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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE NO. **300**

January 26, 2009

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

February 26, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to elections; applying certain privileges to major political party caucuses
1.3 held in cities of the first class during odd-numbered years; proposing coding for
1.4 new law in Minnesota Statutes, chapter 202A.

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

1.6 Section 1. **[202A.191] MAJOR POLITICAL PARTY CAUCUS WITHIN CITIES**
1.7 **OF THE FIRST CLASS.**

1.8 Subdivision 1. **Applicability.** This section applies to a major political party precinct
1.9 caucus held within a city of the first class in an odd-numbered year, on the date determined
1.10 as provided in subdivision 2.

1.11 Subd. 2. **Date of caucus.** (a) The chairs of the two largest major political parties'
1.12 city organization within each city of the first class shall jointly submit to the governing
1.13 body of that city the single date on which the two parties have agreed to conduct their
1.14 precinct caucuses in the next odd-numbered year. The date must be submitted no later
1.15 than August 1 of each even-numbered year.

1.16 (b) On August 1 of each even-numbered year, or at the next regularly scheduled
1.17 meeting following that date, the governing body within each city of the first class shall
1.18 publicly announce the official date for major political party precinct caucuses to be held in
1.19 the next odd-numbered year within the city.

1.20 (c) If the chairs of the two largest major political parties do not jointly submit to the
1.21 governing body of a city of the first class a single date for conducting precinct caucuses in
1.22 that city as provided in this subdivision, then for purposes of the next odd-numbered year,
1.23 the first Tuesday in February shall be considered the day of a major political party precinct
1.24 caucus within that city, and this section shall only apply within that city on that date.

2.1 (d) For purposes of this subdivision, the two largest major political parties shall
2.2 be the parties whose candidates for governor received the greatest and second greatest
2.3 number of votes at the most recent election.

2.4 Subd. 3. **Prohibited meetings and activities.** (a) The following meetings and
2.5 activities are prohibited after 6:00 p.m. on the night of a major party precinct caucus held
2.6 within a first class city:

2.7 (1) a meeting of a school board or city council;

2.8 (2) a meeting of the governing body of a special taxing district, as defined in section
2.9 275.066, if the special taxing district is wholly contained within the first-class city; and

2.10 (3) an event sponsored by a public elementary or secondary school.

2.11 (b) This subdivision only applies to meetings and activities held within the first class
2.12 city in which the major party caucus is to be held.

2.13 Subd. 4. **Absence from work.** Every employee who is entitled to attend a major
2.14 political party precinct caucus within a city of the first class is entitled, after giving the
2.15 employer at least ten days' written notice, to be absent from work for the purpose of
2.16 attending the caucus during the time for which the caucus is scheduled without penalty or
2.17 deduction from salary or wages on account of the absence, other than a deduction in salary
2.18 for the time of absence from employment.

2.19 Subd. 5. **Public school buildings.** No school official may deny the use of a public
2.20 school building for the holding of a major political party precinct caucus within a city of
2.21 the first class if the school office has received a written request for the use of the school
2.22 building 30 days or more prior to the date of the caucus.

2.23 Subd. 6. **Use of facilities.** Every public agency, including the University of
2.24 Minnesota and other public colleges and universities located within a city of the first class,
2.25 must make their facilities available for the holding of a major party precinct caucus on the
2.26 date determined according to this section. A charge for the use of the facilities may be
2.27 imposed in an amount that does not exceed the lowest amount charged to any public or
2.28 private group.