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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 3173

February 18, 2008

Authored by Winkler, Pelowski, Brod, Hilty and Simon

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

1.1 A bill for an act
1.2 relating to elections; changing certain review procedures; amending Minnesota
1.3 Statutes 2006, section 206.89, subdivision 5.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 206.89, subdivision 5, is amended to read:

1.6 Subd. 5. **Additional review.** (a) If the postelection review reveals a difference
1.7 greater than one-half of one percent, the postelection review official must, within two days,
1.8 conduct an additional review of at least three precincts in the same jurisdiction where the
1.9 discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the
1.10 county auditor must immediately publicly select by lot at least three additional precincts
1.11 for review. The postelection review official must complete the additional review within
1.12 two days after the precincts are selected and report the results immediately to the county
1.13 auditor. If the second review also indicates a difference in the vote totals compiled by
1.14 the voting system that is greater than one-half of one percent from the result indicated by
1.15 the postelection review, the county auditor must conduct a review of the ballots from all
1.16 the remaining precincts in the county. This review must be completed ~~no later than six~~
1.17 ~~weeks after the state general election~~ and the results must be reported to the secretary of
1.18 state within one week of completing the second review.

1.19 (b) If the results from the countywide reviews from one or more counties comprising
1.20 in the aggregate more than ten percent of the total number of persons voting in the election
1.21 clearly indicate that an error in vote counting has occurred, the secretary of state must
1.22 notify the postelection review official of each county in the district that they must conduct
1.23 a manual recount ~~recounts~~ of all the ballots in the district for the affected office using the
1.24 procedure outlined in section 204C.35. The recount must be completed and the results

- 2.1 reported to the appropriate canvassing board ~~no later than ten weeks after the state general~~
- 2.2 ~~election~~ within two weeks of receiving notice from the secretary of state.