

HOUSE RESEARCH

Bill Summary

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Overview

This bill requires elections on city, county, and school district referenda questions related to spending to be conducted on the first Tuesday after the first Monday in November of even- or odd-numbered years, to coincide with the annual general election date. This bill does not affect elections of persons to office and provides an exception for a referendum to finance a local government's response to a disaster or emergency.

Section

- 1 Capital project levy referendum (schools).** Requires an election in the law authorizing a school district to levy for a capital project to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year instead of a date set by the school board. Provides an exception for a referendum to finance a district's response to a disaster or emergency.
- 2 Referendum revenue (schools).** Strikes reference to a referendum conducted by mail, authority for which is repealed in this bill.
- 3 Questions (election law).** Requires a special election on a ballot question in a city or town be held only on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.

Section

- 4 **Questions (schools).** Requires a special election on a ballot question in a school district to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year. Strikes language saying when a special election cannot be held.
- 5 **Municipal acquisition procedures; notice; election (cities).** Requires a special election on the decision of a city to acquire property of a public utility to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year. Under current law, the special election is held between 60 and 120 days after the resolution of the governing body is adopted.
- 6 **Municipal telecommunications services (cities).** Strikes option for a special election on decision of a city to establish a telephone exchange and specifies that an election be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 7 **Levy or bond referendum; ballot notice.** Strikes the option for a special election on a ballot question that will result in higher property taxes and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year. Provides an exception for a referendum to finance a local government's response to a disaster or emergency.
- 8 **Contracts (cities).** Strikes the option for a special election held in response to a petition requesting a referendum relating to a contract for deed that the city proposes to enter into and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 9 **Financing purchase of certain equipment (cities).** Strikes the option for a special election in response to a petition for an election (reverse referendum) on authorizing a city to issue certificates of indebtedness or capital notes, and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 10 **Referendum in certain cases (municipal liquor stores).** Strikes the option for a special election on whether to issue debt backed by liquor store profits for projects of the city other than projects for the liquor store and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 11 **Liquor dispensary fund, community hospital appropriation.** Strikes the option for a special election on whether to use the liquor dispensary fund to contribute to the community hospital and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 12 **Submission to voters (public utility).** Strikes the option for a special election on the question of acquiring property for the public utility and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.

Section

- 13** **Submission to voters (electric utility).** Strikes the option for a special election on the question of acquiring property for the public utility and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 14** **Municipalities may extend electric service.** Strikes the option for a special election on the question of extending service outside the municipality and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 15** **Accept donations (forests).** Strikes the option for a special election or special town meeting on the question of acquiring real property for production of timber and wood and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year or as part of the annual town meeting.
- 16** **Reverse referendum (port authorities).** Strikes the option for a special election held pursuant to a petition (reverse referendum) on whether the city will increase its levy for the port authority and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year. An approved levy increase may not take effect until the next calendar year.
- 17** **General obligation bonds (Cannon Falls and Redwood Falls port authorities).** Strikes the option for a special election held pursuant to a petition (reverse referendum) on whether the port authority may issue general obligation bonds and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year. This section is effective only if approved by the respective cities.
- 18** **Reverse referendum (economic development authority).** Strikes the option for a special election held pursuant to a petition (reverse referendum) on whether the city will increase its levy for the economic development authority and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 19** **Authorization (local lodging tax).** Strikes the option for a special town meeting on whether the town will impose a local lodging tax. The vote of the electors may only be at the annual town meeting.
- 20** **Reverse referendum (local lodging tax).** Strikes the option for a special election in the unorganized territory of the county held pursuant to a petition (reverse referendum) on whether the county will impose a local lodging tax and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 21** **May use fund for other purposes upon vote (public works reserve fund).** Strikes the option for a special election on the question of whether the city may use the public works reserve fund for another purpose and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.

Section

- 22 Expenditure from fund, limitations (Minn. Stat. § 471.571 - permanent or replacement fund).** This section applies to each city in which the net tax capacity of real and personal property consists in part of iron ore or lands containing taconite or semitaconite and in which the total estimated market value of real and personal property exceeds \$2,500,000. Strikes the option for a special election and requires the election on the question of whether to exceed the statutory limit for expenditure from the fund for one project to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 23 Tax levy (infrastructure replacement reserve fund).** Strikes the option for a special election held pursuant to a petition (reverse referendum) on whether the city will levy for an infrastructure replacement reserve fund and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 24 Use of fund for a specific purpose (infrastructure replacement reserve fund).** Strikes the option for a special election on whether use of the infrastructure replacement reserve fund should be restricted to a specific improvement or type of capital improvement and requires the election to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year.
- 25 Manner of submission; notice (general law on municipal debt).** Provides that a special election held by a city, county, or school district on issuing debt must be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year. Allows a town to pose the question at an election held on the same day as the annual town meeting or on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year. Overrides special laws authorizing an election on issuing debt to be held at any other time. Provides an exception for a referendum to finance a local government's response to a disaster or emergency.
- 26 Repealer.** Repeals:
- ▶ § 126C.17, subd. 11 – the requirement to conduct school referenda by mail if the election is not held on the first Tuesday after the first Monday in November, and the authority for a school district in statutory operating debt (having a negative fund balance) to hold more than one referendum election in a year at a date other than the first Tuesday after the first Monday in November; and
 - ▶ § 205.10, subd. 3 – an election law provision limiting when special elections on ballot questions may be held relative to the general election.
- 27 Effective date.** Provides that the bill is effective for referenda authorized on or after August 1, 2015.