

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

 SIXTY-SECOND DAY

SAINT PAUL, MINNESOTA, SATURDAY, MAY 21, 2011

The House of Representatives convened at 10:00 a.m. and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by the Reverend Grady St. Dennis, House Chaplain.

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

The roll was called and the following members were present:

Abeler	Dettmer	Hausman	Leidiger	Murphy, E.	Simon
Anderson, B.	Dill	Hayden	LeMieur	Murphy, M.	Slawik
Anderson, D.	Dittrich	Hilstrom	Lenczewski	Murray	Slocum
Anderson, P.	Doepke	Hilty	Lesch	Myhra	Smith
Anderson, S.	Downey	Holberg	Liebling	Nelson	Stensrud
Anzelc	Drazkowski	Hoppe	Lillie	Nornes	Swedzinski
Atkins	Eken	Hornstein	Loeffler	Norton	Thissen
Banaian	Erickson	Hortman	Lohmer	O'Driscoll	Tillberry
Barrett	Fabian	Hosch	Loon	Paymar	Torkelson
Beard	Falk	Howes	Mack	Pelowski	Urdahl
Benson, J.	Franson	Huntley	Mahoney	Peppin	Vogel
Benson, M.	Fritz	Johnson	Mariani	Persell	Wagenius
Bills	Garofalo	Kahn	Marquart	Petersen, B.	Ward
Brynaert	Gauthier	Kath	Mazorol	Peterson, S.	Wardlow
Buesgens	Gottwalt	Kelly	McDonald	Poppe	Westrom
Carlson	Greene	Kieffer	McElfrick	Quam	Winkler
Clark	Greiling	Kiel	McFarlane	Rukavina	Woodard
Cornish	Gruenhagen	Kiffmeyer	McNamara	Runbeck	Spk. Zellers
Crawford	Gunther	Knuth	Melin	Sanders	
Daudt	Hackbarth	Koenen	Moran	Scalze	
Davids	Hamilton	Kriesel	Morrow	Schomacker	
Davnie	Hancock	Laine	Mullery	Scott	
Dean	Hansen	Lanning	Murdock	Shimanski	

A quorum was present.

Champion was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF CHIEF CLERK

S. F. No. 429 and H. F. No. 747, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Mazorol moved that the rules be so far suspended that S. F. No. 429 be substituted for H. F. No. 747 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 477 and H. F. No. 637, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Drazkowski moved that the rules be so far suspended that S. F. No. 477 be substituted for H. F. No. 637 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 612 and H. F. No. 905, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hamilton moved that the rules be so far suspended that S. F. No. 612 be substituted for H. F. No. 905 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 881 and H. F. No. 1270, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

McDonald moved that S. F. No. 881 be substituted for H. F. No. 1270 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1101 and H. F. No. 1339, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Abeler moved that the rules be so far suspended that S. F. No. 1101 be substituted for H. F. No. 1339 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1159 and H. F. No. 1362, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kieffer moved that the rules be so far suspended that S. F. No. 1159 be substituted for H. F. No. 1362 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1173 and H. F. No. 1423, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Gottwalt moved that the rules be so far suspended that S. F. No. 1173 be substituted for H. F. No. 1423 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1268 and H. F. No. 1195, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Anderson, S., moved that the rules be so far suspended that S. F. No. 1268 be substituted for H. F. No. 1195 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1284 and H. F. No. 1543, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Gottwalt moved that the rules be so far suspended that S. F. No. 1284 be substituted for H. F. No. 1543 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1286 and H. F. No. 1508, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Schomacker moved that S. F. No. 1286 be substituted for H. F. No. 1508 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1287 and H. F. No. 1478, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kiffmeyer moved that S. F. No. 1287 be substituted for H. F. No. 1478 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 429, 477, 612, 881, 1101, 1159, 1173, 1268, 1284, 1286 and 1287 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Holberg introduced:

H. F. No. 1748, A bill for an act relating to finance; appropriating money to continue operations of a state agency if the major appropriation bill to fund that agency has not been enacted by July 1, 2011.

The bill was read for the first time and referred to the Committee on Ways and Means.

Murphy, M., by request, introduced:

H. F. No. 1749, A bill for an act relating to taxation; local taxes authorized; city of Proctor.

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

Simon introduced:

H. F. No. 1750, A bill for an act relating to taxation; modifying determinations of substandard buildings for redevelopment districts and renewal and renovation districts in the tax increment financing law; amending Minnesota Statutes 2010, sections 469.174, subdivisions 10, 10a; 469.176, subdivision 4j.

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

Anderson, P., and Nelson introduced:

H. F. No. 1751, A bill for an act relating to transportation; regulating railroad common carriers; protecting employee safety at a certain roadway intersection.

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

Howes, Hausman, Lanning and Scalze introduced:

H. F. No. 1752, A bill for an act relating to capital investment; appropriating money for renovation of the Minnesota Telecenter Building in St. Paul; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Daudt, Holberg, Howes, Sanders, Murray and Franson introduced:

H. F. No. 1753, A bill for an act relating to state government; providing certain appropriations continue in effect at a 70 percent rate unless eliminated or otherwise modified.

The bill was read for the first time and referred to the Committee on Ways and Means.

Dean moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Paymar was excused between the hours of 12:00 noon and 2:05 p.m.

Pursuant to the Thissen motion made on Friday, May 20, 2011 to postpone to a day certain, the Conference Committee Report on S. F. No. 509 was again reported to the House.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 509

A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot in most situations; providing for the issuance of voter identification cards at no charge; establishing a procedure for provisional balloting; creating challenged voter eligibility list; specifying other election administration procedures; allowing use of electronic polling place rosters; setting standards for use of electronic polling place rosters; creating legislative task force on electronic roster implementation; enacting procedures related to recounts; appropriating money; amending Minnesota Statutes 2010, sections 13.69, subdivision 1; 135A.17, subdivision 2; 171.01, by adding a subdivision; 171.06, subdivisions 1, 2, 3, by adding a subdivision; 171.061, subdivisions 1, 3, 4; 171.07, subdivisions 1a, 4, 9, 14, by adding a subdivision; 171.071; 171.11; 171.14; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 4, 7; 201.071, subdivision 3; 201.081; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.04, subdivisions 1, 2; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.32; 204C.33, subdivision 1; 204C.37; 204C.38; 204D.24, subdivision 2; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; 206.86, subdivisions 1, 2; 209.021, subdivision 1; 209.06, subdivision 1; 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; 299A; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 203B.04, subdivision 3; 204C.34; 204C.35; 204C.36; 204C.361.

May 16, 2011

The Honorable Michelle L. Fischbach
President of the Senate

The Honorable Kurt Zellers
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 509 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 509 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1
VOTER REGISTRATION, PHOTO IDENTIFICATION, AND PROVISIONAL BALLOTING

Section 1. Minnesota Statutes 2010, section 10A.20, subdivision 2, is amended to read:

Subd. 2. **Time for filing.** (a) The reports must be filed with the board on or before January 31 of each year and additional reports must be filed as required and in accordance with paragraphs (b) to ~~(d)~~ (e).

(b) In each year in which the name of the candidate is on the ballot, the report of the principal campaign committee must be filed 15 days before a primary and ten days before a general election, seven days before a special primary and a special election, and ten days after a special election cycle.

(c) In each general election year, a political committee or political fund must file reports 28 and 15 days before a primary and 42 and ten days before a general election. Beginning in 2012, reports required under this paragraph must also be filed 56 days before a primary.

(d) In each general election year, a party unit must file reports 15 days before a primary and ten days before a general election.

(e) The treasurer of a political committee, political fund, principal campaign committee, or party unit that has received contributions or made expenditures that in aggregate within the year exceed \$5,000 must file a report with the board by April 7 in each year and by July 7 and October 7 in years when there is no general election.

Sec. 2. Minnesota Statutes 2010, section 13.69, subdivision 1, is amended to read:

Subdivision 1. **Classifications.** (a) The following government data of the Department of Public Safety are private data:

(1) medical data on driving instructors, licensed drivers, and applicants for parking certificates and special license plates issued to physically disabled persons;

(2) other data on holders of a disability certificate under section 169.345, except that data that are not medical data may be released to law enforcement agencies;

(3) Social Security numbers in driver's license and motor vehicle registration records, except that Social Security numbers must be provided to the Department of Revenue for purposes of tax administration, the Department of Labor and Industry for purposes of workers' compensation administration and enforcement, and the Department of Natural Resources for purposes of license application administration; ~~and~~

(4) data on persons listed as standby or temporary custodians under section 171.07, subdivision 11, except that the data must be released to:

(i) law enforcement agencies for the purpose of verifying that an individual is a designated caregiver; or

(ii) law enforcement agencies who state that the license holder is unable to communicate at that time and that the information is necessary for notifying the designated caregiver of the need to care for a child of the license holder; and

(5) data on applicants for a Minnesota voter identification card under section 171.07, subdivision 3b.

The department may release the Social Security number only as provided in clause (3) and must not sell or otherwise provide individual Social Security numbers or lists of Social Security numbers for any other purpose.

(b) The following government data of the Department of Public Safety are confidential data: data concerning an individual's driving ability when that data is received from a member of the individual's family.

Sec. 3. Minnesota Statutes 2010, section 171.01, is amended by adding a subdivision to read:

Subd. 51. Voter identification card. "Voter identification card" means a card issued or issuable under the laws of this state by the commissioner of public safety that denotes citizenship, identity, and residence address and may be used as identification and proof of residence for election day voter registration and for voting on election day, but for no other purpose.

Sec. 4. Minnesota Statutes 2010, section 171.06, subdivision 1, is amended to read:

Subdivision 1. **Forms of application.** Every application for a Minnesota identification card, for an enhanced identification card, for an instruction permit, for a provisional license, for a driver's license, ~~or for an enhanced driver's license,~~ or for a voter identification card must be made in a format approved by the department, and every application, except for an application for a voter identification card, must be accompanied by 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 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. 5. Minnesota Statutes 2010, 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:

Classified Driver's License	D-\$22.25	C-\$26.25	B-\$33.25	A-\$41.25
Classified Under-21 D.L.	D-\$22.25	C-\$26.25	B-\$33.25	A-\$21.25
Enhanced Driver's License	D-\$37.25	C-\$41.25	B-\$48.25	A-\$56.25
Instruction Permit				\$10.25
Enhanced Instruction Permit				\$25.25
Provisional License				\$13.25
Enhanced Provisional License				\$28.25
Duplicate License or duplicate identification card				\$11.75
Enhanced Duplicate License or enhanced duplicate identification card				\$26.75
Minnesota identification card or Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a				\$16.25
Enhanced Minnesota identification card				\$31.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of \$1.75 until June 30, 2012. 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) The commissioner shall not collect any fee or surcharge for a voter identification card.

Sec. 6. Minnesota Statutes 2010, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of license application; other information.** (a) An application for a Minnesota identification card, enhanced identification card, instruction permit, provisional license, driver's license, or enhanced driver's license 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 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) 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) contain a space where the applicant may request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a.

(b) 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.

(c) 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. 7. Minnesota Statutes 2010, section 171.06, is amended by adding a subdivision to read:

Subd. 3b. Application for voter identification card. An application for a voter identification card, including a renewal or duplicate card, or a new card required as a result of change of address, must:

(1) state the applicant's full legal name, date of birth, sex, residence address, and (i) last four digits of the applicant's Social Security number, or (ii) certification that the applicant has not been assigned a Social Security number;

(2) provide a description of the applicant in the same manner as required on an application for a Minnesota driver's license;

(3) be accompanied by proof satisfactory to the commissioner of the applicant's United States citizenship;

(4) state the length of residence at the applicant's current address; and

(5) present a photographic identity document or affirm under penalty of perjury that the applicant has a religious objection to the use of a photographic image.

Sec. 8. Minnesota Statutes 2010, section 171.061, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section:

(1) "applicant" means an individual applying for a driver's license, provisional license, restricted license, duplicate license, instruction permit, Minnesota identification card, voter identification card, or motorized bicycle operator's permit; and

(2) "application" refers to an application for a driver's license, provisional license, restricted license, duplicate license, instruction permit, Minnesota identification card, voter identification card, or motorized bicycle operator's permit.

Sec. 9. Minnesota Statutes 2010, section 171.061, subdivision 3, is amended to read:

Subd. 3. **Application.** An applicant may file an application with an agent. The agent shall receive and accept applications in accordance with the laws and rules of the Department of Public Safety for a driver's license, restricted license, duplicate license, instruction permit, Minnesota identification card, voter identification card, or motorized bicycle operator's permit.

Sec. 10. Minnesota Statutes 2010, section 171.061, subdivision 4, is amended to read:

Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of \$5 for each application, except for an application for a voter identification card, for which no filing fee may be charged. Except as provided in paragraph (b), the fee shall cover all expenses involved in receiving, accepting, or forwarding to the department the applications and fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions 3 and 3a.

(b) The department shall maintain the photo identification equipment for all agents appointed as of January 1, 2000. Upon the retirement, resignation, death, or discontinuance of an existing agent, and if a new agent is appointed in an existing office pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota Rules, part 7404.0400, the department shall provide and maintain photo identification equipment without additional cost to a newly appointed agent in that office if the office was provided the equipment by the department before January 1, 2000. All photo identification equipment must be compatible with standards established by the department.

(c) A filing fee retained by the agent employed by a county board must be paid into the county treasury and credited to the general revenue fund of the county. An agent who is not an employee of the county shall retain the filing fee in lieu of county employment or salary and is considered an independent contractor for pension purposes, coverage under the Minnesota State Retirement System, or membership in the Public Employees Retirement Association.

(d) Before the end of the first working day following the final day of the reporting period established by the department, the agent must forward to the department all applications and fees collected during the reporting period except as provided in paragraph (c). The department shall transmit payment to the agent of \$5 for each application for a voter identification card. An agent employed by a county board shall remit the payments to the county under paragraph (c) and all other agents may retain the payments.

Sec. 11. Minnesota Statutes 2010, section 171.07, subdivision 1a, is amended to read:

Subd. 1a. **Filing photograph or image; data classification.** The department shall file, or contract to file, all photographs or electronically produced images obtained in the process of issuing drivers' licenses ~~or~~ Minnesota identification cards, or voter identification cards. The photographs or electronically produced images shall be private data pursuant to section 13.02, subdivision 12. Notwithstanding section 13.04, subdivision 3, the department shall not be required to provide copies of photographs or electronically produced images to data subjects. The use of the files is restricted:

(1) to the issuance and control of drivers' licenses and voter identification cards;

(2) to criminal justice agencies, as defined in section 299C.46, subdivision 2, for the investigation and prosecution of crimes, service of process, enforcement of no contact orders, location of missing persons, investigation and preparation of cases for criminal, juvenile, and traffic court, and supervision of offenders;

(3) to public defenders, as defined in section 611.272, for the investigation and preparation of cases for criminal, juvenile, and traffic courts; and

(4) to child support enforcement purposes under section 256.978.

Sec. 12. Minnesota Statutes 2010, section 171.07, is amended by adding a subdivision to read:

Subd. 3b. Voter identification cards. (a) A voter identification card must be issued to a qualifying applicant who, on the election day next occurring after the date of issuance, will meet the voter eligibility requirements of the Minnesota State Constitution and statutes, and who does not possess a current Minnesota driver's license or Minnesota identification card.

(b) A voter identification card must bear a distinguishing number assigned to the applicant; the applicant's full name and date of birth; the applicant's address of residence; a description of the applicant in the same manner as provided on a Minnesota driver's license; the date of the card's expiration; and the usual signature of the applicant. The card must bear a colored photograph or an electronically produced image of the applicant, or, for an applicant who has affirmed a religious objection under section 171.06, subdivision 3b, clause (5), the card must bear the words "Valid without photograph." An individual eligible to apply for status as a permanent absentee voter under section 203B.04, subdivision 5, must be permitted to submit a photograph, consistent with any size or formatting requirements of the commissioner of public safety, for use on a voter identification card issued under this subdivision.

(c) A voter identification card shall not be valid identification for purposes unrelated to voting in Minnesota.

(d) A voter identification card must be of a different color scheme than a Minnesota driver's license or state identification card, but must incorporate the same information and security features as provided in subdivision 9.

(e) Each voter identification card must be plainly marked: "Voter Identification – Not a driver's license. Valid Identification Only for Voting."

Sec. 13. Minnesota Statutes 2010, section 171.07, subdivision 4, is amended to read:

Subd. 4. Expiration. (a) Except as otherwise provided in this subdivision, the expiration date of Minnesota identification cards and voter identification cards of applicants under the age of 65 shall be the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) Minnesota identification cards and voter identification cards issued to applicants age 65 or over shall be valid for the lifetime of the applicant.

(c) 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.

Sec. 14. Minnesota Statutes 2010, section 171.07, subdivision 9, is amended to read:

Subd. 9. **Improved security.** ~~The commissioner shall develop new Drivers' licenses and~~ identification cards, ~~to be issued beginning January 1, 1994, that~~ and voter identification cards must be as impervious to alteration as is reasonably practicable in their design and quality of material and technology. The driver's license security laminate shall be made from materials not readily available to the general public. The design and technology employed must enable the driver's license and identification card to be subject to two or more methods of visual verification capable of clearly indicating the presence of tampering or counterfeiting. The driver's license and 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.

Sec. 15. Minnesota Statutes 2010, section 171.07, subdivision 14, is amended to read:

Subd. 14. **Use of Social Security number.** An applicant's Social Security number must not be displayed, encrypted, or encoded on the driver's license ~~or~~ Minnesota identification card, voter identification card, or included in a magnetic strip or bar code used to store data on the license ~~or~~ Minnesota identification card, or voter identification card. The Social Security number must not be used as a Minnesota driver's license ~~or~~ identification, or voter identification number.

Sec. 16. Minnesota Statutes 2010, section 171.071, is amended to read:

171.071 PHOTOGRAPH ON LICENSE OR IDENTIFICATION CARD, OR VOTER IDENTIFICATION CARD.

Subdivision 1. **Religious objection.** Notwithstanding the provisions of section 171.07, the commissioner of public safety may adopt rules to permit identification on a driver's license ~~or~~ Minnesota identification card, or voter identification card in lieu of a photograph or electronically produced image where the commissioner finds that the licensee has religious objections to the use of a photograph or electronically produced image.

Subd. 2. **Certain head wear permitted.** If an accident involving a head injury, serious illness, or treatment of the illness has resulted in hair loss by an applicant for a driver's license ~~or~~ identification card, or voter identification card, the commissioner shall permit the applicant to wear a hat or similar head wear in the photograph or electronically produced image. The hat or head wear must be of an appropriate size and type to allow identification of the holder of the license or card and must not obscure the holder's face.

Subd. 3. **Exception.** 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 2010, section 171.11, is amended to read:

171.11 DUPLICATE LICENSE OR VOTER IDENTIFICATION CARD; CHANGE OF DOMICILE OR NAME.

Subdivision 1. **Duplicate driver's license.** When any person, after applying for or receiving a driver's license, shall change permanent domicile from the address named in such application or in the license issued to the person, or shall change a name by marriage or otherwise, such person shall, within 30 days thereafter, apply for a duplicate driver's license upon a form furnished by the department and pay the required fee. The application or duplicate license shall show both the licensee's old address and new address or the former name and new name as the case may be.

Subd. 2. **Duplicate voter identification card.** A voter identification cardholder who changes residence address or name from the address or name stated on the card shall not present the card for voting purposes, but must apply for a duplicate voter identification card upon a form furnished by the department. The application for duplicate voter identification card must show the cardholder's former address and current address, along with length of residence at the current address, and the former name and current name, as applicable.

Sec. 18. Minnesota Statutes 2010, section 171.14, is amended to read:

171.14 CANCELLATION.

(a) The commissioner may cancel any driver's license or voter identification card upon determination that (1) the licensee or cardholder was not entitled to the issuance of the license or card, (2) the licensee or cardholder failed to give the required or correct information in the application, (3) the licensee or cardholder committed any fraud or deceit in making the application, or (4) the person, at the time of the cancellation, would not have been entitled to receive a license under section 171.04, or a cardholder under section 171.07.

(b) The commissioner shall cancel the driver's license of a person described in paragraph (a), clause (3), for 60 days or until the required or correct information has been provided, whichever is longer.

(c) The commissioner shall cancel the voter identification card of a person described in paragraph (a) until the person completes the application process under section 171.06, and complies in all respects with the requirements of the commissioner.

(d) The commissioner shall immediately notify the holder of a voter identification card of a cancellation of the card. Notification must be by mail, addressed to the cardholder's last known address, with postage prepaid.

Sec. 19. **[200.035] DOCUMENTATION OF IDENTITY AND RESIDENCE.**

(a) The following are sufficient proof of identity and residence for purposes of election day voter registration under section 201.061, subdivision 3, and for determining whether to count a provisional ballot under section 204C.135, subdivision 2:

(1) a current driver's license, state identification card, or voter identification card issued to the voter by the Department of Public Safety that contains the voter's current address of residence in the precinct;

(2) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's current address of residence in the precinct, and any other items of data required to be contained on a Minnesota identification card, as provided in section 171.07, subdivision 3, paragraphs (a) and (b);

(3) an original receipt for a new, renewed, or updated driver's license, state identification card, or voter identification card issued to the voter under section 171.07 that contains the voter's current address of residence in the precinct along with one of the following documents, provided that it contains a photograph of the voter:

(i) a driver's license, identification card, or voter identification card that is expired or does not contain the voter's current address of residence, issued to the voter by the state of Minnesota or any other state of the United States as defined in section 645.44, subdivision 11;

(ii) a United States passport, issued to the voter;

(iii) an identification card issued by a branch, department, agency, entity, or subdivision of Minnesota or the federal government;

(iv) an identification card issued by an accredited postsecondary institution with a campus located within 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

(v) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs;

(4) if the voter is a student, a driver's license or identification card issued by Minnesota or any other state of the United States as defined in section 645.44, subdivision 11 that does not contain the voter's current address of residence, along with a current student fee statement that contains the student's valid address of residence in the precinct; or

(5) if the voter resides in a residential facility located in the precinct, a driver's license or identification card issued to the voter by the Department of Public Safety that contains the voter's photograph along with a certification of residence in the facility, signed by the facility administrator on a form prescribed by the secretary of state.

(b) As used in this section, "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 commissioner of veterans affairs 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.

Sec. 20. [201.017] STATE-SUBSIDIZED VOTER IDENTIFICATION CARD ACCOUNT.

A state-subsidized voter identification card account is established in the special revenue fund. Money in the account is appropriated to the Department of Public Safety for purposes of providing state-subsidized voter identification cards to individuals qualifying under section 171.07, subdivision 3b, provided that the department may not be reimbursed more than the actual cost of providing voter identification cards, not to exceed \$9.85 for each card issued. A report of the total expenditures by county must be submitted to the members of the house and senate committees with oversight of elections by January 31 of each year. On June 30 of each odd-numbered year, any balance in the account is transferred to the general fund.

Sec. 21. Minnesota Statutes 2010, 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 identity and residence. An individual may prove identity and residence for purposes of registering by: presenting documentation as permitted by section 200.035.

~~(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 who is 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 15 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 voter is registered to vote in the precinct, personally knows that the individual is a resident of the precinct, and 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) (b) A county, school district, or municipality ~~may~~ must require that an election judge responsible for election day registration ~~initial sign~~ each completed registration application.

Sec. 22. Minnesota Statutes 2010, section 201.221, subdivision 3, is amended to read:

Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe the form of polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. The address listed on the polling place roster must be the voter's address of residence, unless the voter has requested that the address printed on the roster be the voter's mailing address because the voter is a judge, or a law enforcement or corrections officer. The secretary of state may prescribe additional election-related information to be placed on the polling place rosters on an experimental basis for one state primary and general election cycle; the same information may not be placed on the polling place roster for a second state primary and general election cycle unless specified in this subdivision. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for 22 months following the election.

Sec. 23. Minnesota Statutes 2010, 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. 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. Notwithstanding any other provision of law, an individual serving only as an election judge, is not an employee of a school district, regardless of whether an office of the school district appears on the ballot in the precinct at the election.

Sec. 24. Minnesota Statutes 2010, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

Subdivision 1. Polling place roster. (a) In precincts using paper rosters, an individual seeking to vote shall sign a polling place roster 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." In precincts using electronic rosters, an individual seeking to vote shall sign a printed voter's receipt generated from an electronic roster that meets the standards provided in section 201.225, subdivision 2.

(b) ~~A judge may~~, Before the applicant signs the roster or a printed voter's receipt generated from an electronic roster, a judge must: (1) require the voter to present a photo identification document, as described in subdivision 2; and (2) confirm the applicant's name, address, and date of birth. A voter who cannot produce sufficient identification as required by subdivision 2 may not sign the polling place roster, but may cast a provisional ballot, as provided in section 204C.135.

(c) In precincts using paper rosters, after the applicant signs the roster, the judge shall give the applicant a voter's receipt. In all precincts, 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 for 36 months following the date of the election.

Subd. 2. Photo identification. (a) To satisfy the photo identification requirement in subdivision 1, paragraph (b), a voter must present a valid form of one of the following documents or sets of documents, issued to the voter:

(1) a Minnesota driver's license, state identification card, or voter identification card issued under section 171.07 that contains the voter's current address of residence in the precinct;

(2)(i) an original receipt for a new, renewed, or updated driver's license, state identification card, or voter identification card issued to the voter under section 171.07 that contains the voter's current address of residence in the precinct; and

(ii) a driver's license, identification card, or a voter identification card that is expired, invalidated, or does not contain the voter's current address of residence in the precinct, issued to the voter by the state of Minnesota or any other state of the United States as defined in section 645.44, subdivision 11;

(3) an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's current address of residence in the precinct, and any other items of data required to be contained on a Minnesota identification card, as provided in section 171.07, subdivision 3, paragraphs (a) and (b); or

(4) if the voter resides in a residential facility located in the precinct, a driver's license or identification card issued to the voter by the Department of Public Safety that contains the voter's photograph along with a certification of residence in the facility, signed by the facility administrator on a form prescribed by the secretary of state.

(b) As used in this subdivision, "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 commissioner of veterans affairs 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.

(c) An identification card presented under this section by a voter who is a judge, law enforcement officer, or corrections officer is not deficient for a lack of the voter's current address of residence in the precinct if the identification card contains the mailing address of the voter and that matches the address listed on the polling place roster.

Sec. 25. Minnesota Statutes 2010, section 204C.12, subdivision 3, is amended to read:

Subd. 3. **Determination of residence.** In determining the legal residence of a challenged individual, the election judges shall be governed by the principles contained in section 200.031. If the challenged individual's answers to the questions show ineligibility to vote in that precinct, the individual shall not be allowed to vote. If the individual has marked ballots but not yet deposited them in the ballot boxes before the election judges determine ineligibility to vote in that precinct, the marked ballots shall be placed ~~unopened~~ with the spoiled ballots. If the answers to the questions fail to show that the individual is not eligible to vote in that precinct and the challenge is not withdrawn, the election judges shall ~~verbally administer the oath on the voter certificate to the individual. After taking the oath and completing and signing the voter certificate, the challenged individual shall be allowed to vote~~ permit the voter to cast a provisional ballot, in the manner provided in section 204C.135.

Sec. 26. [204C.135] PROVISIONAL BALLOTS.

Subdivision 1. Casting of provisional ballots. (a) The following voters seeking to vote are entitled to cast a provisional ballot in the manner provided by this section:

(1) a voter who is unable to provide proper photo identification as required by section 204C.10;

(2) a voter whose registration status is listed as "challenged" on the polling place roster and who has not proven the voter's eligibility to vote in the precinct; and

(3) a voter whose eligibility to vote is challenged in the polling place and who is unable to overcome the challenge as permitted by section 204C.12.

(b) A voter seeking to vote a provisional ballot must sign a provisional ballot roster 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.

Once the voter has completed the provisional ballot envelope, the voter must be allowed to cast a provisional ballot. The provisional ballot must be the same 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.

(c) 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."

(d) 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 to 204C.28.

Subd. 2. **Counting provisional ballots.** (a) A voter who casts a provisional ballot in the polling place may personally appear before the county auditor or municipal clerk no later than seven calendar days following the election to prove that the voter's provisional ballot should be counted. The county auditor or municipal clerk must count a provisional ballot in the final certified results from the precinct if:

(1) the statewide voter registration system indicates that the voter is eligible to vote or, if challenged, the county auditor or municipal clerk does not, based upon available records and any documentation presented by the voter, conclude that the voter is ineligible; and

(2) the voter presents proof of identity and residence in the precinct in the manner permitted by section 200.035.

(b) If a voter does not appear before the county auditor or municipal clerk within seven calendar days following the election or otherwise does not satisfy the requirements of paragraph (a), or if the data listed on the items of identification presented by the voter does not match the data submitted by the voter on the provisional ballot envelope, the voter's provisional ballot must not be counted.

(c) The county auditor or municipal clerk must notify, in writing, any provisional voter who does not appear within seven calendar days of the election that the voter's provisional ballot was not counted because of the voter's failure to appear before the county auditor or municipal clerk within the time permitted by law to determine whether the provisional ballot should be counted.

Subd. 3. **Provisional ballots; reconciliation.** Prior to counting any provisional ballots in the final vote totals from a precinct, the county auditor must verify that the number of signatures appearing on the provisional ballot roster from that precinct is equal to 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 must be randomly withdrawn in the manner required by section 204C.20, subdivision 2, after the period for a voter to appear to prove residence and identity has expired and the ballots to be counted have been separated from the provisional ballot envelopes.

Sec. 27. Minnesota Statutes 2010, section 204C.14, is amended to read:

204C.14 UNLAWFUL VOTING; PENALTY.

No individual shall intentionally:

(a) 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) vote more than once at the same election;

(c) put a ballot in a ballot box for any illegal purpose;

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

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

A violation of this section is a felony.

Sec. 28. Minnesota Statutes 2010, section 204C.32, is amended to read:

204C.32 CANVASS OF STATE PRIMARIES.

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office on the ~~third~~ third ~~eighth~~ day following the state primary. After taking the oath of office, the canvassing board shall publicly canvass the election returns delivered to the county auditor. The board shall complete the canvass on the ~~third~~ third ~~eighth~~ day following the state primary and shall promptly prepare and file with the county auditor a report that states:

- (a) the number of individuals voting at the election in the county, and in each precinct;
- (b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;
- (c) for each major political party, the names of the candidates running for each partisan office and the number of votes received by each candidate in the county and in each precinct;
- (d) the names of the candidates of each major political party who are nominated; and
- (e) the number of votes received by each of the candidates for nonpartisan office in each precinct in the county and the names of the candidates nominated for nonpartisan office.

Upon completion of the canvass, the county auditor shall mail or deliver a notice of nomination to each nominee for county office voted for only in that county. The county auditor shall transmit one of the certified copies of the county canvassing board report for state and federal offices to the secretary of state by express mail or similar service immediately upon conclusion of the county canvass. The secretary of state shall mail a notice of nomination to each nominee for state or federal office.

Subd. 2. **State canvass.** The State Canvassing Board shall meet at the Secretary of State's Office ~~seven~~ 14 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. 29. Minnesota Statutes 2010, section 204C.33, subdivision 1, is amended to read:

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office between the ~~third~~ third ~~eighth~~ and ~~tenth~~ 14th days following the state general election. After taking the oath of office, the board shall promptly and publicly canvass the general election returns delivered to the county auditor. Upon completion of the canvass, the board shall promptly prepare and file with the county auditor a report which states:

- (a) the number of individuals voting at the election in the county and in each precinct;
- (b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;
- (c) the names of the candidates for each office and the number of votes received by each candidate in the county and in each precinct;
- (d) the number of votes counted for and against a proposed change of county lines or county seat; and

(e) the number of votes counted for and against a constitutional amendment or other question in the county and in each precinct.

The result of write-in votes cast on the general election ballots must be compiled by the county auditor before the county canvass, except that write-in votes for a candidate for federal, state, or county office must not be counted unless the candidate has timely filed a request under section 204B.09, subdivision 3. The county auditor shall arrange for each municipality to provide an adequate number of election judges to perform this duty or the county auditor may appoint additional election judges for this purpose. The county auditor may open the envelopes or containers in which the voted ballots have been sealed in order to count and record the write-in votes and must reseal the voted ballots at the conclusion of this process. The county auditor must prepare a separate report of votes received by precinct for write-in candidates for federal, state, and county offices who have requested under section 204B.09 that votes for those candidates be tallied.

Upon completion of the canvass, the county canvassing board shall declare the candidate duly elected who received the highest number of votes for each county and state office voted for only within the county. The county auditor shall transmit a certified copy of the county canvassing board report for state and federal offices to the secretary of state by messenger, express mail, or similar service immediately upon conclusion of the county canvass.

Sec. 30. Minnesota Statutes 2010, section 204C.37, is amended to read:

204C.37 COUNTY CANVASS; RETURN OF REPORTS TO SECRETARY OF STATE.

A copy of the report required by sections 204C.32, subdivision 1, and 204C.33, subdivision 1, shall be certified under the official seal of the county auditor. The copy shall be enclosed in an envelope addressed to the secretary of state, with the county auditor's name and official address and the words "Election Returns" endorsed on the envelope. The copy of the canvassing board report and the precinct summary statements must be sent by express mail or delivered to the secretary of state. If the copy is not received by the secretary of state within ten days following ~~the applicable election~~ a primary election, or within 16 days following a general election, the secretary of state shall immediately notify the county auditor, who shall deliver another copy to the secretary of state by special messenger.

Sec. 31. Minnesota Statutes 2010, section 205.065, subdivision 5, is amended to read:

Subd. 5. **Results.** The municipal primary shall be conducted and the returns made in the manner provided for the state primary so far as practicable. On the ~~third~~ eighth day after the primary, 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.

Sec. 32. Minnesota Statutes 2010, section 205.185, subdivision 3, is amended to read:

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** (a) Between the ~~third~~ eighth and ~~tenth~~ 14th days after an election, the governing body of a city conducting any election including a special municipal election, or the governing body of a town conducting the general election in November shall act as the canvassing board, canvass the returns, and declare the results of the election. The governing body of a town conducting the general election in March shall act as the canvassing board, canvass the returns, and declare the results of the election within ~~two~~ ten days after an election.

(b) After the time for contesting elections has passed, the municipal clerk shall issue a certificate of election to each successful candidate. In case of a contest, the certificate shall not be issued until the outcome of the contest has been determined by the proper court.

(c) In case of a tie vote, the canvassing board having jurisdiction over the municipality shall determine the result by lot. The clerk of the canvassing board shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

Sec. 33. Minnesota Statutes 2010, section 205A.03, subdivision 4, is amended to read:

Subd. 4. **Results.** The school district primary must be conducted and the returns made in the manner provided for the state primary as far as practicable. On the ~~third~~ eighth day after the primary, the school board of the school district 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 who shall place them on the school district general election ballot without partisan designation and without payment of an additional fee.

Sec. 34. Minnesota Statutes 2010, section 205A.10, subdivision 3, is amended to read:

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the ~~third~~ eighth and ~~tenth~~ 14th 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 shall canvass the returns and declare the results of the election. After the time for contesting elections has passed, the school district clerk 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 shall determine the result by lot. The clerk 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 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 shall be the final custodian of the ballots and the returns of the election.

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. 35. **PUBLIC EDUCATION CAMPAIGN.**

The commissioner of administration shall contract for the production and implementation of a statewide public educational campaign related to the voter identification requirements of this article. The campaign must inform voters of the requirements for identification when voting, methods of securing sufficient identification, including securing a free voter identification card if necessary, and the process for provisional balloting for voters unable to meet the identification requirements on election day. The secretary of state may consult with the vendor in coordinating material related to the campaign, but the secretary, the secretary's staff, and any other documents or materials promoting the office of the secretary of state may not appear visually or audibly in any advertising or promotional items disseminated by the vendor as part of the public education campaign.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 36. **EFFECTIVE DATE.**

Except where otherwise provided, this article is effective June 1, 2012, and applies to elections held on or after that date.

ARTICLE 2
ELECTION ADMINISTRATION AND INTEGRITY

Section 1. Minnesota Statutes 2010, section 135A.17, subdivision 2, is amended to read:

Subd. 2. **Residential housing list.** All postsecondary institutions that enroll students accepting state or federal financial aid may prepare a current list of students enrolled in the institution and residing in the institution's housing or within ten miles of the institution's campus. The list shall include each student's current address and note any student on the list known to not be a United States citizen. The list shall be certified and sent to the appropriate county auditor or auditors, in an electronic format approved by the secretary of state, for use in election day registration as provided under section 201.061, subdivision 3. A residential housing list provided under this subdivision may not be used or disseminated by a county auditor or the secretary of state for any other purpose.

Sec. 2. Minnesota Statutes 2010, section 201.021, is amended to read:

201.021 PERMANENT REGISTRATION SYSTEM.

A permanent system of voter registration by county is established, with a single, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state, and assigns a unique identifier to each legally registered voter in the state. The unique identifier shall be permanently assigned to the voter and may not be changed or reassigned to another voter. The interactive computerized statewide voter registration list constitutes the official list of every legally registered voter in the state. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county. The secretary of state is responsible for defining, maintaining, and administering the centralized system.

Sec. 3. Minnesota Statutes 2010, 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, permanent 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, voter identification card 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, voter identification card 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; and

(15) provide reports on individuals who are not registered and reported to be ineligible to vote, to the extent permitted by federal law.

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

Sec. 4. Minnesota Statutes 2010, section 201.061, subdivision 4, is amended to read:

Subd. 4. **Registration by election judges; procedures.** Registration at the polling place on election day shall be conducted by the election judges. Before registering an individual to vote at the polling place, the election judge must review any list of absentee election day registrants provided by the county auditor or municipal clerk to see if the person has already voted by absentee ballot. If the person's name appears on the list, the election judge must not allow the individual to register or to vote in the polling place. The election judges shall also review the list of individuals reported to be ineligible to vote using the electronic roster, or a paper list provided by the county auditor or municipal clerk. If an individual is on the challenged eligibility list maintained by the secretary of state, the elections official shall comply with section 201.197. The election judge who registers an individual at the polling place on election day shall not handle that voter's ballots at any time prior to the opening of the ballot box after the voting ends. Registration applications and forms for oaths shall be available at each polling place. If an individual who registers on election day proves residence by oath of a registered voter, the form containing the oath shall be attached to the individual's registration application. Registration applications completed on election day shall be forwarded to the county auditor who shall add the name of each voter to the registration system unless the information forwarded is substantially deficient. A county auditor who finds an election day registration substantially deficient shall give written notice to the individual whose registration is found deficient. An election day registration shall not be found deficient solely because the individual who provided proof of residence was ineligible to do so.

Sec. 5. Minnesota Statutes 2010, section 201.061, subdivision 7, is amended to read:

Subd. 7. **Record of attempted registrations.** The election judge responsible for election day registration shall ~~attempt to~~ keep a record of the number of individuals who attempt to register on election day but who cannot provide proof of residence as required by this section. The record shall be forwarded to the county auditor with the election returns for that precinct.

Sec. 6. Minnesota Statutes 2010, section 201.071, subdivision 3, is amended to read:

Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains the voter's name, address, date of birth, current and valid Minnesota driver's license number ~~or~~ Minnesota state identification number, voter identification card number, or if the voter has no current and valid Minnesota driver's license ~~or~~ number, Minnesota state identification number, or voter identification card number, the last four digits of the voter's Social Security number, if the voter has been issued a Social Security number, prior registration, if any, and signature. The absence of a zip code number does not cause the registration to be deficient. ~~Failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient.~~ The election judges shall request an individual to correct a voter registration application if it is deficient or illegible. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

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

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

Sec. 7. Minnesota Statutes 2010, section 201.081, is amended to read:

201.081 REGISTRATION FILES.

The statewide registration system is the official record of registered voters. The voter registration applications and the terminal providing access to the statewide registration system must be under the control of the county auditor or the public official to whom the county auditor has delegated the responsibility for maintaining voter registration records. The voter registration applications and terminals providing access to the statewide registration system must not be removed from the control of the county auditor except as provided in this section. The county auditor may make photographic copies of voter registration applications in the manner provided by section 138.17.

A properly completed voter registration application that has been submitted to the secretary of state or a county auditor must be maintained by the secretary of state or the county auditor for at least ~~22~~ 36 months after the date that the information on the application is entered into the database of the statewide registration system. The secretary of state or the county auditor may dispose of the applications after retention for ~~22~~ 36 months in the manner provided by section 138.17.

Sec. 8. Minnesota Statutes 2010, section 201.121, subdivision 1, is amended to read:

Subdivision 1. **Entry of registration information.** (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide registration system. Voter registration applications completed before election day must be entered into the statewide registration system within ten days after they have been submitted to the county auditor. Voter registration applications completed on election day must be entered into the statewide registration system within 42 days after the election, ~~unless the county auditor notifies the secretary of state before the 42-day deadline has expired that the deadline will not be met.~~

(b) Upon receiving a completed voter registration application, the secretary of state may electronically transmit the information on the application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide registration system. The secretary of state may mail the voter registration application to the county auditor.

(c) Within ten days after the county auditor has entered information from a voter registration application into the statewide registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, voter identification card number, or the last four digits of the Social Security number with the same information contained in the Department of Public Safety database.

(d) The secretary of state shall provide a report to the county auditor on a weekly basis that includes a list of voters whose name, date of birth, or identification number have been compared with the same information in the Department of Public Safety database and cannot be verified as provided in this subdivision. The report must list separately those voters who have submitted a voter registration application by mail and have not voted in a federal election in this state.

(e) The county auditor shall compile a list of voters for whom the county auditor and the secretary of state are unable to conclude that information on the voter registration application and the corresponding information in the Department of Public Safety database relate to the same person.

(f) The county auditor shall send a notice of incomplete registration to any voter whose name appears on the list and change the voter's status to "incomplete." A voter who receives a notice of incomplete registration from the county auditor may either provide the information required to complete the registration at least 21 days before the next election or at the polling place on election day.

Sec. 9. Minnesota Statutes 2010, section 201.121, subdivision 3, is amended to read:

Subd. 3. **Postelection sampling.** 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, but no later than January 1 of the following year, 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. 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.

Sec. 10. Minnesota Statutes 2010, section 201.171, is amended to read:

201.171 POSTING VOTING HISTORY; FAILURE TO VOTE; REGISTRATION REMOVED.

Within six weeks after every election, the county auditor shall post the voting history for every person who voted in the election. After the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years. The secretary of state shall perform list maintenance by changing the status of those registrants to "inactive" in the statewide registration system. The list maintenance performed must be conducted in a manner that ensures that the name of each registered voter appears in the official list of eligible voters in the statewide registration system. A voter must not be removed from the official list of eligible voters unless the voter is not eligible or is not registered to vote. List maintenance must include procedures for eliminating duplicate names from the official list of eligible voters.

The secretary of state shall also prepare a report to the county auditor containing the names of all registrants whose status was changed to "inactive."

Registrants whose status was changed to "inactive" must register in the manner specified in section 201.054 before voting in any primary, special primary, general, school district, or special election, as required by section 201.018.

Although not counted in an election, a late or rejected absentee or mail ballot must be considered a vote for the purpose of continuing registration under this section, but is not considered voting history ~~for the purpose of public information lists available under section 201.091, subdivision 4.~~

Sec. 11. **201.197 CHALLENGED ELIGIBILITY LIST.**

(a) The secretary of state shall maintain an electronic database of individuals not registered and who are reported to be ineligible to vote under section 201.014. The database may be maintained as a module of the statewide voter registration system, if permitted by federal law, or maintained as a separate database, and at a minimum must include an individual's name, address of residence, date of birth, the reason the individual is reported to be ineligible to vote and, if available, the individual's driver's license or state identification card number, voter identification card number, or the last four digits of the individual's Social Security number. Entries in the database shall be compiled using data submitted to the secretary of state under this chapter.

(b) An elections official processing a voter registration application must verify whether the individual listed on the application is included in the database of individuals reported to be ineligible to vote. If the individual is listed in the database, the voter registration application may be accepted, but the voter's status must be listed as "challenged." An election judge processing a voter registration application submitted by a voter in a polling place on election day must verify the application using the electronic roster, or if the polling place does not have an electronic roster, using a paper list provided by the county auditor. A paper list used for verification in a polling place may be limited to only those individuals reported to be residents of the county in which the precinct is located.

Sec. 12. Minnesota Statutes 2010, section 201.221, subdivision 3, is amended to read:

Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe the form of polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. The secretary of state may prescribe additional election-related information to be placed on the polling place rosters on an experimental basis for one state primary and general election cycle; the same information may not be placed on the polling place roster for a second state primary and general election cycle unless specified in this subdivision. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use

on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for ~~22~~ 36 months following the election.

Sec. 13. Minnesota Statutes 2010, 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 and shall be submitted 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.

(b) An application shall be approved if it is timely received, signed and dated by the applicant, and contains:

(1) the applicant's name and residence and mailing addresses;

(2) the applicant's date of birth, and at least one of the following;

(3) the applicant's Minnesota driver's license number, Minnesota state identification card number, or Minnesota voter identification card number; and

(4) the last four digits of the applicant's Social Security number or a statement that the applicant does not have a Social Security number.

~~(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.~~

To be approved, the application must state that the applicant is eligible to vote by absentee ballot for one of the reasons specified in section 203B.02, and 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.

Prior to approval, the county auditor or municipal clerk must verify that the Minnesota driver's license number, state identification card number, or voter identification card number submitted by an applicant is valid and assigned to that applicant. An application that contains a driver's license or identification card number that is invalid or not assigned to the applicant must be rejected. The county auditor or municipal clerk must also verify that the applicant does not appear on any lists of reported ineligible voters maintained by the county auditor or municipal clerk, or

provided to the county auditor or municipal clerk by the secretary of state. When verifying eligibility, the county auditor or municipal clerk must use the same standards and process as used for individuals appearing in the polling place on election day, except that an applicant is not required to appear in person or present photo identification meeting the standards of section 204C.10, subdivision 2.

(c) An applicant's full date of birth, Minnesota driver's license ~~or~~, state identification, or voter identification card 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.

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

Sec. 14. Minnesota Statutes 2010, section 203B.04, subdivision 2, is amended to read:

Subd. 2. **Health care patient.** An eligible voter who on the day before an election becomes a resident or patient in a health care facility or hospital located in the municipality in which the eligible voter maintains residence may apply for an absentee ~~ballots~~ ballot on election day if the voter:

(~~a~~) requests an application form ~~by telephone~~ from the municipal clerk by telephone ~~not~~ no later than 5:00 p.m. on the day before election day; ~~or~~

(~~b~~) ~~submits an absentee ballot application to the election judges engaged in delivering absentee ballots pursuant to section 203B.11.~~

Sec. 15. Minnesota Statutes 2010, section 203B.06, subdivision 5, is amended to read:

Subd. 5. **Preservation of records.** An application for absentee ballots shall be dated by the county auditor or municipal clerk when it is received and shall be initialed when absentee ballots are mailed or delivered to the applicant. All applications shall be preserved by the county auditor or municipal clerk for ~~22~~ 36 months.

Sec. 16. Minnesota Statutes 2010, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots must, by ordinance or resolution, establish a ballot board. 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 staff trained as election judges.

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

(c) A ballot board may only meet to perform its duties under this chapter during the period in which completed absentee ballots are accepted for an election. The time and place of each meeting must be scheduled, announced, and posted on the Web site of the governing body of the county, municipality, or school district at least 14 days prior to convening the first meeting of the ballot board for an election. If the governing body of the county, municipality, or school district does not have a Web site, the time and place of each meeting must be posted, in writing, on the

principal bulletin board of the body. Meetings of the ballot board must be convened at the same time and in the same location. The ballot board must also meet on any day during which the county or municipal offices are open for the purposes of conducting election business prior to an election. A ballot board may not meet except during regularly scheduled meetings announced and posted as required by this paragraph.

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

Sec. 17. Minnesota Statutes 2010, 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 shall retain all election materials returned to them after any election for at least ~~22~~ 36 months from the date of that election. All election materials involved in a contested election must be retained for ~~22~~ 36 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 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; (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. 18. Minnesota Statutes 2010, section 204C.20, subdivision 1, is amended to read:

Subdivision 1. **Determination of proper number.** The election judges shall determine the number of ballots to be counted by ~~adding the number of return envelopes from accepted absentee ballots to the number of signed voter's certificates, or to the number of names entered in the election register~~ counting the number of original voter signatures contained in the polling place roster, or on voter's receipts generated from an electronic roster. The election judges may not count the number of voter receipts collected in the precinct as a substitute for counting original voter signatures unless the voter receipts contain the name, voter identification number, and signature of the voter to whom the receipt was issued. The election judges shall then remove all the ballots from the box. Without considering how the ballots are marked, the election judges shall ascertain that each ballot is separate and shall count them to determine whether the number of ballots in the box corresponds with the number of ballots to be counted.

Sec. 19. Minnesota Statutes 2010, section 204C.20, subdivision 2, is amended to read:

Subd. 2. **Excess ballots.** If two or more ballots are found folded together like a single ballot, the election judges shall lay them aside until all the ballots in the box have been counted. If it is evident from the number of ballots to be counted that the ballots folded together were cast by one voter, the election judges shall preserve but not count them. If the number of ballots in one box exceeds the number to be counted, the election judges shall examine all the ballots in the box to ascertain that all are properly marked with the initials of the election judges. If any ballots are not properly marked with the initials of the election judges, the election judges shall preserve but not count them;

however, if the number of ballots does not exceed the number to be counted, the absence of either or both sets of initials of the election judges does not, by itself, disqualify the vote from being counted ~~and must not~~ but may be the basis of a challenge in a recount. If there is still an excess of properly marked ballots, the election judges shall replace them in the box, and one election judge, without looking, shall withdraw from the box a number of ballots equal to the excess. The withdrawn ballots shall not be counted but shall be preserved as provided in subdivision 4.

Sec. 20. Minnesota Statutes 2010, 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 clearly marked "excess" on the front of the ballot and attached to a certificate made by the election judges which states the number of ballots not counted and why the ballots they were not counted. The certificate and uncounted ballots shall be sealed in a separate envelope ~~and returned to~~ clearly marked "excess ballots." The election judges shall sign their names over the envelope seal and return the ballots to the county auditor or municipal or school district clerk from whom they were received. Tabulation of vote totals from a precinct where excess ballots were removed from the ballot box shall be completed by the canvassing board responsible for certifying the election results from that precinct.

Sec. 21. Minnesota Statutes 2010, section 204C.20, is amended by adding a subdivision to read:

Subd. 5. **Applicability.** The requirements of this section apply regardless of the voting system or method of tabulation used in a precinct.

Sec. 22. Minnesota Statutes 2010, section 204C.23, is amended to read:

204C.23 SPOILED, DEFECTIVE, AND DUPLICATE BALLOTS.

(a) A ballot that is spoiled by a voter must be clearly marked "spoiled" by an election judge, placed in an envelope designated for spoiled ballots from the precinct, sealed, and returned as required by section 204C.25.

(b) A ballot that is defective to the extent that the election judges are unable to determine the voter's intent shall be marked on the back "Defective" if it is totally defective or "Defective as to", naming the office or question if it is defective only in part. Defective ballots must be placed in an envelope designated for defective ballots from the precinct, sealed, and returned as required by section 204C.25.

(c) A damaged or defective ballot that requires duplication must be handled as required by section 206.86, subdivision 5.

Sec. 23. Minnesota Statutes 2010, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. **Information requirements.** Precinct summary statements shall be submitted by the election judges in every precinct. For all elections, the election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

~~(a)~~ (1) the number of ballots delivered to the precinct as adjusted by the actual count made by the election judges, the number of unofficial ballots made, and the number of absentee ballots delivered to the precinct;

~~(b)~~ (2) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes, the number of overvotes, and the number of defective ballots with respect to each office or question;

(e) (3) the number of spoiled ballots, the number of duplicate ballots made, the number of absentee ballots rejected, and the number of unused ballots, presuming that the total count provided on each package of unopened prepackaged ballots is correct;

(4) the number of ballots cast;

(d) (5) the number of ~~individuals who voted at the election in the precinct~~ voter signatures contained on the polling place roster or on voter receipts generated by an electronic roster, which must equal the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86, subdivision 1;

(6) the number of excess ballots removed by the election judges, as required by section 204C.20;

(e) (7) the number of voters registering on election day in that precinct; and

(f) (8) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 24. Minnesota Statutes 2010, section 206.86, subdivision 1, is amended to read:

Subdivision 1. ~~At the voting location~~ **Precinct polling locations; duties; reconciliation.** In precincts where an electronic voting system is used, as soon as the polls are closed the election judges shall secure the voting systems against further voting. They shall then open the ballot box and count the number of ~~ballot cards~~ ballots or envelopes containing ~~ballot cards~~ ballots that have been cast to determine that the number of ~~ballot cards~~ ballots does not exceed the number of ~~voters shown on original voter signatures contained in the election register or registration file~~ polling place roster or on voter receipts generated from an electronic roster. The election judges may not count the number of voter receipts collected in the precinct as a substitute for counting original voter signatures unless the voter receipts contain the name, voter identification number, and signature of the voter to whom the receipt was issued. If there is an excess, the judges shall ~~seal the ballots in a ballot container and transport the container to the county auditor or municipal clerk who shall process the ballots in the same manner as paper ballots are processed in section 204C.20, subdivision 2, then enter the ballots into the ballot counter~~ proceed in the manner required for excess ballots under section 204C.20, subdivisions 2 to 4. The total number of voters must be entered on the forms provided. The judges shall next count the write-in votes and enter the number of those votes on forms provided for the purpose.

Sec. 25. Minnesota Statutes 2010, section 206.86, subdivision 2, is amended to read:

Subd. 2. **Transportation of ~~ballot cards~~ ballots.** The judges shall place all voted ~~ballot cards~~ ballots, excess ballots, defective ballots, and damaged ballots in the container provided for transporting them to the counting center. The container must be sealed and delivered immediately to the counting center by two judges who are not of the same major political party. The judges shall also deliver to the counting center in a suitable container the unused ~~ballot cards~~ ballots, the spoiled ballot envelope, and the ballot envelopes issued to the voters and deposited during the day in the ballot box.

Sec. 26. Minnesota Statutes 2010, section 209.021, subdivision 1, is amended to read:

Subdivision 1. **Manner; time; contents.** Service of a notice of contest must be made in the same manner as the service of summons in civil actions. The notice of contest must specify the grounds on which the contest will be made. The contestant shall serve notice of the contest on the parties enumerated in this section. Notice must be served and filed within five days after the canvass is completed in the case of a primary or special primary or within seven days after the canvass is completed in the case of a special or general election; except that:

(1) if a contest is based on a deliberate, serious, and material violation of the election laws which was discovered from the statements of receipts and disbursements required to be filed by candidates and committees, the action may be commenced and the notice served and filed within ten days after the filing of the statements in the case of a general or special election or within five days after the filing of the statements in the case of a primary or special primary;

(2) if a notice of contest questions only which party received the highest number of votes legally cast at the election, a contestee who loses may serve and file a notice of contest on any other ground during the three days following expiration of the time for appealing the decision on the vote count; and

(3) if data or documents necessary to determine grounds for a contest, including but not limited to lists of the names of every voter who participated in an election, are not available to a candidate or the general public prior to the close of the period for filing a notice of contest under this section due to nonfeasance, malfeasance, or failure to perform duties within the time required by statute on the part of the secretary of state, a county auditor, or other state, county, or municipal election official, a notice of contest may be served and filed within seven days after the data or documents become available for inspection by the candidates and the general public.

Sec. 27. Minnesota Statutes 2010, section 209.06, subdivision 1, is amended to read:

Subdivision 1. **Appointment of inspectors.** After a contest has been instituted, either party may have ~~the ballots~~ all materials relating to the election, including, but not limited to, polling place rosters, voter registration applications, accepted absentee ballot envelopes, rejected absentee ballot envelopes, applications for absentee ballots, precinct summary statements, printouts from voting machines, and precinct incident logs, inspected before preparing for trial. The party requesting an inspection shall file with the district court where the contest is brought a verified petition, stating that the case cannot properly be prepared for trial without an inspection of the ballots and other election materials and designating the precincts in which an inspection is desired. A judge of the court in which the contest is pending shall then appoint as many sets of three inspectors for a contest of any office or question as are needed to count and inspect the ballots expeditiously. One inspector must be selected by each of the parties to the contest and a third must be chosen by those two inspectors. If either party neglects or refuses to name an inspector, the judge shall appoint the inspector. The compensation of inspectors is the same as for referees, unless otherwise stipulated.

Sec. 28. Minnesota Statutes 2010, 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 if it is designed to influence voting for or against a particular candidate, political party, or question on the ballot at the election. 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 may provide stickers which 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 a voter's receipt.

Sec. 29. **PROPOSED LEGISLATION.**

By January 15, 2012, the secretary of state must report to the chairs and ranking minority members of the legislative committees responsible for elections proposed legislation to amend matters currently contained in administrative rules as necessary to implement or make specific this act. To the greatest extent practical, this proposed legislation must propose codifying into law matters that otherwise would be enacted through the administrative rulemaking process.

To the extent that codifying matters into law is not practical, the proposed legislation must direct, by law, specific changes to be made in administrative rules so that no interpretation of the law by the secretary of state would be necessary, and use of the good cause rulemaking exemption in Minnesota Statutes, section 14.388 would be appropriate if the legislature authorizes use of this process.

Sec. 30. **REPEALER.**

Minnesota Statutes 2010, section 203B.04, subdivision 3, is repealed.

ARTICLE 3
ELECTRONIC ROSTERS

Section 1. Minnesota Statutes 2010, section 200.02, is amended by adding a subdivision to read:

Subd. 12a. **Polling place roster.** "Polling place roster" means the official lists used to record a voter's appearance in a polling place on election day, including the list of registered voters in the precinct, and the list of voters registering on election day. A polling place roster may be in a printed or electronic format, as permitted by section 201.225.

Sec. 2. Minnesota Statutes 2010, section 201.221, subdivision 3, is amended to read:

Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe the form of polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. A polling place roster provided in an electronic form must allow for a printed voter's receipt that meets the standards provided in section 201.225, subdivision 2. The secretary of state may prescribe additional election-related information to be placed on the polling place rosters on an experimental basis for one state primary and general election cycle; the same information may not be placed on the polling place roster for a second state primary and general election cycle unless specified in this subdivision. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for ~~22~~ 36 months following the election.

Sec. 3. **[201.225] ELECTRONIC ROSTER; STANDARDS.**

Subdivision 1. **Certification of system.** (a) A precinct may have a secure network of two or more computer systems to serve as the precinct's electronic polling place roster.

(b) Precincts may not use an electronic roster until the secretary of state has certified that the system design and operational procedures are sufficient to prevent any voter from voting more than once at an election, and to prevent access to the system by unauthorized individuals.

Subd. 2. Minimum standards for electronic rosters. At a minimum, an electronic roster must:

(1) be preloaded with data from the statewide voter registration system, including data on individuals reported to be ineligible to vote;

(2) permit all voting information processed by any computer in a precinct to be immediately accessible to all other computers in the precinct and to be transferred to the statewide voter registration system on election night or no later than one week after the election;

(3) provide for a printed voter's receipt, containing the voter's name, address of residence, date of birth, voter identification number as assigned by the secretary of state, the oath required by section 204C.10, and a space for the voter's original signature;

(4) immediately alert the election judge if the electronic roster indicates that a voter has already voted at the election, is ineligible to vote, does not reside in the precinct, or the voter's registration status is challenged;

(5) automatically accept and input data from a scanned Minnesota driver's license, identification card, or voter identification card and match the data to an existing voter registration record, and permit manual input of voter data, if necessary; and

(6) perform any other functions required for the efficient and secure administration of an election, as required by law.

Sec. 4. Minnesota Statutes 2010, section 204B.14, subdivision 2, is amended to read:

Subd. 2. Separate precincts; combined polling place. (a) The following shall constitute at least one election precinct:

(1) each city ward; and

(2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than May 1 of any year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;

(2) for two contiguous precincts in the same municipality that have a combined total of fewer than 500 registered voters;

(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or

(4) for noncontiguous precincts located in one or more counties.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must

be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than April 1 of any year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place unless that precinct uses an electronic roster. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

Sec. 5. Minnesota Statutes 2010, section 204C.12, subdivision 4, is amended to read:

Subd. 4. **Refusal to answer questions or sign a polling place roster.** A challenged individual who refuses to answer questions or sign a polling place roster or voter's receipt as required by this section must not be allowed to vote. A challenged individual who leaves the polling place and returns later willing to answer questions or sign a polling place roster or voter's receipt must not be allowed to vote.

Sec. 6. Minnesota Statutes 2010, section 204D.24, subdivision 2, is amended to read:

Subd. 2. **Voter registration.** An individual may register to vote at a special primary or special election at any time before the day that the polling place rosters for the special primary or special election are ~~prepared~~ finally secured by the secretary of state for the election. The secretary of state shall provide the county auditors with notice of this date at least seven days before the ~~printing of the~~ rosters are secured. This subdivision does not apply to a special election held on the same day as the state primary, state general election, or the regularly scheduled primary or general election of a municipality, school district, or special district.

Sec. 7. **[206A.01] APPLICABILITY.**

This chapter applies to each designated election official who administers electronic roster systems for the purpose of conducting an election and compiling complete returns.

Sec. 8. **[206A.02] DEFINITIONS.**

Subdivision 1. **Definitions.** The definitions in this section apply to this chapter.

Subd. 2. **Designated election official.** "Designated election official" means the county auditor or municipal clerk.

Subd. 3. **Elector data.** "Elector data" means voting information, including, but not limited to, voter registration, voting history, and voting tabulations.

Subd. 4. **Electronic roster.** "Electronic roster" is a list of eligible electors in electronic format who are permitted to vote at a polling place in an election conducted under the Minnesota Election Law, which shall be processed by a computer at a precinct such that the resulting elector data is immediately accessible to all other computers in the precinct and is transferred to the county for inclusion in the statewide voter registration system no later than one week after the election.

Sec. 9. **[206A.03] MINIMUM CONTINGENCY AND SECURITY PROCEDURES.**

(a) The designated election official shall establish written security procedures covering the processing and transference of elector data. The procedures must include:

(1) security covering the transmission of elector data processed through the electronic roster and reconciliation of the registration and history of voters casting ballots in a precinct; and

(2) contingency procedures for network and power failure. The procedures must, at a minimum, include procedures to address all single point failures including:

(i) network failure;

(ii) power failure that lasts less than one hour; and

(iii) power failure that lasts more than one hour.

(b) Acceptable alternatives for addressing power or system failures include either:

(1) a paper backup of the roster with the minimum information required to verify a voter's eligibility; or

(2) a sufficient number of computers per precinct to ensure that the voter check-in continues in an efficient manner. The computers and all essential peripheral devices must have the ability to function on batteries or an external power source for up to two hours.

(c) Each computer must have an electronic backup of the current roster in one of the following formats:

(1) a portable document file (PDF);

(2) a spreadsheet; or

(3) a database with a basic look-up interface. In addition to acceptable backup roster procedures, the security procedures must address contingency procedures to protect against activities such as voting more than once.

Sec. 10. **[206A.04] MINIMUM STANDARDS FOR DATA ENCRYPTION.**

(a) The secretary of state shall ensure that the county connection to the statewide voter registration system is secure including details concerning encryption methodology. In addition, the connection must meet or exceed the standards provided for in this section.

(b) Proven, standard algorithms must be used as the basis for encryption technologies.

(c) If a connection utilizes a Virtual Private Network (VPN), the following apply:

(1) it is the responsibility of the county to ensure that unauthorized users are not allowed access to internal networks;

(2) VPN use is to be controlled using either a onetime password authentication such as a token device or a public/private key system with a strong passphrase;

(3) when actively connected to the network, VPNs must force all traffic to and from the computer over the VPN tunnel and all other traffic must be dropped;

(4) dual (split) tunneling is not permitted; only one network connection is allowed;

(5) VPN gateways must be set up and managed by the county or its designee;

(6) all computers connected to internal networks via VPN or any other technology must use up-to-date antivirus software; and

(7) the VPN concentrator is limited to an absolute connection time of 24 hours.

Sec. 11. **[206A.05] MINIMUM ELECTRONIC ROSTER TRANSACTION REQUIREMENTS.**

The designated election official shall ensure the electronic roster system complies with the following response-time standards for any computer on the system:

(1) a maximum of five seconds to update voter activity;

(2) a maximum of 1.5 seconds to process a voter inquiry by identification number; and

(3) a maximum of 45 seconds for session startup and password verification.

Sec. 12. **[206A.06] ELECTRONIC ROSTER PREELECTION TESTING PROCEDURES.**

(a) The designated election official shall test the electronic roster application to ensure that it meets the minimum system requirements prior to the first election in which it is used. The application must also be tested after the implementation of any system modifications, including any change in the number of connected computers. The county shall indicate in the subsequent security plan whether such retesting has occurred.

(b) The test must, at a minimum, include the following:

(1) a load test must be demonstrated through either actual computers running at proposed bandwidth and security settings, or by simulating a load test;

(2) a contingency/failure test must be demonstrated and documented illustrating the effects of failures identified in section 206A.03; and

(3) all tests must be conducted with clients and servers in normal, typical, deployed operating mode.

(c) All records and documentation of the testing must be retained by the designated election official for a period of 36 months as part of the election record. The testing record and documentation must include, but is not limited to, the following:

(1) a formal test plan containing all test scripts used:

(i) the test plan must include test environment containing make, model, type of hardware, and software versions used in testing; and

(ii) the test plan must also include the number of client computers, servers, and physical locations involved in testing;

(2) test logs of all events that were observed during testing, including:

(i) the sequence of actions necessary to set up the tests;

(ii) the actions necessary to start the tests;

(iii) the actions taken during the execution of the tests;

(iv) any measurements taken or observed during the tests;

(v) any actions necessary to stop or shut down the tests;

(vi) any actions necessary to bring the tests to a halt; and

(vii) any actions necessary or taken to deal with anomalies experienced during testing;

(3) performance logs and reports taken from both servers and workstations during the testing which contain performance information of:

(i) network usage (bandwidth);

(ii) processor utilization;

(iii) Random Access Memory (RAM) utilization; and

(iv) any additional performance monitoring reports necessary to explain the process taken and to support the findings of the tests; and

(4) all test logs must contain the date, time, operator, test status or outcome, and any additional information to assist the secretary of state in making a determination.

Sec. 13. [206A.07] MINIMUM NUMBER OF COMPUTERS REQUIRED FOR PRECINCTS OPTING TO USE ELECTRONIC ROSTERS.

Counties opting to use electronic rosters in whole or in part shall allocate computers to affected precincts based upon the total number of registered voters in each precinct 90 days preceding the primary election and historical statistics regarding election day registrants. The minimum computers required shall be on site at each precinct. Precincts employing electronic rosters shall be allocated a minimum of two computers.

Sec. 14. [206A.08] WRITTEN PROCEDURES AND REPORTS.

(a) Written procedures and reports required by this chapter must be submitted by a county to the secretary of state for approval no later than 60 days before the election. The secretary of state shall either approve the procedures as submitted or notify the designated election official of recommended changes.

(b) If the secretary of state rejects or approves the written procedures, the secretary of state shall provide written notice of the rejection or approval, including specifics of noncompliance with this chapter within 15 days of receiving the written procedures.

(c) If the secretary of state rejects the written procedures, the designated election official shall submit a revised procedure within 15 days.

(d) The secretary of state shall permit the filing of the revised procedures at a later date if it is determined that compliance with the 15-day requirement is impossible.

Sec. 15. **LEGISLATIVE TASK FORCE ON ELECTRONIC ROSTER IMPLEMENTATION.**

Subdivision 1. **Creation.** The Legislative Task Force on Electronic Roster Implementation consists of the following 17 members:

- (1) one member of the house of representatives appointed by the speaker of the house;
- (2) one member who served as a head election judge affiliated with the speaker's political party at the 2010 state general election appointed by the speaker of the house;
- (3) one member of the house of representatives appointed by the minority leader of the house of representatives;
- (4) one member who served as head election judge affiliated with the minority leader's political party at the 2010 state general election appointed by the minority leader of the house of representatives;
- (5) one member of the senate appointed by the majority leader of the senate;
- (6) one member who served as a head election judge affiliated with the majority leader's political party at the 2010 state general election appointed by the majority leader of the senate;
- (7) one member of the senate appointed by the minority leader of the senate;
- (8) one member who served as a head election judge affiliated with the minority leader's political party at the 2010 state general election appointed by the minority leader of the senate;
- (9) three members who are county head election judges appointed by the Minnesota Association of County Auditors, one of whom shall be from a representative county with a large population, one of whom shall be from a representative county with an average-sized population, and one of whom shall be from a representative county with a small population, as defined by the association;
- (10) one member who is a township head elections administrator appointed by the Minnesota Association of Townships;
- (11) one member who is a municipal head elections administrator appointed by the League of Minnesota Cities;
- (12) one member who is experienced in election administration, appointed by the Minnesota School Boards Association;
- (13) the secretary of state, or the secretary's designee;
- (14) the director of information and technology in the Office of the Secretary of State; and
- (15) the Chief Information Officer of the state of Minnesota, or the chief's designee.

Subd. 2. **Duties.** (a) The Legislative Task Force on Electronic Roster Implementation shall facilitate development and implementation of electronic rosters for use in elections, as required by this article.

(b) The task force shall:

(1) study and recommend options for hardware that meets the standards for use in a precinct as provided in Minnesota Statutes, chapter 206A;

(2) study and facilitate implementation of software updates, add-ons, or other changes to the statewide voter registration system that may be necessary to allow the system to function as a networked database within or between precincts as required by Minnesota Statutes, chapter 206A; and

(3) recommend to the legislature any additional changes to law that may be necessary to implement the requirements of this article.

(c) Factors that must be considered by the task force in carrying out its duties include, but are not limited to:

(1) ease of equipment use by election administrators, election judges, and voters;

(2) cost-effectiveness;

(3) feasibility of available technologies within precincts;

(4) the security, integrity, and reliability of the electronic roster system and its impact on the security, integrity, and reliability of the election; and

(5) minimum standards for equipment and software functionality as provided by law.

(d) The task force shall submit a report to the legislature on its activities and recommendations no later than December 1, 2011.

Subd. 3. **Administrative provisions.** (a) The director of the Legislative Coordinating Commission shall convene the first meeting of the task force no later than July 1, 2011, or within 30 days of enactment of this section, whichever is later, and shall provide staff as necessary to support the work of the task force.

(b) The member of the house of representatives appointed by the speaker of the house and the member of the senate appointed by the majority leader of the senate shall serve as co-chairs of the task force.

(c) Meetings of the task force are subject to Minnesota Statutes, chapter 13D, except that a meeting may be closed to discuss proprietary data or other data that is protected by law.

Subd. 4. **Deadline for appointments.** Appointments required by this section shall be made within 21 days of enactment of this article.

Subd. 5. **Expiration.** The task force expires after the submission of the report required under subdivision 2.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 16. **EFFECTIVE DATE.**

Except where otherwise provided, this article is effective August 14, 2012, and applies to elections held on or after that date.

ARTICLE 4
RECOUNTS

Section 1. Minnesota Statutes 2010, section 204C.38, is amended to read:

204C.38 CORRECTION OF OBVIOUS ERRORS; WHEN CANDIDATES AGREE.

Subdivision 1. **Errors of election judges.** If the candidates for an office unanimously agree in writing that the election judges in any precinct have made an obvious error in the counting or recording of the votes for that office, they shall deliver the agreement to the county auditor of that county who shall reconvene the county canvassing board, if necessary, and present the agreement to it. The county canvassing board shall correct the error as specified in the agreement.

Subd. 2. **Errors of county canvassing board.** If the candidates for an office unanimously agree in writing that the county canvassing board has made an obvious error in the counting and recording of the vote for that office they shall notify the county auditor who shall reconvene the canvassing board. The county canvassing board shall promptly correct the error as specified in the agreement and file an amended report. When an error is corrected pursuant to this subdivision, the county canvassing board and the county auditor shall proceed in accordance with sections 204C.32 to ~~204C.36~~ 204C.33 and chapter 204E.

Subd. 3. **Errors of State Canvassing Board.** If the candidates for an office unanimously agree in writing that the State Canvassing Board has made an obvious error in the counting and recording of the vote for that office they shall deliver the agreement to the secretary of state. If a certificate of election has not been issued, the secretary of state shall reconvene the State Canvassing Board and present the agreement to it. The board shall promptly correct the error as specified in the agreement and file an amended statement. When an error is corrected pursuant to this subdivision by the State Canvassing Board, the State Canvassing Board and the secretary of state shall proceed in accordance with sections 204C.32 to ~~204C.36~~ 204C.33 and chapter 204E.

Sec. 2. **[204E.01] APPLICABILITY.**

This chapter establishes procedures for the conduct of all automatic and discretionary recounts provided for in law.

Sec. 3. **[204E.02] RECOUNT OFFICIALS.**

(a) The secretary of state or the secretary of state's designee is the recount official for recounts conducted by the State Canvassing Board. The county auditor or the county auditor's designee is the recount official for recounts conducted by the county canvassing board. The county auditor or the county auditor's designee shall conduct recounts for county offices. The municipal clerk or the municipal clerk's designee is the recount official for recounts conducted by the municipal governing body. The school district clerk or the school district clerk's designee is the recount official for recounts conducted by the school board, or by a school district canvassing board as provided in section 205A.10, subdivision 5.

(b) A recount official may delegate the duty to conduct a recount to a county auditor or municipal clerk by mutual consent. When the person who would otherwise serve as recount official is a candidate or is the employee or other subordinate, spouse, child, parent, grandparent, grandchild, stepparent, stepchild, sibling, half-sibling, or stepsibling of a candidate for the office to be recounted, the appropriate canvassing board shall select a county auditor or municipal clerk from another jurisdiction to conduct the recount.

(c) As used in this chapter, "legal adviser" means counsel to the recount official and the canvassing board for the office being recounted.

Sec. 4. **[204E.03] SCOPE OF RECOUNTS.**

A recount conducted as provided in this chapter is limited in scope to the determination of the number of votes validly cast for the office to be recounted. Only the ballots cast in the election and the summary statements certified by the election judges may be considered in the recount process. Original ballots that have been duplicated under section 206.86, subdivision 5, are not within the scope of a recount and must not be examined except as provided by a court in an election contest under chapter 209.

Sec. 5. **[204E.04] FEDERAL, STATE, AND JUDICIAL RACES.**

Subdivision 1. **Automatic recounts.** (a) In a state primary when the difference between the votes cast for the candidates for nomination to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office is:

(1) less than one-half of one percent of the total number of votes counted for that nomination; or

(2) ten votes or less and the total number of votes cast for the nomination is 400 votes or less,

and the difference determines the nomination, the canvassing board with responsibility for declaring the results for that office shall manually recount the vote.

(b) In a state general election when the difference between the votes of a candidate who would otherwise be declared elected to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office and the votes of any other candidate for that office is:

(1) less than one-half of one percent of the total number of votes counted for that office; or

(2) ten votes or less if the total number of votes cast for the office is 400 votes or less,

the canvassing board shall manually recount the votes.

(c) Time for notice of a contest for an office recounted under this section begins to run upon certification of the results of the recount by the canvassing board, or as otherwise provided in section 209.021.

(d) A losing candidate may waive a recount required by this section by filing a written notice of waiver with the canvassing board.

Subd. 2. **Discretionary candidate recount.** (a) A losing candidate whose name was on the ballot for nomination or election to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office may request a recount in a manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by this section. The votes must be manually recounted as provided in this section if the candidate files a request during the time for filing notice of contest of the primary or election for which a recount is sought.

(b) The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. The requesting candidate is responsible for the following expenses: the compensation of the secretary of state or designees and any election judge, municipal clerk, county auditor, administrator, or other personnel who participate in the recount; necessary supplies and travel related to the recount; the compensation of the appropriate canvassing board and costs of preparing for the canvass of recount results; and any attorney fees incurred in connection with the recount by the governing body responsible for the recount.

(c) 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).

(d) 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.

(e) 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. 6. **[204E.05] RECOUNTS IN COUNTY, SCHOOL DISTRICT, AND MUNICIPAL ELECTIONS.**

Subdivision 1. **Required recounts.** (a) Except as provided in paragraph (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 the 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 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-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.

(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 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.

(c) 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. All requests must be filed during the time for notice of contest of the primary or election for which a recount is sought.

(d) 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 shall recount the votes for a school district office at the expense of the school district.

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. The votes must be manually recounted as provided in this section if the requesting candidate files with the county auditor, municipal clerk, or school district clerk 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 this paragraph.

(c) 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.

(d) 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.

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 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 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.

Subd. 4. **Expenses.** In the case of a question, a person, or a candidate requesting a discretionary recount, is responsible for the following expenses: the compensation of the secretary of state, or designees, and any election judge, municipal clerk, county auditor, administrator, or other personnel who participate in the recount; necessary supplies and travel related to the recount; the compensation of the appropriate canvassing board and costs of preparing for the canvass of recount results; and any attorney fees incurred in connection with the recount by the governing body responsible for the recount.

Subd. 5. **Notice of contest.** Except as otherwise provided in section 209.021, the time for notice of contest of a nomination or election to an office which is recounted pursuant to this section begins to run upon certification of the results of the recount by the appropriate canvassing board or governing body.

Sec. 7. **[204E.06] NOTICE.**

Within 24 hours after determining that an automatic recount is required or within 48 hours of receipt of a written request for a recount and filing of a security deposit if one is required, the official in charge of the recount shall send notice to the candidates for the office to be recounted and the county auditor of each county wholly or partially within the election district. The notice must include the date, starting time, and location of the recount, the office to be recounted, and the name of the official performing the recount. The notice must state that the recount is open to the public and, in case of an automatic recount, that the losing candidate may waive the recount.

Sec. 8. **[204E.07] SECURING BALLOTS AND MATERIALS.**

(a) The official who has custody of the voted ballots is responsible for keeping secure all election materials. Registration cards of voters who registered on election day may be processed as required by rule. All other election materials must be kept secure by precinct as returned by the election judges until all recounts have been completed and until the time for contest of election has expired.

(b) Any candidate for an office to be recounted may have all materials relating to the election, including, but not limited to, polling place rosters, voter registration applications, accepted absentee ballot envelopes, rejected absentee ballot envelopes, applications for absentee ballots, precinct summary statements, printouts from voting machines, and precinct incident logs inspected before the canvassing board may certify the results of the recount.

Sec. 9. **[204E.08] FACILITIES AND EQUIPMENT.**

All recounts must be accessible to the public. In a multicounty recount the secretary of state may locate the recount in one or more of the election jurisdictions or at the site of the canvassing board. Each election jurisdiction where a recount is conducted shall make available, without charge to the recount official or body conducting the recount, adequate accessible space and all necessary equipment and facilities.

Sec. 10. **[204E.09] GENERAL PROCEDURES.**

At the opening of a recount, the recount official or legal adviser shall present the procedures contained in this section for the recount. The custodian of the ballots shall make available to the recount official the precinct summary statements, the precinct boxes or the sealed containers of voted ballots, and any other election materials requested by the recount official. If the recount official needs to leave the room for any reason, the recount official must designate a deputy recount official to preside during the recount official's absence. A recount official must be in the room at all times. The containers of voted ballots must be unsealed and resealed within public view. No ballots or election materials may be handled by candidates, their representatives, or members of the public. There must be an area of the room from which the public may observe the recount. Cell phones and video cameras may be used in this public viewing area, as long as their use is not disruptive. The recount official shall arrange the counting of the ballots so that the candidates and their representatives may observe the ballots as they are recounted. Candidates may each have one representative observe the sorting of each precinct. One additional representative per candidate may observe the ballots when they have been sorted and are being counted pursuant to section 204E.10. Candidates may have additional representatives in the public viewing area of the room. If other election materials are handled or examined by the recount officials, the candidates and their representatives may observe them. The recount official shall ensure that public observation does not interfere with the counting of the ballots. The recount official shall prepare a summary of the recount vote by precinct.

Sec. 11. **[204E.10] COUNTING AND CHALLENGING BALLOTS.**

Subdivision 1. **Breaks in counting process.** Recount officials may not take a break for a meal or for the day prior to the completion of the sorting, counting, review, and labeling of challenges, and secure storage of the ballots for any precinct. All challenged ballots must be stored securely during breaks in the counting process.

Subd. 2. **Sorting ballots.** Ballots must be recounted by precinct. The recount official shall open the sealed container of ballots and recount them in accordance with section 204C.22. The recount official must review each ballot and sort the ballots into piles based upon the recount official's determination as to which candidate, if any, the voter intended to vote for: one pile for each candidate that is the subject of the recount and one pile for all other ballots.

Subd. 3. **Challenge.** During the sorting, a candidate or candidate's representative may challenge the ballot if the candidate's representative disagrees with the recount official's determination of the person for whom the ballot should be counted and whether there are identifying marks on the ballot. At a recount of a ballot question, the manner in which a ballot is counted may be challenged by the person who requested the recount or that person's representative. Challenges may not be automatic or frivolous and the challenger must state the basis for the challenge pursuant to section 204C.22. Challenged ballots must be placed into separate piles, one for ballots challenged by each candidate. Only the canvassing board with responsibility to certify the results of the recount has the authority to declare a challenge to be "frivolous."

Subd. 4. **Counting ballots.** Once ballots have been sorted, the recount officials must count the piles using the stacking method described in section 204C.21. A candidate or candidate's representative may immediately request to have a pile of 25 counted a second time if there is not agreement as to the number of votes in the pile.

Subd. 5. **Reviewing and labeling challenged ballots.** After the ballots from a precinct have been counted, the recount official may review the challenged ballots with the candidate or the candidate's representative. The candidate's representative may choose to withdraw any challenges previously made. The precinct name, the reason for the challenge, and the name of the person challenging the ballot or the candidate that person represents, and a sequential number must be marked on the back of each remaining challenged ballot before it is placed in an envelope marked "Challenged Ballots." After the count of votes for the precinct has been determined, all ballots except the challenged ballots must be resealed in the ballot envelopes and returned with the other election materials to the custodian of the ballots. The recount official may make copies of the challenged ballots. After the count of votes for all precincts has been determined during that day of counting, the challenged ballot envelope must be sealed and kept secure for presentation to the canvassing board.

Sec. 12. **[204E.11] RESULTS OF RECOUNT; TIE VOTES.**

Subdivision 1. **Certification of results.** The recount official shall present the summary statement of the recount and any challenged ballots to the canvassing board. The candidate or candidate's representative who made the challenge may present the basis for the challenge to the canvassing board. The canvassing board shall rule on the challenged ballots and incorporate the results into the summary statement. The canvassing board shall certify the results of the recount. Challenged ballots must be returned to the election official who has custody of the ballots.

Subd. 2. **Tie votes.** In case of a tie vote for nomination or election to an office, the canvassing board with the responsibility for declaring the results for that office shall determine the tie by lot.

Sec. 13. **[204E.12] SECURITY DEPOSIT.**

When a bond, cash, or surety for recount expenses is required by section 204E.04 or 204E.05, the governing body or recount official shall set the amount of the security deposit at an amount which will cover expected recount expenses. In multicounty districts, the secretary of state shall set the amount taking into consideration the expenses of the election jurisdictions in the district and the expenses of the secretary of state. The security deposit must be filed during the period for requesting an administrative recount. In determining the expenses of the recount, only the actual recount expenditures incurred by the recount official and the election jurisdiction in conducting the recount may be included. General office and operating costs may not be taken into account.

Sec. 14. **REVISOR'S INSTRUCTION.**

Except where otherwise amended by this article, the revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall make necessary cross-reference changes consistent with the renumbering.

<u>Column A</u>	<u>Column B</u>
<u>204C.34</u>	<u>204E.11, subdivision 2</u>
<u>204C.35</u>	<u>204E.04</u>
<u>204C.36</u>	<u>204E.05</u>

Sec. 15. **REPEALER.**

Minnesota Statutes 2010, sections 204C.34; 204C.35; 204C.36; and 204C.361, are repealed.

Sec. 16. **EFFECTIVE DATE.**

This article is effective June 1, 2011, and applies to recounts conducted on or after that date.

ARTICLE 5
TITLE; SEVERABILITY; APPROPRIATIONS

Section 1. **TITLE.**

This act shall be known as "The 21st Century Voting Act."

Sec. 2. **SEVERABILITY.**

All provisions of this act are severable. If any provision of this act is found to be unconstitutional and void, the remaining provisions shall remain valid, unless the court finds the valid provisions are so essentially and inseparably connected with, and so dependent upon, the void provisions that the court cannot presume the legislature would have enacted the remaining provisions without the void one; or unless the court finds the remaining valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Sec. 3. **APPROPRIATIONS.**

(a) The following amounts are appropriated from the funds and in the fiscal years indicated to the commissioner of administration for the purposes of the public education campaign required by article 1, section 35:

(1) \$100,000 in fiscal year 2012 and \$1,200,000 in fiscal year 2013 are from the general fund; and

(2) \$1,000,000 in fiscal year 2013 is from the Help America Vote Act account.

These are onetime appropriations.

(b) The following amounts are appropriated in fiscal year 2012 from the Help America Vote Act account to the secretary of state:

(1) \$950,000 for information technology costs related to implementation of the electronic roster requirements contained in article 3; and

(2) \$500,000 for purposes of implementing all other requirements of this act.

(c) \$75,000 in fiscal year 2012 and \$1,033,000 in fiscal year 2013 are appropriated from the general fund to the commissioner of management and budget for transfer to the state-subsidized identification card account established in article 1, section 20, for purposes of providing voter identification cards to individuals qualifying under Minnesota Statutes, section 171.07, subdivision 3b. The base for this appropriation is \$215,000 in fiscal year 2014 and each year after.

Money appropriated under this section in fiscal year 2012 is available in fiscal year 2013.

EFFECTIVE DATE. This section is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot in most situations; providing for the issuance of voter identification cards at no charge; changing certain filing requirements; establishing a procedure for provisional balloting; creating challenged voter eligibility list; specifying other election administration procedures; allowing use of electronic polling place rosters; setting standards for use of electronic polling place rosters; creating legislative task force on electronic roster implementation; enacting procedures related to recounts; requiring reports; appropriating money; amending Minnesota Statutes 2010, sections 10A.20, subdivision 2; 13.69, subdivision 1; 135A.17, subdivision 2; 171.01, by adding a subdivision; 171.06, subdivisions 1, 2, 3, by adding a subdivision; 171.061, subdivisions 1, 3, 4; 171.07, subdivisions 1a, 4, 9, 14, by adding a subdivision; 171.071; 171.11; 171.14; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 4, 7; 201.071, subdivision 3; 201.081; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.04, subdivisions 1, 2; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.21, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.32; 204C.33, subdivision 1; 204C.37; 204C.38; 204D.24, subdivision 2; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; 206.86, subdivisions 1, 2; 209.021, subdivision 1; 209.06, subdivision 1; 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 203B.04, subdivision 3; 204C.34; 204C.35; 204C.36; 204C.361."

We request the adoption of this report and repassage of the bill.

Senate Conferees: WARREN LIMMER, SCOTT J. NEWMAN, RAY VANDEVEER, PAUL GAZELKA and ROGER C. CHAMBERLAIN.

House Conferees: MARY KIFFMEYER, MIKE BENSON, KEITH DOWNEY, TIM SANDERS and DENISE DITTRICH.

Kiffmeyer moved that the report of the Conference Committee on S. F. No. 509 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Kiffmeyer motion that the report of the Conference Committee on S. F. No. 509 be adopted and that the bill be repassed as amended by the Conference Committee and the roll was called. There were 72 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gottwalt	Kiffmeyer	McNamara	Scott
Anderson, B.	Daudt	Gruenhagen	Kriesel	Murdock	Shimanski
Anderson, D.	Dauids	Gunther	Lanning	Murray	Smith
Anderson, P.	Dean	Hackbarth	Leidiger	Myhra	Stensrud
Anderson, S.	Dettmer	Hamilton	LeMieur	Nornes	Swedzinski
Banaian	Doepke	Hancock	Lohmer	O'Driscoll	Torkelson
Barrett	Downey	Holberg	Loon	Peppin	Urdahl
Beard	Drazkowski	Hoppe	Mack	Petersen, B.	Vogel
Benson, M.	Erickson	Howes	Mazorol	Quam	Wardlow
Bills	Fabian	Kelly	McDonald	Runbeck	Westrom
Buesgens	Franson	Kieffer	McElpatrick	Sanders	Woodard
Cornish	Garofalo	Kiel	McFarlane	Schomacker	Spk. Zellers

Those who voted in the negative were:

Anzelc	Falk	Hornstein	Lenczewski	Morrow	Rukavina
Atkins	Fritz	Hortman	Lesch	Mullery	Scalze
Benson, J.	Gauthier	Hosch	Liebling	Murphy, E.	Simon
Brynaert	Greene	Huntley	Lillie	Murphy, M.	Slawik
Carlson	Greiling	Johnson	Loeffler	Nelson	Slocum
Clark	Hansen	Kahn	Mahoney	Norton	Thissen
Davnie	Hausman	Kath	Mariani	Pelowski	Tillberry
Dill	Hayden	Knuth	Marquart	Persell	Wagenius
Dittrich	Hilstrom	Koenen	Melin	Peterson, S.	Ward
Eken	Hilty	Laine	Moran	Poppe	Winkler

The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place S. F. No. 712 on the Fiscal Calendar for Saturday, May 21, 2011.

S. F. No. 509, A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot in most situations; providing for the issuance of voter identification cards at no charge; establishing a procedure for provisional balloting; creating challenged voter eligibility list; specifying other election administration procedures; allowing use of electronic polling place rosters; setting standards for use of electronic polling place rosters; creating legislative task force on electronic roster implementation; enacting procedures related to recounts; appropriating money; amending Minnesota Statutes 2010, sections 13.69, subdivision 1; 135A.17, subdivision 2; 171.01, by adding a subdivision; 171.06, subdivisions 1, 2, 3, by adding a subdivision; 171.061, subdivisions 1, 3, 4; 171.07, subdivisions 1a, 4, 9, 14, by adding a subdivision; 171.071; 171.11; 171.14; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 4, 7; 201.071, subdivision 3; 201.081; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.04, subdivisions 1, 2; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.32; 204C.33, subdivision 1; 204C.37; 204C.38; 204D.24, subdivision 2; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; 206.86, subdivisions 1, 2; 209.021, subdivision 1; 209.06, subdivision 1; 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; 299A; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 203B.04, subdivision 3; 204C.34; 204C.35; 204C.36; 204C.361.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 74 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, S.	Benson, M.	Crawford	Dettmer	Draskowski
Anderson, B.	Banaian	Bills	Daudt	Dittrich	Erickson
Anderson, D.	Barrett	Buesgens	Davids	Doepke	Fabian
Anderson, P.	Beard	Cornish	Dean	Downey	Franson

Garofalo	Howes	Lenczewski	Murdock	Sanders	Vogel
Gottwalt	Kelly	Lohmer	Murray	Schomacker	Wardlow
Gruenhagen	Kieffer	Loon	Myhra	Scott	Westrom
Gunther	Kiel	Mack	Nornes	Shimanski	Woodard
Hackbarth	Kiffmeyer	Mazorol	O'Driscoll	Smith	Spk. Zellers
Hamilton	Kriesel	McDonald	Peppin	Stensrud	
Hancock	Lanning	McElfrick	Petersen, B.	Swedzinski	
Holberg	Leidiger	McFarlane	Quam	Torkelson	
Hoppe	LeMieur	McNamara	Runbeck	Urdahl	

Those who voted in the negative were:

Anzelc	Fritz	Hortman	Liebling	Murphy, E.	Simon
Atkins	Gauthier	Hosch	Lillie	Murphy, M.	Slawik
Benson, J.	Greene	Huntley	Loeffler	Nelson	Slocum
Brynaert	Greiling	Johnson	Mahoney	Norton	Thissen
Carlson	Hansen	Kahn	Mariani	Pelowski	Tillberry
Clark	Hausman	Kath	Marquart	Persell	Wagenius
Davnie	Hayden	Knuth	Melin	Peterson, S.	Ward
Dill	Hilstrom	Koenen	Moran	Poppe	Winkler
Eken	Hilty	Laine	Morrow	Rukavina	
Falk	Hornstein	Lesch	Mullery	Scalze	

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 258, A bill for an act relating to taxation; revenue recapture; authorizing licensed ambulance services to submit claims directly to the state; amending Minnesota Statutes 2010, sections 270A.03, subdivision 2; 270A.07, subdivision 1.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 650, A bill for an act relating to transportation; regulating driver education and driver examination related to carbon monoxide poisoning; making technical changes; amending Minnesota Statutes 2010, sections 171.0701; 171.13, subdivision 1, by adding a subdivision.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 229, A bill for an act relating to public safety; authorizing judges to prohibit certain juvenile sex offenders from residing near their victims; amending Minnesota Statutes 2010, section 260B.198, subdivision 1, by adding a subdivision.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Downey moved that the House concur in the Senate amendments to H. F. No. 229 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 229, A bill for an act relating to public safety; providing for a child certified as an adult to be detained in a juvenile facility pending the outcome of criminal proceedings; authorizing judges to prohibit certain juvenile sex offenders from residing near their victims; amending Minnesota Statutes 2010, sections 260B.125, subdivision 8 260B.198, subdivision 1, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Hancock	Kriesel	Moran	Scalze
Anderson, B.	Dettmer	Hansen	Laine	Morrow	Schomacker
Anderson, D.	Dill	Hausman	Lanning	Mullery	Scott
Anderson, P.	Dittrich	Hayden	Leidiger	Murdock	Shimanski
Anderson, S.	Doepke	Hilstrom	LeMieur	Murphy, E.	Simon
Anzelc	Downey	Hilty	Lenczewski	Murphy, M.	Slawik
Atkins	Drazkowski	Holberg	Lesch	Murray	Slocum
Banaian	Eken	Hoppe	Liebling	Myhra	Smith
Barrett	Erickson	Hornstein	Lillie	Nelson	Stensrud
Beard	Fabian	Hortman	Loeffler	Nornes	Swedzinski
Benson, J.	Falk	Hosch	Lohmer	Norton	Thissen
Benson, M.	Franson	Howes	Loon	O'Driscoll	Tillberry
Bills	Fritz	Huntley	Mack	Pelowski	Torkelson
Brynaert	Garofalo	Johnson	Mahoney	Peppin	Urdahl
Buesgens	Gauthier	Kahn	Mariani	Persell	Vogel
Carlson	Gottwalt	Kath	Marquart	Petersen, B.	Wagenius
Clark	Greene	Kelly	Mazorol	Peterson, S.	Ward
Cornish	Greiling	Kieffer	McDonald	Poppe	Wardlow
Crawford	Gruenhagen	Kiel	McElfatrick	Quam	Westrom
Daudt	Gunther	Kiffmeyer	McFarlane	Rukavina	Winkler
Davids	Hackbarth	Knuth	McNamara	Runbeck	Woodard
Davnie	Hamilton	Koenen	Melin	Sanders	Spk. Zellers

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 562, A bill for an act relating to manufactured homes; regulating water and sewer charges for manufactured home parks; regulating charges to manufactured home parks by public water suppliers; amending Minnesota Statutes 2010, sections 327C.01, by adding subdivisions; 327C.02, subdivision 2; 327C.04, subdivision 2, by adding subdivisions; 444.075, subdivision 3.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sanders moved that the House concur in the Senate amendments to H. F. No. 562 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

The Speaker called Davids to the Chair.

The question was taken on the Sanders motion that the House concur in the Senate amendments to H. F. No. 562 and that the bill be repassed as amended by the Senate and the roll was called. There were 67 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeler	Daudt	Gruenhagen	Leidiger	Nornes	Torkelson
Anderson, B.	Davids	Gunther	Lohmer	O'Driscoll	Urdahl
Anderson, D.	Dean	Hamilton	Loon	Peppin	Vogel
Anderson, P.	Dettmer	Hancock	Mack	Petersen, B.	Wardlow
Anderson, S.	Doepke	Holberg	Mazorol	Runbeck	Westrom
Banaian	Downey	Hoppe	McDonald	Sanders	Woodard
Barrett	Drazkowski	Kelly	McElfrick	Schomacker	Spk. Zellers
Beard	Erickson	Kieffer	McFarlane	Scott	
Benson, M.	Fabian	Kiel	McNamara	Shimanski	
Bills	Franson	Kiffmeyer	Murdock	Smith	
Cornish	Garofalo	Kriesel	Murray	Stensrud	
Crawford	Gottwalt	Lanning	Myhra	Swedzinski	

Those who voted in the negative were:

Anzelc	Dill	Hackbarth	Hosch	Laine	Mariani
Atkins	Dittrich	Hansen	Howes	LeMieur	Marquart
Benson, J.	Eken	Hausman	Huntley	Lenczewski	Melin
Brynaert	Falk	Hayden	Johnson	Lesch	Moran
Buesgens	Fritz	Hilstrom	Kahn	Liebling	Morrow
Carlson	Gauthier	Hilty	Kath	Lillie	Mullery
Clark	Greene	Hornstein	Knuth	Loeffler	Murphy, E.
Davnie	Greiling	Hortman	Koenen	Mahoney	Murphy, M.

Nelson	Pelowski	Poppe	Scalze	Slocum	Wagenius
Norton	Persell	Quam	Simon	Thissen	Ward
Paymar	Peterson, S.	Rukavina	Slawik	Tillberry	Winkler

The motion prevailed.

H. F. No. 562, A bill for an act relating to water and sewer; regulating water and sewer charges for manufactured home parks; repealing air admittance valve prohibition; amending Minnesota Statutes 2010, sections 103G.291, subdivision 4; 327C.01, by adding subdivisions; 327C.02, subdivision 2; 327C.04, subdivision 2, by adding subdivisions; repealing Minnesota Statutes 2010, section 326B.43, subdivision 6.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 68 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler	Daudt	Gruenhagen	Leidiger	Myhra	Swedzinski
Anderson, B.	Dauids	Gunther	LeMieur	Nornes	Torkelson
Anderson, D.	Dean	Hamilton	Lohmer	O'Driscoll	Urdahl
Anderson, P.	Dettmer	Hancock	Loon	Peppin	Vogel
Anderson, S.	Doepke	Holberg	Mack	Petersen, B.	Wardlow
Banaian	Downey	Hoppe	Mazorol	Runbeck	Westrom
Barrett	Drazkowski	Kelly	McDonald	Sanders	Woodard
Beard	Erickson	Kieffer	McElpatrick	Schomacker	Spk. Zellers
Benson, M.	Fabian	Kiel	McFarlane	Scott	
Bills	Franson	Kiffmeyer	McNamara	Shimanski	
Cornish	Garofalo	Kriesel	Murdock	Smith	
Crawford	Gottwalt	Lanning	Murray	Stensrud	

Those who voted in the negative were:

Anzelc	Falk	Hornstein	Lenczewski	Mullery	Rukavina
Atkins	Fritz	Hortman	Lesch	Murphy, E.	Scalze
Benson, J.	Gauthier	Hosch	Liebling	Murphy, M.	Simon
Brynaert	Greene	Howes	Lillie	Nelson	Slawik
Buesgens	Greiling	Huntley	Loeffler	Norton	Slocum
Carlson	Hackbarth	Johnson	Mahoney	Paymar	Thissen
Clark	Hansen	Kahn	Mariani	Pelowski	Tillberry
Davnie	Hausman	Kath	Marquart	Persell	Wagenius
Dill	Hayden	Knuth	Melin	Peterson, S.	Ward
Dittrich	Hilstrom	Koenen	Moran	Poppe	Winkler
Eken	Hilty	Laine	Morrow	Quam	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 844, A bill for an act relating to workforce development; providing for a public library adviser to the Governor's Workforce Development Council; amending Minnesota Statutes 2010, section 116L.665, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McFarlane moved that the House concur in the Senate amendments to H. F. No. 844 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 844, A bill for an act relating to workforce development; providing for a public library representative to the Governor's Workforce Development Council; amending Minnesota Statutes 2010, section 116L.665, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hilstrom	Leidiger	Mullery	Schomacker
Anderson, D.	Dittrich	Hilty	LeMieur	Murdock	Shimanski
Anderson, P.	Doepke	Holberg	Lenczewski	Murphy, E.	Simon
Anzelc	Eken	Hoppe	Lesch	Murphy, M.	Slawik
Atkins	Erickson	Hornstein	Liebling	Murray	Slocum
Banaian	Fabian	Hortman	Lillie	Myhra	Smith
Barrett	Falk	Hosch	Loeffler	Nelson	Stensrud
Beard	Franson	Howes	Lohmer	Nornes	Swedzinski
Benson, J.	Fritz	Huntley	Loon	Norton	Thissen
Benson, M.	Garofalo	Johnson	Mack	O'Driscoll	Tillberry
Bills	Gauthier	Kahn	Mahoney	Paymar	Torkelson
Brynaert	Gottwalt	Kath	Mariani	Pelowski	Urdahl
Carlson	Greene	Kelly	Marquart	Persell	Vogel
Clark	Greiling	Kieffer	Mazorol	Petersen, B.	Wagenius
Cornish	Gruenhagen	Kiel	McDonald	Peterson, S.	Ward
Crawford	Gunther	Kiffmeyer	McElpatrick	Poppe	Wardlow
Daudt	Hamilton	Knuth	McFarlane	Quam	Westrom
Davids	Hancock	Koenen	McNamara	Rukavina	Winkler
Davnie	Hansen	Kriesel	Melin	Runbeck	Woodard
Dean	Hausman	Laine	Moran	Sanders	Spk. Zellers
Dettmer	Hayden	Lanning	Morrow	Scalze	

Those who voted in the negative were:

Anderson, B.	Buesgens	Drazkowski	Peppin
Anderson, S.	Downey	Hackbarth	Scott

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 695, A bill for an act relating to civil law; extending civil immunity to municipalities that donate public safety equipment; amending Minnesota Statutes 2010, section 466.03, by adding a subdivision.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Mack moved that the House concur in the Senate amendments to H. F. No. 695 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 695, A bill for an act relating to civil law; extending civil immunity to municipalities that donate public safety equipment; amending Minnesota Statutes 2010, section 466.03, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hausman	Leidiger	Murphy, E.	Simon
Anderson, B.	Dill	Hayden	LeMieur	Murphy, M.	Slawik
Anderson, D.	Dittrich	Hilstrom	Lenczewski	Murray	Slocum
Anderson, P.	Doepke	Hilty	Lesch	Myhra	Smith
Anderson, S.	Downey	Holberg	Liebling	Nelson	Stensrud
Anzelc	Drazkowski	Hoppe	Lillie	Nornes	Swedzinski
Atkins	Eken	Hornstein	Loeffler	Norton	Thissen
Banaian	Erickson	Hortman	Lohmer	O'Driscoll	Tillberry
Barrett	Fabian	Hosch	Loon	Paymar	Torkelson
Beard	Falk	Howes	Mack	Pelowski	Urdahl
Benson, J.	Franson	Huntley	Mahoney	Peppin	Vogel
Benson, M.	Fritz	Johnson	Mariani	Persell	Wagenius
Bills	Garofalo	Kahn	Marquart	Petersen, B.	Ward
Brynaert	Gauthier	Kath	Mazorol	Peterson, S.	Wardlow
Buesgens	Gottwalt	Kelly	McDonald	Poppe	Westrom
Carlson	Greene	Kieffer	McElfrick	Quam	Winkler
Clark	Greiling	Kiel	McFarlane	Rukavina	Woodard
Cornish	Gruenhagen	Kiffmeyer	McNamara	Runbeck	Spk. Zellers
Crawford	Gunther	Knuth	Melin	Sanders	
Daudt	Hackbarth	Koenen	Moran	Scalze	
Davids	Hamilton	Kriesel	Morrow	Schomacker	
Davnie	Hancock	Laine	Mullery	Scott	
Dean	Hansen	Lanning	Murdock	Shimanski	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 808, A bill for an act relating to motor vehicles; providing for \$2 donation for public information and education on anatomical gifts; creating anatomical gift account; appropriating money; amending Minnesota Statutes 2010, sections 168.12, subdivision 5; 171.06, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 171.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, S., moved that the House concur in the Senate amendments to H. F. No. 808 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 808, A bill for an act relating to motor vehicles; providing for \$2 donation for public information and education on anatomical gifts; creating anatomical gift account; appropriating money; amending Minnesota Statutes 2010, sections 168.12, subdivision 5; 171.06, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 171.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hausman	Leidiger	Murphy, E.	Simon
Anderson, B.	Dill	Hayden	LeMieur	Murphy, M.	Slawik
Anderson, D.	Dittrich	Hilstrom	Lenczewski	Murray	Slocum
Anderson, P.	Doepke	Hilty	Lesch	Myhra	Smith
Anderson, S.	Downey	Holberg	Liebling	Nelson	Stensrud
Anzelc	Drazkowski	Hoppe	Lillie	Nornes	Swedzinski
Atkins	Eken	Hornstein	Loeffler	Norton	Thissen
Banaian	Erickson	Hortman	Lohmer	O'Driscoll	Tillberry
Barrett	Fabian	Hosch	Loon	Paymar	Torkelson
Beard	Falk	Howes	Mack	Pelowski	Urdahl
Benson, J.	Franson	Huntley	Mahoney	Peppin	Vogel
Benson, M.	Fritz	Johnson	Mariani	Persell	Wagenius
Bills	Garofalo	Kahn	Marquart	Petersen, B.	Ward
Brynaert	Gauthier	Kath	Mazorol	Peterson, S.	Wardlow
Buesgens	Gottwalt	Kelly	McDonald	Poppe	Westrom
Carlson	Greene	Kieffer	McElfatrick	Quam	Winkler
Clark	Greiling	Kiel	McFarlane	Rukavina	Woodard
Cornish	Gruenhagen	Kiffmeyer	McNamara	Runbeck	Spk. Zellers
Crawford	Gunther	Knuth	Melin	Sanders	
Daudt	Hackbarth	Koenen	Moran	Scalze	
Davids	Hamilton	Kriesel	Morrow	Schomacker	
Davnie	Hancock	Laine	Mullery	Scott	
Dean	Hansen	Lanning	Murdock	Shimanski	

The bill was repassed, as amended by the Senate, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES
AND LEGISLATIVE ADMINISTRATION

Dean from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Supplemental Calendar for the Day for Saturday, May 21, 2011:

S. F. Nos. 1159 and 247; H. F. No. 1428; S. F. Nos. 799, 885, 680 and 994; and H. F. No. 191.

CALENDAR FOR THE DAY

S. F. No. 885, A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, and omitted text and obsolete references; removing redundant, conflicting, and superseded provisions; making miscellaneous corrections to laws, statutes, and rules; amending Minnesota Statutes 2010, sections 5.15; 13.04, subdivision 4a; 13.319, subdivision 1; 13.3806, by adding a subdivision; 13.381, subdivision 1; 13.411, subdivision 1; 13.4967, subdivision 1; 13.607, subdivision 1; 13.6401, subdivision 1, by adding a subdivision; 13.6905, subdivision 1, by adding a subdivision; 13.7191, subdivision 1, by adding a subdivision; 13.785, subdivision 1; 13.7931, subdivision 1; 13.841, subdivision 1, by adding a subdivision; 13.851, subdivision 1, by adding a subdivision; 15B.24, subdivision 1; 60A.121, subdivision 5; 82.67, subdivision 3; 115A.072, subdivision 1; 115A.908, subdivision 2; 115B.25, subdivision 8; 115B.34, subdivision 1; 116W.03, subdivision 5; 120B.022, subdivision 1; 121A.15, subdivisions 8, 9; 123B.72, subdivision 3; 123B.76, subdivision 3; 125A.027, subdivision 4; 125A.29; 125A.56, subdivision 1; 127A.45, subdivision 12; 152.027, subdivision 4; 168.1293, subdivision 5; 168D.01, subdivision 4; 168D.02, subdivision 1; 169.771, subdivision 1; 174.82; 203B.06, subdivision 3; 204B.34, subdivision 1; 204C.13, subdivision 6; 205A.10, subdivision 2; 216B.1691, subdivision 5; 216B.1692, subdivisions 1, 2; 216C.01, subdivision 1a; 219.01; 239.002; 244.11, subdivision 3; 245B.031, subdivision 5; 256B.0625, subdivision 14; 260D.07; 268.046, subdivision 1; 273.054; 273.063; 273.1103; 279.33; 295.75, subdivision 9; 297I.01, subdivision 16; 299F.56, subdivisions 11, 16; 299F.57, subdivision 1; 299J.03, subdivision 2; 299M.03, subdivision 2; 326B.118; 326B.986, subdivision 4; 326B.992; 383D.411; 394.21, subdivision 3; 394.232; 462.3535, subdivisions 1, 8; 466.07, subdivision 1; 501B.16; 514.977; 515B.1-102; 517.08, subdivision 1b; 518D.314; 524.1-304; 572A.01, subdivision 1; 572A.02, subdivisions 5, 6; 572A.03, subdivision 2; 576.011, subdivision 1; 580.041, subdivision 2; 580.06, subdivision 2; 609.485, subdivision 2; 609.5314, subdivision 3; 609.902, subdivision 4; 611A.033; 628.56; 628.63; 628.68; 630.18; 631.05; Laws 2009, chapter 88, article 2, section 43; Laws 2010, chapter 184, section 18; Laws 2010, chapter 280, section 40; Laws 2010, chapter 382, section 87, subdivision 8; Laws 2010, chapter 389, article 1, sections 7; 8; 9; repealing Minnesota Statutes 2010, sections 462.3535, subdivisions 9, 10; 626.8441, subdivision 1; Laws 2006, chapter 259, article 13, section 10; Laws 2008, chapter 202, section 10; Laws 2009, chapter 82, section 2; Laws 2010, chapter 184, section 7; Laws 2010, chapter 310, article 6, section 1; article 16, section 2; Laws 2010, chapter 359, article 12, section 18; Laws 2010, chapter 392, article 1, section 6; Laws 2010, First Special Session chapter 1, article 15, section 8; Minnesota Rules, part 7890.0120, subpart 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, S.	Barrett	Bills	Clark	Davids
Anderson, B.	Anzenc	Beard	Brynaert	Cornish	Davnie
Anderson, D.	Atkins	Benson, J.	Buesgens	Crawford	Dean
Anderson, P.	Banaian	Benson, M.	Carlson	Daudt	Dettmer

Dill	Hamilton	Kiel	Marquart	Paymar	Stensrud
Dittrich	Hancock	Kiffmeyer	Mazorol	Pelowski	Swedzinski
Doepke	Hansen	Knuth	McDonald	Peppin	Thissen
Downey	Hausman	Koenen	McElfatrick	Persell	Tillberry
Drazkowski	Hayden	Kriesel	McFarlane	Petersen, B.	Torkelson
Eken	Hilstrom	Laine	McNamara	Peterson, S.	Urdahl
Erickson	Hilty	Lanning	Melin	Poppe	Vogel
Fabian	Holberg	Leidiger	Moran	Quam	Wagenius
Falk	Hoppe	LeMieur	Morrow	Rukavina	Ward
Franson	Hornstein	Lenczewski	Mullery	Runbeck	Wardlow
Fritz	Hortman	Lesch	Murdock	Sanders	Westrom
Garofalo	Hosch	Liebling	Murphy, E.	Scalze	Winkler
Gauthier	Howes	Lillie	Murphy, M.	Schomacker	Woodard
Gottwalt	Huntley	Loeffler	Murray	Scott	Spk. Zellers
Greene	Johnson	Lohmer	Myhra	Shimanski	
Greiling	Kahn	Loon	Nelson	Simon	
Gruenhagen	Kath	Mack	Nornes	Slawik	
Gunther	Kelly	Mahoney	Norton	Slocum	
Hackbarth	Kieffer	Mariani	O'Driscoll	Smith	

The bill was passed and its title agreed to.

S. F. No. 994, A bill for an act relating to lawful gambling; decreasing certain minimum lawful purpose expenditure requirements; amending Minnesota Statutes 2010, section 349.15, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 101 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler	Daudt	Greene	Kieffer	Melin	Runbeck
Anderson, D.	Davids	Gunther	Kiel	Moran	Sanders
Anderson, P.	Davnie	Hackbarth	Knuth	Morrow	Scalze
Anderson, S.	Dean	Hamilton	Koenen	Mullery	Schomacker
Anzelc	Dettmer	Hancock	Kriesel	Murdock	Shimanski
Atkins	Dill	Hansen	Laine	Murphy, M.	Simon
Banaian	Dittrich	Hilstrom	Lanning	Murray	Slawik
Barrett	Doepke	Hilty	Leidiger	Nelson	Slocum
Beard	Drazkowski	Hoppe	LeMieur	Nornes	Smith
Benson, J.	Eken	Hortman	Liebling	Norton	Thissen
Bills	Fabian	Hosch	Lillie	O'Driscoll	Tillberry
Brynaert	Falk	Howes	Loon	Pelowski	Urdahl
Buesgens	Franson	Huntley	Mariani	Persell	Ward
Carlson	Fritz	Johnson	Mazorol	Petersen, B.	Westrom
Clark	Garofalo	Kahn	McDonald	Peterson, S.	Woodard
Cornish	Gauthier	Kath	McFarlane	Poppe	Spk. Zellers
Crawford	Gottwalt	Kelly	McNamara	Rukavina	

Those who voted in the negative were:

Anderson, B.	Erickson	Hausman	Hornstein	Lesch	Mack
Benson, M.	Greiling	Hayden	Kiffmeyer	Loeffler	Mahoney
Downey	Gruenhagen	Holberg	Lenczewski	Lohmer	Marquart

McElfatrick	Paymar	Scott	Torkelson	Wardlow
Murphy, E.	Peppin	Stensrud	Vogel	Winkler
Myhra	Quam	Swedzinski	Wagenius	

The bill was passed and its title agreed to.

S. F. No. 508, A bill for an act relating to insurance; requiring auto insurers to inform certain insureds of the right to select any rental vehicle company; requiring an advisory; amending Minnesota Statutes 2010, section 72A.201, subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Hancock	Kriesel	Morrow	Schomacker
Anderson, B.	Dettmer	Hansen	Laine	Mullery	Scott
Anderson, D.	Dill	Hausman	Lanning	Murdock	Shimanski
Anderson, P.	Dittrich	Hayden	Leidiger	Murphy, E.	Simon
Anderson, S.	Doepke	Hilstrom	LeMieur	Murphy, M.	Slawik
Anzelc	Downey	Hilty	Lesch	Murray	Slocum
Atkins	Drazkowski	Holberg	Liebling	Myhra	Smith
Banaian	Eken	Hoppe	Lillie	Nelson	Stensrud
Barrett	Erickson	Hornstein	Loeffler	Nornes	Swedzinski
Beard	Fabian	Hortman	Lohmer	Norton	Thissen
Benson, J.	Falk	Hosch	Loon	Paymar	Tillberry
Benson, M.	Franson	Howes	Mack	Pelowski	Torkelson
Bills	Fritz	Huntley	Mahoney	Peppin	Urdahl
Brynaert	Garofalo	Johnson	Mariani	Persell	Vogel
Buesgens	Gauthier	Kahn	Marquart	Petersen, B.	Wagenius
Carlson	Gottwalt	Kath	Mazorol	Peterson, S.	Ward
Clark	Greene	Kelly	McDonald	Poppe	Wardlow
Cornish	Greiling	Kieffer	McElfatrick	Quam	Westrom
Crawford	Gruenhagen	Kiel	McFarlane	Rukavina	Winkler
Daudt	Gunther	Kiffmeyer	McNamara	Runbeck	Woodard
Davids	Hackbarth	Knuth	Melin	Sanders	Spk. Zellers
Davnie	Hamilton	Koenen	Moran	Scalze	

Those who voted in the negative were:

Lenczewski	O'Driscoll
------------	------------

The bill was passed and its title agreed to.

S. F. No. 882, A bill for an act relating to crime; clarifying targeted misdemeanors to include no contact order misdemeanor violations for the purpose of requiring fingerprinting; amending Minnesota Statutes 2010, section 299C.10, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hausman	Leidiger	Murphy, E.	Simon
Anderson, B.	Dill	Hayden	LeMieur	Murphy, M.	Slawik
Anderson, D.	Dittrich	Hilstrom	Lenczewski	Murray	Slocum
Anderson, P.	Doepke	Hilty	Lesch	Myhra	Smith
Anderson, S.	Downey	Holberg	Liebling	Nelson	Stensrud
Anzelc	Drazkowski	Hoppe	Lillie	Nornes	Swedzinski
Atkins	Eken	Hornstein	Loeffler	Norton	Thissen
Banaian	Erickson	Hortman	Lohmer	O'Driscoll	Tillberry
Barrett	Fabian	Hosch	Loon	Paymar	Torkelson
Beard	Falk	Howes	Mack	Pelowski	Urdahl
Benson, J.	Franson	Huntley	Mahoney	Peppin	Vogel
Benson, M.	Fritz	Johnson	Mariani	Persell	Wagenius
Bills	Garofalo	Kahn	Marquart	Petersen, B.	Ward
Brynaert	Gauthier	Kath	Mazorol	Peterson, S.	Wardlow
Buesgens	Gottwalt	Kelly	McDonald	Poppe	Westrom
Carlson	Greene	Kieffer	McElpatrick	Quam	Winkler
Clark	Greiling	Kiel	McFarlane	Rukavina	Woodard
Cornish	Gruenhagen	Kiffmeyer	McNamara	Runbeck	Spk. Zellers
Crawford	Gunther	Knuth	Melin	Sanders	
Daudt	Hackbarth	Koenen	Moran	Scalze	
Davids	Hamilton	Kriesel	Morrow	Schomacker	
Davnie	Hancock	Laine	Mullery	Scott	
Dean	Hansen	Lanning	Murdock	Shimanski	

The bill was passed and its title agreed to.

H. F. No. 745 was reported to the House.

Mack and Slawik moved to amend H. F. No. 745, the first engrossment, as follows:

Page 2, delete lines 12 to 14

The motion prevailed and the amendment was adopted.

H. F. No. 745, A bill for an act relating to health; creating an Autism Spectrum Disorder Task Force; providing appointments; requiring development of a statewide strategic plan.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Anderson, P.	Atkins	Beard	Bills	Clark
Anderson, B.	Anderson, S.	Banaian	Benson, J.	Brynaert	Cornish
Anderson, D.	Anzelc	Barrett	Benson, M.	Carlson	Crawford

Daudt	Greene	Johnson	Lohmer	Myhra	Shimanski
Davids	Greiling	Kahn	Loon	Nelson	Simon
Davnie	Gruenhagen	Kath	Mack	Nornes	Slawik
Dean	Gunther	Kelly	Mahoney	Norton	Slocum
Dettmer	Hackbarth	Kieffer	Mariani	O'Driscoll	Smith
Dill	Hamilton	Kiel	Marquart	Paymar	Stensrud
Dittrich	Hancock	Kiffmeyer	Mazorol	Pelowski	Swedzinski
Doepke	Hansen	Knuth	McDonald	Peppin	Tillberry
Downey	Hausman	Koenen	McElfatrick	Persell	Torkelson
Drazkowski	Hayden	Kriesel	McFarlane	Petersen, B.	Urdahl
Eken	Hilstrom	Laine	McNamara	Peterson, S.	Vogel
Erickson	Hilty	Lanning	Melin	Poppe	Wagenius
Fabian	Holberg	Leidiger	Moran	Quam	Ward
Falk	Hoppe	LeMieur	Morrow	Rukavina	Wardlow
Franson	Hornstein	Lenczewski	Mullery	Runbeck	Westrom
Fritz	Hortman	Lesch	Murdock	Sanders	Winkler
Garofalo	Hosch	Liebling	Murphy, E.	Scalze	Woodard
Gauthier	Howes	Lillie	Murphy, M.	Schomacker	Spk. Zellers
Gottwalt	Huntley	Loeffler	Murray	Scott	

Those who voted in the negative were:

Buesgens

The bill was passed, as amended, and its title agreed to.

S. F. No. 1280 was reported to the House.

Anderson, S., moved to amend S. F. No. 1280, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 809, the first engrossment:

"Section 1. Minnesota Statutes 2010, section 177.24, subdivision 3, is amended to read:

Subd. 3. **Sharing of gratuities.** For purposes of this chapter, any gratuity received by an employee or deposited in or about a place of business for personal services rendered by an employee is the sole property of the employee. No employer may require an employee to contribute or share a gratuity received by the employee with the employer or other employees or to contribute any or all of the gratuity to a fund or pool operated for the benefit of the employer or employees. This section does not prevent an employee from voluntarily ~~and individually~~ sharing gratuities with other employees. The agreement to share gratuities must be made by the employees free of any employer participation, except that an employer may:

(1) upon the request of employees, safeguard gratuities to be shared by employees and disburse shared gratuities to employees participating in the agreement;

(2) report the amounts received as required for tax purposes; and

(3) post a copy of this section for the information of employees.

The commissioner may require the employer to pay restitution in the amount of the gratuities diverted. If the records maintained by the employer do not provide sufficient information to determine the exact amount of gratuities diverted, the commissioner may make a determination of gratuities diverted based on available evidence and mediate a settlement with the employer."

The motion prevailed and the amendment was adopted.

S. F. No. 1280, A bill for an act relating to employment; providing notice of sharing of gratuities and authorizing employers to safeguard and disburse shared gratuities; amending Minnesota Statutes 2010, section 177.24, subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Hancock	Laine	Morrow	Schomacker
Anderson, B.	Dettmer	Hansen	Lanning	Mullery	Scott
Anderson, D.	Dill	Hausman	Leidiger	Murdock	Shimanski
Anderson, P.	Dittrich	Hayden	LeMieur	Murphy, E.	Simon
Anderson, S.	Doepke	Hilstrom	Lenczewski	Murray	Slawik
Anzelc	Downey	Holberg	Lesch	Myhra	Slocum
Atkins	Drazkowski	Hoppe	Liebling	Nelson	Smith
Banaian	Eken	Hornstein	Lillie	Nornes	Stensrud
Barrett	Erickson	Hortman	Loeffler	Norton	Swedzinski
Beard	Fabian	Hosch	Lohmer	O'Driscoll	Thissen
Benson, J.	Falk	Howes	Loon	Paymar	Tillberry
Benson, M.	Franson	Huntley	Mack	Pelowski	Torkelson
Bills	Fritz	Johnson	Mahoney	Peppin	Urdahl
Brynaert	Garofalo	Kahn	Mariani	Persell	Vogel
Buesgens	Gauthier	Kath	Marquart	Petersen, B.	Wagenius
Carlson	Gottwalt	Kelly	Mazorol	Peterson, S.	Ward
Clark	Greene	Kieffer	McDonald	Poppe	Wardlow
Cornish	Greiling	Kiel	McElfatrick	Quam	Westrom
Crawford	Gruenhagen	Kiffmeyer	McFarlane	Rukavina	Winkler
Daudt	Gunther	Knuth	McNamara	Runbeck	Woodard
Davids	Hackbarth	Koenen	Melin	Sanders	Spk. Zellers
Davnie	Hamilton	Kriesel	Moran	Scalze	

Those who voted in the negative were:

Hilty Murphy, M.

The bill was passed, as amended, and its title agreed to.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place S. F. Nos. 1197 and 54 on the Fiscal Calendar for Saturday, May 21, 2011.

CALENDAR FOR THE DAY, Continued

S. F. No. 680, A bill for an act relating to crime; expanding the definition of "criminal act" in the racketeering crime; amending Minnesota Statutes 2010, section 609.902, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hansen	Laine	Murdock	Simon
Anderson, B.	Dill	Hayden	Lanning	Murphy, E.	Slawik
Anderson, D.	Dittrich	Hilstrom	Leidiger	Murphy, M.	Smith
Anderson, P.	Doepke	Hilty	LeMieur	Murray	Stensrud
Anderson, S.	Downey	Holberg	Lenczewski	Myhra	Swedzinski
Anzelc	Drazkowski	Hoppe	Lesch	Nelson	Thissen
Atkins	Eken	Hornstein	Liebling	Nornes	Tillberry
Banaian	Erickson	Hortman	Lillie	Norton	Torkelson
Barrett	Fabian	Hosch	Loeffler	O'Driscoll	Urdahl
Beard	Falk	Howes	Lohmer	Paymar	Vogel
Benson, J.	Franson	Huntley	Loon	Pelowski	Wagenius
Benson, M.	Fritz	Johnson	Mack	Petersen, B.	Ward
Bills	Garofalo	Kahn	Mahoney	Peterson, S.	Wardlow
Brynaert	Gauthier	Kath	Marquart	Poppe	Westrom
Carlson	Gottwalt	Kelly	Mazorol	Quam	Winkler
Cornish	Greene	Kieffer	McDonald	Runbeck	Woodard
Crawford	Greiling	Kiel	McElfatrick	Sanders	Spk. Zellers
Daudt	Gruenhagen	Kiffmeyer	McFarlane	Scalze	
Davids	Gunther	Knuth	McNamara	Schomacker	
Davnie	Hamilton	Koenen	Morrow	Scott	
Dean	Hancock	Kriesel	Mullery	Shimanski	

Those who voted in the negative were:

Buesgens	Hausman	Melin	Peppin	Rukavina
Hackbarth	Mariani	Moran	Persell	Slocum

The bill was passed and its title agreed to.

H. F. No. 191 was reported to the House.

Downey moved to amend H. F. No. 191, the second engrossment, as follows:

Page 5, line 32, after "(c)" insert "Subject to sections 16C.08 and 16C.09."

Page 7, line 25, after the period, insert "Ten percent of the unspent and unencumbered appropriations made before June 30, 2011, that would not otherwise cancel on June 30, 2011, that are transferred to the chief information officer, may be used for expenses relating to the transfer of functions under sections 1 to 8."

Page 8, after line 24, insert:

"(g) The chief information officer must reduce the number of agency chief information officer positions to 15 by December 31, 2011. The chief information officer, in consultation with the commissioner of management and budget, must determine the general fund savings resulting from elimination of each chief information officer position, and the amount determined is transferred from the general fund appropriation to the agency to the enterprise technology revolving fund."

The motion prevailed and the amendment was adopted.

H. F. No. 191, A bill for an act relating to state government; consolidating services for information technology and telecommunications technology; establishing an advisory committee; transferring duties; requiring a report; appropriating money; amending Minnesota Statutes 2010, sections 16B.99; 16E.14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16E.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dittrich	Hilstrom	LeMieur	Myhra	Slawik
Anderson, P.	Doepke	Holberg	Lenczewski	Nelson	Slocum
Anderson, S.	Downey	Hoppe	Lesch	Nornes	Smith
Anzelc	Drazkowski	Hortman	Liebling	Norton	Stensrud
Atkins	Eken	Hosch	Loeffler	O'Driscoll	Swedzinski
Banaian	Erickson	Howes	Lohmer	Paymar	Thissen
Barrett	Fabian	Huntley	Loon	Pelowski	Tillberry
Beard	Falk	Johnson	Mack	Peppin	Torkelson
Benson, J.	Franson	Kahn	Mahoney	Persell	Urdahl
Benson, M.	Fritz	Kath	Marquart	Petersen, B.	Vogel
Bills	Garofalo	Kelly	Mazorol	Peterson, S.	Wagenius
Brynaert	Gottwalt	Kieffer	McDonald	Poppe	Ward
Buesgens	Greene	Kiel	McElfatrick	Quam	Wardlow
Carlson	Greiling	Kiffmeyer	McFarlane	Rukavina	Westrom
Crawford	Gruenhagen	Knuth	McNamara	Runbeck	Woodard
Daudt	Gunther	Koenen	Morrow	Sanders	Spk. Zellers
Davids	Hackbarth	Kriesel	Mullery	Schomacker	
Dean	Hamilton	Laine	Murdock	Scott	
Dettmer	Hancock	Lanning	Murphy, M.	Shimanski	
Dill	Hansen	Leidiger	Murray	Simon	

Those who voted in the negative were:

Abeler	Davnie	Hayden	Lillie	Moran	Winkler
Anderson, D.	Gauthier	Hilty	Mariani	Murphy, E.	
Cornish	Hausman	Hornstein	Melin	Scalze	

The bill was passed, as amended, and its title agreed to.

Dill was excused for the remainder of today's session.

S. F. No. 955, A bill for an act relating to commerce; regulating return of pledged goods and location restrictions of pawnbrokers; amending Minnesota Statutes 2010, sections 325J.08; 325J.13; repealing Minnesota Statutes 2010, section 325J.10.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Hausman	Lanning	Murdock	Scott
Anderson, B.	Dettmer	Hayden	Leidiger	Murphy, E.	Shimanski
Anderson, D.	Dittrich	Hilstrom	LeMieur	Murphy, M.	Simon
Anderson, P.	Doepke	Hilty	Lenczewski	Murray	Slawik
Anderson, S.	Downey	Holberg	Lesch	Myhra	Slocum
Anzelc	Drazkowski	Hoppe	Lillie	Nelson	Smith
Atkins	Eken	Hornstein	Loeffler	Nornes	Stensrud
Banaian	Erickson	Hortman	Lohmer	Norton	Swedzinski
Barrett	Fabian	Hosch	Loon	O'Driscoll	Thissen
Beard	Falk	Howes	Mack	Paymar	Tillberry
Benson, J.	Franson	Huntley	Mahoney	Pelowski	Torkelson
Benson, M.	Fritz	Johnson	Mariani	Peppin	Urdahl
Bills	Garofalo	Kahn	Marquart	Persell	Vogel
Brynaert	Gottwalt	Kath	Mazorol	Petersen, B.	Wagenius
Buesgens	Greene	Kelly	McDonald	Peterson, S.	Ward
Carlson	Greiling	Kieffer	McElfrick	Poppe	Wardlow
Clark	Gruenhagen	Kiel	McFarlane	Quam	Westrom
Cornish	Gunther	Kiffmeyer	McNamara	Rukavina	Winkler
Crawford	Hackbarth	Knuth	Melin	Runbeck	Woodard
Daudt	Hamilton	Koenen	Moran	Sanders	Spk. Zellers
Davids	Hancock	Kriesel	Morrow	Scalze	
Davnie	Hansen	Laine	Mullery	Schomacker	

Those who voted in the negative were:

Gauthier Liebling

The bill was passed and its title agreed to.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 387

A bill for an act relating to drivers' licenses; allowing counties to participate in driver's license reinstatement diversion pilot program; extending diversion pilot program; amending Laws 2009, chapter 59, article 3, section 4, as amended.

May 21, 2011

The Honorable Kurt Zellers
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

We, the undersigned conferees for H. F. No. 387 report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment.

We request the adoption of this report and repassage of the bill.

House Conferees: TIM KELLY, MICHAEL BEARD and MARK MURDOCK.

Senate Conferees: SCOTT J. NEWMAN, TED H. LILLIE and JOHN M. HARRINGTON.

Kelly moved that the report of the Conference Committee on H. F. No. 387 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 387 A bill for an act relating to drivers' licenses; allowing counties to participate in driver's license reinstatement diversion pilot program; extending diversion pilot program; amending Laws 2009, chapter 59, article 3, section 4, as amended.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gottwalt	Howes	Liebling	Murdock
Anderson, B.	Daudt	Greene	Huntley	Lillie	Murphy, E.
Anderson, D.	Davids	Greiling	Johnson	Loeffler	Murphy, M.
Anderson, P.	Davnie	Gruenhagen	Kahn	Lohmer	Murray
Anderson, S.	Dean	Gunther	Kath	Loon	Myhra
Anzelc	Dettmer	Hackbarth	Kelly	Mack	Nelson
Atkins	Dittrich	Hamilton	Kieffer	Mahoney	Nornes
Banaian	Doepke	Hancock	Kiel	Mariani	Norton
Barrett	Downey	Hansen	Kiffmeyer	Marquart	O'Driscoll
Beard	Drazkowski	Hausman	Knuth	Mazorol	Paymar
Benson, J.	Eken	Hayden	Koenen	McDonald	Pelowski
Benson, M.	Erickson	Hilstrom	Kriesel	McElfatrick	Peppin
Bills	Fabian	Hilty	Laine	McFarlane	Persell
Brynaert	Falk	Holberg	Lanning	McNamara	Petersen, B.
Buesgens	Franson	Hoppe	Leidiger	Melin	Peterson, S.
Carlson	Fritz	Hornstein	LeMieur	Moran	Poppe
Clark	Garofalo	Hortman	Lenczewski	Morrow	Quam
Cornish	Gauthier	Hosch	Lesch	Mullery	Rukavina

Runbeck	Scott	Slocum	Tillberry	Wagenius	Winkler
Sanders	Shimanski	Smith	Torkelson	Ward	Woodard
Scalze	Simon	Stensrud	Urdahl	Wardlow	Spk. Zellers
Schomacker	Slawik	Swedzinski	Vogel	Westrom	

The bill was repassed, as amended by Conference, and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 954, A bill for an act relating to counties; providing a process for making certain county offices appointive in Kittson County.

CAL R. LUDEMAN, Secretary of the Senate

Fabian moved that the House refuse to concur in the Senate amendments to H. F. No. 954, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1406, A bill for an act relating to human services; amending continuing care policy provisions; making changes to the telephone equipment program; making changes to disability services provisions; reforming comprehensive assessments and case management services; making changes to nursing facility provisions; making technical and conforming changes; providing for rulemaking authority; requiring reports; amending Minnesota Statutes 2010, sections 144A.071, subdivisions 3, 5a; 144D.08; 237.50; 237.51; 237.52; 237.53; 237.54; 237.55; 237.56; 245A.03, subdivision 7; 245A.11, subdivision 8; 252.32, subdivision 1a; 252A.21, subdivision 2; 256.476, subdivision 11; 256B.0625, subdivision 19c; 256B.0659, subdivisions 1, 2, 3, 3a, 4, 9, 11, 13, 14, 19, 21, 30; 256B.0911, subdivisions 1, 1a, 2b, 2c, 3, 3a, 3b, 3c, 4a, 4c, 6; 256B.0913, subdivisions 7, 8; 256B.0915, subdivisions 1a, 1b, 3c, 6, 10; 256B.0916, subdivision 7; 256B.092, subdivisions 1, 1a, 1b, 1e, 1g, 2, 3, 5, 7, 8, 8a, 9, 11; 256B.096, subdivision 5; 256B.19, subdivision 1e; 256B.431, subdivision 2t; 256B.438, subdivisions 1, 3, 4, by adding a subdivision; 256B.441, subdivision 55a; 256B.49, subdivisions 13, 14, 15, 21; 256B.4912; 256G.02, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 252; repealing Minnesota Statutes 2010, section 144A.073, subdivisions 4, 5.

CAL R. LUDEMAN, Secretary of the Senate

Hamilton moved that the House refuse to concur in the Senate amendments to H. F. No. 1406, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1420.

CAL R. LUDEMAN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1420, A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 2010, section 171.306, subdivision 5.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place S. F. No. 1308 on the Fiscal Calendar for Saturday, May 21, 2011.

Dean moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1144, A bill for an act relating to state government; providing for limited reinstatement of coverage in state employee group insurance program.

CAL R. LUDEMAN, Secretary of the Senate

Cornish moved that the House refuse to concur in the Senate amendments to H. F. No. 1144, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 954:

Fabian, Kiel and Hornstein.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1144:

Cornish, Smith and Anzelc.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1406:

Hamilton, Abeler and Loeffler.

FISCAL CALENDAR

Pursuant to rule 1.22, Holberg requested immediate consideration of S. F. No. 1308.

S. F. No. 1308 was reported to the House.

Murphy, E., moved that S. F. No. 1308 be re-referred to the Committee on Judiciary Policy and Finance.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Murphy, E., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dean	Hansen	Laine	Morrow	Scalze
Anderson, B.	Dettmer	Hausman	Lanning	Mullery	Schomacker
Anderson, D.	Dittrich	Hayden	Leidiger	Murdock	Scott
Anderson, P.	Doepke	Hilstrom	LeMieur	Murphy, E.	Shimanski
Anderson, S.	Downey	Hilty	Lenczewski	Murphy, M.	Simon
Anzelc	Drazkowski	Holberg	Lesch	Murray	Slawik
Atkins	Eken	Hoppe	Liebling	Myhra	Slocum
Banaian	Erickson	Hornstein	Lillie	Nelson	Smith
Barrett	Fabian	Hortman	Loeffler	Nornes	Stensrud
Beard	Falk	Hosch	Lohmer	Norton	Swedzinski
Benson, J.	Franson	Howes	Loon	O'Driscoll	Thissen
Benson, M.	Fritz	Huntley	Mack	Paymar	Tillberry
Bills	Garofalo	Johnson	Mahoney	Pelowski	Torkelson
Brynaert	Gauthier	Kahn	Mariani	Peppin	Urdahl
Buesgens	Gottwalt	Kath	Marquart	Persell	Vogel
Carlson	Greene	Kelly	Mazorol	Petersen, B.	Wagenius
Clark	Greiling	Kieffer	McDonald	Peterson, S.	Ward
Cornish	Gruenhagen	Kiel	McElfatrick	Poppe	Wardlow
Crawford	Gunther	Kiffmeyer	McFarlane	Quam	Westrom
Daudt	Hackbarth	Knuth	McNamara	Rukavina	Winkler
Davids	Hamilton	Koenen	Melin	Runbeck	Woodard
Davnie	Hancock	Kriesel	Moran	Sanders	Spk. Zellers

Dean moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Murphy, E., motion that S. F. No. 1308 be re-referred to the Committee on Judiciary Policy and Finance and the roll was called. There were 61 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anzelc	Gauthier	Huntley	Lillie	Nelson	Slocum
Atkins	Greene	Johnson	Loeffler	Norton	Thissen
Benson, J.	Greiling	Kahn	Mahoney	Paymar	Tillberry
Brynaert	Hansen	Kath	Mariani	Pelowski	Wagenius
Carlson	Hausman	Knuth	Marquart	Persell	Ward
Clark	Hayden	Koenen	Melin	Peterson, S.	Winkler
Davnie	Hilstrom	Kriesel	Moran	Poppe	
Dittrich	Hilty	Laine	Morrow	Rukavina	
Eken	Hornstein	Lenczewski	Mullery	Scalze	
Falk	Hortman	Lesch	Murphy, E.	Simon	
Fritz	Hosch	Liebling	Murphy, M.	Slawik	

Those who voted in the negative were:

Abeler	Barrett	Crawford	Downey	Gottwalt	Holberg
Anderson, B.	Beard	Daudt	Drazkowski	Gruenhagen	Hoppe
Anderson, D.	Benson, M.	Davids	Erickson	Gunther	Howes
Anderson, P.	Bills	Dean	Fabian	Hackbarth	Kelly
Anderson, S.	Buesgens	Dettmer	Franson	Hamilton	Kieffer
Banaian	Cornish	Doepke	Garofalo	Hancock	Kiel

Kiffmeyer	Mack	Murdock	Petersen, B.	Shimanski	Vogel
Lanning	Mazorol	Murray	Quam	Smith	Wardlow
Leidiger	McDonald	Myhra	Runbeck	Stensrud	Westrom
LeMieur	McElpatrick	Nornes	Sanders	Swedzinski	Woodard
Lohmer	McFarlane	O'Driscoll	Schomacker	Torkelson	Spk. Zellers
Loon	McNamara	Peppin	Scott	Urdahl	

The motion did not prevail.

The Speaker called Davids to the Chair.

Pursuant to rule 1.50, Hoppe moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

The Speaker resumed the Chair.

S. F. No. 1308, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article XIII; recognizing marriage as only a union between one man and one woman.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 70 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Garofalo	Kiffmeyer	McNamara	Shimanski
Anderson, B.	Daudt	Gottwalt	Koenen	Murdock	Stensrud
Anderson, D.	Davids	Gruenhagen	Lanning	Myhra	Swedzinski
Anderson, P.	Dean	Gunther	Leidiger	Nornes	Torkelson
Anderson, S.	Dettmer	Hackbarth	LeMieur	O'Driscoll	Urdahl
Banaian	Dittrich	Hamilton	Lohmer	Peppin	Vogel
Barrett	Doepke	Hancock	Loon	Petersen, B.	Wardlow
Beard	Downey	Holberg	Mack	Quam	Westrom
Benson, M.	Drazkowski	Hoppe	Mazorol	Runbeck	Woodard
Bills	Erickson	Howes	McDonald	Sanders	Spk. Zellers
Buesgens	Fabian	Kieffer	McElpatrick	Schomacker	
Cornish	Franson	Kiel	McFarlane	Scott	

Those who voted in the negative were:

Anzelc	Falk	Hilstrom	Kath	Lillie	Mullery
Atkins	Fritz	Hilty	Kelly	Loeffler	Murphy, E.
Benson, J.	Gauthier	Hornstein	Knuth	Mahoney	Murphy, M.
Brynaert	Greene	Hortman	Kriesel	Mariani	Murray
Carlson	Greiling	Hosch	Laine	Marquart	Nelson
Clark	Hansen	Huntley	Lenczewski	Melin	Norton
Davnie	Hausman	Johnson	Lesch	Moran	Paymar
Eken	Hayden	Kahn	Liebling	Morrow	Pelowski

Persell	Rukavina	Slawik	Thissen	Ward
Peterson, S.	Scalze	Slocum	Tillberry	Winkler
Poppe	Simon	Smith	Wagenius	

The bill was passed and its title agreed to.

CALENDAR FOR THE DAY

Dean moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 387, A bill for an act relating to drivers' licenses; allowing counties to participate in driver's license reinstatement diversion pilot program; extending diversion pilot program; amending Laws 2009, chapter 59, article 3, section 4, as amended.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 763, A bill for an act relating to health; removing expiration date on swimming pond exemption; amending Minnesota Statutes 2010, section 144.1222, subdivision 5.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 954, A bill for an act relating to counties; providing a process for making certain county offices appointive in Kittson County.

The Senate has appointed as such committee:

Senators Stumpf, Robling and Magnus.

Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1105, A bill for an act relating to motor vehicles; modifying provisions related to pickup trucks; amending Minnesota Statutes 2010, sections 168.002, subdivisions 24, 26, 40, by adding subdivisions; 168.021, subdivision 1; 168.12, subdivisions 1, 2b; 168.123, subdivision 1; Laws 2008, chapter 350, article 1, section 5, as amended.

The Senate has appointed as such committee:

Senators Jungbauer, Kruse and Reinert.

Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1144, A bill for an act relating to state government; providing for limited reinstatement of coverage in state employee group insurance program.

The Senate has appointed as such committee:

Senators Carlson, Lillie and Saxhaug.

Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1406, A bill for an act relating to human services; amending continuing care policy provisions; making changes to the telephone equipment program; making changes to disability services provisions; reforming comprehensive assessments and case management services; making changes to nursing facility provisions; making technical and conforming changes; providing for rulemaking authority; requiring reports; amending Minnesota Statutes 2010, sections 144A.071, subdivisions 3, 5a; 144D.08; 237.50; 237.51; 237.52; 237.53; 237.54; 237.55; 237.56; 245A.03, subdivision 7; 245A.11, subdivision 8; 252.32, subdivision 1a; 252A.21, subdivision 2; 256.476, subdivision 11; 256B.0625, subdivision 19c; 256B.0659, subdivisions 1, 2, 3, 3a, 4, 9, 11, 13, 14, 19, 21, 30; 256B.0911, subdivisions 1, 1a, 2b, 2c, 3, 3a, 3b, 3c, 4a, 4c, 6; 256B.0913, subdivisions 7, 8; 256B.0915, subdivisions 1a, 1b, 3c, 6, 10; 256B.0916, subdivision 7; 256B.092, subdivisions 1, 1a, 1b, 1e, 1g, 2, 3, 5, 7, 8, 8a, 9, 11; 256B.096, subdivision 5; 256B.19, subdivision 1e; 256B.431, subdivision 2t; 256B.438, subdivisions 1, 3, 4, by adding a subdivision; 256B.441, subdivision 55a; 256B.49, subdivisions 13, 14, 15, 21; 256B.4912; 256G.02, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 252; repealing Minnesota Statutes 2010, section 144A.073, subdivisions 4, 5.

The Senate has appointed as such committee:

Senators Nienow, Newman and Benson.

Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1381, A bill for an act relating to education; providing for policy for prekindergarten through grade 12 education, including general education, education excellence, special programs, facilities and technology, accounting, early childhood education, and student transportation; amending Minnesota Statutes 2010, sections 11A.16, subdivision 5; 13.32, subdivision 6; 119A.50, subdivision 3; 120A.22, subdivision 11; 120A.24; 120A.40; 120B.023, subdivision 2; 120B.11; 120B.12; 120B.30, subdivisions 1, 3, 4; 120B.31, subdivision 4; 120B.36, subdivisions 1, 2; 121A.15, subdivision 8; 121A.17, subdivision 3; 122A.09, subdivision 4; 122A.14, subdivision 3; 122A.16, as amended; 122A.18, subdivision 2; 122A.23, subdivision 2; 122A.40, subdivisions 5, 11, by adding a subdivision; 122A.41, subdivisions 1, 2, 5a, 10, 14; 123B.143, subdivision 1; 123B.147, subdivision 3; 123B.41, subdivisions 2, 5; 123B.57; 123B.63, subdivision 3; 123B.71, subdivision 5; 123B.72, subdivision 3; 123B.75, subdivision 5; 123B.88, by adding a subdivision; 123B.92, subdivisions 1, 5; 124D.091, subdivision 2; 124D.36; 124D.37; 124D.38, subdivision 3; 124D.385, subdivision 3; 124D.39; 124D.40; 124D.42, subdivisions 6, 8; 124D.44; 124D.45, subdivision 2; 124D.52, subdivision 7; 124D.871; 125A.02, subdivision 1; 125A.15; 125A.51; 125A.79, subdivision 1; 126C.10, subdivision 8a; 126C.15, subdivision 2; 126C.41, subdivision 2; 127A.30, subdivision 1; 127A.42, subdivision 2; 127A.43; 127A.45, by adding a subdivision; 171.05, subdivision 2; 171.17, subdivision 1; 171.22, subdivision 1; 181A.05, subdivision 1; Laws 2011, chapter 5, section 1; proposing coding for new law in Minnesota Statutes, chapter 120B; repealing Minnesota Statutes 2010, sections 120A.26, subdivisions 1, 2; 124D.38, subdivisions 4, 5, 6; 125A.54; 126C.457.

CAL R. LUDEMAN, Secretary of the Senate

Erickson moved that the House refuse to concur in the Senate amendments to H. F. No. 1381, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1045, A bill for an act relating to commerce; regulating continuing education requirements, insurance coverages, adjusters, and appraisers; amending Minnesota Statutes 2010, sections 45.011, subdivision 1; 45.25, by adding subdivisions; 45.30, subdivision 7, by adding a subdivision; 45.35; 60K.56, subdivision 6; 62A.095, subdivision 1; 62A.318, subdivision 17; 62E.14, subdivision 3, by adding a subdivision; 62L.03, subdivision 3; 72B.041, subdivision 5; 79A.06, subdivision 5; 79A.24, by adding subdivisions; 82.641, subdivision 1; 82B.11, subdivision 6; 82B.13, by adding a subdivision; 82B.14; 82C.08, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 45; 72B; repealing Minnesota Statutes 2010, section 45.25, subdivision 3.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Chamberlain, Gerlach and Brown.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

CAL R. LUDEMAN, Secretary of the Senate

Hoppe moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1045. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1280, A bill for an act relating to employment; providing notice of sharing of gratuities and authorizing employers to safeguard and disburse shared gratuities; amending Minnesota Statutes 2010, section 177.24, subdivision 3.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Thompson, Kruse and Tomassoni.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

CAL R. LUDEMAN, Secretary of the Senate

Anderson, S., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1280. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1045:

Hoppe, Sanders and Lillie.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1280:

Anderson, S.; O'Driscoll and Stensrud.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1381:

Erickson, Doepke, Downey, Myhra and Mariani.

MOTIONS AND RESOLUTIONS

Mack moved that the name of Erickson be added as an author on H. F. No. 745. The motion prevailed.

Holberg moved that the name of Erickson be added as an author on H. F. No. 1748. The motion prevailed.

Daudt moved that the names of Banaian, Drazkowski and Erickson be added as authors on H. F. No. 1753. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11 of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the selection of Bradlee Dean as Chaplain for the Day on May 20, 2011. Mr. Dean, by his own admission during the invocation, intentionally violated the House policy on offering nondenominational prayers. Mr. Dean has a history of making inflammatory, extremist, and prejudicial public comments about the gay and lesbian community.

In his conduct, Mr. Dean offended many in the House of Representatives and the public with his invocation. His reference to President Barack Obama and his religious views was misleading and disrespectful. While the Speaker of the House apologized to the body, we the undersigned protest and dissent the selection of Bradlee Dean as Chaplain for the Day. His actions brought dishonor to the Minnesota House of Representatives.

America and Minnesota's greatness comes from a tradition of religious tolerance and respect and the pursuit of civil and human rights for all oppressed peoples. We forcefully protest and dissent the selection of Bradlee Dean as Chaplain for the Day. Furthermore, we the undersigned protest and dissent the action of the Speaker of the House in expunging from the Journal of the House any and all reference to Mr. Dean's actions as Chaplain for the Day.

We request that House Leadership examine the process for vetting the Chaplain for the Day so that prayers offered on the House floor are nondenominational and consistent with the values of religious tolerance and respect for all Americans regardless of race, religion, gender, or sexual orientation. This protest and dissent shall serve as the official recording of Bradlee Dean's actions as Chaplain for the Day in the Journal of the House.

Signed:

MICHAEL PAYMAR
ALICE HAUSMAN
LYNDON R. CARLSON
JOHN E. WARD
TOM TILLBERRY
MINDY GREILING
LARRY HOSCH
KERRY GAUTHIER
MARION GREENE
JOE MULLERY
DIANE LOEFFLER
KATHY BRYNAERT
TOM HUNTLEY
JOHN BENSON
NORA SLAWIK
TINA LIEBLING
PATTI FRITZ
CARLOS MARIANI

JEFF HAYDEN
LEON LILLIE
DENISE DITTRICH
KAREN CLARK
DEBRA HILSTROM
PAUL THISSEN
SANDRA PETERSON
CAROLYN LAINE
LINDA SLOCUM
SHELDON JOHNSON
JIM DAVNIE
RENA MORAN
CARLY MELIN
TOM ANZELC
KENT EKEN
JOHN LESCH
JEAN WAGENIUS

TIM MAHONEY
MELISSA HORTMAN
JOHN PERSELL
RYAN WINKLER
BILL HILTY
KATE KNUTH
FRANK HORNSTEIN
STEVE SIMON
KORY KATH
RICK HANSEN
BEV SCALZE
MICHAEL V. NELSON
PHYLLIS KAHN
ANDREW J. FALK
KIMBERLY NORTON
TERRY MORROW
ERIN MURPHY

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 4:00 p.m., Sunday, May 22, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 4:00 p.m., Sunday, May 22, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives