

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 2684

DATE: April 15, 2004

Version: Third engrossment

Authors: Haas and others

Subject: State Government Finance Omnibus Bill

Analyst: Mark Shepard (651-296-5051)
(Articles 1, 2, and 9)
Deborah McKnight (651-296-5056) (Articles 3, 4, 5, 6, 7, and 8)

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Table of Contents

Article 1: State Government Finance	2
Article 2: State Budget Process	5
Article 3: Fair Campaign Practices Enforcement	6
Article 4: Voting Systems	8
Article 5: HAVA Conformity	9
Article 6: Elections Administration Technical	12
Article 7: Uniform State and Local Election Days	15
Article 8: Election Administration	16
Article 9: Electronic Real Estate Recording Task Force	21

Article 1: State Government Finance

- 1 State government appropriations. States that appropriations are added to or subtracted from
appropriations in the 2003 State Government Finance Omnibus bill.
- 2 Legislature. Provides that per diem paid to legislators may not exceed \$56 per day. Provides
that legislators may not be paid a housing allowance for more than six months in any
calendar year. Cancels \$4 million from legislative carry-forward accounts. Provides that the
appropriation reduction of \$152,000 for the LCC is contingent on passage of a bill
transferring duties relating to actuarial services from the pension commission to public
pension funds.
- 3 Governor and lieutenant governor. Reduction of \$108,000
- 4 State auditor. Reduction of \$249,000.
- 5 Attorney general. Reduction of \$677,000. Also cancels \$2 million of carry-forward money.
- 6 Secretary of state. Reduction of \$181,000.
- 7 Administration. Reduction of \$432,000.
- 8 Finance. Reduction of \$912,000. Also authorizes the commissioner of finance to use \$40,000
from the 2003 contingency appropriation to pay unemployment insurance and other costs
related to the elimination of the Office of Ombudsman for Corrections.
- 9 Employee relations. Reduction of \$186,000.
- 10 Revenue. Reduction of \$1,402,000.
- 11 Military affairs. Reduction of \$222,000. Also contains three appropriations for: reenlistment
bonus program (\$1.5 million), National Guard Youth Camp (\$50,000), and Tuition and
Textbook Reimbursement Grant program (\$3.1 million).
- 12 Veterans affairs. Reduction of \$78,000.
- 13 Lottery. Provides that operating budget limits established in law do not apply to new duties
assigned to the lottery by laws enacted in 2004.
- 14 Administration; moving costs. Appropriates \$2.5 million to the Department of
Administration for relocation of state agencies.
- 15 State elections campaign fund. Strikes \$1.5 million standing general fund appropriation to
the state election campaigns fund.
- 16 State Board of Investment data. Specifies that certain State Board of Investment data related
to its investments is nonpublic.
- 17 State Board of Investment data. Cross-reference in the Data Practices Act, in connection with
the changes in the previous section.
- 18 Budget presentation. Modifies the definition of the "base" in the governor's detailed budget
proposals to the legislature. Provides that for a statutory appropriation not specifying a dollar
amount or for an appropriation for a forecasted program, the base is the amount estimated to
fulfill the appropriation in the most recent budget forecast.
- 19 Forecast parameters. Requires state budget forecasts to include a separate discussion of the
cost of applying inflation to expenditures.
- 20 Funds and accounts. References "accounts" as well as "funds" created by law, in the section
of law authorizing the commissioner of finance to regard these as "bookkeeping accounts."
Requires the commissioner to organize these bookkeeping accounts into funds in accordance
with generally accepted accounting principles.
- 21 Commissioner to manage funds and accounts. Authorizes the commissioner of finance to
eliminate an account that is no longer needed for the purposes specified in law. Requires the
commissioner to eliminate certain small accounts, unless the commissioner determines that
the account is necessary for efficient fiscal operation. Provides that balances from eliminated
accounts must be transferred to the general fund unless otherwise specified in law. Requires

22 the commissioner to notify the legislature when an account established in law is eliminated.
Report. Requires each agency that manages accounts within a fund to report to appropriate
legislative committees at least annually on recent financial activity in those accounts.

23 Miscellaneous special revenue fund. Creates the miscellaneous special revenue fund in the
state treasury for deposit of revenue not placed in any other fund. Provides that one-third of
the accounts in the fund are terminated on June 30, 2007, another one-third on June 30, 2009,
and the remaining accounts on June 30, 2011. Requires the commissioner of finance to notify
legislative finance committees 30 months before the termination dates. Provides that
balances are transferred to the general fund and that statutory appropriations from the
account are terminated and cancelled. This does not apply to an account established after
July 1, 2004.

24 State government; relation to local government. Defines terms used in the following two
sections. This section and the following two sections are effective July 1, 2005.

25 Opt out resolution and procedures. Specifies procedures for local government to follow in
order to propose that a state mandate not apply to the local government. Requires payment of
fees to the state auditor, and specifies duties of the state auditor relating to report on local
government resolutions opting out of mandates. Requires the state auditor to notify the house
and senate when ten percent or more of local governments of the same kind have filed
resolutions proposing that a state mandate should not apply to it. Requires the house and the
senate to adopt rules ensuring that bills to respond to the resolutions are given priority status.
Provides that after opt-out resolutions are approved by the legislature, other local
governments of the same kind may opt out of the same mandate. These later resolutions take
effect after the state auditor accepts the filing and after a subsequent entire legislative session
adjourns.

26 Exceptions and certification for opting out. Specifies laws not subject to opt-out resolutions.

27 Child care program. Establishes an at-home infant child care program for state employees
and their families.

28 Use of state vehicles. Requires a state employee to reimburse the employer for use of a state
vehicle to the extent this use would be considered a taxable fringe benefit under the Internal
Revenue Code, but for the reimbursement. Provides that reimbursement must be at the
standard mileage rate provided under the Internal Revenue Code and regulations. Requires
an employee to report on use of a vehicle within 15 days. Requires the employer to deduct
the amount due from the employee's pay.

29 Tuition and textbook reimbursement grant program. Increases the maximum authorized rate
of reimbursement for National Guard tuition and textbook program to 100 percent.

30 Armory boards. In law governing composition of armory boards, refers to "military
personnel" rather than to "officers."

31 Armory boards. In law governing members of armory boards, refers to "ranking member"
rather than to "officer."

32 Armories. In law governing control of armory premises, refers to "ranking member" rather
than to "officer."

33 Corporate political contributions. Amends the law that bans candidate contributions by
corporations. The definition of "Corporation" is amended to include a business entity
established or operated by a foreign government or by an entity that exercises governmental
functions for purposes of Public Law 97-473, Title II (certain Indian tribal governments).

34 Tipboard. Includes boards for which the winning numbers are determined in whole or in part
by the outcome of professional sporting events under the definition of tipboard under the
lawful gambling laws.

35 Sports-themed tipboard rules. Authorizes the lawful gambling control board to adopt rules
for the conduct of sports tipboards.

36 Designation of winners. Provides that a tipboard may contain winning chances determined
by the outcome of professional sporting events.

37 Sports-themed tipboards. Provides that the maximum prize for a sports-themed tipboard is
\$500, and that a chance for such as board may not be sold for more than \$10.

38 Investment of assets. Provides that all or a portion of the assets of a first class city teacher
retirement association may be invested in the Minnesota Supplemental Investment Fund
administered by the State Board of Investment.

39 Reimbursement of investment underperformance. Provides that if MTRFA investments
underperform the State Board of Investment basic retirement plans, MTRFA must impose a
charge on active members, retired members, and other benefits recipients. The charges will
continue for one year, and will be set in an amount to recover the amount of the
underperformance.

40 Special direct state aids. Provides that state aid for MTRFA is subject to the later section of
this bill providing for the SBI to invest funds.

41 Special direct state matching aids. Provides that state aid for MTRFA is subject to the later
section of the bill providing for the SBI to invest funds.

42 Supplemental administrative expenses. Reduces the dollar threshold that is the basis for a
potential surcharge for MTRFA expenses. (Under current law, MTRFA members must pay a
surcharge when administrative expenses exceed the threshold.) The basis for the new
threshold is the per-active-member administrative expense for MSRS and PERA, rather than
the average for TRA.

43 Investment of MTRFA aid. Provides that specified state aid to MTRFA must be transferred
to the State Board of Investment. Amounts transferred must be invested in the income share
account unless the SBI executive director determines otherwise. Provides that if MTRFA
assets held by MTRFA are insufficient to pay fund expenses, the SBI must transfer the
needed money to MTRFA from assets the SBI holds for MTRFA.

44 Postretirement adjustments. Under current law, MTRFA retirees receive an annual post-
retirement increase based on two components: (1) a two-percent adjustment, as specified in
MTRFA articles of incorporation and bylaws; and (2) an investment-based adjustment. This
section provides that:

- if MTRFA has a funding ratio of less than 100 percent, basic members will not
receive an investment-based adjustment;
- coordinated members (and basic members, if they receive this adjustment) will
receive an investment-based adjustment equal to the increase granted to TRA
members (which is potentially less than the amount provided under current
MTRFA laws).

45 Conservation improvement program. Amends a 2003 law relating to a review of the
conservation improvement program. Provides for the legislative auditor to conduct the
review. Requires the commissioner of commerce to assess \$100,000 under authority of an
existing law governing assessments of energy utilities, and appropriates this money to the
legislative auditor for purposes of the review under this section.

46 State lottery; unclaimed prize money. Transfers money that was in the unclaimed prize fund
before July 1, 2003 to the general fund.

47 Sale of state land. Requires the commissioner of administration to sell at least \$6.21 million
of state land before June 30, 2005 and an additional \$6 million by June 30, 2007.
Appropriates money to the commissioner to pay expenses incurred in selling this land, and
requires this appropriation to be repaid from sale proceeds. Provides that if sale of land is

anticipated to be less than the amounts specified, the governor must allocate the difference as reductions to executive agency general fund operating budgets.

48 Building rental. By July 1, 2004, requires the commissioner of administration to issue a request for proposal seeking a person or entity to lease the state-owned building at 168 Aurora in St. Paul for use as a day care and after school activity center.

49 Repayment. Provides that if the commissioner of administration is required to repay the energy assessment account to make up for expenditures that did not comply with law, the commissioner must make the repayment from previous general fund appropriations to the Department of Administration.

50 Ford building. Provides that state money cannot be used to demolish the Ford Building on University Avenue unless the commissioner of administration: (1) makes reasonable efforts to lease or transfer ownership of the building to a person or entity that will preserve the historic features of the building at no cost to the state; and (2) reports to specified committee chairs on these efforts and why they were not successful.

51 Recommendations on fee accounts. Requires that by January 2, 2005, the commissioner of finance report to the legislature on different procedures for accounting for an appropriating licensing fee revenue, and make recommendations for consistent treatment of that fee revenue.

52 Assistive technology. Appropriates \$200,000 to the commissioner of administration for a grant to support the purchase of equipment and devices for people with disabilities and their families and employers and to develop the Access to Telework program.

53 Reimbursement. Requires that the amount received by Mower County in settlement of the American Bankers case, that exceeds costs incurred by Mower County in the case, be deposited in the state general fund.

54 Repealer. Repeals section 16A.151, subdivision 5. This subdivision provides that the law governing deposit of state litigation proceeds expires June 30, 2006. Repeals section 249.2127, subdivision 9, a definition of "tipboard" under lawful gambling laws.

55 Effective dates. Effective the day following final enactment, except as provided otherwise.

Article 2: State Budget Process

1. 1 Appropriations. Technical changes include replacing *standing* appropriation with *statutory* appropriation.
2. 2 Distribution; fiscal notes. Technical change to replace the *Appropriation* committee with the *Ways and Means* committee. This change is also made in sections 3, 7 to 19.
3. 3 Obtaining recommendation; transfer of state lands. Technical change to replace the *Appropriation* committee with the *Ways and Means* committee.
4. 4 Governor's recommendation. Eliminates the requirement for the governor's revenue target recommendations to include the mix of taxes and tax rates. Under current law, the governor must submit a recommended revenue target for two bienniums at the time the budget is submitted to the legislature.
5. 5 Legislative budget resolution. Eliminates the requirement for the legislature's concurrent resolution on revenue targets to include the mix of taxes and tax rates.
6. 6 Reporting information. Requires the revenue forecast after the end of a legislative session to report updated information, if any, on the share of personal income collected in taxes and other revenues to pay for state and local government services.
- 7 to 20 Committee name changes. Technical changes to replace the *Appropriation* committee with the *Ways and Means* committee. Section 16 authorizes a school board to own, operate or sell energy from a wind energy conservation system, under specified conditions.

Article 3: Fair Campaign Practices Enforcement

1. 1 Citation. May be cited as the Fair Campaign Reform Act.
- 2 Membership. Adds three members to the board. Requires that no more than three of the
3 nine members of the board may support the same political party and that there must be
4 at least four different political parties represented on the board.
- 5 Vacancy; terms. Provides \$100 per day fee for board members handling an expedited
6 hearing. (The current fee for attending regular meetings is \$55.)
- 7 Vote required. Continues the current policy that action by the board requires the
8 concurring vote of two-thirds of the board members, increasing the number from four to
9 six.
- 10 Political activity. Prohibits a board member or employee from (1) serving on a
committee for or against a candidate or ballot question, or (2) making a contribution to
or soliciting a contribution on behalf of a state or local candidate, political committee,
political fund, party unit, or ballot question.
- Violations; enforcement. Amends a provision that lets the board extend the deadline for
investigating violations of chapter 10A. Requires the board to send the complainant a
summary of its action and the expected date for action on the complaint, and to post the
same information on the board's web site.
- Advisory opinions. Authorizes the board to issue advisory opinions on Minnesota
Statutes, chapter 211A (local government campaign finance reports) and 211B (fair
campaign practices). The board already has authority to issue advisory opinions on the
campaign finance reporting law in local elections in Hennepin County.
- Unfair campaign practices complaints. Requires complaints under chapters 211A and
211B, or local election campaign finance reporting in Hennepin County to be filed with
the board. The complaint must be disposed of by the board or a panel of the board
before the alleged violation may be prosecuted by a county attorney. The statute of
limitations on filing a complaint is one year.
- The burden of proof is on the complainant. The standard of proof of false statements in
campaign material is clear and convincing evidence. The standard of proof for any other
violation is a preponderance of evidence. The complaint must be accompanied by a
filing fee of \$50 unless the complainant is a filing officer reporting failure to file under
section 211A.05. The fee may be waived if the complainant is indigent.
- Review by executive director. Requires that, when practicable, board staff must review
the complaint between one business day, after the complaint was filed and make a
recommendation to the board for disposition. Allows a recommendation to dismiss the
complaint, give it an expedited hearing, or give it a regular hearing. If the complaint was
filed within 60 days before the primary or special election or within 90 days before the
general election and involves false statements in campaign material, the
recommendation must be for an expedited hearing.
- Expedited hearing. Requires the board chair to have an expedited hearing on complaints
regarding false statements filed close to an election. For any other complaint where the
staff recommends an expedited hearing, the board chair or any three other board
members may require an expedited hearing. The hearing is before a panel of at least
three members selected by the board chair by lot. No more than half of these may
support the same political party. For a three-member panel, no two members of the
panel may support the same political party. The expedited hearing must be held within

two business days after the staff made the recommendation for it, except that for good cause the panel may hold the hearing no later than seven days after the recommendation. All parties to the complaint may agree to extend the deadline no later than 90 days after the complaint was filed.

The hearing may be conducted by conference call. The panel may vote to dismiss the complaint. If the vote is unanimous, the complaint is dismissed. Otherwise, the recommendation must be forwarded to the entire board for its action. If the panel finds probable cause to believe that the alleged violation has occurred, the board must hear the complaint within ten days. If the panel finds the evidence insufficient to make a decision, it may request an investigation before making its determination or may refer the matter to the board for a regular hearing following the conclusion of an investigation.

11 Allows a complainant to petition for reconsideration and specifies procedures for that. Board hearing. Provides the procedure for regular hearings by the board. If the complaint was filed within 60 days before the primary or special election or within 90 days before the general election, it must be heard within 30 days after it was filed. Otherwise, it must be heard within 90 days after it was filed. For good cause shown, the board may extend either of these deadlines by 60 days. The hearing must be in public.

The board has 14 days after the hearing to make a decision. It may:

- dismiss the complaint,
- ask for a further investigation,
- issue a reprimand,
- find that a false statement made in a paid advertisement or campaign material violated section 211B.06,
- impose a civil penalty of up to \$3,000, or
- refer the complaint to the appropriate county attorney for prosecution.

In certain cases, the board must refund the filing fee to the complainant and assess the amount of the filing fee against the respondent.

12 Procedures. Allows a complainant to withdraw a complaint (1) at any time before the hearing without board permission or (2) at any time after the hearing begins with board permission. The board may at any time dismiss a complaint pending either before it or before a panel. If the board finds the complaint frivolous, it may order the complainant to pay the respondent's reasonable attorney fees and to pay the board's costs. While a complaint is pending before the board or a panel, the members must not discuss it with the parties or investigators except at an open meeting. The board, but not a panel of the board, may close a meeting to deliberate on a complaint. All votes must be made part of the public record and all other proceedings on the complaint must be open.

13 Investigations; prosecutions. Amends the current statute that requires county attorneys to prosecute voter eligibility crimes. Eliminates the criminal penalty for not prosecuting.

14 Amount; dishonored check. Imposes a new fair campaign fee on all candidates who file for federal, state, or local office. Fees are \$50 for federal, statewide, legislative, judicial, and county candidates; and \$10 for school and city candidates.

The fee is transmitted to the Commissioner of Finance and deposited in the general fund. The purpose of the fee is to pay the board's increased costs as a result of the new duties in the bill.

15 Campaign finance board duties. This is the first of several sections that transfer enforcement responsibilities for local campaign finance report laws from the secretary of state to the board.

Requires local filing officers to notify the board of candidates who fail to file their campaign finance reports on time. The notice is currently given to the county attorney.

16 Failure to file statement. Same as section 15.

17 County attorney authority. Authorizes a county attorney to prosecute any violation of chapter 211A, relating to campaign finance reporting for local elections. The current authority is repealed by the bill.

18 Digest of laws. Same as section 15.

19 Report required. Same as section 15.

20 County attorney authority. Lets a county attorney prosecute any violation of chapter 211B, the Fair Campaign Practices Act. The current authority is repealed by section 18. Same as section 15.

21 Appropriation. \$217,000 from the general fund to the board for purposes of this article until June 30, 2005.

23 Revisor's instruction. Directs the revisor to re-locate the current law restricting soliciting near polling places. The relocation means this law will be subject to county attorney investigation rather than under the board's fair campaign practices jurisdiction.

24 Repealers. Section 211A.08, subdivisions 1 and 2, require the county attorney to investigate every complaint of a violation of chapter 211A (local campaign finance reporting).

Section 211B.16, subdivisions 1 and 2, require the county attorney to investigate every complaint of a violation of chapter 211B (Fair Campaign Practices Act).

25 Effective date.

- Sections 2 and 4 are effective January 1, 2006.
- Section 6 is effective January 1, 2005.
- Sections 3, 5, 12 to 21, 23, and 24 are effective July 1, 2004.
- Sections 8 to 12 are effective July 1, 2004, for legislative offices and July 1, 2005, for other covered offices.

Article 4: Voting Systems

1. 1 Voting systems acquisition.

Subd. 1. Appropriation. Appropriates to the Secretary of State all previously

unappropriated money in the Help America Vote Act (HAVA) account and any funds received by that account until June 20, 2007. The funds are to be used to purchase a uniform statewide voting system or component items to create such a system, or for making grants to counties and municipalities to make such purchases.

Subd. 2. Soliciting voting systems. Authorizes the Secretary to issue requests for proposals for voting systems or components of systems that comply with HAVA and also: let voters verify their votes, change votes or correct errors before their ballots are counted, produce a permanent paper record of the ballots cast, and preserve the record for use in a recount.

Subd. 3. Uniform voting system. Authorizes the Secretary to choose one or more vendors for a uniform statewide voting system.

Subd. 4. Voting systems requirement. Requires each voting system to (1) create a marked optical scan ballot for tabulation by an existing precinct scan machine or a machine to be purchased; or (2) accept a marked optical scan ballot.

Subd. 5. Certification standards. Specifications for equipment to be purchased.

Subd. 6. Remaining funds. Allows funds remaining after purchase of voting systems to be used for replacement of incompatible precinct-count optical scan equipment. Allows the Secretary to designate one model to be purchased as replacement equipment.

Subd. 7. Master purchasing contract. Requires state and local government voting systems purchases to be made from a master contract negotiated by the Secretary.

2 Effective date. Immediate.

Article 5: HAVA Conformity

1. 1 Permanent registration system. Amends the current system, which is described as linked county systems. Changes this to "a single centralized, statewide voter registrations list." Requires assigning a unique identifier to each legally registered voter.
2. 2 Statewide registration system. Relocates from rules to statute existing language on factors the statewide registration system must satisfy. Adds accepting the driver license/state identification number and last four digits of the social security number for each voter, assigning a unique identifier to each registered voter, and coordinating with other state agency data bases. Requires the secretary to remove ineligible voters from the system.
3. 3 Registration in person before election day. Stricken language on registering to vote by mail is moved to a new subdivision in the next section. Substitutes the term "voter registration application" for "registration card".
4. 4 Duty to forward. Relocates current law.
5. 5 Election day registration. Technical.

6. 6 Master list. Specifies that a list of registered voters provided to law enforcement or for purposes of jury selection must not include the last four digits of a voter's social security number.
7. 7 Polling place rosters. Prohibits including the last four digits of a voter's social security number in a polling place roster.
8. 8 Copy of list to registered voter. Allows the secretary to provide the public information lists in electronic or other media.
9. 9 Entry of registration information. Requires the auditor to enter voter registration information in the statewide registration system on an expedited basis, but not later than 42 days after receipt.
10. 10 Report on felony convictions. Amends current reporting requirements affecting voter registration records. Adds "pursuant to HAVA" and requires electronic reporting. Specifies inclusion of the last four digits of a felon's social security number. The amendment also allows the secretary to designate the county auditor to modify the statewide voter registration system in response to a report under this section.
11. 11 Information sharing; use of social security number; felony. Requires the secretary to enter an agreement with the department of public safety to match information and verify the accuracy of voter registration applications. Requires the commissioner of public safety to enter an agreement with the Social Security Administration to use the last four digits of the social security number to verify voter registration and to assure confidentiality of information.
12. 12 Posting voting history, failure to vote, registration removed. Specifies how the secretary must maintain the statewide voter registration list. Duplicate entries for one person must be removed. Only ineligible voters or persons who are not registered must be removed.
13. 13 Uniform procedures for counties. Amends the statute on uniform voter registration procedures. Adds that the registration system must conform to applicable federal laws and rules.
14. 14 Procedures on receipt of ballots. Requires the auditor or municipal clerk to deliver to election judges on election day all ballots received as of the last U.S. mail delivery that day. Provides that a town clerk may request the postal service to deliver absentee ballots to the polling place on election day instead of to the official address of the town clerk.
15. 15 Designation of office. Specifies that the secretary is responsible for information about voter registration and absentee ballot procedures for military and overseas voters.
16. 16 Application for ballot. Makes an absentee ballot application by a military or overseas voter valid for all primaries, general elections, and special primaries and elections held during the same time period as the next two general elections for federal offices. Currently such a ballot application is valid throughout the calendar year in which it is received.

Requires these voters to use the oath specified in federal law.
17. 17 Recording applications. Requires the auditor to enter a military or overseas voter's ballot application in the statewide registration system. Requires the auditor to keep a record for six years rather than the current four years. Requires notifying persons whose applications are rejected (1) that the application was rejected, and (2) why.

By 60 days after the general election, the auditors must notify the secretary of the total absentee ballots sent to military and overseas voters and the combined number of ballots returned and cast by these voters. Lets the secretary require reporting by (1) category of voter (military, spouse, temporarily abroad, permanently abroad), or (2) precinct. By 90 days after the general election, requires the secretary to report to the federal election

assistance commission the number of absentee ballots transmitted to military and overseas voters.

18. 18 Voting more than once. Requires election judges to record whether an absentee ballot was accepted for each applicant whose name is recorded. Requires election judges to return this record to the municipal clerk or county auditor with the election materials.
19. 19 Separate record. Requires the content of the record of absentee ballots kept in each precinct to be as prescribed by the secretary.
20. 20 Alternative election procedures. Amends a statute that authorizes alternate election procedures if necessary because of a court order. Authorizes procedures for voting and handling ballots cast after 8:00 PM because of a court or other order extending the time for closing the polls.
21. 21 Rules; vote counting standards. Requires the secretary to adopt permanent rules on uniform and nondiscriminatory standards of what constitutes a vote for each method of voting and each type of voting system.
22. 22 Post-election security and certification review.

Subd. 1. Selection for review. Beginning with the 2006 general election, requires the secretary to randomly choose 80 precincts for review. The choice must be made within three days after the state general election. Ten precincts must be chosen in each congressional district. A week before the election, the secretary must post on the office Web site the date, time, and place precincts shall be selected. Each major party may send an observer.

Subd. 2. Scope and conduct. Details how a hand recount is to be done by local officials. Requires the secretary to review the procedures used in each chosen precinct.

Subd. 3. Standard for tabulating equipment. Requires equipment to be accurate within one-half of one percent for a contested election. For a greater discrepancy, the secretary must review at least ten percent of the equipment used in that jurisdiction. If the second round shows a discrepancy greater than one-half of one percent, the secretary must audit the whole election that has a discrepancy.

Subd. 4. Standard for election judges and administrators. Expected: no substantive errors and minimal technical errors.

Subd. 5. Failure to meet standard. A failed voting system must be re-certified and the vendor is liable for contract penalties. Judges and election administrators would have to take training if they do not meet standard.

Subd. 6. Costs of review. Local governments must pay for the first round of review. The secretary will pay for actions of its office.

23. 23 Voting system for disabled voters. Provides that after December 31, 2005, each polling place must have a voting system that provides privacy and independence for visually impaired voters.
24. 24 Required certification. Adds to current law on certifying voting systems. Requires additional certification by an independent testing authority approved by the secretary. Requires the system to conform to standards issued by the Federal Election Commission.
25. 25 Electronic voting systems; experimental use. In law dealing with experimental electronic voting, substitutes the term "approve" for "license" in regard to voting systems

26. 26 Agreements. Requires the secretary to enter an agreement with (1) the commissioner of health for electronic transfer of death records, (2) the state court administrator for electronic transfer of guardianship and felony conviction records, and (3) the commissioner of public safety for electronic transfer of driver's license records.
27. 27 Effective date. This article is effective the day following final enactment.

Article 6: Elections Administration Technical

1. 1 Legislative manual. Amends the law on the legislative manual contents. Strikes postmasters from the list of included offices. Reduces from 15,000 to 10,000 the number of copies that will be produced. Reduces from 25 to 20 the number of copies to be provided each legislator. Provides for giving each county recorder and county attorney a copy.
- 2 Collection of data. Amends a provision of the statutes concerning appointments to multi-member agencies. Requires the agencies to give the secretary of state (secretary) agency information in electronic format and to provide e-mail addresses of members.
- 3 Publication of agency data. Requires the secretary to place on the web information about multi-member agencies specified in current law. The information now appears in the state register. Requires the information to be provided to the governor and legislature electronically.
- 4 Notice of vacancies. Amends the open appointment law to require covered agencies to give the secretary electronic notice of vacancies and requires the secretary to put the vacancies on the web.
- 5 Nominations for vacancies. Provides for applications under the open appointment law to include the applicant's e-mail address and a statement whether the applicant has ever been convicted of a felony. Provides for the secretary to forward the applications electronically to the appointing authority.
- 6 Appointments. Changes from "in writing" to "by electronic means" the method by which an agency must notify the secretary when it has decided who it will appoint.
- 7 Report. Provides for electronic filing of the secretary's report to the governor and legislature under the open appointments law.
- 8 Registration; information required. Requires a newly established agency to give the secretary its e-mail address and the e-mail addresses of its members.
- 9 Referendum revenue. Amends the statute on the general education revenue referendum. States that the notice a school district is required to send voters before the election is not an official ballot.
- 10 Deficient registration. Relocates current law that requires the secretary to prescribe a form for a county or municipality to use to get currently registered voters' birthdates. Moved from section 201.221, subdivision 3.
- States that a registration card is not deficient for lack of a phone number.
- 11 Driver's license and identification card applications. Requires driver license and identification card application forms to contain all the information that is on voter registration cards prescribed by the secretary.
- 12 Forms. Requires school districts to make voter registration cards available each May and September to students who will be eligible to vote at the next election. Exempts schools from providing forms to students who reside in the district but do not attend a school operated by the district.

- 13 Registration removed. Requires voters who have been classified "inactive" (because of
not voting for four years) to register before voting again.
- 14 Procedures for polling place rosters. Language stricken here was moved to section 10.

Requires polling place rosters to be kept for 22 months after an election. Current law is
one year.
- 15 Notice. Requires the parties to notify the city clerk of the date, time, and places of
precinct caucuses. Requires the county auditor to make this information available on
request at least ten days before the caucuses.
- 16 County auditor and municipal clerk's offices to remain open. Requires a municipal
clerk's office that is administering absentee balloting to be open the same hours as the
county auditor's office. Specifies that the clerk and auditor's office must be open until
5:00 PM the day before a primary or election, unless that day is a Saturday or Sunday.
- 17 Secretary of state to make rules. Authorizes the secretary to designate alternate methods
to handle absentee ballots during state or national emergencies. Exempts this from the
administrative procedures act.
- 18 Form of affidavit. Amends the affidavit of candidacy statute. Clarifies that the law does
not apply to presidential and vice-presidential candidates, who are not required to file an
affidavit.
- 19 Petitions for presidential electors. Re-arranges language.
- 20 Candidates in state and county general elections. Clarifying cross-reference.
- 21 Write-in candidates. Amends the law that requires a write-in candidate to file a written
request to have votes for him or her counted. Requires filing the request by the fifth day
before the election. Current law allows filing the day before the election.
- 22 Designation effective until changed. Clarifies that polling places for school district
elections and referenda must be designated on the same time frames as polling places in
other elections: 90 days before the election.
- 23 Individuals qualified to be election judges. Allows an individual to serve as an election
judge if he or she is eligible to vote in this state. Current law requires judges to live in
the precinct where they serve; or if not enough judges are available, then in the
municipality or school district; and if still not enough, then in the county.
- 24 High school students. Amends the statute allowing high school students to act as trainee
election judges. Adds home-schooled students.

Strikes the current requirement that a student must have finished or be taking a
government class in order to serve as a trainee judge.
- 25 Election judge trainees not counted. Provides that trainee judges cannot be counted
toward satisfying the minimum required number of election judges.
- 26 Judicial candidates. Requires the judicial ballot to include as a header over each
candidate group: "supreme court," "court of appeals," and "district court".
- 27 Vacancy in nomination; changing ballots. Amends the law on vacancy in nomination
due to death or catastrophic illness. Requires new absentee ballots to be provided to
voters who request them. Requires the appropriate ballots (the regular ballot with the
changed office stricken, plus a supplemental ballot showing the new candidates) to be
delivered to health care facilities in the manner required by the health care facility
absentee voting law.
- 28 Access for news media. Lets a municipal or school clerk or county auditor give news
media written authorization to enter polling places for up to 15 minutes during voting
hours to observe the process. Puts restrictions on reporters as follows: cannot approach
within six feet of an election judge or voter, talk to or interview a voter in the polling

place, make a list of persons voting or not voting, or photograph a voter without a signed release from the voter.

29 Excess ballots. Provides that if the number of ballots does not exceed the number to be counted, the absence of one or both sets of election judges' initials does not by itself disqualify the vote and is not the basis for a challenge in a recount.

30 County canvass. Amends the statute on the county canvassing board reports. Requires that they include the votes received by state or federal write-in candidates who have requested that votes for them be counted.

31 Automatic recounts. Amends the state primary and general election automatic recount provisions to state that the scope of the recount is limited to recounting the votes validly cast.

32 Automatic recounts. Amends the local election automatic recount law. Reorganizes language and makes the following substantive changes.

Eliminates the provision that the candidate requests an automatic recount. Instead, the recount is performed when the vote difference formula applies, unless a losing candidate waives it by filing a written waiver with the canvassing board.

States that the scope of the recount is limited to recounting the votes counted on election day.

Prohibits a recount from delaying any other part of the canvass. Requires certifying recount results as soon as possible.

Provides for the time for a contest notice to start running upon certification of recount results by the canvassing board.

33 Ballot question recounts. Requires the cost to be paid by the political subdivision that put the question on the ballot.

34 Scope of recount. Amends the local recount statute to provide that it is limited to determining the number of votes validly cast for the office being recounted. Allows considering only the ballots cast in the election and the summary statements certified by the election judges.

35 Rules for recounts. Over-rides a recount rule by stating that the requirement that ballots be segregated by precinct is satisfied if ballots for different precincts are recounted in physically separate locations within one room.

36 Uncontested judicial office. Provides that judicial offices for which there is only one candidate filed must appear after all judicial offices on the canary ballot.

37 Example supplemental ballot. Amends the law on the supplemental ballot when there is a vacancy in nomination. Requires the secretary of state to give the auditors a sample supplemental ballot at least three days before the election, if there will be a supplemental ballot. Requires the auditors to give local election officials a copy of the example. Allows anyone to report to the county attorney if the official ballot does not match the example ballot.

38 Certificate of legislative election. Provides for legislative certificates of election in special elections to be issued by the secretary of state rather than the county auditor. Conforms to general election practice.

39 Minnesota election law. Amends the municipal election chapter of the election code. Provides for the election law to apply to municipal elections unless "expressly provided by law," which would allow a statute outside the election code to over-ride the election code. Current law provides that only the election code can exempt cities from its

provisions.

40 More than one seat to be filled at any election. Amends a provision on candidates for
town supervisor to require that when more than one seat is being filled at an election, a
candidate must designate which seat he or she seeks.

41 Notice to auditor. Changes from 49 to 53 days before the election: the deadline for the
municipal clerk to notify the auditor of municipal offices, ballot questions, and the date
of the election.

42 Notice to secretary. At least 46 days before a municipal election; when the auditor gets
an election notice from the municipal clerk, the notice must be passed on to the
secretary.

43 Election, conduct. Requires a municipal election to be held in the manner provided by
state law "except as expressly provided by law." Current law is "so far as practicable."

44 Canvass of returns. Amends the municipal canvass law to provide that the governing
body canvasses special municipal elections and acts as the canvassing board.

45 Election law applicable. Amends the school election law. Requires a school election to
be held in the manner provided by state law "except as expressly provided by law."
Current law is "so far as practicable."

46 Notice to auditor. Changes from 49 to 53 days before the election: the deadline for the
school clerk to notify the auditor of school offices, ballot questions, and the date of the
election.

47 Notice to secretary. At least 46 days before a school election, when the auditor gets
notice from the school clerk, the notice must be passed on to the secretary.

48 Ballots. Requires the front of optical scan ballots to include "Official Ballot," the
election date, and lines for election judges' initials.

49 Electronic reporting. Amends the local campaign reporting requirements in chapter
211A. Allows reports to be filed electronically with the approval of the filing officer.

50 Withdrawal or resignation. Amends the statute on resignation from public office.
Provides that a resignation submitted under that law may only be withdrawn before it is
accepted by (1) resolution of the body or board, or (2) written acceptance of the officer
authorized to receive the resignation.

51 Officers; other business. Specifies that ballot questions may be considered at the annual
town meeting.

52 Deputy clerk. Specifies that if a town clerk has not appointed a deputy, the town
treasurer performs clerk duties regarding candidate filings when the clerk is absent.

53 Initiating the proceeding. Clarifies a signature requirement for initiating a municipal
proceeding. A petition must be signed by a "number of residents eligible to vote
equivalent to" five percent of the resident voters of a municipality.

54 Election notices. Requires the hospital district clerk to provide a notice of the date and
the offices and questions to be voted on in the hospital district 53 days before the
hospital district election to the auditor of every county in which the hospital district is
located.

55 Candidates; ballots; certifying election. Same filing period for hospital district
candidates as the bill would apply to municipal and school district candidates.

56 Effective date. This article is effective immediately.

Article 7: Uniform State and Local Election Days

1. 1 Periodic Uniform Election Day.

Subd. 1. Short title. "Periodic Uniform Election Day Act of 2004."

Subd. 2. Elections covered. Applies to all state, county, municipal, and school district elections held in the state, including elections on ballot questions. Does not apply to an election to fill a vacancy and required by statute to be held sooner than the next day designated in subdivision 3, or to elections conducted by mail.

Subd. 3. Elections on designated days. (a) Elections must be held only on the second Tuesday in March, the third Tuesday in May, the first Tuesday after the second Monday in September, and the first Tuesday after the first Monday in November.

(b) Requires the time period for special elections to conform with this subdivision.

Subd. 4. Primaries. If other law provides for a primary but does not specify the date the primary may be held on one of the days designated in subdivision 3, clauses (1) to (3). The general election for the office must be held on the date listed in subdivision 3 that immediately follows the chosen primary date.

Subd. 5. Election times and polling places. Requires an election held on one of the designated dates to be held at the same polling places and during the same hours as the state general election.

Subd. 6. Applicable laws. Except as otherwise provided by this section, Minnesota election law remains applicable to elections held on any of the days listed in subdivision 3.

This article is effective January 1, 2005.

2-21

Conforming amendments and repealers.

Article 8: Election Administration

1. 1 Maintenance of effort. Requires the state or any local government that receives HAVA funds or equipment purchased with those funds to maintain expenditure levels as they were for the state fiscal year 2000.
2. 2 Statewide registration system. Requires a "single, interactive" voter registration system. Conforms wording to HAVA section 303(a)(1)(A).
3. 3 Registration by mail. Requires an individual (1) who is registering by mail, and (2) who has not previously voted in Minnesota for federal office to provide a copy of a current and valid photo identification or current utility bill, bank statement, government check, paycheck, or government document that shows the voter's name and address. If a voter does not comply with these requirements, the county auditor (auditor) must notify the voter to (1) submit one of the above items; (2) bring one of the items to the polling place and register on election day; or (3) register in person. An individual who wants to vote by mail must submit one of the items above or must follow the election day registration procedures for absentee voters provided in current law.
4. 4 Form. Adjusts form of the voter registration application to conform with HAVA requirements, makes changes in existing language of rule 8200.1200 and moves that rule into statutory section (rule is repealed in the bill). New elements: voter's drivers

license/state identification/social security partial number and federal post card application language are from HAVA. Voter e-mail address and interest in being an election judge are also new. Everything else is in the current rule.

5. 5 Deficient registration. Amends the statute on information required to prevent a voter registration from being deficient. Adds driver license or state identification number, or if the voter does not have one of these, the last four digits of the social security number.
6. 6 Incomplete identification or residence information. Provides that a voter registration submitted by mail that does not contain one of the specified forms of identification is considered incomplete until the voter satisfies requirements.
7. 7 Properly completed registration. Puts into statute the content of rule 8200.2600. Adds that the auditor must mail notice to every voter who provided a change of address.
8. 8 Registration files. Changes "registration cards" to "applications." Provides that the secretary of state, as well as the county auditor, is in control of the statewide registration system. Requires inactive registration records to be retained for 22 months.
9. 9 Public information lists. Provides that public information lists are not to include any part of the voter's drivers license or social security number. Provides that the list may be accessed by the public at the auditor's office. Provides that a public information list may be available for purchase from the secretary. Requires the public list not to include anyone who is under court-ordered protection.
10. 10 School elections. Permits secretary of state to grant permission to school districts to use the voter registration system. Clarifies that school districts must use information from the voter registration system in conducting elections.
11. 11 Precinct boundaries changed. Provides that when county auditors notify the secretary of state of precinct boundary changes, either the secretary or the auditor, if the secretary delegates this, will update the voter registration system.
12. 12 Auditor's random notification. Moves text of rule 8200.2700 to statute. Requires random notification to five percent of election day registrants. The rule required sending notice to three percent of registrants.
13. 13 Commissioner of health. Amends current law on forwarding death reports to the secretary of state. Requires the Health Department to send reports electronically. Allows the secretary to change the statewide registration system if there is a single exact match. Lets the secretary designate the county auditor to modify the system.
14. 14 State court administrator. Eliminates reports of name changes coming from all district courts, and instead allows for a centralized reporting system from the state court administrator to the secretary of state. Provides that lists for each county will be provided to the auditors by the secretary of state. Allows for reporting to be done electronically.
15. 15 District judge. Updates language on guardianship reporting to match the guardianship law changes made in 2003. Provides that either the secretary of state or the auditor may make the necessary voter registration record changes.
16. 16 Drivers license. Eliminates language referencing rules, as the rule text has now been moved to statute and the rule is repealed by the bill.
17. 17 Costs. Clarifies that the secretary of state only pays costs for rosters and master lists if printed by the secretary of state.
18. 18 Verification; discrepancies. Provides language in state law conforming to the verification requirements under section 303 of HAVA. Provides for re-verification if a change is made in drivers license, identification or social security number, or name, address, or birth date information. Requires the auditor to investigate and try to resolve discrepancies, or challenge the voter if the discrepancy cannot be resolved.

19. 19 Notification of deficient registration. Moves text of rule 8200-2900 into statute, makes changes to conform to HAVA in that text. Rule is repealed in the bill.
20. 20 Notice of challenge removal. Moves text of rule 8200-3550 into statute. Makes conforming changes to reflect the 2003 guardianship law. Rule is repealed in the bill.
21. 21 Change of residence. Moves text of rule 8200.3600 into statute. Changes text to change reference from reregistration to updating the registration, consistent with other changes in this bill. Rule is repealed in the bill.
22. 22 National Voter Registration Act. Moves text of rule 8200.3900 into statute. Makes changes to text to conform to HAVA by including new requirements in the NVRA for whether the voter is a citizen and will be 18 years of age by election day. Rule is repealed in the bill.
23. 23 Procedures for polling place rosters. Requires rosters to include any information the secretary prescribes to permit election judges to perform their duties. Requires auditors to keep rosters for 22 months.

Requires an indicator on the roster to note if a voter was challenged. Allows omitting the address of a voter whose address cannot be included in public information lists. Requires each page of the roster to state the certification each voter must make (citizenship, age, residence, etc.)

Requires one or more pages for election day registrants.

24. 24 Requires the secretary of state to develop methods of producing rosters and to provide them to the county auditor on paper, computer type, or other electronic media. Presidential ballot. Moves from rule 8210.0100 text on presidential ballot application, instructions, and envelope, as required by federal law and modified by state guardianship law changes in 2003. Rule is repealed in the bill.
25. 25 Application procedures. Strikes rule on form of absentee ballot application and instruction. Requires the secretary of state to have electronic examples available by January 1 of every even-numbered year. Requires registration officials to obtain missing information, to notify in writing any voter whose application is rejected for missing information, and to send a new application.
26. 26 Alternate form of registration. Technical.
27. 27 Permanent illness or disability. Adds that voters who have permanent illness or disability are exempt from the mail-in registration requirements. (This exemption is pursuant to HAVA, section 303(b)(3)(C).)
28. 28 Permanent application. Moves text of rule 8210.0200, subpart 4 to statute. Bill repeals the rule.
29. 29 Application form. Moves text of rule 8210.0200 (except absentee voting without qualification, which is obsolete) to statute. Makes changes to add the new HAVA required information.
30. 30 Applications from challenged voters. Moves text of rule 8210.0225 into statute. Incorporates into statute an attorney general's opinion suggesting that notice of deficiencies and registration materials must be sent to absentee ballot applications listed as challenged.
31. 31 Registration check. Provides that if the voter registration of an absentee ballot applicant is deficient because it has not yet been fully documented pursuant to HAVA, the absentee ballot applicant must be sent a voter registration application.

32. 32 Special postal services. Provides that a county auditor may send materials by private courier if paid by the applicant.
33. 33 Return and ballot envelopes. Provides that county auditors handling absentee ballot applications from within an Indian reservation will provide information on the use of tribal identification as a form of proof of residency.
34. 34 Instructions to absentee voter. Moves text of rule 8210.0500 to statute. Subdivision 4 makes changes to conform to new HAVA requirements about those who are abroad and eligible to vote in presidential elections only. Adds advice about the effect of multiple votes for one office, crossing party lines in a partisan primary, and how to request a replacement ballot.
35. 35 Statement of absentee voter. Tracks rule 8210.0600.
36. 36 Military and overseas voters. Provides instructions for these absentee voters.
37. 37 Domestic absentee ballot return envelope specifications. Moves text of rule 8210.0700 to statute; rule repealed.
38. 38 Military absentee ballot return envelope specifications. Differs from content of rule 8210.0800, which is repealed in the bill.
39. 39 Generally. Allows the county auditor to designate election judges for health care facility visits if the local municipal clerk does not conduct absentee ballot functions. Authorizes school district clerk to deliver absentee ballots to health care facilities.
40. 40 Examination of return envelope. Amends military voting statute to count the last received absentee ballot, if more than one ballot is received from a voter.
41. 41 Challenges. Authorizes the county auditor to notify the person who requested an absentee ballot on behalf of a military or overseas person of a challenge.
42. 42 Back of return envelope. Adds the HAVA prescribed Federal oath, (see HAVA section 705, UOCAVA section 101) to the return envelope for military and overseas voters. Puts rule 8210.0800 in statute, changes the oath to conform to federal law oath and repeals rule.
43. 43 Mailing ballots. Allows a military or overseas absentee voter to receive another set of ballots if the first set was lost in transit or spoiled. Parallels language for other absentee voters. Express mail/private prepaid courier envelopes may be used.
44. 44 Duties of election judges. Requires election judges to reject a military absentee ballot submitted by someone not on the list of those who were sent such ballots.

Specifies what missing information on a military absentee return envelope would prevent counting the ballot.

Requires election judges to return records of military absentee ballots to the county auditor or municipal clerk.

45. 45 Separate precincts. Allows combining (1) two contiguous precincts in a municipality if they contain fewer than 100 requested voters, or (2) up to four contiguous municipalities outside the metropolitan area, whether or not they are in the same county. Allows depositing all ballots from multiple precincts to be deposited in a single ballot box if a single electronic tabulator is used for these precincts.
46. 46 Access by elderly and handicapped. Conforms door width to the standard 32 inches. Consistent with Minnesota ADA/Building Code Rules.
47. 47 Polling places. Adds mechanisms in the polling place to aid voters filling out forms. Removes requirement that booths have doors or curtains. Clarifies ballot boxes are needed for paper ballots.

48. 48 Trained election judges. Adds a requirement for training election judges by the head judge in precincts where less than 100 individuals voted at the last state general election.
49. 49 Instruction posters. Adds voting information requirements from HAVA section 302(b).
50. 50 Procedure. Adds that a voter who is challenged or has a deficient mail-in registration must be sent non-registered absentee ballot materials for an election by mail.
51. 51 Mail balloting. Moves text of rule 8210.3000 to statute with minor changes, including some required by HAVA.
52. 52 Individuals allowed in polling place. Allows voters completing a complaint form to remain in the polling place, consistent with HAVA section 402.
53. 53 Permanent registration. Conforms to 2003 guardianship law change. Provides for the roster to include a statement of the penalty for giving false information.
54. 54 Refusal to answer questions. Provides that a challenged individual who is found ineligible to vote or who refuses to answer questions or sign a polling place roster is reclassified in voter registration files as "inactive" within 14 days.
55. 55 Information requirements. Moves text of rule 8230.3950 and 8230.4050 to statute and clarifies that summary statement procedures for paper ballot precincts, central count, and tabulators are the same. The summary statement materials in clauses (e), (f), and (h) are not in current rule.
56. 56 Inspection of polling place rosters. Moves text of rule 8200.9120 to statute and adds, consistent with current law, that county auditors must conceal the address of any individual who is under court ordered protection.
57. 57 Procedures following close of polls. Moves text of rule 8230.1150 to statute.
58. 58 Distribution of summary statements. Moves text of rule 8230.4050 to statute.
59. 59 Certificate of election judges. Moves text of rule 8230.2150 to statute.
60. 60 Emergency voting card. Moves text of rule 8200.3800 to statute.
61. 61 County auditor. Requires auditors to keep a record of election returns received and election judges who delivered them. Requires security.
62. 62 Certification of names. Lets the secretary of state electronically notify auditors of the names of candidates who will be on the ballot.
63. 63 Filing with the secretary. Same as previous section. Applies to special primary candidates.
64. 64 Election results reporting system. Requires municipal election officials to enter candidates, offices, and questions to be voted on, into the state election results reporting system. For purposes of export of files to vendors for optical scan ballots.
65. 65 Election results reporting system. Requires auditors and municipal clerks to enter municipal question and office votes into the statewide system.
66. 66 Election results reporting system. Same as section 64; applies to school district clerks.
67. 67 Election results reporting system. Same as section 64; applies to school elections.
68. 68 Spoiled ballot. Moves text of rule 8230.0850 to statute and adds more protection of privacy of voter.

69. 69 Counting center. Provides that in the case of mail balloting, "counting center" is where the governing body has an electronic voting system to process and count ballots.
70. 70 General provisions for electronic system voting. Removes a requirement that a voter can't remain in the voting booth more than three minutes. Provides there is no time limit for a voter with disabilities.
71. 71 Appointments to fill vacancies. Allows a county board, at a regular or special meeting, to fill a commissioner vacancy caused by death, until an election occurs. Requires a special election for the balance of the term to be held at the next county general election if (1) more than two years remain in the term, and (2) the vacancy occurred before filings opened.
72. 72 Repealer. Repeals: (1) rules that are enacted into law by the bill, and (2) obsolete provision on experimental absentee voting.
73. 73 Effective date. Immediate, except section 69 is effective July 1, 2006.

Article 9: Electronic Real Estate Recording Task Force

1. 1 Task Force; membership. Provides that the Secretary of State serves as the chair of the electronic real estate recording task force. Specifies that the task force consists of 15 members appointed for two year terms. Revises criteria for other members.
- 2 Study and recommendations. Requires the task force to report to the legislature by January 15, 2005. Extends to expiration of the task force to June 30, 2007, instead of the current June 30, 2005.
- 3 Application. Extends the task force to June 30, 2007.
- 4 Application. Extends a real estate filing surcharge until June 30, 2007.
- 5 Real estate filing surcharge. Provides that funds collected under a real estate filing surcharge are appropriated for purposes of the task force through June 30, 2007.
- 6 Task force transition. Provides that current members of the task force end their service when this act becomes effective, unless reappointed or designated under section 1.
- 7 Effective date. Sections 1 to 6 are effective immediately.