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# ELECTION PROCEDURES IN MINNESOTA:

A  
Citizen's  
Handbook



**VOTER  
INFORMATION**

FROM  
MINNESOTA STATUTES



Office of the Secretary of State  
Election Division

## **THE VOTER**

### **Qualifications for Voting**

- ★ United States citizenship
- ★ Residence in Minnesota for 20 days prior to the date of the election
- ★ 18 years of age by the date of the election
- ★ Registered to vote in those areas with voter registration.

### **Not entitled to vote if:**

- ★ Convicted of treason or felony, unless restored to civil rights
- ★ Under guardianship of the person or adjudged mentally incompetent
- ★ Not registered to vote in areas with voter registration

### **Voter Registration**

- ★ Voters must be registered to vote in those areas of the state which require voter registration. Contact your county auditor at the county courthouse to see if you must be registered to vote. As of August 25, 1976, only one county, Pope, did not provide for voter registration.
- ★ Voters may register to vote in person or by mail with the county auditor or with most city clerks up to 20 days prior to the date of an election. You may call your county auditor or city clerk for a voter registration card.
- ★ Voters may register to vote at the polls by providing proof of residency to the election judges. The following proof of residence is sufficient:
  - A valid Minnesota driver's license indicating the voter's current address or a receipt therefor;
  - A valid non-qualification certificate (available from the Minnesota Department of Public Safety) or a receipt therefor;
  - A registered voter of the precinct willing to certify to the residency of the voter wishing to register;
  - A current registration indicating a previous address within the same precinct.
  - A notice mailed by the county auditor indicating an insufficiently completed voter registration card.
- ★ Registration is permanent, provided the voter votes at least once every four years, and does not change residence or name.
- ★ A voter may register to vote by absentee ballot by requesting a voter registration card together with an absentee ballot. The judges will then register the voter and process the ballot as an election day registration.

## **ABSENTEE VOTING**

### **Qualifications**

- ★ Absentee voting is provided for those who are:
  - Members of the armed forces.  
The term "armed forces" refers to "the Army and Navy, the Air Force, the Marine Corps and the Coast Guard of the United States, or the Merchant Marine and all other persons connected in any capacity with the Army or Navy of the United States Government outside the United States including the spouses and dependents of such persons; any employee of the United States govern-

ment employed in the Washington, D. C. area and the spouses and dependents of such persons."

Qualified voters as defined by MINNESOTA ELECTION LAWS (see The Voter, page 2)

Absent from the precinct on election day and unable to go to the polling place because of:

- ... travel
- ... illness
- ... physical disability
- ... religious discipline or holiday

### **ABSENTEE REGISTRATION**

★ Members of the armed forces and temporary non-residents may be registered by applying for a ballot.

Any person not yet registered at the time s/he wishes to apply for an absentee ballot should also request a voter registration card so the registration will be accepted on election day just before the ballot is processed (see The Voter).

### **OBTAINING BALLOTS AND VOTING**

★ Armed forces member or temporary non-resident or a parent, spouse, brother or sister or child (if over 18 years old) may file a Request for Ballots form with the county auditor.

★ Any qualified voter unable to go to the polls may request an application for ballots from the county auditor.

★ An application will be accepted by the county auditor as early as 45 days before and not later than one day before the date of the election. There is no time limit for members of the armed forces or temporary non-residents.

★ Ballots will be mailed to the voter as soon as they are available.

★ Voter receives the ballots, a ballot envelope and a return envelope. After marking the ballots the voter places them in the ballot envelope and seals it. This envelope is then placed inside the return envelope, along with the voter registration card if the voter is not yet registered. The process of absentee voting should be witnessed by a notary or a United States Postmaster, Assistant United States Postmaster, postal supervisor, clerk in charge of contract postal station, or any other officer having authority to administer an oath or take an acknowledgement or an eligible voter who has voted in the last four years in the same county as the person voting absentee. Armed forces personnel must have a commissioned, non-commissioned or petty officer not below the rank of sergeant or its equivalent rank witness the absentee procedure. **THE VOTING MUST BE SECRET.** All ballots must be received by the election officials not later than election day.

### **OVERSEAS CITIZENS VOTING**

★ U. S. citizens living abroad may vote for federal candidates (President, Vice President, U. S. Senator, U. S. Representative) by completing an application for a ballot available from the county auditor in the Minnesota county of their last U. S. residence.

## **PRESIDENTIAL VOTING**

Persons who have moved into another state from Minnesota within 30 days of the election and do not yet qualify to vote in the state of their new residence may vote for President and Vice-President at their last address in Minnesota. You may vote either by absentee ballot by making application to your county auditor in Minnesota or by appearing at the precinct polling place in your old precinct on election day.

## **POLITICAL PARTY**

- ★ "The words "political party" mean an organization which shall have maintained in the state, governmental subdivision thereof or precinct therein in question, a party organization and presented candidates for election at the last preceding general election one or more of which candidates shall have been voted for in each county within the state at such election and shall have received in the state not less than five percent of the total vote cast for all candidates at such election or whose members to a number equal to at least five percent of the total number of votes cast at the preceding general election in the county where the application is made shall present to the county auditor a petition for a place on the primary election ballot."

## **PRECINCT CAUCUS**

- ★ Held on the fourth Tuesday in February of every general election year.
- ★ Precinct caucus locations are available from the county auditor's office 20 days before the date of the caucus.
- ★ All caucuses convene at 8:00 p.m.

### **Participation in Caucus**

- ★ Only qualified voters of that precinct or those who will be qualified on the date of the next general election may participate in the precinct caucus.
- ★ Persons in agreement with the principles of the party as stated in the party's constitution and who either voted or affiliated with the party at the last general election or intend to vote or affiliate with the party at the next general election may vote at the precinct caucus.
- ★ Caucus business includes election of a chairperson and other officers provided in party rules, election of delegates to county or legislative district conventions, discussion of party policies, candidates and other business as prescribed by party rules.
- ★ All voting in the precinct caucus is to be by secret ballot.

## **STATE CONVENTION**

- ★ Authority over affairs of each political party is vested in the party's state convention to be held at least once every general election year at the call of the state central committee.
- ★ The state central committee (subject to control of the state convention) has charge of the general management of the affairs of the party.
- ★ Chairmen of the state central committee of each party shall file with the Secretary of State a copy of the

party's constitution and all amendments as they are enacted.

## **COMMITTEES:**

- ★ Each political party shall provide for an executive committee for each congressional district and an executive committee for each county or legislative district.
- ★ A convention is held every general election year in each congressional district and county or legislative district.

## **PRIMARIES**

- ★ Partisan candidates of political parties are nominated at the state primary election held on the 1st Tuesday after the second Monday of September in every general election year.

## **THE CANDIDATE**

### **Qualifications for Office**

- ★ U. S. Senator:  
30 years of age  
United States citizen for nine years  
Resident of Minnesota
- ★ Representative in Congress:  
25 years of age  
United States citizen for seven years  
Resident of Minnesota
- ★ Governor or Lieutenant Governor:  
25 years of age  
Citizen of the United States  
Bona fide resident of the state for one year preceding the election
- ★ Secretary of State, State Auditor, State Treasurer  
Attorney General:  
21 years of age  
Citizen of the United States  
Resident of the state for 30 days
- ★ State Senate and State House  
21 years of age  
Citizen of the United States  
One year residency in the state; six months in the legislative district
- ★ Supreme Court Justices and District Court Judges  
21 years of age  
Citizen of the United States  
30 day residency in the state or district  
Learned in law.
- ★ Other elective offices  
21 years of age  
Citizen of the United States  
30 days a resident of the election district.
- ★ **Where to file:**  
Candidates for election in more than one county file with the Secretary of State.  
Candidates for election within a single county file with county auditor.  
Candidates for city or township office file with the municipal clerk.
- ★ **Information in the Affidavit of Candidacy:**  
That the candidate is a qualified voter in the sub-

division where s/he seeks nomination, including address and declaration of eligibility.

Name of his/her political party, if for a partisan office. That s/he is affiliated with the political party whose nomination s/he seeks.

That s/he is not a candidate for any other office in that primary election.

★ **Filing Fees:**

U. S. Senator—\$150 or 2,000 signatures on petitions in lieu of a filing fee.

U. S. Representative—\$100 or 1,000 signatures on petitions in lieu of a filing fee.

Governor, Lt. Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Supreme Court Justice and District Court Judge—\$100 or 2,000 signatures on petitions in lieu of filing fee.

State Senate, State House, County Office—\$20 or 500 signatures on petitions in lieu of a filing fee.

City and Township Officers—as prescribed by city charter or M.S. 205.15.

★ **Nominating Petition:**

Nominating petitions are filed by candidates for partisan office who are not filing as a candidate of a political party recognized by Minnesota Law (See Political Party page 3). The purpose of the partisan primary election is to nominate the candidates of the political parties. Candidates nominated by petition do not run in the primary.

★ Number of signatures must equal a certain percentage of the total vote cast at the last general election, or:

If for U. S. Senate or any other statewide office—2,000 signatures

If for U. S. House of Representatives—1,000 signatures

If for State Senate or State House—500 signatures.

★ Petitions may not be filed after the last day for filing of affidavits of candidacy, except to fill a vacancy. Petitions for presidential electors, requiring 2,000 signatures and no filing fee, may be accepted from the first day of filing for office up to and including the day of the state primary election in September.

## **ELECTIONS**

### **State Elections:**

★ A General Election is held in even-numbered years on the first Tuesday after the first Monday in November. Offices to be filled as terms expire are:

President and Vice President of the United States (4 yrs.)

two U. S. Senators (6 yrs.)

eight U. S. Representatives in Congress (2 yrs.)

Governor and other state executive officers (4 yrs.)

Judges of Supreme Court and District Courts (6 yrs.)

67 State Senators (4 yrs.)

134 State Representatives (2 yrs.)

County Officers (4 yrs.) and County Court Judges (6 yrs.)

★ A Primary Election is held on the first Tuesday after the second Monday in September preceding each

general election for the purpose of nominating candidates from the political parties for partisan office. When more than twice the number to be elected file for any nonpartisan office, the candidates equal to twice the number to be elected who receive the largest number of votes in the primary shall be nominated to the general election ballot.

- ★ Constitutional Amendments are submitted to the voters at a general election after being approved by a majority of the Legislature.

### **Municipal Elections**

- ★ Cities with charters set times for local elections and designate which offices are elective.
- ★ Primary elections are governed by Charter Laws or by M.S. 205.
- ★ Statutory city elections are held bi-annually on the first Tuesday after the first Monday in November in either even or odd numbered years.
- ★ Township elections are held annually on the second Tuesday in March.

### **State Special Elections**

- ★ Occur by order of the Governor to fill a vacancy in office of Representative in Congress or member of the state legislature: (Note: Vacancy in office of U. S. Senator or state executive or judicial office is filled by Governor's appointment until the next general election or until the expiration of the term as prescribed by law.)
- ★ If Congress or the Legislature is in session, the Governor issues a writ calling a special election not more than five days after official notification of the vacancy.

Date is set not more than 28 days after issuance of the writ. A primary maybe held 14 days before election.

### **Municipal Special Elections**

- ★ Called by governing body of any municipality for special purposes.

## **ELECTION OFFICIALS**

### **Secretary of State**

- ★ Accepts filing for candidates seeking election in more than one county of the state.
- ★ Certifies these candidates after nomination and election.
- ★ Prepares manuals of election laws.
- ★ Prepares and distributes guides for election officials in pamphlet form.
- ★ Prepares and distributes instructions to voters concerning various election procedures.
- ★ Supervises printing of ballots.
- ★ Prepares rules for the administration of voter registration in Minnesota.
- ★ Prepares rules for experimental and general use of voting machines.
- ★ Prepares rules for preparation of the state white ballot.
- ★ Prepares guidelines for the uniform reporting of election returns.
- ★ Provides blank forms and instructions for voters to use at the polling place on election day.



- ★ Compiles election returns from the county canvassing boards and prepares the State Canvassing Board Report.
- ★ Serves as chairperson of the state canvassing board which is composed of the Secretary of State, two disinterested justices of the Supreme Court and two disinterested judges of the district court.
- ★ Holds local seminars for election officials and the public concerning Minnesota election procedures.
- ★ Compiles annual reports of voter registration activities among the counties.
- ★ Certifies the use of voting machines and electronic voting systems in the state.
- ★ Maintains files of federal candidates/committees campaign receipts and expenditure reports. (Originals filed with Federal Election Commission).

### **County Auditor**

- ★ Accepts affidavits of candidacy from candidates running within a single county—except for municipal office.
- ★ Certifies these candidates as nominated and elected.
- ★ Accepts voter registrations.
- ★ Maintains voter registration cards.
- ★ Provides lists of registered voters, at cost, to political concerns.
- ★ Supervises printing of primary election ballots.
- ★ Supervises printing of the County and District ballot.
- ★ Chief voter registration officer in the county.
- ★ Arranges for public notice of sample ballots.
- ★ Provides for the delivery of the necessary election supplies to the precincts before the polls open on election day.
- ★ Provides election judges training sessions in many areas.
- ★ Handles absentee voting for state elections.
- ★ Certifies returns of the county canvassing board to the Secretary of State (Board consists of County Auditor, Clerk of District Court, two members of the county board of commissioners who are not candidates and the mayor of the largest municipality in the county.)

### **City and Town Clerk**

- ★ Accepts filings for municipal offices.
- ★ Supervises printing of ballots for city offices and propositions.
- ★ Assumes voter registration duties delegated by county auditor.
- ★ Accepts voter registrations.

### **Election Judges**

#### ★ Appointment

City or town governing body names one judge for every 150 voters in each precinct—provided that there are at least three judges in each precinct—and may provide for additional judges in excess of one judge for every 150 votes.

City council or town board may serve as election judges provided that there is only one precinct in the city or township.

Must be appointed from civil service lists if within a city of the 1st class. (Minneapolis, St. Paul or Duluth).

In municipalities where at least 1,000 votes were cast at the last state general election, chairmen of the political parties in that county supply the county auditor with lists of qualified voters to be considered for appointment to serve as election judges. The county auditor must then certify the names of those people to the appropriate appointing authority.

In paper ballot precincts having more than 300 voters at the last state general or primary election, a fresh set of judges shall be appointed to replace the previously acting judges who will be relieved of their duties when the polls close.

★ **Qualifications**

Must be a qualified voter in the precinct (except in Minneapolis, St. Paul and Duluth)

Must not be closely related to any other judge, a candidate for office, or member of the appointing authority.

Must not be an employee or official of the federal, state, county or city government receiving compensation or be a candidate for office.

Must be able to read, write and speak the English language understandably.

Municipal council may make rules and determine examinations to establish qualifications.

★ **Duties**

Attend instruction meeting held prior to elections in those municipalities where voting machines are used. Open polling place and make it ready for voting.

Process voting activities by:

- registering those voters who are not yet registered
- indicating on the duplicate voter registration card the fact that the voter has voted and the date.
- provide assistance to voters
- maintain order in the polling place.
- hand to and receive from each voter, the ballots, or prepare the voting machine for the voter to cast votes.

Canvass the votes at the close of the polling place and process absentee ballots—either at the close of the polls or after the last mail delivery.

## **ELECTION DAY**

★ Election precincts are established by the city or town governing body, or by the county boards in unorganized territory. Boundaries of the precincts may change from time to time provided the change is made at least 90 days before an election.

★ In voting machine precincts—each precinct, when first formed, shall contain no more than 600 voters per machine. More than one machine may be used in any precinct. Notice must appear on voting machine calling voter's attention to constitutional amendment or referendum proposal.

## **Polling Places**

★ Designated by city or town governing body; by county board in unorganized territory.

- ★ No election shall be held in any place where liquor or malt beverages are sold, in any room used as a place of resort for idlers or disreputable persons or in any room adjoining either.

### **Hours of Voting**

- ★ 7:00 a.m. to 8:00 p.m. (except in municipalities under 1,000 population located entirely outside of the Minneapolis-St. Paul seven county metropolitan area where they may shorten the hours.)
- ★ Counting of ballots before 8:00 p.m. is prohibited except in the case of absentee ballots which may be counted after the last mail delivery. In no case may partial vote totals be provided the public.  
Municipalities may designate time for municipal elections, but not for less than three hours.
- ★ National flag is to be displayed while the polls are open.
- ★ Voting by ballot shall be done without undue delay; by voting machine, within 3 minutes.
- ★ No one may remain inside the voting place except election judges, peace officers, challengers, representatives of the secretary of state or county auditor, and voters who are about to vote.
- ★ No one may campaign within 100 feet of a polling place on election day.
- ★ No one may wear political badges or insignia into the polling place on election day.

### **Related Provisions**

- ★ Every employee may take time off from work to vote in the forenoon without loss of pay at statewide general elections and special elections for Congress.
- ★ No liquor may be sold between 1:00 a.m. and 8:00 p.m. on the day of any statewide election.
- ★ No person shall be arrested by virtue of any civil process on election day.
- ★ No campaign literature may be distributed on election day nor may there be any campaign television or radio broadcasts.
- ★ You may not split your ballot nor write in the names of candidates not appearing on the ballot for the state primary election.
- ★ You may split your ballot and write in the names of candidates not appearing on the ballot for the state general election.

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Publications prepared by the Office of the Secretary of State:

- Precinct Caucuses in Minnesota: a dialogue for voters
- Minnesota's Congressional Districts
- Voter Registration in Minnesota: a citizen's right
- Filing for Office in Minnesota: 1976 Elections
- Election '76 in Minnesota: register and vote
- Election Procedures in Minnesota: a citizen's hand-book
- Minnesota Election Laws 1976
- Election Judges Guide: for Paper Ballot Precincts
- Election Judges Guide: for Lever-type Voting Machine Precincts
- Election Judges Guide: for Electronic Voting System Precincts

Above publications available from: 180 State Office Bldg., St. Paul, MN 55155, Tel. (612) 296-2805.

Compiled by  
JOAN ANDERSON GROWE, Secretary of State

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