subdivision 5; 148E.280; 150A.02; 151.06, subdivision 1; 151.32; 152.25, subdivision 4; 153B.30, subdivision 2; 179A.10, subdivision 1; 204B.13, subdivisions 1, 2; 237.59, subdivision 2; 237.761, subdivision 4; 245.4835, subdivision 2; 245.493, subdivision 1; 245.62, subdivision 4; 245A.11, subdivision 2a; 245F.09, subdivision 1; 252.292, subdivision 4; 256.045, subdivisions 3b, 4; 256.0451, subdivisions 1, 3, 11, 19; 256.481; 256.9741, subdivision 7; 256.9742, subdivision 6; 256.991; 256B.02, subdivision 9; 256B.059, subdivisions 5, 6; 256B.0622, subdivisions 7b, 7d; 256B.0911, subdivisions 4d, 6; 256B.25, subdivision 3; 256B.35, subdivision 4; 256B.421, subdivision 1; 256B.50, subdivisions 1, 1c; 256B.501, subdivisions 3i, 4b; 256B.692, subdivision 6; 256B.76, subdivision 1; 256B.78; 256D.03, subdivision 2a; 256D.04; 256D.05, subdivision 1; 256D.44, subdivision 5; 256J.01, subdivision 3; 256J.21, subdivision 2; 256J.515; 260.55; 260.56; 260.57; 260C.451, subdivision 8; 270.074, subdivision 3; 273.1392; 275.71, subdivision 4; 275.72, subdivision 2; 276.04, subdivision 3; 276A.06, subdivision 10; 289A.121, subdivisions 5, 6; 290.091, subdivision 2; 290A.03, subdivision 8; 295.53, subdivision 1; 297F.10, subdivision 1; 297I.06, subdivision 3; 297I.15, subdivision 4; 298.001, by adding a subdivision; 298.24, subdivision 1; 298.28, subdivision 6; 317A.061, subdivision 2; 340A.409, subdivision 1; 354A.37, subdivision 1; 354C.11, subdivision 2; 356.215, subdivision



8; 383B.32, subdivisions 3, 4; 462C.05, subdivision 7; 473.39, subdivision 1; 518A.53, subdivision 11; 617.85; Laws 2017, chapter 3, section 1; repealing Minnesota Statutes 2016, sections 120B.365; 122A.245, subdivision 10; 124D.095, subdivision 10; 128D.055, subdivision 4; 129C.30, subdivision 5; 144A.10, subdivision 8a; 216H.077; 290A.28; Laws 2014, chapter 207, section 1; Laws 2014, chapter 227, article 2, section 1; Laws 2015, chapter 68, article 3, section 12; Laws 2016, chapter 135, article 4, section 9; Laws 2016, chapter 189, article 26, section 4.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Eaton introduced--**

**S.F. No. 1655:** A bill for an act relating to taxation; providing regulation of sales suppression devices; imposing criminal penalties; amending Minnesota Statutes 2016, sections 289A.60, by adding a subdivision; 289A.63, by adding a subdivision; 609.5316, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 289A.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**MOTIONS AND RESOLUTIONS**

Senator Pratt moved that the names of Senators Housley, Dahms, and Clausen be added as co-authors to S.F. No. 4. The motion prevailed.

Senator Abeler moved that the name of Senator Hoffman be added as a co-author to S.F. No. 562. The motion prevailed.

Senator Dahms moved that his name be stricken as a co-author to S.F. No. 749. The motion prevailed.

Senator Eken moved that the name of Senator Frentz be added as a co-author to S.F. No. 897. The motion prevailed.

Senator Eken moved that his name be stricken as a co-author to S.F. No. 899. The motion prevailed.

Senator Klein moved that the name of Senator Isaacson be added as a co-author to S.F. No. 976. The motion prevailed.

Senator Weber moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 1311. The motion prevailed.

Senator Latz moved that the name of Senator Hall be added as a co-author to S.F. No. 1323. The motion prevailed.

Senator Housley moved that the name of Senator Simonson be added as a co-author to S.F. No. 1390. The motion prevailed.

Senator Chamberlain moved that the name of Senator Newton be added as a co-author to S.F. No. 1458. The motion prevailed.

Senator Ruud moved that the name of Senator Sparks be added as a co-author to S.F. No. 1486. The motion prevailed.

Senator Frentz moved that the name of Senator Simonson be added as a co-author to S.F. No. 1531. The motion prevailed.

Senator Nelson moved that the name of Senator Westrom be added as a co-author to S.F. No. 1556. The motion prevailed.

Senator Goggin moved that S.F. No. 899 be withdrawn from the Committee on Agriculture, Rural Development, and Housing Finance and re-referred to the Committee on Agriculture, Rural Development, and Housing Policy. The motion prevailed.

Senator Dziejdzic moved that S.F. No. 1006 be withdrawn from the Committee on Taxes and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

#### **MEMBERS EXCUSED**

Senators Hayden, Latz, Osmek, and Pappas were excused from the Session of today.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 2, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate