

1.1 ..... moves to amend H.F. No. 3527 as follows:

1.2 Page 1, delete section 2

1.3 Page 4, line 1, delete "configuration of any districts" and insert "districting or redistricting  
1.4 plan"

1.5 Page 5, line 12, delete "qualified individuals" and insert "eligible voters"

1.6 Page 5, lines 23 and 24, delete "enforce" and insert "apply"

1.7 Page 9, line 4, delete "a prophylactic" and insert "an"

1.8 Page 9, delete subdivision 3 and insert:

1.9 "Subd. 3. **Approval of remedies.** (a) If an administrative deadline prevents a political  
1.10 subdivision from enacting or implementing an identified remedy, the political subdivision  
1.11 may nonetheless enact or implement the remedy upon authorization by the secretary of  
1.12 state. Notwithstanding the applicable deadline, the secretary of state may provide this  
1.13 authorization upon determining that the political subdivision may otherwise be in violation  
1.14 of this act, that the identified remedy would address the potential violation, and that  
1.15 implementation of the identified remedy is feasible. The secretary of state's authorization  
1.16 does not bar an action to challenge the remedy. The secretary of state may adopt rules  
1.17 necessary to implement this paragraph, including but not limited to rules identifying specific  
1.18 administrative deadlines to which this paragraph applies, and to provide for notice and  
1.19 comment procedures that must be followed by political subdivisions prior to implementing  
1.20 a remedy.

1.21 (b) If the political subdivision lacks authority to enact or implement an identified remedy,  
1.22 including a remedy subject to paragraph (a), the political subdivision may nonetheless enact  
1.23 and implement the remedy upon approval by the district court. To seek approval, the political  
1.24 subdivision must file a petition in district court that identifies with specificity the law or

2.1 other authority that prevents the remedy from being enacted or implemented. The venue  
2.2 for a petition under this paragraph is in the district court of the county where the challenged  
2.3 act or practice occurred, or in the District Court of Ramsey County. The district court may  
2.4 authorize the political subdivision to implement or enact the identified remedy  
2.5 notwithstanding the applicable law or authority to the contrary, if the court determines that  
2.6 the prospective plaintiff is likely to succeed in a lawsuit on the merits of the alleged violation;  
2.7 that the proposed remedy would address the alleged violation; and that the proposed remedy  
2.8 is narrowly tailored to that purpose."

2.9 Page 10, delete subdivision 5 and insert:

2.10 "Subd. 5. **Cost sharing.** (a) If a political subdivision enacts or implements a remedy in  
2.11 response to a notice letter submitted under subdivision 1, the political subdivision and the  
2.12 party who sent the notice letter must mutually agree on a reimbursement amount to be paid  
2.13 by the political subdivision to that party. The reimbursement amount must reflect the  
2.14 reasonable costs associated with producing and sending the letter and any accompanying  
2.15 evidence, subject to the limitations of this subdivision.

2.16 (b) To be eligible for a reimbursement, the party who submitted the notice letter must  
2.17 submit a request to the political subdivision in writing. The request must:

2.18 (1) be received by the political subdivision within 30 days of its enactment or adoption  
2.19 of the remedy; and

2.20 (2) be substantiated with financial documentation including, as applicable, detailed  
2.21 invoices for expert analysis and reasonable attorney's fees.

2.22 (c) The cumulative amount of reimbursements to all parties must not exceed \$40,000.  
2.23 Reimbursement amounts for attorney's fees are limited to amounts calculated using a lodestar  
2.24 methodology.

2.25 (d) To the extent a party requests reimbursement for a purported notice letter that fails  
2.26 to comply with the requirements in subdivision 1, or the request fails to comply with this  
2.27 subdivision, the political subdivision may dismiss the request. If the request is dismissed,  
2.28 the political subdivision must notify the party in writing of the reasons for the dismissal."

2.29 Page 10, line 16, after the comma, insert "a county attorney,"

2.30 Page 11, line 3, delete "broad"

2.31 Page 11, after line 20, insert:

3.1 "Sec. .... Minnesota Statutes 2022, section 412.02, subdivision 6, is amended to read:

3.2 Subd. 6. **Council increased or reduced.** The council may by ordinance adopted at least  
3.3 60 days before the next regular city election submit to the voters of the city the question of  
3.4 whether the city council should be increased or reduced to seven or five members. The  
3.5 ordinance shall include a schedule of elections and terms and ward boundary changes, if  
3.6 applicable, to accomplish the change. The proposal shall be voted on at the next city general  
3.7 election and, if approved by a majority of those voting on the question, go into effect in  
3.8 accordance with the schedule and ward boundaries, if applicable.

3.9 Sec. .... Minnesota Statutes 2022, section 412.02, is amended by adding a subdivision to  
3.10 read:

3.11 Subd. 7. **Wards.** A city may by ordinance provide for the election of city council  
3.12 members by ward. The ordinance must designate the boundaries of the wards. The ordinance  
3.13 must also state whether the city will otherwise operate as a statutory standard plan city or  
3.14 statutory optional plan city, subject to voter approval as may be required under this chapter.

3.15 Sec. .... **LEGISLATIVE FINDINGS.**

3.16 (a) The legislature finds that election practices, procedures, and methods that deny or  
3.17 impair the equal opportunity of racial, color, or language minority groups and Tribal  
3.18 communities to participate in the political process or elect candidates of their choice are  
3.19 inconsistent with the fundamental right to vote, and the rights and privileges guaranteed by  
3.20 the Minnesota Constitution as well as protections found in the Fourteenth and Fifteenth  
3.21 Amendments to the United States Constitution.

3.22 (b) The legislature finds that there is a history in Minnesota, as in the United States  
3.23 overall, of discrimination based on race, color, language-minority status, and Tribal  
3.24 membership, including in access to the political process. For example, that:

3.25 (1) the state constitution of 1857 limited the right to vote to white residents and Native  
3.26 American voters "who have adopted the customs and habits of civilization," and invoked a  
3.27 cultural purity test for Native American residents, requiring only Native American applicants  
3.28 to appear before a district court to determine whether each individual was "capable of  
3.29 enjoying the rights of citizenship within the State";

3.30 (2) Minnesota voters twice rejected expanding suffrage to Black residents, voting down  
3.31 proposed constitutional amendments to do so in 1865 and again in 1867, and only granted  
3.32 nonwhite men the right to vote in 1868, three years after the end of the Civil War;

4.1 (3) civil rights plaintiffs and the federal government have filed litigation and taken other  
4.2 action against political subdivisions in Minnesota under the Federal Voting Rights Act of  
4.3 1965, as amended, alleging violations of section 2 of that act;

4.4 (4) individuals who are members of racial, color, or language minority groups have  
4.5 faced voter intimidation and disinformation in Minnesota, and that, for example, voters of  
4.6 color in 2020 in the cities of Minneapolis and St. Paul were targeted by a plan to hire and  
4.7 deploy armed para-militia to polling locations, an attempt that was enjoined by a federal  
4.8 district court judge; and

4.9 (5) the history of discrimination in Minnesota further includes but is not limited to  
4.10 discrimination in housing, including the use of redlining, racially restrictive covenants on  
4.11 housing deeds, and predatory lending practices; education; employment; health; criminal  
4.12 justice; public works; transportation; land use; environmental protection; and other areas  
4.13 of life.

4.14 (c) As a result of this history and persistent discrimination and socioeconomic inequities  
4.15 that bear on the right to vote, members of racial, color, or language minority groups and  
4.16 Tribal communities continue to face unequal barriers in exercising the franchise and  
4.17 participating effectively in the political process.

4.18 (d) In light of these conditions, it is the legislature's intent by this act to encourage  
4.19 participation in the elective franchise by all eligible voters; and to provide voters in this  
4.20 state with a means to secure their constitutional right to vote free from discrimination."

4.21 Renumber the sections in sequence and correct the internal references

4.22 Amend the title accordingly