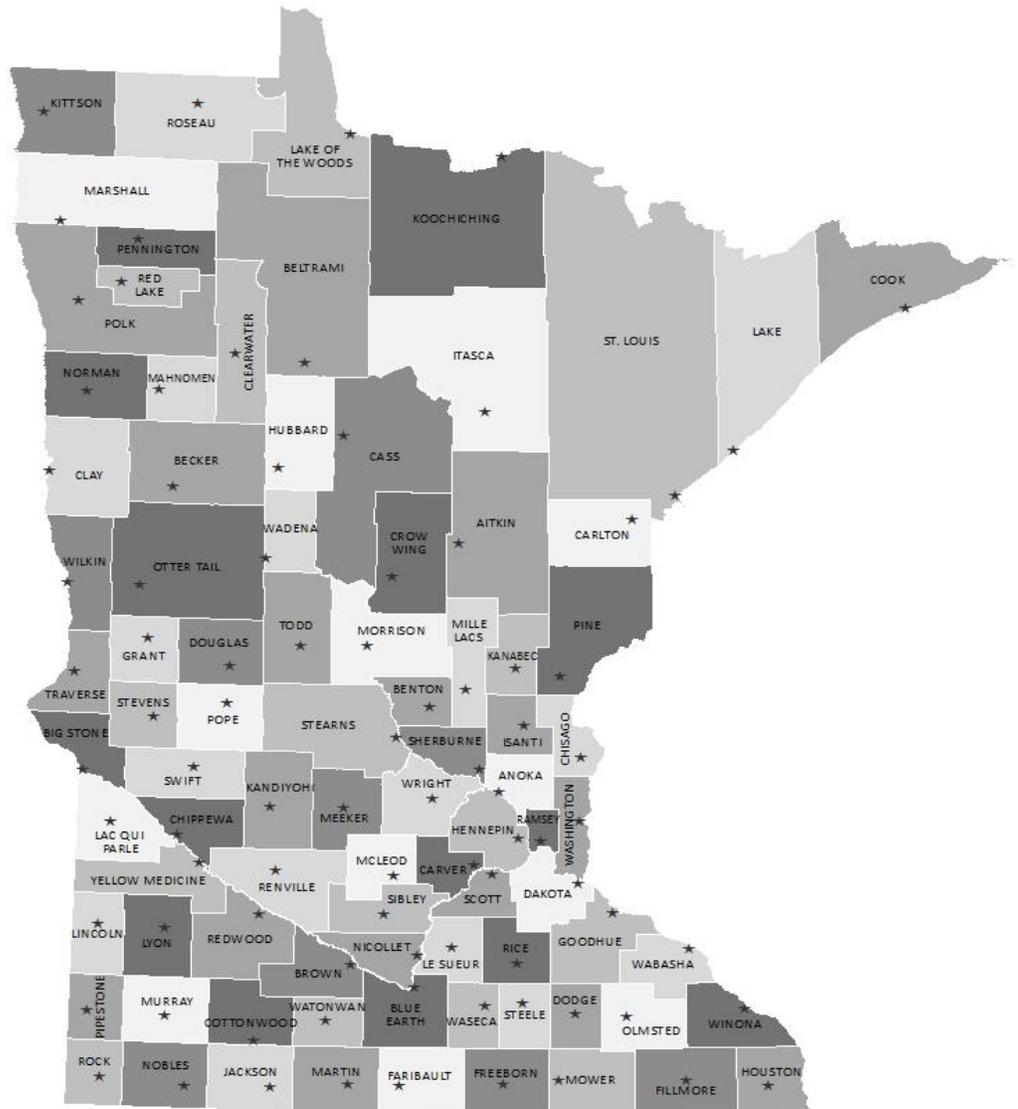


2016

COUNTY AUDITOR ELECTION GUIDE



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ABBREVIATED ELECTION ADMINISTRATION CALENDAR

This abbreviated calendar lists important deadlines related to a state election year. Each listing includes citations to Minnesota Statutes or Minnesota Rules. Minnesota Statutes and Rules are available at www.revisor.leg.state.mn.us. This calendar is not intended to provide legal advice and should not be used as a substitute for legal guidance. Readers should consult with an attorney for advice concerning specific situations.

The complete, detailed versions of the 2016 Elections and SVRS-related tasks calendars are available at the Office of the Minnesota Secretary of State Office calendar web page located at: www.sos.state.mn.us/election-administration-campaigns/election-administration/election-calendars.

May:

5-01-2016: Obtain number of registered voters for each precinct as of 8:00 a.m. Used for rotation of names on ballots. [M.S. 206.61, subd. 5](#)

5-03-2016: Last day for counties to determine if a precinct has fewer than 500 registered voters if they wish to have a minimum of three judges for state elections. [M.S. 204B.22, subd. 1](#)

5-06-2016: Last day for counties to post a notice of filing for federal, state, judicial and county offices. [M.S. 204B.33\(b\)](#)

5-10-2016: Last day for counties to publish a notice of filing for federal, state, judicial and county offices. [M.S. 204B.33\(b\)](#)

5-13-2016: County auditor shares the major political parties' lists of election judges with municipal clerks. [M.S. 204B.21, subd. 1](#)

5-17-2016 to 5-31-2016: Filing period with County Auditor for state & county offices to be elected at State General Election (federal offices file at OSS only) – not more than 84 days nor less than 70 days before the State Primary. [M.S. 204B.09, subd. 1](#)

Campaign Financial Reports: Filing officers who receive reports must post them on their public websites within 30 days of receipt of report. [M.S. 211A.02, subd. 6](#)

5-27-2016: Jurisdictions provide notification of primary election items to county auditor by this date. [M.S. 205.10, subd. 6](#); [205.16, subd. 4](#); [205A.05, subd. 3](#); [205A.07, subd. 3](#)

June:

6-01-2016: Suggest auditor runs voter registration numbers for precincts for use in determining if a town is exempt from assistive voting devices for standalone elections or if a jurisdiction qualifies to approve mail balloting. [M.S. 204B.45, subd. 1](#); [206.57, subd. 5a](#)

6-01-2016: Last day to change precinct boundary - no later than June 1 in the year of the State General Election. [M.S. 204B.14, subd. 3, subd. 4](#)

6-02-2016: Withdrawal period ends – until 5:00 p.m. 2 days after filing closes. [M.S. 204B.12, subd. 1](#)

6-10-2016 to 11-05-2016: Election Judge training courses - not more than 60 days before the state primary election or fewer than 3 days before the state general election. [M.R. 8240.1300, subp. 4](#)

6-24-2016: Electronic versions of all ballot styles and types have been transmitted to the OSS office for “My Ballot” information. [M.S. 204D.16](#)

6-24-2016: Absentee voting available for State Primary Election – during the 46 days before the election. If application is on record, all UOCAVA ballots ***must be delivered by this date***. Send confirmation e-mail to OSS when UOCAVA delivery is complete. [M.S. 203B.05, subd. 2](#); [203B.085](#); [204B.35](#)

July:

7-05-2016: County Auditor has met with local election officials – at least 18 weeks before the general election. [M.S. 204B.28, subd. 1](#)

7-19-2016: Voter pre-registration closes for State Primary – at 5:00 p.m. 21 days before the primary. [M.S. 201.061, subd. 1](#)

8-02-2016 to 8-16-2016: Candidate filings for cities & school districts without a primary, towns with November elections & hospital districts (a.k.a “late filings period”) - 98 days before election and closes 84 days before election. [M.S. 205.13, subd. 1a](#); [205A.06, subd. 1a](#); [447.32, subd. 4](#)

Cities with Hospital Districts: If a city is primary possible and has a hospital district seat up for election, they are responsible for candidate filings during this time period as well. [M.S. 447.32, subd. 4](#)

Campaign Financial Reports: Filing officers who receive reports must post them on their public websites within 30 days of receipt of report. [M.S. 211A.02, subd. 6](#)

August:

8-06-2016 & 8-08-2016: County Auditor’s office open for acceptance of absentee ballot applications and casting of absentee ballots – from 10:00 a.m. to 3:00 p.m. on the Saturday before the election and until 5:00 p.m. on the day before the election. [M.S. 203B.085](#)

8-09-2016: State Primary Election Day – The 2nd Tuesday in August. [M.S. 204D.03](#)

8-11-2016 to 8-12-2016: County Canvassing Board canvasses the Election returns – on the 2nd or 3rd day following the state primary. Auditor submits an electronic copy of signed state canvass report to OSS AND mails an original to the OSS immediately following meeting. If meeting is held later in the day, coordinate with express delivery service or meet earlier in the day. Summary statements are no longer sent. [M.S. 204C.32, subd. 1](#); [204C.37](#)

8-26-2016: Jurisdictions provide notification of general election items to county auditor by this date. [M.S. 205.16, subds. 4 & 5](#); [205A.07, subds. 3, 3a & 3b](#); [447.32, subd. 3](#)

September:

9-20-2016: Voting history from primary elections must be posted. [M.S. 201.171](#)

9-23-2016: Absentee ballots available for General Election – 46 days before general election. If application is on record, all UOCAVA ballots **must be delivered by this date**. Send confirmation e-mail to OSS when UOCAVA delivery is complete. [M.S. 203B.05, subd. 2](#); [203B.085](#); [204B.35](#)

October:

10-09-2016 to 11-07-2016: Presidential (only) ballot time period. [52 USC 10502](#)

10-18-2016: Last day to pre-register for November General Election – closes at 5:00 p.m. 21 days before the general election. [M.S. 201.061](#)

November:

11-05-2016 & 11-07-2016: County Auditor’s office open for absentee voting – open from 10:00 a.m. to 3:00 p.m. on the Saturday before and until 5:00 p.m. on the day before the general election. [M.S. 203B.085](#)

11-08-2016: General Election Day – the 1st Tuesday after the 1st Monday in November. [M.S. 204D.03](#)

11-11-2016 to 11-18-2016: County canvassing board meets and canvasses the State General Election – between the 3rd and the 10th day following the general election. Auditor submits an electronic copy to OSS and delivers a signed state canvass report (including write-in canvass) immediately following meeting. If meeting is held later in the day, coordinate with express delivery service or have the meeting earlier in the day. No longer send summary statement. [M.S. 204C.33, subd. 1; 204C.37](#)

11-18-2016: Local ordinances related to campaign signs can now be enforced. [M.S. 211B.045](#)

11-19-2016 to 11-25-2016: PER Phase I time period. [M.S. 206.89, subds. 2-3 & 6-7](#)

11-19-2016 to 11-27-2016: PER Phase II time period. [M.S. 206.89, subds. 4 & 5](#)

11-19-2016 to 12-04-2016: PER Phase III time period. [M.S. 206.89, subd. 5](#)

11-19-2016 to 12-18-2016: PER Phase IV time period. [M.S. 206.89, subd. 5](#)

11-29-2016: State Canvassing Board meets at the Office of the Secretary of State (OSS) to canvass the certified copies of the county canvassing board reports – on the 3rd Tuesday following the State General Election. [M.S. 204C.33, subd. 3](#)

December:

12-19-2016: Presidential Electors meet and give their votes for President & Vice President. [3 USC 7](#)

12-20-2016: Last day to post voting history for general election. [M.S. 201.171; 201.121](#)

12-20-2016: Last day for county auditors to meet or otherwise communicate with town election officials about March township election administration. [M.S. 204B.28, subd. 1](#)

January:

1-2-2017: Terms begin for all county and state officers elected at the November State General Election – the 1st Monday in January of the odd numbered year following their election. [M.S. 204D.02, subd. 2](#)

1-4-2017: First day to hold special elections after state elections. [M.S. 205.10, subd. 3; 205A.05, subd. 1\(b\)\(1\); 447.32, subd. 2](#)

1-6-2017: Counties report to OSS combined number of UOCAVA ABs transmitted to voters and the number of UOCAVA ABs returned and cast. [M.S. 203B.19](#)

1-13-2017: OSS provides legislature statistical report related to AB voting for general election. [M.S. 203B.28](#)

February:

2-6-2017: Last day for OSS to report to the EAC the number of UOCAVA ABs transmitted to voters. [M.S. 203B.19](#)

March:

3-1-2017: OSS reports to the legislature the number of non-deliverable EDR PVCs of state elections. [M.S. 201.121, subd. 3](#)

3-3-2017: County commissioners elected at general election file statement of economic interest with the Campaign Finance and Public Disclosure Board within 60 days of taking office. [M.S. 10A.01, subds. 22 & 24; 10A.09, subd. 1\(1\) & \(2\); 473.121, subd. 2](#)

LIST OF ELECTION ACTIVITIES BY MONTH

January	<ul style="list-style-type: none"> • Confirm contact information of local jurisdiction’s clerk/election official. • Confirm jurisdiction’s election schedule, odd or even year general elections? Primary possible jurisdictions? • Confirm offices that are scheduled to be on local jurisdiction’s general ballot. • Inquire as to special elections, vacancies, change in election schedules, change in primary possibility, etc. • If annual town elections are scheduled, meet or otherwise communicate with clerks. Confirm AB voting activities. • Confirm ballot vendor and ballot ordering details for the year.
February	<ul style="list-style-type: none"> • If annual town elections, assist with AB voting materials. Review procedures on non-SVRS AB Voting procedures. Provide paper master lists. • If annual town election poll place has changed, assist town with notice to households.
March	<ul style="list-style-type: none"> • If annual town elections, provide rosters and Election Day materials as required by statutes. • Review current stock of election materials.
April	<ul style="list-style-type: none"> • Many election year materials, guides, calendars are updated for the year’s election cycle and placed on OSS web pages. • Even years, OSS Auditor’s Conference. • “Primary possible” candidate filing notices. Even years include federal and state offices in notices. • Prepare candidate filing materials. • Check AB voting supplies and replenish if needed.
May	<ul style="list-style-type: none"> • Even years, many OSS election year paper materials are delivered to Auditor’s Office for distribution to local jurisdictions. • Even years, major political parties’ election judge lists are made available in SVRS to be distributed to municipalities. • “Primary possible” candidate filings. • Primary ballot preparation. In odd years, might assist local jurisdictions with ballot ordering. • Prepare absentee voting materials. • Review any law changes and assess impacts on election policies and procedures.
June	<ul style="list-style-type: none"> • Wait until leg. session is over before ordering or making copies of forms. • Absentee voting for primary elections begins. UOCAVA ballots are distributed by 46 days. • Odd years, providing master lists to jurisdictions with primaries for non-SVRS AB voting and administer UOCAVA ABs.
July	<ul style="list-style-type: none"> • Primary AB voting continues. • Election judge training. • Notices of candidate filings for jurisdictions that are not “primary possible.”
August	<ul style="list-style-type: none"> • Voting equipment testing. • Primary elections. Canvass meetings. Notices of nomination. • “Late” candidate filing period. • Begin preparing general election ballots.
September	<ul style="list-style-type: none"> • Even years, debrief meetings with head judges and clerks. • Review previous years’ election items and determine if retention period is over. • AB voting for general begins. UOCAVA ballots are distributed by 46 days.
October	<ul style="list-style-type: none"> • AB voting for general continues. • Voting equipment testing.
November	<ul style="list-style-type: none"> • General Election. Canvass meetings. Certificates of election. • Touch base with towns with annual elections to ensure that notices of candidate filings are correct.
December	<ul style="list-style-type: none"> • If annual town elections, notices of candidate filings and candidate filings begin.

RETENTION AND SECURITY OF ELECTION MATERIALS

There are numerous statutes and rules regarding the retention and safeguarding of election materials:

<p>Secured and sealed in ballot boxes and precinct supply boxes</p>	<ul style="list-style-type: none"> • All ballots cast and counted in original sealed envelopes. M.S. 204C.27; 204C.28; 209.05; M.R. 8235.0400; 8235.0600 • All precinct summary statements. M.S. 204C.27; 204C.28 • All defective ballots not counted in original sealed envelopes. M.S. 204C.23; 204C.25; 204C.27; 204C.28 • All spoiled and unused ballots. M.S. 204C.27, 204C.28 • All electronic voting systems and counting programs. • All polling place rosters and completed election day registration applications. M.S. 204C.27 • All county auditor records of materials delivered to them after completion of voting. M.S. 204C.28 • All county canvassing board reports. M.S. 204C.33 • All records of access to ballots. M.S. 204C.28 • All lists submitted by residential facilities and educational institutions pursuant to M.S. 135A.17 & 201.061, subd. 3 • All election day challenges to voters pursuant to M.S. 204C.12. • All precinct incident logs. M.S. 204C.27; 204C.28 • All absentee ballot applications. M.S. 203B.06 • All absentee and mail ballot return envelopes. M.S. 203B.08; 203B.12 • Any voting machine tape reports recording the votes cast on Election Day in each precinct. M.S. 204C
<p>Other materials that have varying retention schedules</p>	<ul style="list-style-type: none"> • Pre-election accuracy test results, including copies of any machine tapes generated as part of the process, or copies of any other similar documented means of verification. M.S. 206.83 • All voter registration applications. M.S. 201.081 • All records of notices of late, incomplete and deficient registrations. M.S. 201.061, M.R. 8200.2900; 8200.3100; 8200.3110 • All records of notices of ineligibility for registration. M.S. 201.061, subd. 7 • All reports of deceased voters, name changes, felony convictions, guardianships and commitments. M.S. 201.13 through 201.155 • All records of notices of challenge removal. M.R. 8200.3550 • All records of notices of application removal. M.R. 8200.3700 • All challenges to voter registration submitted pursuant to M.S. 201.195. • Copies of post-election machine audits, including machine tapes generated as part of the process, or copies of any other similar documented means of verification. M.S. 206.89
<p>During a contest period it is suggested:</p>	<ul style="list-style-type: none"> • Communicating with all county staff about the importance of preserving and/or protecting any election items. • Search all offices and premises under the auditor’s jurisdiction and authority, including computer networks, to ensure that all documents, materials and election items are preserved and protected. • Except when conducting official or court ordered tasks, the ballots remain under lock and key at all times. No less than two official elections staff enter the room at any time. A room-access log, including the time, date and purpose, shall be kept. No “visual guards” posted pursuant to M.S. 209.05 may enter the ballot storage room at any time. • A copy of the county’s security policy should be posted on the ballot storage room.

1.0 INTRODUCTION

This guide is designed to aid county auditors and their staff in the administering of elections. Please use this guide along with the Office of the Minnesota Secretary of State (OSS) publication “Minnesota Election Laws.” Citations in this guide refer to the Minnesota election laws (M.S. citations) or rules (M.R. citations). Full text of the Minnesota election laws and rules can be found at the Minnesota Office of the Revisor of Statutes web pages located at:

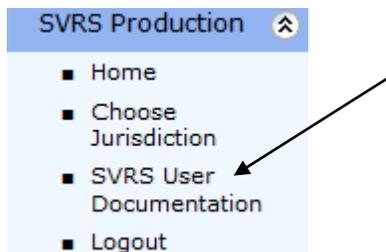
www.revisor.leg.state.mn.us/

This guide focuses on the election duties performed by auditors. However, given the high level of coordination needed with clerks in cities, townships and school districts, many of their responsibilities are noted as well. For a more comprehensive view of election administration in Minnesota, we refer you to the following election guides:

- City Clerk Election Guide
- Township Clerk Election Guide
- School District Clerk Election Guide
- Election Judge Guide
- Voting Equipment Testing Guide
- Absentee Voting Administration Guide
- Mail Voting Guide
- Recount Guide
- Campaign Manual
- Post Election Review Guide
- Train the Trainer Guide
- Election Terminology Guide

These guides, training materials and other publications are updated periodically. Current editions are available at the Office of the Minnesota Secretary of State Election Guides web pages located at: www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/

In addition, there are several user documents and electronic presentations on the use of the Statewide Voter Registration System (SVRS). You may find a library of instructions under User Documentation in SVRS:



Please contact this office if you have comments on how this publication could better support the needs of county auditors.

County Auditor and staff can contact the OSS with election related questions at 651-201-1338 or by e-mail to elections.dept@state.mn.us.

2.0 STATEWIDE VOTER REGISTRATION SYSTEM (SVRS)

The Statewide Voter Registration System (SVRS) is used to maintain the voter registration data for every voter in the state of Minnesota. The county auditor is the chief registrar of voters and the chief custodian of the official voter registration records for their county ([M.S. 201.081](#)). SVRS is required to be accessible to the county auditor of every county in the state ([M.S. 201.022](#)) and is used to perform the following tasks:

- Voter Registration
 - Searching for registered voters
 - Adding, updating & maintaining voter records
 - Processing DVS transfers
 - Processing online VRA & FPCA applications
 - Processing DOH transfers
 - Processing COA records
 - Processing court events from district courts
 - Processing Social Security Death Index records
 - MDL/SSN verification
 - Processing election day registrations
 - Sending Postal Verification Cards & Nation Change of Address (NCOA) notices
 - Processing returned Postal Verification Cards
 - Printing correspondence letters to voters
- Absentee and Mail Ballots
 - Processing Online UOCAVA & regular AB applications
 - Producing mail ballot records
 - Entering absentee ballot applications
 - Uploading AB application images
 - Printing labels for absentee & mail ballots
 - Processing returned absentee & mail ballots
- Elections
 - Election set up
 - Roster set up
 - ePollbook file uploads
 - Posting voter history
 - Posting late history
- Precincts and Polling Places
 - Maintaining precincts and polling places
 - School district stand alone election poll place combinations
 - Setting up election districts
- Address Ranges
 - Viewing and updating precinct finder data
- Reports
 - Running voter registration, absentee ballot, administrative reports, etc.
 - Accessing monthly DOC reports
 - Viewing pending applications and online records information

- Profiles
 - Managing SVRS user accounts
 - Maintaining municipal and school district profiles
 - Maintaining the profiles of residential facilities
- Security
 - Changing passwords
 - Setting up security questions (password self-help)
- Session Information
 - Name of SVRS server you are currently using
 - IP address of your computer
 - Current version of SVRS

If you have SVRS technical support issues, please contact our office by Customer Portal at:
<https://sf105 soffront.com/MINNESOTAPORTAL/Login.aspx?ReturnUrl=%2fMINNESOTAPORTAL%2fPortalHome.aspx>

If you have any problems logging into the customer portal, please contact our office by e-mail at elections.dept@state.mn.us or by phone at 651/215-1440. Please do NOT use the Contact Support choice on the screen.

WELCOME TO THE OFFICE OF THE
Minnesota
Secretary of State Customer Portal

Email:

Password

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3.0 ELECTION TRAINING

3.1 ELECTION TRAINING OVERVIEW

All city clerks, township clerks, school district clerk, their staff and all election judges are required to successfully complete election training and certification before performing their election duties.

- The OSS provides election administration training and certification for county auditors and their election staff. [M.S. 204B.27, subd. 10](#); [M.R. 8240.2900](#)
- The county auditor has a primary responsibility for providing training and certification for municipal and school district clerks and election judges, although election judge training duties may be assigned to the city and township clerks. [M.S. 204B.25](#)

At least 18 weeks before each regularly scheduled general election and 12 weeks before the March township elections, the county auditor must conduct a meeting or otherwise communicate with local election officials to review the procedures for the election. The county auditor may require the head election judges in the county to attend this meeting. [M.S. 204B.28, subd. 1](#)

The OSS provides each county auditor with materials for use in training local election officials and election judges. These materials are updated periodically. Current editions are available at the Office of the Minnesota Secretary of State Election Guides web pages located at www.sos.state.mn.us/election-administration-campaigns/election-administration/. [M.S. 204B.27, subd. 10](#)

Counties, or their designees, must develop training plans that outline who will conduct training, training dates, projected attendance, topics to be covered and materials to be used at each training session. The plan should be kept available for public inspection.

Counties, or their designees, must also keep a record of the training that each election judge has received and arrange to issue a certificate of training to each judge who completes training. [M.R. 8240.2100](#); [8240.2300](#); [8240.2400](#)

3.2 AUDITOR TRAINING AND CERTIFICATION

The OSS conducts a training and certification program for county auditors and their staff members, maintains a record of related training and issues a certificate upon completion of training. County auditors and staff must meet the following training requirements to become certified as elections administrators:

- Initial certification
 - all new staff must complete 15 hours of training within one election cycle to receive an initial certification of election administration
 - each election cycle begins on January 1 of an even-numbered year and ends on December 31 of an odd-numbered year
- Annual certification requirement
 - to maintain certification, county officials must complete an additional two hours of election training during *each calendar year following their initial certification*
 - this training is given by the OSS and must be completed before the expiration of the auditor's certification
 - the auditor provides proof to the OSS that they have completed this certification requirement
- "Train the trainer" session
 - before each state primary election, each county auditor or municipal election official (if election judge training duties have been delegated) must attend training on adult education

methods conducted by the OSS. The OSS provides the “Train the Trainer” guide for this purpose. It is found at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-judge-training/.

- Emergency training
 - the OSS will conduct emergency election administration training for a county auditor who has taken office less than two months before an election [M.R. 8240.1100](#); [8240.2900](#)

County elections administrator training includes:

- new laws, rules, forms or procedures
- state voter registration system
- candidate filings
- campaign practices
- campaign financial reporting
- the election calendar
- ballot preparation
- election judge recruitment and duties
- mail elections
- absentee voting
- Election Day activities
- election night reporting
- recounts and post-election activities
- municipal and school district clerk responsibilities
- adult training methods [M.R. 8240.2900](#)

Up to 13 of the 15 required training hours for initial certification, and one of the two required annual maintenance training hours, may be from alternate training sources other than the OSS. This training would cover one or more of the topics listed above. Alternate training may include election administration training sessions performed by organizations like the [Minnesota School Board Association \(MSBA\)](#), conducting election judge training, or attending any type of election judge training sessions performed by your own county. The time spent attending “Train the Trainer” sessions does not count towards certification or maintenance. [M.R. 8240.2900, subp. 5](#); [8240.2900 subp. 6](#)

Most auditors and designees will obtain their initial training certification hours at the Auditor’s Conference held before state elections. The training conference is recorded and placed in SVRS User Documentation so that it can be reviewed by those who did not attend the conference. The recorded conference and other training materials within SVRS User Documentation are all approved for certification training hours.

To receive credit for alternate training, provide the OSS with attendance verification and a course description indicating the amount of time spent on the above listed topics. [M.R. 8240.2900, subp. 5](#)

3.3 CITY AND TOWNSHIP CLERK TRAINING AND CERTIFICATION

City and township clerks who serve as the local election administrators must be trained and certified before they may administer elections:

- Initial certification
 - requires successful completion of 5 hours of training
 - is good for the election cycle in which it is earned and through the following election cycle

- each election cycle begins on January 1 of an even-numbered year and ends on December 31 of an odd-numbered year
- Certification maintenance
 - to maintain certification to administer elections, city and township clerks need to complete 4 hours of election training during the election cycle following their initial certification and every 2 years thereafter
 - training may be provided by county auditor or by the OSS
- “Train the trainer” course
 - if the clerk will be training election judges, in addition to the initial training or maintenance training, the clerk must complete a “train the trainer” course, conducted or approved by the OSS, before each state primary election; and emergency training
- Emergency training
 - a municipal clerk who has taken office less than six months before an election may administer that election after completing two hours of emergency training conducted by the home county auditor or the OSS. [M.S. 204B.25, subd. 4](#); [M.R. 8240.0100, subp. 2](#); [8240.1100](#); [8240.2700](#)

Clerk election training addresses the following:

- candidate filings
- campaign practices
- campaign finance
- election calendar
- ballot preparation
- election judge recruitment & duties;
- notice requirements
- voting systems
- mail elections
- absentee voting
- local procedures
- post-election duties [M.R. 8240.2700, subp. 5](#)

Up to four of the five training hours for initial certification, and three of the four training hours for certification maintenance, may be from other sources, subject to the approval of the home county auditor. Time spent attending, or teaching, election judge training may be counted toward a clerk’s initial certification or biennial certification maintenance requirement, however, “train the trainer” sessions may not be counted toward these requirements. The county auditor will issue election administrator certificates and maintain a record of related training for municipal clerks in the county. [M.S. 204B.25](#); [M.R. 8240.2700, subp.6](#); [8240.2700, subp. 7](#)

3.4 SCHOOL DISTRICT CLERK TRAINING AND CERTIFICATION

School district clerks who serve as the local election administrators must be trained and certified before they may administer elections ([M.S. 204B.25, subd. 4](#), [M.R. 8240.2800, subp. 1](#)):

- Initial certification
 - initial certification requires successful completion of 5 hours of training and is good for the election cycle in which it is earned and through the following election cycle
 - each election cycle begins on January 1 of an even-numbered year and ends on December 31 of an odd-numbered year

- Certification maintenance
 - to maintain certification to administer elections, school district clerks need to complete 4 hours of election training during the election cycle following their initial certification and every 2 years thereafter; training may be provided by county auditors or by the OSS
- Emergency training
 - a school district clerk who has taken office less than 6 months before an election may administer that election after completing 2 hours of emergency training given by the home county auditor or by the OSS. [M.R. 8240.0100, subp. 2; 8240.2800](#)

School district clerk election training addresses the following:

- candidate filings
- campaign practices
- campaign finance
- election calendar
- ballot preparation
- election judge duties
- notice requirements
- voting systems
- mail elections
- absentee voting
- local procedures
- post-election activities [M.R. 8240.2800, subp. 5](#)

Up to four of the five training hours for initial certification, and three of the four training hours for certification maintenance, may be from other sources, subject to the approval of the home county auditor. Time spent attending election judge training may be counted toward a clerk’s initial certification or biennial certification maintenance requirement. As the auditor you will issue election administrator certificates for the school districts located in your county. [M.S. 204B.25; M.R. 8240.2800; 8240.2800, subp. 6; 8240.2800, subp. 7](#)

3.5 ELECTION JUDGE TRAINING

3.5.1 Administration

All election judges must complete training, demonstrate their knowledge, and be certified before serving in an election. Student trainee election judges (16-17 year olds) complete the same training as all other election judges. County auditors are responsible for training all election judges who serve within their county. Auditors may delegate the training responsibility to city and township clerks (but not to school district clerks). Each trainer keeps a record of the training each election judge has completed. The trainer must give a certificate to each election judge who successfully completes a training course. If the clerk will be conducting election judge training, the clerk or a designee must attend an adult education (“train-the-trainer”) training provided by the OSS. [204B.25; M.R. 8240.1300; 8240.1655; 8240.2100](#)

Working through the county auditors, the OSS provides copies of the Minnesota Election Judge Guide and other training materials to cities. Current editions of guides and training materials are available on the OSS Election Guides webpage located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/. Clerks must arrange to have at least one Election Judge Guide available in each polling place on Election Day. The training

authority, whether auditor or clerk, must develop a training plan that outlines the staff and resources assigned to training, the dates, topics to be covered, and materials to be used. The plan should be kept available for public inspection ([M.R. 8240.2400](#)). The training includes:

- Basic training course
 - all election judges must complete a 2-hour basic training course every 2 years
- Maintaining certification
 - a person must successfully complete the basic training course once every 2 years to remain qualified to serve as an election judge
- Additional training
 - after completing the basic training course, judges may need to complete additional training if they will be administering health care facility voting or serving as a head judge. [M.R. 8240.1300, subp. 1; 8240.1350; 8240.1400](#)

3.5.2 Election Judge Certification

Election judge training is two hours long and covers the following topics:

- eligibility
- training & assignment
- new laws, rules, forms & procedures
- role of head election judge
- preparations on election day before polls open
- poll opening activities
- greeting & directing duties
- roster duties
- challenge process
- providing assistance to voters with disabilities
- operation of voting equipment
- vote tabulation duties
- closing the polls [M.S. 204B.25; M.R. 8240.1600](#)

The county, municipal or school district official administering the election in which an election judge is working may adopt additional training requirements reasonably related to the ability to perform election judge duties in that election. [M.S. 204B.25, subd. 2; M.R. 8240.1600, subp. 2](#)

3.5.3 Head Election Judge Training and Certification

In order to be certified as a head election judge, in addition to basic election judge training and certification, an individual must complete an additional hour of training every two years.

This training will include the following topics:

- duties before election day
- training & assignment
- new laws, rules, forms & procedures
- preparations on election day before polls open
- polling place opening activities
- use training materials to find answers to question on election day
- helping election judges work together on election day
- using voting equipment
- handling emergencies

- preparing election returns
- returning election materials to the local election official [M.R. 8240.1750](#)

In-Service Review: After each primary election and before each ensuing general, special or municipal election, the training authority shall confer or correspond with the head election judge of each precinct to review problems or questions encountered at the primary. The training authority shall analyze problems indicated by the election returns, incorrect registrations, election judge comments or voter complaints and shall answer questions of the head judges. [M.R. 8240.2500](#)

3.5.4 Health Care Absentee Election Judge Training and Certification

In order to be certified as a health care facility (HCF) absentee election judge, in addition to the basic election judge training, an individual must complete another hour of training every two years.

The health care facility absentee voting course shall be at least one hour long and cover the following topics:

- who is eligible to vote absentee from health care facilities
- the application process, including methods for providing proof of residence
- voter registration
- providing assistance to voters
- voting procedures
- names & addresses of eligible facilities name of contact person at each facility
- transporting the materials & voted ballots [M.R. 8240.1800](#)

3.5.5 Absentee Ballot Board Election Judge Training

In order to serve as an election judge on an absentee ballot board, individuals must be appointed as provided in [M.S. 204B.19 to 204B.22](#) and trained on the handling and processing of absentee ballots. It is recommended that this be a one-hour training that covers all aspects of the handling and processing of absentee ballots.

This board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots. [M.S. 203B.121, subd. 1](#)

3.5.6 Mail Ballot Board Election Judge Training

In order to serve as an election judge on a mail ballot board, individuals must be trained on the handling and processing of mail ballots. This board will also examine and mark “accepted” or “rejected” mail and absentee ballots of the precinct.

This board may include deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots. [M.S. 204B.45, subd. 2; 204B.46](#)

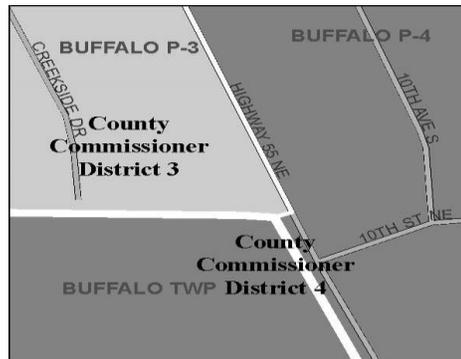
A Mail Voting Guide and a new Absentee Voting Administration Guide provide more details regarding the duties of absentee and mail ballot boards and are provided to be used by county auditors and municipal clerks as training materials. They are found at the OSS Election Guides webpage located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/.

4.0 PRECINCTS

County election officials must know when municipal governments change precinct boundaries to ensure that voter registration records for affected voters in SVRS and the related online precinct finder are updated. The address ranges that individual voters are tied to in SVRS must be kept up to date. [M.S. 201.022](#); [M.R. 8200.2600](#)

4.1 WHAT ARE PRECINCTS?

Precincts are the basic geographical areas for organizing and administering elections. The graphic below shows three different precincts: Buffalo P-3, Buffalo P-4 and Buffalo Twp



Precinct boundaries are established by the governing body of each municipality, and the county board in unorganized territories. City councils and township boards establish precinct boundaries as the result of various requirements in state statutes and also to suit the needs of the community. At a minimum, each municipality must be at least one precinct; additional precincts are necessary if the municipality is divided by a county, county commissioner, legislative or congressional district boundary. Within these broad requirements, municipalities may create as many or as few precincts as suits the community. Precincts are not tied to population size. However, precincts sized much beyond 2,000 registered voters become difficult to manage. [M.S. 204B.14](#)

4.2 PRECINCT BOUNDARY CHANGES

The municipality (or county board for unorganized territories) may make precinct boundary changes at any time except:

- after January 1 of a year ending in 0 until after the legislature has been redistricted in a year ending in 1 or 2. See [M.S. 204B.14, subd. 3](#) for exceptions (a) through (d).
- after June 1 of state election (even) years
- within 10 weeks before the next election [M.S. 204B.14, subs. 3 & 4](#)

Precinct lines must not cross city, ward, county, county commissioner, legislative or congressional district boundaries. When municipalities are further subdivided into 2 or more precincts, the boundary between 2 precincts should follow “visible, clearly recognizable physical features” or the jurisdictional boundaries (M.S. 204B.14, subd. 6 was repealed in 2015). Examples of recognizable physical features include streets, rivers and railway rights-of-way. Precinct boundaries may also follow school district boundaries that are lacking a recognizable physical feature. If necessary, 2 precincts may be formed which share a boundary that is not located on a recognizable physical feature, as long as the boundary of the 2 precincts combined is entirely located on recognizable physical features or jurisdictional boundaries. The names of these 2 precincts are ***no longer required*** to reflect their adjoining relationship (e.g. 1A, 1B) (M.R. 8255.0020 repealed in 2016). [M.S. 204B.14, subs. 2 & 3](#)

The municipal clerk (or county board for unorganized territories) must provide the following notification after a boundary change occurs:

- the municipal clerk must immediately notify the county auditor and the OSS
- the municipal clerk must file a corrected base map with the county auditor and the OSS within 30 days after the boundary change was made
- post a notice of the change for at least 56 days; the change cannot go into effect until a notice has been posted for the 56-day period
- if polling locations change, make arrangements with the county auditor to notify the affected voters and their households of the change [M.S. 204B.14, subd. 5](#)

The county auditor must use the corrected map filed by the municipal clerk to update the precinct finder in SVRS. The corrected map and precinct finder must be made available for inspection. If a municipality makes a change to the boundary of an election precinct (or if an annexation occurs affecting a precinct boundary) the auditor must notify each school district with territory affected by the boundary change at least 30 days before the effective date of the change. [M.S. 204B.14, subd. 5](#)

4.2.1 Maps

The map information sent to the OSS is used to update the statewide database of precinct and election district boundaries. The precinct map data is used by a variety of state agencies and is available to the public for download.

A variety of maps are available for download and are formatted to print on 8 ½ x 11-sized paper. These maps can be found at the Office of the Minnesota Secretary of State's Maps website located at www.sos.state.mn.us/election-administration-campaigns/data-maps/ordering-maps/.

Printed maps are also available from OSS for the cost of production. A form to order these maps is also found at the noted Maps website. [M.S. 204B.146](#)

4.3 ANNEXATIONS & PRECINCT BOUNDARY CHANGES

A common trigger event for precinct boundary changes is municipal annexation, which usually goes through the [Minnesota Boundary Adjustments Unit](#) of the Office of Administrative Hearings. The Minnesota Boundary Adjustments staff works with property owners, local governments and state agencies to review and facilitate municipal boundary adjustments. After an annexation has occurred affecting a precinct boundary, the municipal clerk must comply with the precinct boundary change requirements in [M.S. 204B.14, subd. 5](#) described in section 4.2 of this guide. Annexed territory may be incorporated into the existing adjacent precinct if the new precinct meets all legal requirements and the pre-annexation municipal boundary was not coterminous with a county, county commissioner, legislative or congressional district boundary. Coterminous boundaries have a boundary in common. In the graphic in Section 4.1, the boundaries of the Buffalo W-3 precinct are coterminous with the boundaries between County Commissioner Districts 3 and 4.

If the pre-annexation municipal boundary was coterminous with a county, county commissioner, legislative or congressional district boundary, a new precinct must be created. If the affected territory is contiguous with the municipal boundary, is in the same county and contains 50 or fewer registered voters, the OSS may move the boundary to be coterminous. Please call the Elections Division at (651) 215-1440 or 1-877-600-8683 for more information on the process of obtaining a Boundary Adjustment Order from the OSS. [M.S. 204B.14, subd.5; 204B.146, subd. 3](#)

A change in the boundary of a precinct that has occurred as a result of a municipal boundary adjustment that is effective more than 21 days before a regularly scheduled election takes effect at the scheduled election. A change that is effective less than 21 days before a regularly scheduled election takes effect the day after the scheduled election. [M.S. 204B.14, subd. 4a](#)

4.4 HOUSE NUMBER & STREET ADDRESS CHANGES

If a municipality administratively changes the number or name of a street address of an existing residence, the municipal clerk shall promptly notify the county auditor and the county auditor shall immediately update the voter records of registered voters in SVRS to reflect the change. A municipality must not make a change to the number or name of a street address of an existing residence effective during the 45 days prior to any election in a jurisdiction which includes the affected residence. [M.S. 201.11, subd. 2](#)

For additional information on boundary changes and annexations see the Redistricting information available at the [Minnesota Legislative Reference Library](#).

5.0 POLLING PLACES

5.1 POLLING PLACE DESIGNATION

The governing body of municipalities and school districts making the polling place designations must designate, by ordinance or resolution, a polling place for every precinct. Changes cannot be made less than 90 days before the next election, including school district elections or referenda, nor anytime between the state primary and state general election.

The polling place designation remains in effect until the governing body makes a new designation. When there is a change in polling place location, households with at least one registered voter that are affected by the change must receive a notice of the changed location by nonforwardable mail at least 25 days before the next election. The county auditor is notified of polling place changes when they are made, so county staff can update the polling place in SVRS and work with the governing body to appropriately notify voters by the 25-day deadline. [M.S.204B.16, subd. 3;](#) [204B.16 subd. 1a](#)

5.1.1 Polling Place Facilities

Public entities shall make their facilities available for the holding of city, county, school district, state and federal elections, subject to the approval of the local election official. [M.S. 204B.16, subd. 6](#)

All polling places must be:

- fully accessible (see Section 5.5)
- large enough to accommodate the election activities
- free of other, non-election activities
- smoking free
- liquor free and not next to a liquor service area
- located within the precinct except:
 - metropolitan area cities, towns, and schools may locate a polling place outside the precinct if it is within 1 mile of the precinct boundary or if it is part of a combined polling place (see the section 5.2 below)
 - non-metropolitan towns and schools may locate polling places up to 5 miles outside the precinct boundary. [M.S. 144.414;](#) [200.02, subd. 24;](#) [204B.16;](#) [473.121](#)

Note: Governing bodies using school district buildings as polling places should contact the school district annually to verify that their security requirements have not changed.

5.1.2 Emergency Polling Place Designation

The only exception to what is in 5.1 above is when an emergency renders the original polling place unusable, the election judges can move the polling place (with permission of the administering clerk or county auditor) to another nearby location. [M.S. 204B.16, subd. 3](#)

Election judges must do the following when designating an emergency polling place designation:

- meet at original location on election day
- fill election judge vacancies
- announce the polling place change to any voters who show up at original location
- post notice indicating the polling place change (must be easily seen by voters in vehicles)
- meet at new polling place and post notice indicating the change [M.S. 204B.17](#)

5.2 COMBINED POLLING PLACE

Under certain circumstances, governing bodies may combine polling places into a single, accessible location with a single team of election judges. A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body or, in the case of multiple municipalities, all governing bodies. Separate ballot boxes and separate returns are kept for each precinct involved.

The following circumstances allow for the establishment of a single, accessible, combined polling place no later than May 1st of any year:

- for any city of the third or fourth class, any town or any city having territory in more than one county in which all the voters of the city or town shall cast their ballots
- contiguous precincts in the same municipality
- up to four contiguous cities and townships located outside the metro area that are located in the same county
- noncontiguous precincts located in one or more counties subject to approval of both the governing body of each municipality and the secretary of state, and
- mail election precincts, in which case the designation by the municipality or the auditor of only 1 centrally-located polling place is required (see Mail Elections Guide) [M.S. 204B.14, subd. 2; 204B.45, subd. 1](#)

Note: The “metropolitan area” is defined as Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington and Wright counties. [M.S. 200.02, subd. 24](#)

5.3 VOTER NOTIFICATION OF POLLING PLACE CHANGE

When municipalities change polling places, in addition to notifying the auditor to update SVRS, they also must notify, at the least, all affected households with at least 1 registered voter by a non-forwardable mailing no later than 25 days before the next election. [M.S. 204B.16, subd. 1a](#)

There are multiple ways to provide the required voter notification:

- The clerk may request the county auditor* to mail a Postal Verification Card (PVC) to all households with at least 1 registered voter in the affected precincts
- The clerk may request the county auditor* to mail a PVC to all the affected registered voters in the affected precincts
- The clerk may purchase household address labels** from the OSS to send their own notification to all affected households with at least 1 registered voter
- The clerk may purchase registered voter address labels** from the OSS to send their own notification to all affected, registered voters.

***County Auditors:** Make sure that the new polling place information has been completely and accurately updated in SVRS before requesting a batch of PVCs to be mailed out with the new polling place information.

UPDATE POLLING PLACE

Polling Place Type: Normal
Polling Place Name: **AITKIN CITY HALL** County: Aitkin Building Name: _____
Contact First Name: _____ Last Name: **AITKIN COUNTY AUDITORS** Phone: **(000) 927-7354**
Directions: _____ Comment: _____
Polling Place Map URL: _____
Note(s): List of variables that can be used in URL that will be substituted appropriately in Pollfinder application. Variable text/case must match exactly as shown. {POLLING_PLACE_ID}, {PRECINCT_CODE}, {CITY_NAME}, {MCD_NAME}, {HOUSE_NUMBER}, {FULL_STREET_NAME}

Polling Place Address

House #: **109** Suffix #: _____
Pre-dir: _____ Street Name: **1ST** Type: **AVE** Post-dir: **NW**
Unit Type: _____ Unit #: _____
City: **AITKIN** State: **MN** Zip+4: **56431**

Select Precincts

MCD: _____ Ward: **SEARCH BY MCD/WARD**

Precinct Code	Precinct Name	Polling Place Status
0005	AITKIN	<input checked="" type="radio"/> Permanent <input type="radio"/> Temporary <input type="radio"/> Inactive

UNASSIGN PRECINCT

CONTINUE **CANCEL**

**OSS Address Labels: If a municipality crosses counties, it is easier to order labels through the OSS as opposed to receiving sets of labels from each county. Ordering information is found at the Office of the Minnesota Secretary of State's Voter Information Request website located at www.sos.state.mn.us/election-administration-campaigns/campaigning/registered-voter-list-requests/.

5.4 SCHOOL DISTRICT COMBINED POLLING PLACE

If a school district is holding an election on a day when no other governmental unit in its area is holding an election, a school board may designate one or more combined polling places at which the voters in two or more precincts may vote in the school district election. A single team of election judges, using a single ballot box and keeping a single set of returns, may serve the polling place. In school districts that have been organized into separate board member election districts, a combined polling place for a school general election cannot include more than one board member election district. [M.S. 205A.11, subd. 2; 205A.11, subd. 3](#)

If the school district election coincides with another election in a precinct, the city or township is responsible for operating that precinct's polling place. [M.S. 205A.11, subd. 1](#)

The school board must notify the county auditor (or auditors) within 30 days of the establishment of a combined polling place. In addition, a mailed notice must be sent to all affected households with at least one registered voter. The school district clerk must also send a mailed notice to voters who will be voting in a combined polling place for a school district special election that is not part of a regularly scheduled election. [M.S. 205A.11, subds. 2 & 3](#)

Special Note: PVCs cannot be used to send a notification of a school district poll place change. A different notification must be created. Because many school districts cross counties, it is easier to order labels through the OSS as opposed to receiving sets of labels from each county. Ordering information is found at the Office of the Minnesota Secretary of State's Voter Information Request website located at www.sos.state.mn.us/election-administration-campaigns/campaigning/registered-voter-list-requests/.

5.5 POLLING PLACE ACCESSIBILITY

Federal and state laws require that all polling places be fully accessible and usable by elderly voters or voters with disabilities. [M.S. 204B.16, subd. 4](#)

Minimum requirements include:

- paved parking with wide spaces reserved for disabled persons
- curb cuts or temporary ramps
- paved main routes free of stairs or with ramp or elevator bypasses
- entrances/doorways a minimum of 32 inches wide
- walkways & hallways at least 36 inches wide
- hallways free of protrusions overhanging the floor
- handrails on all stairs
- signs directing voters around obstructed entrances or stairs to accessible routes
- signs outlining the assistance available to voters
- one or more wheelchair accessible voting booth(s) or station(s) with writing surface 34 inches high.

When using large buildings such as a school or athletic complex for a polling location, accessible parking is to be made available at the *closest entrance to the polling place within the building*. If

the building's permanent accessible locations are at another entrance, election judges are to use the accessible parking signs found in their election supplies to set aside accessible parking spots right next to the entrance that is the shortest distance to the polling place within the building.

Minnesota election law offers some additional accommodations if the voter needs assistance with voting materials:

- voting by absentee ballot
- curbside voting
- a bipartisan team of election judges to provide assistance in the polling place
- the voter bringing someone of their choosing to assist in the polling place
- assistive voting equipment, available in the polling place. [M.S. 203B.02, subd. 1; 204C.15, subd. 1; 204C.15, subd. 2](#)

Municipal clerks should visit polling locations periodically to verify that polling locations are still accessible. A polling place accessibility diagnostic tool can be found at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/

For more specific details on accessibility, the following is recommended:

- [Americans with Disabilities Act](#)

5.6 ELECTION SUPPLIES / COSTS

Auditors are responsible for conducting a federal, state and/or county election, and local jurisdictions pay the costs of their own elections. If a local jurisdiction (city, town, school district, hospital district, etc.) includes ballot items on the federal, state and/or county ballot, the county auditor may prorate the costs such as ballot programming and printing for the local ballot items and request payment from the local jurisdiction. The county and local jurisdictions may arrive at their own agreement or use the OSS Cost Allocation Procedures found in the Appendix as a guideline. This document is also available at the OSS Election Administrator Forms website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-administrator-forms/. [M.S. 204B.32, subd. 2](#)

6.0 PRECINCT CAUCUSES

Precinct caucuses are the first step used by Minnesota's major political parties to select the candidates and issues they will support in the upcoming elections. Minnesota's two major political parties are the Democratic-Farmer-Labor and Republican parties.

6.1 Eligibility to Participate in Caucuses

Precinct caucuses are open to anyone who is eligible to vote or will be eligible to vote by the state general election and lives in the precinct. Precinct Caucus participants must support or intend to support the party and may only participate in one party's caucus. The purpose of precinct caucuses is to elect local party officers and delegates to the party conventions and to discuss resolutions. Precinct caucuses may also be used by the major political parties as opportunities to conduct preference polls and to help recruit election judges. [M.S. 202A.16](#); [202A.18, subd. 2a](#); [202A.20, subd. 2](#)

6.2 Caucus Date

By March 1 of each odd-numbered year, the chairs of Minnesota's two largest major political parties (as determined by total votes received in the most recent gubernatorial election) jointly submit to the OSS notice of the agreed upon precinct caucus date for the following year. On March 1st of each odd-numbered year the OSS publically announces the agreed upon precinct caucus date for the following year. The precinct caucuses will then be held at 7 p.m. on this date.

If the two largest major political parties do not submit a single precinct caucus date by March 1st of the odd-numbered year, the first Tuesday in February is considered the caucus date for the next year. In this case, the requirements to make facilities available for use as a caucus locations in [M.S. 202A.192](#) and the requirement to not hold certain public meetings on caucus night in [M.S. 202A.19](#) apply only to the first Tuesday in February. [M.S. 202A.14, subd. 1](#)

6.3 Caucus Notice

Each party's county or legislative district chairs must publish notice of the precinct caucuses for at least six days, indicating the date, time and place for all their caucuses. They must also deliver the same information to the municipal clerk and county auditor at least 20 days before the precinct caucus. The county auditor then makes this information available at least 10 days before the date of the caucuses to persons who request it. During state election years the OSS works with the political parties and hosts an online caucus finder on the OSS website. [M.S. 202A.14, subd. 3](#)

7.0 VOTER REGISTRATION

7.1 VOTER REGISTRATION APPLICATIONS (VRAs)

To facilitate voter registration, auditors are responsible for printing and distributing voter registration applications (VRAs) throughout their counties. The form of the voter registration application must be as provided in [M.S. 201.071, subd. 1](#), [M.R. 8200.1100](#) and [8200.1200](#). All governmental offices, post secondary schools and libraries should be supplied with applications and must have a system in place for forwarding completed applications back to the auditor. The OSS will supply state offices, military recruitment offices and post offices with VRAs. Any VRA completed at these locations must be forwarded to the auditor within 10 calendar days. [M.S. 201.061, subd. 1](#); [201.091, subd. 8](#); [M.R. 8200.1200](#); [8200.1700](#)

The following alternative forms must also be accepted for the purpose of voter registration:

- Voter registration forms authorized by the National Voter Registration Act.
- Minnesota Driver's License and Identification Card Applications issued by the Minnesota Department of Vehicle Services.
- Federal Postcard Application forms submitted by voters on active duty in the military or their dependents or individuals who are temporarily residing overseas. [M.S. 201.061](#); [201.071, subd. 1](#)

For registration on Election Day, auditors must supply all polling places with adequate quantities of VRAs in order to accommodate all voters who need to register. The voucher oath in [M.R. 8200.9939](#) may be printed on the backside of VRAs used for election day registration. An estimate of the number of VRAs that will be needed can be determined by looking at past similar elections within the county.

7.1.1 Online Voter Registration

The ability to register to vote or to update one's voter registration information "online" became available in the fall of 2013. The Online Voter Registration (OVR) application data is typed by the voter at the Voter Information Portal (VIP) found at <http://mnvotes.sos.state.mn.us/VoterRegistration/VoterRegistrationMain.aspx> and the information is queued in SVRS for county auditors to process the record.

With the increase of electronic records queued into SVRS, county elections staff should review the home page of their SVRS screen daily in order to process newly populated records within the statutorily mandated timelines. SVRS's home page provides accurate numbers as to how many "overall" electronic applications are pending and also provides specific numbers as to online voter registration applications that are queued for processing:

NUMBER OF PENDING APPLICATIONS (Count=1935)

Source	Pend Reason	Count
DVS	Queued for Processing	444
FPCA-Online	Queued for Processing	2
Online	Queued for Processing	65
DOH Express	Queued for Processing	38
DOH (non-Express)	Queued for Processing	94
County Pended		1
County Pended	Deficient	1261
County Pended	Unprecinctable	11
County Pended	Unprecinctable, Deficient	19

7.2 RESIDENCY

Voters may only register and vote in the precinct where they reside and, unless the voter has been notified their registration has been otherwise updated by COA, etc., the voter must complete a new VRA on or prior to Election Day when any part of their name or residency changes. The definition of residency for voting

purposes in Minnesota differs from other states, as well as from definitions of residency for other purposes. Residency for voting purposes is attached to the person, not to their property, place of employment or place of business. A person's residency for voting is where they have their home, live, sleep and return to after work or from other temporary absences. As a result, a voter **cannot** use their P.O. Box as their address for registration purposes. A P.O. Box can be listed as a mailing address ***if mail cannot be delivered*** to their residential address. Residency may even be determined by the location of the voter's bedroom when their home or apartment building is split by a precinct or school district boundary. A change in residency could include even a change of apartment number within the same building. The definition of voting residency is outlined [M.S. 200.031](#).

7.2.1 M.S. 200.031 - Determination of Residence

Residence shall be determined in accordance with the following principles, so far as they may be applicable to the facts of the case:

- (a) The residence of an individual is in the precinct where the individual's home is located, from which the individual has no present intention of moving, and to which, whenever the individual is absent, the individual intends to return;
- (b) An individual does not lose residence if the individual leaves home to live temporarily in another state or precinct;
- (c) An individual does not acquire a residence in any precinct of this state if the individual is living there only temporarily, without the intention of making that precinct home;
- (d) If an individual goes into another state or precinct with the intention of making it home or files an affidavit of residence there for election purposes, the individual loses residence in the former precinct;
- (e) If an individual moves to another state with the intention of living there for an indefinite period, the individual loses residence in this state, notwithstanding any intention to return at some indefinite future time;
- (f) Except as otherwise provided in this section, an individual's residence is located in the precinct where the individual's family lives, unless the individual's family is living in that precinct only temporarily;
- (g) If an individual's family lives in one precinct and the individual lives or does business in another, the individual's residence is located in the precinct where the individual's family lives, unless the individual establishes a home in the other precinct and intends to remain there, with or without the individual's family;
- (h) The residence of a single individual is in the precinct where the individual lives and usually sleeps;
- (i) The mere intention to acquire a new residence is not sufficient to acquire a new residence, unless the individual moves to that location; moving to a new location is not sufficient to acquire a new residence unless the individual intends to remain there;
- (j) The residence of an individual who is working temporarily in any precinct of this state is in the precinct where the individual's permanent home is located;
- (k) The residence of an individual who is living permanently in a soldiers' home or nursing home is in the precinct where the home is located.
- (l) If an individual's home lies in more than one precinct or political subdivision, the residence of the individual is in the precinct in which a majority of the room in which the individual usually sleeps is located.
- (m) If an individual's home is destroyed or rendered uninhabitable by fire or natural disaster, the individual does not lose residence in the precinct where the home is located if the individual intends to return to the home when it is reconstructed or made habitable.

Exceptions: There are exceptions to residency requirements for voting absentee if the voter has just moved to another state and wishes to vote for the U.S. President, or if the voter lives outside

of the United States. These exceptions are discussed in detail in the Absentee Voting Administration Guide.

7.3 VOTER REGISTRATION

Voter registration begins when an individual submits a completed voter registration application.

“Applications” for new registration or to update one’s registration information might be received by the county auditor in paper or electronic format. Voters may register anytime up to the 20 days before the next election or at their polling place during Election Day. A voter’s registration remains current until their name changes or address changes, or they have not voted in the past four years. Each registered voter has a single voter record in SVRS and this record is updated after the voter submits a new VRA with updated information or the record is updated through the COA process. Doing so ensures that a voter only has one active voter registration record in SVRS. [M.S. 201.071](#)

7.3.1 Verification

Verification is a matching of the information provided by the individual on the voter registration application with the same categories of information on the databases of the Department of Public Safety or the Social Security Administration. The following is matched:

- name
- date of birth
- Minnesota driver’s license or identification card number; or
- the last four digits of the social security number, if no Minnesota driver’s license or identification card has been issued
- “Mail in” and “in person” registrants must go through the same process of verification. The process is as follows:
 - after the county auditor has entered the voter registration information from the applications into the statewide registration system, the OSS compares and attempts verification of the information in SVRS with the information in the Department of Public Safety database
 - if a record can be verified with the Department of Public Safety (DPS) database, it is automatically marked as verified
 - if there are potential matches to the voter record in the DPS database, the potential matches are provided in SVRS and can be auditor verified
 - if a record cannot be verified and contains the last four digits of the voter’s SSN, the record is sent to be verified with information from the Social Security Administration (SSA) database
 - those which have failed verification are sent to the county auditor for follow-up, with the auditor then attempting to obtain any needed information by mail, telephone or e-mail
 - if the information still cannot be first verified by the county auditor, the registration is considered “incomplete” and first time voters who mailed in their voter registration application and have not voted in a federal election will need to either complete their registration with the county auditor before the election, or provide proof of residence at the polling place; and a voucher cannot be used as a proof of residence in this case. [M.S. 201.121](#); [M.R 8200.3100](#); [8200.9310, subp. 2](#)

If the county auditor finds that an ID number provided on an application does not exist, the OSS or county auditor corrects the voter record so that the number is not used for verification. If an individual does not have a Minnesota driver’s license number, Minnesota identification card number or a social security number, a unique voter record number is issued by SVRS to be used as the verification number. If the county auditor finds that an individual does have a number in the DPS or SSA database, and the auditor can

reasonably conclude the database information and the VRA information relate to the same person, the auditor manually notes in SVRS and verifies the record. [M.R. 8200.2900; 8200.9310, subps. 3 & 4](#)

7.3.2 Deficient Registration

A “deficient” registration does not contain all of the information necessary for processing. If the missing information is not provided to the auditor by 5:00 p.m. on the 21st day before Election Day, the individual must register on Election Day in order to vote.

No voter registration application is deficient if it contains the following information:

- name
- address
- date of birth
- Minnesota driver’s license number, Minnesota ID number, or last four digits of social security number, or an indication that they do not have one
- prior registration, if any
- signature or a mark if the voter is unable to write their name

Failure to check a “citizenship” and “age” box at the top of the application does not cause the registration to be deficient if the applicant has signed the oath at the bottom. If an applicant does not actually have any of the requested numbers, the application is not deficient. Failure to include a zip code, telephone number or e-mail address does not cause the application to be deficient.

[M.S. 201.071, subd. 3](#)

7.3.3 Incomplete Registration

A voter record is considered to be incomplete if the voter’s name, address, driver’s license number or last four digits of social security number cannot be verified through the verification process. When this occurs, the county auditor must send a notice of incomplete registration informing the voter that those portion(s) of their voter record could not be verified. A small portion of voters who register by mail and have not voted in a previous federal election are flagged as “must show id” in SVRS. As a result, the voter will be required to show id before voting at the next election. This is discussed in section 7.3.5 below. [M.S. 201.121; M.R. 8200.3100](#)

7.3.4 Late Registration

If a paper application is received later than 5:00 p.m. or an electronic application is received later than 11:59 p.m. on the 21st day before an election and it is not deficient, the auditor shall send a notice of late registration to the person seeking to register, stating that if the person does not register on Election Day, the registration will become effective on the day after the election. [M.S. 201.061, subd. 1; M.R. 8200.3110](#)

When an application is marked as a late registration, a late registration notice/letter is automatically produced and placed in the Correspondence queue in SVRS to print. Elections staff are **required to print the letters and mail them out each day** during the time between the pre-registration deadline and the day before each election. This letter can be used as an Election Day Registration document.

7.3.5 Mail Registration

Although it applies to a small number of voters, there is a special “See ID” requirement for some mail registrants. Mail registration is defined as a voter registration application delivered to the

OSS, county auditor or municipal clerk by the U.S. Postal Service or a commercial carrier. “Show ID” only applies when a voter has registered by mail, has not previously voted in a federal election in Minnesota, fails verification and the auditor cannot verify the voter record. In this case, the voter must show a proof of residence, excluding using a voucher, at the polling place on Election Day. [M.S. 201.061](#)

When a VRA is processed in SVRS, the system checks to see if the applicant is new to the system, has never voted in a federal election and if the application has been “mailed in.” If so, the voter record is then sent through the verification process. If the voter record is verified, it becomes exempt from the “See ID” requirement. If this type of voter record fails the verification process, the auditor sends the voter a notification that they may be required to show ID before being allowed to vote in a future election.

Certain “mail-in” voters are exempt from any potential “show ID” requirement, and these voter records are flagged accordingly in SVRS. These voters are exempt because they:

- Are on the permanent list to receive absentee ballot applications
- Vote through health care facility outreach absentee voting
- Are either a military or overseas voter under UOCAVA [M.R. 8200.3200](#)

A voter who is listed as “See ID” is considered to have an incomplete registration. A voter may complete voter registration by doing one of the following:

- Showing proof of residence, excluding using a voucher, to the county auditor up to 20 days before the election,
- Showing a proof of residence, excluding a voucher, on Election Day to the Roster Judge,
- Re-registering on Election Day, or
- Re-registering through the absentee process. [M.S. 201.061, subps. 1a & 3](#)

7.3.6 Election Day Registration

If registering on Election Day, voters must provide specific proof of residence set forth in law. The Election Day registration process occurs in the voter's polling place and is explained in detail in the Election Judges' Guide. [M.S. 201.061, subd. 3](#)

All new VRAs submitted on Election Day must be verified after the election. VRAs completed on Election Day must be entered into the system within 42 days after the election, unless you notify the OSS. If, after attempting to verify the information on the voter record in SVRS against Department of Public Safety or Social Security Administration databases, verification cannot be made, the auditor must attempt to resolve the discrepancy. If after being notified, a voter does not provide the necessary information, the voter must be challenged in SVRS and the matter may be referred to the county attorney. If during the verification process, the Department of Public Safety provides information that indicates the voter is ineligible to vote, the auditor must challenge the record in SVRS and refer the matter to the county attorney. [M.R. 8200.5500](#)

7.3.7 Student Housing Lists

A post secondary institution can submit a written agreement to the county auditor no later than 60 days prior to the election stating that the institution will submit an accurate list of persons residing in housing on campus or within 10 miles of campus. The post secondary institution must then submit an updated list to the county auditor no earlier than 20 days prior to each election in that calendar year. This list is then delivered to election judges in the appropriate precincts on Election Day for use with photo student identification as a proof of residence by those on the list. [M.R. 8200.5100, subp. 3](#)

7.3.8 Active vs. Inactive Status

Within 6 weeks after every election, the county auditor shall post the voting history for every person who voted in the election. After the end of the year, the OSS performs annual list maintenance (ALM), and changes those voters who have not voted in the last 4 years to “inactive”. The OSS prepares a report for the county auditor of all “inactive” voters. Those individuals whose status was changed to “inactive” must register before voting in another election. [M.S. 201.171](#)

7.4 POSTAL VERIFICATION CARD (PVC)

After the auditor has added a new voter registration record or changed the name and/or address of a currently registered voter in the SVRS, a confirmation notice is mailed to the voter. This mailed notice, known as a postal verification card (PVC), confirms the voter's registration and advises the voter of their polling place location and elective districts. The PVC must be mailed non-forwardable, "return service requested" so its delivery can verify that the voter lives at that address. If the PVC is returned with in-state, out-of-state or no address information ([M.S. 201.12](#)) on a yellow postal sticker, the information is manually placed in SVRS. Please see the SVRS user guides for details in processing returned PVCs with postal information. PVCs that have been returned must be kept securely for at least 22 months following the next state election after registration. [M.S. 201.121, subd. 2](#)

Within 10 days after every election, auditors must send a random sampling of PVC cards to at least three percent of the voters who registered on Election Day. If the notice is returned as undeliverable and the county auditor does not obtain satisfactory proof of the individual's eligibility to vote, the auditor must notify the county attorney of all relevant information and must notify the OSS of the numbers by precinct.

By March 1 of every odd-numbered year, the OSS shall report to the chair and ranking members of the legislative committees with jurisdiction over elections the number of notices that are returned (1) as undeliverable and (2) the county auditor has not received satisfactory proof of the individual's eligibility to vote. The county auditor will report to the OSS the numbers by county and precinct for the previous state general election. [M.S. 201.121, subd. 3](#); [M.R. 8200.2700](#)

7.4.1 Postal Verification Card (PVC) Service Agreement

Counties may perform their own PVC (registration confirmation) mailings, or may arrange to have the voter registration system automatically generate a PVC that the state will mail to new registrants. The cards are returned to the appropriate county if undeliverable. The state will produce a PVC when the county enters a new registrant into SVRS; changes a current registrant's name, address, precinct assignment or requests that a PVC be sent to a voter. The state will mail PVCs on a weekly basis. The county will be billed quarterly for each PVC produced. Rates are approximately 30 cents per PVC plus any postal rate increases during that time.

7.5 AUDITORS' SVRS DUTIES

Minnesota requires registration of all persons who wish to vote (except for certain military and overseas absentee voters). The county auditor is the chief registrar of voters and the chief custodian of the official voter registration records in each county. In this capacity, the county auditor may be the source of voter registration materials and is the recipient of completed voter registration applications (VRAs). SVRS, accessible to all county auditors, facilitates voter registration and provides a central database of voter registration information from around the state. Auditors are responsible for entering registrations into the SVRS database and keeping those records up to date, mailing confirmation and other notices to registrants, and resolving discrepancies with individuals' registrations. With hundreds of thousands of voter registrations

per year, voter registration duties are a demanding, on-going activity that peaks just before and just after state general elections. [M.S. 201.018](#); [201.021](#); [201.022](#); [M.R. 8200](#)

Chapter 2.0 of this guide lists many functions of SVRS. In addition, the county auditor will use SVRS to perform the following voter registration related tasks.

7.5.1 Registered Voter Lists

Master List

- Each county auditor maintains a list of registered voters by maintaining the voter registration records for their county in SVRS.
- This voter registration data is used to create a master list containing the name, residence address & date of birth of each registered voter.
- By February 15th of each year, the OSS prepares a master list of all registered voters for each county auditor. The list is provided electronically but counties may generate a paper copy.
- The county auditors must maintain the master list by periodically updating and correcting voter registration information.
- Information contained in the master list may only be made available for purposes related to elections, jury selection & law enforcement.
- The OSS must make an updated master list available at least 46 days before each election and a final master list available at least 7 days before each election.
- The master list is different than the greeter list. The master list contains updated voter information as of the moment it was generated. The greeter list matches the roster information, exactly, at the time the roster is “locked” for each election. [M.S. 201.091, subd. 1](#); [201.091, subd. 2](#)

Public Information List

- The county auditor shall make available for inspection a public information list containing the name, address, year of birth, telephone number if provided & voting history of each registered voter in the county. (Note: A paper copy is not kept on hand. For a requested visual inspection, print a public information list for the district requested or allow for viewing of electronic report).
- The list may be inspected by registered voters or copies can be purchased by registered voters for a fee from the OSS.
- To inspect or purchase a public information list a registered voter must provide identification & submit a written request stating that they will not use the list for purposes unrelated to elections, political activities or law enforcement.
- A registered voter may submit a [Request to Withhold Voter Information from Public Information List](#) form to county auditor to request their name be withheld from the public information list for the safety of the voter or the voter’s family. [M.S. 201.091](#); [M.R. 8200.6100-6400](#)

Polling Place Rosters and Greeter’s Lists

- OSS provides rosters for every election in the state.
- The rosters may be provided to county auditors in any mutually agreed upon format.
- Greeter lists are generated at the same time as rosters and exactly matches a roster’s information. Greeter Election Judges may use the Greeter Lists to assist voters waiting in line to confirm that they are registered to vote in that particular polling place.
- Individuals can inspect the polling place rosters used on election day, in order to do so:
 - the individual must provide the county auditor with identification and submit a written request stating that they will not use the information for purposes unrelated to elections, political activities or law enforcement

- the county auditor must conceal month & day of birth for all voters on the polling place roster
- the roster is not available for inspection until the voting history has been posted for that precinct. [M.S. 201.091](#); [204B.40](#); [M.R. 8200.9115](#); [8200.9120](#)

7.5.2 Deceased Voters

The OSS periodically receives an electronic report of deceased Minnesota residents from the Minnesota Department of Health, the vital records department of another state and the Social Security Death Index. This information is input into SVRS to be processed by the appropriate county auditor. In addition, the county auditor may receive a printed obituary or a written statement signed by a Minnesota voter indicating that a voter is now deceased. The county auditor must process pending records within 60 days after receiving information and change the status of those residents who are registered to vote to “deceased” in SVRS if appropriate. [M.S. 201.13](#)

Oftentimes voters will share information about “the passing” of another voter to an election judge while they are in the poll place on Election Day. This information should not be written on the roster itself. [M.R. 8200.5710](#) requires that the individual reporting the information must complete a “notification of death of the registered voter” in accordance with [M.S. 201.13](#). The notification of death must be in substantially the following form:

In accordance with Minnesota Statutes, section 201.13, I am a registered voter and I have personal knowledge that _____ is deceased.

.....
Name of Registered Voter

.....
Signature of Registered Voter

.....
Date

Deceased's Date of Birth: Date of Death:

Deceased's Last Known Address:

The completed form(s) is then passed to the county auditor. County auditors often verify, if possible, using a source such as the county’s vital records department, the information and then will change the status of the resident to “deceased” if appropriate.

7.5.3 Records of Name Changes

The state court administrator regularly sends an electronic report of those voters whose name has changed to the OSS. A record is queued in SVRS for those persons who are already registered to vote. The county auditor must process the queued name change records, which will update the name on the voter record to the new name listed on the court record, and send the voter a PVC. [M.S. 201.14](#) addresses name changes.

County auditors often receive paper copies of marriage license information from county vital records/recorder’s offices noting name changes. The county auditor can update the name on the voter record to the new name listed and send the voter a PVC as per [M.S. 201.14](#) as these reports were previously the responsibility of courts.

If the PVCs are returned with in-state, out-of-state or no address postal information, refer to the SVRS user guides on how to manually process COA information in SVRS. [M.S. 201.12](#)

7.5.4 Guardianships, Incompetents & Felons

The state court administrator regularly sends electronic reports to the OSS of those registered voters who are no longer eligible to vote due to being placed under court-ordered guardianship status in which the court revokes their right to vote, been found by the court to be incompetent and have had their right to vote removed or as a result of being convicted of a felony. This electronic report also contains information regarding individuals who have had their rights restored. A record is queued in SVRS for those persons already in SVRS. The county auditor appropriately changes the affected voter's status in SVRS.

The Department of Corrections makes data available to the OSS on individuals who are currently serving felony sentences or on probation for felony offenses that would result in the loss of civil rights under the commissioner's jurisdiction. OSS determines if an individual currently serving a felony sentence or is on probation for a felony offense that would result in the loss of civil rights is registered without a challenge or appears to have registered or to have voted during the period when their civil rights were revoked. OSS prepares a list of these individuals for each auditor. The auditor must challenge voter records that are not already challenged. The auditor must provide information to the county attorney for those who appear to have registered or voted when their rights were revoked. The list will also contain individuals who have been discharged from a sentence. The county auditor must determine if the challenge should be removed from an individual's voter record. [M.S. 201.15](#); [201.155](#)

7.5.5 Citizenship

The commissioner of public safety makes data on citizenship available to the OSS. OSS determines if the data indicates a non-citizen is actively registered. OSS prepares a list of these individuals for each county auditor. The auditor must challenge these voter records based on citizenship and notify the county attorney. [M.S. 201.158](#)

7.5.6 Change of Address Information

At least once a month, the OSS compiles a list of registered voters who have filed a permanent change of address order with the U.S. Postal Service or from the driver's license address information obtained through ERIC. The voter's updated registration information will be queued in SVRS to be processed. Once updated, the county auditor sends a notification to the voter and the voter has 21 days to contact the auditor if their voter record was updated in error. If the address is an out-of-state address the voter record is queued to be set to inactive 21 days after a notification is sent to the voter at the out-of-state address.

The OSS cannot load new COA data into SVRS within 47 days before the state primary or 47 days before a November general election.

Voters with challenges not based on residency will be queued for the address on their voter record to be updated, but a notice will not be sent to the voter. [M.S. 201.12](#)

7.5.7 SVRS Pending Queues

As discussed in this section, there are multiple forms that can be accepted for the purposes of adding registered voters or updating existing registered voter's information. Voter registration

information from these sources is queued into SVRS on a regular basis for county auditors to review and process:

- DVS
- Online Voter Registration Applications
- Online Federal Post Card Applications
- Change of Address Information
- Department of Health and Social Security Administration Deceased Information
- Court Events
- Minnesota Driver's License/Social Security Number Verification Data

The county's SVRS home page provides a lists pending work that is to be addressed and should be reviewed daily. If data is queued to be processed it should be done with 10 days of receipt. [M.S. 201.121, subd. 1](#); [M.R. 8200.9310, subp. 2](#)

7.5.8 Non-Forwardable Elections Mail

County Auditors also must manually update a voter record when a non-forwardable mailing sent to the voter if it is returned as undeliverable with a permanent forwarding address. When an in-state permanent forwarding address is listed, the voter's record must be manually updated to list the new address on the returned mailing. When an out-of-state permanent forwarding address is listed, the voter record must be manually scheduled for inactivation.

Coordination between counties is required when the permanent forwarding address listed on the returned mailing is located in a different county within Minnesota. This coordination should be done within 10 days of receiving the returned mailing. The county initially receiving the returned mailing must fax, scan and email, or mail a copy of the returned mailing to the county where the new permanent forwarding address is located. Returned mailings must be retained for 22 months.

All manual NCOA updates should be done within 10 days of either receiving a returned mailing or receiving a copy of a returned mailing from another county. After either an in-state or out-of-state manual update, the voter is sent one of two NCOA notices. The notice sent depends on whether the record was updated using in-state or out-of-state NCOA data. The voter is then given 21 days to inform the county auditor if their voter record should not have been updated.

If there is not an election scheduled to occur in the next 47 days in the precinct where the voter resides, the county auditor may wait to update the voter's address until the next batch of NCOA data is loaded into SVRS.

If the returned mailing is for a voter with a challenge not based on residency, update the address on the voter record, but a notice is not sent to the voter. [M.S. 201.12](#)

7.5.9 Wrong Polling Place

The county auditor must mail a Wrong Polling Place (WPP) notice to any voter who has been determined to have voted in a precinct other than the precinct in which the voter maintains residence. If the voter provided the address at which they maintain residence but was allowed to vote in the wrong precinct and the voter has not voted in the wrong precinct previously, the WPP notice simply informs the voter that they voted in the wrong place and the correct polling location for future reference. If the voter provided an address other than where they maintain residence or has previously voted in the wrong place, the auditor mails a violation notice and must also change

the status of the voter's voter record to "challenged", requiring the voter to provide proof of residence to either the county auditor or election judges in the voter's precinct before voting in the next election. SVRS will automatically queue a WPP notice if voter history is posted for a voter in a precinct other than the precinct where the voter has indicated they maintain residence on their VRA.

A voter who votes in the wrong polling place again after receiving the initial notice may be guilty of a misdemeanor. Any such instances should be forwarded to your county attorney's office. [M.S. 201.016, subd. 1a](#)

7.6 CHALLENGES TO VOTER REGISTRATION

7.6.1 Voter Challenges Prior To Election Day

Any registered voter may "challenge another's registration or eligibility" by petitioning the county auditor. The petition shall state the grounds for the challenge and be accompanied by an affidavit stating that the challenge is based on the challenger's personal knowledge. Within five days after receipt of the petition, the county auditor shall set a date for a hearing on the challenge and notify the challenger by mail. A copy of the petition and notice of hearing shall be served on the challenged voter by the county auditor in the same manner as a civil action. The hearing shall be held before the county auditor or the auditor's designee, who shall then make findings and affirm or dismiss the challenge. [M.S. 201.195](#); [200.031](#)

7.6.2 Challenges On Election Day

Election judges, designated challengers or any other voter may challenge the eligibility of a voter on Election Day based on their own personal knowledge. The individual making a challenge in this manner must complete and sign an oath stating the challenger's name, signature, telephone number, address, that the challenge is being made based upon their own personal knowledge and the basis of the challenge. Election judges administer an oath to the challenged voter and ask questions to determine the voter's eligibility. For additional information on Election Day challenges see the Election Judge Guide found at the OSS Election Guides website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-judge-training/. [M.S. 204C.12](#)

7.6.3 HAVA Complaints

The Help America Vote Act provides for a complaint process that allows voters to submit formal complaints regarding specific voter registration, voter information or voting equipment issues on the day of a federal election. This complaint form can be completed on or after election day by the voter and is submitted to the OSS. The completed complaint form must be notarized or signed by an election judge on Election Day before it is submitted. A copy of the HAVA Complaint Form is available at the OSS Forms & Publications website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-day-forms/ and must be made available to voters the day of any federal election. [M.S. 200.04](#)

7.7 VOTER REGISTRATION APPLICATION RETENTION

A properly completed voter registration application that has been submitted electronically or in paper form must be maintained for at least 22 months after the date that the information on the application is entered into SVRS. The applications may be disposed after 22 months as per [M.S. 138.17](#). [M.S. 201.081, subd. 1\(b\)](#)

- Retention schedules and disposal policies are directed by each organization's data practices coordinator or legal advisor.

7.8 MONITORING THE TIMELY PROCESSING OF NEW VOTER REGISTRATION APPLICATIONS & UPDATED INFORMATION

The county auditor is the chief registrar of voters and the chief custodian of Minnesota’s official registration records in each county. As such, county auditors are responsible to monitor the activities surrounding voter registration and to ensure that all new and updated information is processed timely and before statutorily mandated deadlines. [M.S. 201.021](#)

The home page of SVRS has been updated to provide accurate information to county auditors as to the number of electronic voter registration applications and/or records that are “pending” in SVRS queues. It is strongly recommended that county elections staff review this home page at least weekly, if not daily, to know if records are queued for processing:



7.8.1 County Auditor’s Voter Registration Activities Monitoring Guidelines

The following guidelines have been developed by the OSS to assist county auditors in the management of voter registration information:

Voter Registration

To check...	Do this...	And look for...	Other notes
DOH & SSA death records with exact matches are processed within 60 days	Voter Registration Menu > DOH/SSA Express	No records in queue (unless records were just loaded on the 15 th)	<ul style="list-style-type: none"> Exact death matches queued monthly before 15th Recommend that queue is cleared monthly
DOH death records with potential matches are processed within 60 days	Voter Registration Menu > Pending Applications > Source: DOH Queued for Processing	Search Dates using Pend Date, should not be older than 60 days	<ul style="list-style-type: none"> Potential death matches queued monthly before 15th Recommend that queue is cleared monthly
Change of Address (COA) records are processed: In-State “upon receipt” Out-of-State “promptly”	Voter Registration Menu > COA Express	No records in queue (If records exist, look at dates in the Move Date column)	<ul style="list-style-type: none"> COA matches queued monthly on 15th Recommend that queue is cleared monthly

To check...	Do this...	And look for...	Other notes
Court notices for Felon, Guardianship, Name Change with exact matches are processed "upon receipt"	Voter Registration Menu > Court Express	No records in queue	<ul style="list-style-type: none"> Exact matches queued daily Recommend that queue is cleared weekly if not daily
Court notices for Felon, Guardianship, Name Change with potential matches are processed "upon receipt"	Voter Registration Menu > Court Events	No records in queue (If records exist, look at dates in the Court Event Load Date column)	<ul style="list-style-type: none"> Potential matches queued daily Recommend that queue is cleared weekly if not daily
DOC Record Matches are available around the 10 th of each month	Reports Menu >Standard Reports >Maintenance >Monthly DOC Record Matches	<ul style="list-style-type: none"> Go to report listing in SVRS after the 10th of each month and run the report if the month and year are available. If there are records on the report, process. If no records are listed, then there is nothing to complete. 	<ul style="list-style-type: none"> Complete tasks associated with the type of records that are matched. SVRS User Documentation entitled Monthly DOC Record Matches found under Voter Registration category provides guidance.
MDL/SSN Verification is done within 10 days	Voter Registration Menu > MDL/SSN Verification	<ul style="list-style-type: none"> No records in queue If records exist, run 2 MDL/SSN category reports: <ol style="list-style-type: none"> Registrations overdue for Auditor verification Auditor verification turnaround 	<ul style="list-style-type: none"> Potential verification matches queued daily Recommend that queue is cleared weekly if not daily
MDL/SSN Verification correspondence has been printed within 10 days	Voter Registration Menu > Correspondence > Select Status = Queued <ul style="list-style-type: none"> Type = "VERIVR" Type = "SHOWID" 	Both searches should return zero records	<ul style="list-style-type: none"> Notices are queued when Auditor Failed Verification is input Recommend that notices are printed and sent weekly if not daily
Driver's License VR apps are processed within 10 days	Voter Registration Menu > Pending Applications > Source: DVS	Search Dates using Pend Date, should not be older than 10 days	<ul style="list-style-type: none"> Driver's License VR apps queued daily Recommend that queue is cleared weekly if not daily
Online Regular VR apps are processed within 10 days	Voter Registration Menu > Pending Applications > Source: Online	Search Dates using Pend Date, should not be older than 10 days	<ul style="list-style-type: none"> Online VR apps queued throughout day Recommend that queue is cleared weekly if not daily
FPCA-Online VR apps are processed daily during 46 day AB periods, else within 1 week	Voter Registration Menu > Pending Applications > Source: FPCA-Online	Should be "0" records during 46 day AB period, else Search Dates using Pend Date, should not be older than 7 days	<ul style="list-style-type: none"> FPCA - Online VR apps queued throughout day Recommend that queue is cleared weekly if not daily Follow by processing AB record

To check...	Do this...	And look for...	Other notes
Regular (non-EDR) VR apps in pending status are processed within 10 days	Voter Registration Menu > Pending Applications > Source: County Pended All	Search Dates using Pend Date, should not be older than 10 days	<ul style="list-style-type: none"> Deficient registrations are kept for 22 months
3% of Election Day Reg apps input within 10 days of each election. Rest input within 42 days if did not notify OSS before deadline.	Voter Registration Menu > Voter Reports > EDR/PVH Statistics	EDR column number corresponds to abstract EDRs and/or number returned by locals	<ul style="list-style-type: none"> Run separate reports by selecting appropriate elections
Voter history from rosters input within 6 weeks of each election	Voter Registration Menu > Voter Reports >EDR/PVH Statistics	Post Voting History (PVH) column number corresponds to abstract and/or number returned by locals	<ul style="list-style-type: none"> Run separate reports by selecting appropriate elections No extension option
Duplicate voter records have been merged	Reports Menu > Standard Reports > Maintenance Category > Potential Duplicate Voter Records <ul style="list-style-type: none"> Match criteria DL within County Match criteria across counties 	<ul style="list-style-type: none"> Within county report should contain no voters Across counties report should contain no voters where your county has the most recent registration date 	<ul style="list-style-type: none"> Recommend that potential duplicate records are reviewed and merged monthly so they are not provided on public information lists

Address Ranges

To check...	Do this...	And look for...	Other notes
Overlapping address ranges have been resolved	Reports Menu > Standard Reports > Maintenance Category > Overlapping Address Ranges	Report should contain no records	<ul style="list-style-type: none"> Once report is cleared, SVRS will not allow new overlaps to be created
Voters with a house number and street address have an address range	Reports Menu > Standard Reports > Maintenance Category > Voters without Address Range	Report should contain only voters without a house number and street address	<ul style="list-style-type: none"> Manually precinctd voters remaining on report must always be manually re-precinctd

Absentee & Mail Ballots

To check...	Do this...	And look for...	Other notes
Online UOCAVA requests are daily during 46 day AB period, other times within one week	Absentee Menu > AB Records > View upper right corner queued record counts	Queued record counts should be "0"	

To check...	Do this...	And look for...	Other notes
UOCAVA ballots have been sent 46 days prior to all elections.	Verify Online requests above are "0"; and Reports Menu > Standard Reports > AB Board Category > Absentee Ballots by Current Status and Location > Select specific election, Application Type = UOCAVA; Ballot Status = "Initialized"	<ul style="list-style-type: none"> Report should contain no records If records, print labels and send absentees. 	<ul style="list-style-type: none"> US Dept of Justice will check to verify UOCAVA ballots have been sent Ballots for March Twp must be sent 46 days prior
Regular & mail ballots have been sent 46 days prior to all elections.	Reports Menu > Standard Reports > AB Board Category > Absentee Ballots By Current Status and Location > Select specific election, Application Type = Regular; Ballot Status = "Initialized"	<ul style="list-style-type: none"> Report should contain no records If records, print labels and send absentees. 	<ul style="list-style-type: none"> March Twp and other specials not required to use SVRS AB module Ballots for March Twp must be sent 30 days prior
Returned voted ballots have been accepted within 5 or rejected by AB Board days of being received by clerk; SVRS record must be immediately marked as accepted or rejected	Reports Menu > Standard Reports > AB Board Category > Absentee Ballots By Current Status and Location > Select specific election, Application Type = Regular, UOCAVA, Presidential or mark all; Ballot Status = "Received"	Received Dates under the Ballot Status column should not be older than 5 days	<ul style="list-style-type: none"> Recommend returned ballots are scanned as Received daily If processed daily by AB Board, may skip scanning as Received if immediately scanned as Accepted or Rejected daily
Non-Registered Primary ABs with a process AB EDR are marked as Registered prior to labels being printed for the General AB mailing	Absentee Ballot Menu > Non-Linked AB Records	<ul style="list-style-type: none"> If records, research and link any applicable records. Reprint labels if necessary prior to sending absentees. 	
Voter History has been posted to voter records for late and rejected ABs	Reports Menu > Standard Reports > AB Board Category > Absentee Ballots By Current Status and Location > Select specific election, Application Type = Regular, UOCAVA, Presidential or mark all; Ballot Status = "Rejected"	Search records of voters on report, view Voting History tab. Does record contain history with Source of Reject AB or Late AB?	<ul style="list-style-type: none"> Records must be marked for late and rejected history so that Post-Election notices can be sent to voters with rejected absentees 6-10 weeks after the election
Notices have been sent to absentee (not mail ballot) voters with rejected absentees 6-10 weeks after each election	Reports Menu > Standard Reports > Absentee Ballot Category > Rejected AB Post-Election Notices > Select specific election and mark box that voting history has been posted	Verify county staff have printed and sent notices generated by this report between 6 to 10 weeks after each election	<ul style="list-style-type: none"> Specific election is not displayed in drop-down selection for this report until 6 weeks after the election

8.0 ELECTION JUDGES

8.1 OVERVIEW

The county auditor’s office must forward lists of election judge prospects to local municipal clerks and ensure that election judges have been properly trained to conduct their duties according to the law.

Some counties hire judges to assist in centralized functions such as counting ballots, processing absentee ballots, conducting mail elections or to operate the polling places in unorganized territories, although most election judges are appointed by municipalities to operate polling places administered by cities and townships. More detailed information regarding qualifications to serve as an election judge and the hiring of election judges are available in the City and Township Clerk Guides found at the OSS Election Guides webpage located at <http://www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/>.

County auditors often provide additional leadership in the recruiting of election judge volunteers, assisting local clerks to locate election judges for appointment and in establishing a “ready reserve” of backup election judges to help municipalities meet Election Day staffing emergencies. Further, county auditor offices frequently respond to related questions from local citizen inquiries about serving as an election judge.

8.2 POLITICAL PARTIES & ELECTION JUDGE LISTS

By May 1st in a year in which there is an election for partisan offices, each major political party shall prepare a list of eligible voters to act as election judges in each election precinct. The political parties will furnish the lists electronically to the OSS. The OSS will, in turn, furnish the lists to the auditor’s office by May 15th. The electronic information is produced as a report in SVRS:

The screenshot displays the SVRS 'SELECT REPORT' interface. On the left, a navigation menu is visible with 'Voter Registration' expanded, showing various options like 'Voter Records', 'Pending Applications', and 'Reports'. The main content area features a 'REPORT CATEGORY:' dropdown menu with 'Election Judge' selected. Below this, a table lists several reports: 'Election Judge List', 'Election Judge List for Excel', 'Election Judges Party List as of May 15', and 'Request Election Judge Information Avery Labels'. Two arrows are present: one pointing to the 'Reports' link in the sidebar and another pointing to the 'Election Judge' option in the dropdown menu.

Auditors, in turn, must promptly forward the lists to city and township clerks.

The city councils and auditors use the party lists to appoint election judges to serve at elections in their jurisdictions over the next two years. If there aren’t enough people on the lists or no lists have been received, the governing body may appoint other people who meet the qualifications. The governing body may evaluate applicants to determine if they are capable of carrying out the duties. [M.S. 204B.21, subd. 2](#); [M.R. 8240.0300](#)

8.3 PARTY BALANCE

At least 2 election judges in each precinct must serve with a different major political party designation (except in school district and township elections not held in conjunction with a statewide election). The remaining election judges in a precinct can serve without an affiliation to a major political party. No more than half the judges in a precinct may belong to the same major political party. [M.S. 204B.19. subd. 5; 204B.21, subds. 1 & 2](#)

8.4 NUMBER REQUIRED

A minimum of four election judges shall be appointed for each precinct in the state general election, provided that a minimum of three election judges shall be appointed for each precinct with fewer than 500 registered voters as of 14 weeks before the state primary. In all other elections, a minimum of three election judges shall be appointed for each precinct.

When planning for the appropriate number of election judges for a precinct the following factors should be kept in mind:

- If only the minimum is present, the poll place is at risk of being out of compliance with [M.S. 204B.22](#) if an election judge has to leave the location for any reason during the day
- The number of registered voters assigned to the poll location. Is it significantly more than the suggested 1,500?
- Historical knowledge of the percentage of registered voters who have voted at the poll place on election day
- Is there an expected higher turnout for a particular election?
- The number of expected election day registrations
- Has redistricting occurred?
- Has the jurisdiction's boundary lines or the precinct's lines changed due to annexation, etc.
- Has the poll place location recently changed?

9.0 STATE ELECTIONS

State elections occur during the summer/fall of even-numbered years, or as needed to fill vacancies in federal and state offices. State elections consist of a pairing of a primary and a general election. State elections typically mark the high point for voter turnout over a 2-year cycle, and provide the model for conducting local elections. County auditors and the OSS share responsibility for administering state elections.

9.1 STATE PRIMARY

The state primary occurs on the second Tuesday in August of even-numbered years. The purpose of the primary is to select the nominees of the major political parties for partisan (other than presidential electors) and nonpartisan offices, to be filled at the state general election. [M.S. 204D.03](#)

Major political parties on the primary ballot in 2016 are Republican and Democratic-Farmer-Labor parties. The order of the ballot for major party candidate is determined by the average votes cast for each major party at the last state general election. Candidates for the major party with the smallest average votes are listed first and candidates for the party with the highest average votes are listed last. Minor party and independent candidates for state partisan offices are not placed on the state primary ballot. [M.S. 200.02, subd. 7](#); [204D.13, subd. 2](#)

No write-in candidates are permitted on a primary election ballot. Voters may vote in only one party's primary column on the ballot; voters may not "cross-party vote" between the party columns and candidates. [M.S. 204B.36, subd. 2](#); [204D.08, subd. 2](#); [204D.08, subd. 4](#)

If only one candidate files for nomination by a major political party for a partisan office, then that candidate is declared the nominee for that party when candidate filing closes but the candidate's name still appears on the primary ballot. If all candidates for a particular partisan office have been declared the nominees in this manner when candidate filing closes, then that office is omitted from the state primary ballot. A state primary does not have to be held in a county or municipality if there are no nonpartisan contests and all partisan offices have been determined to be omitted from the state primary ballot in that county or municipality. [M.S. 204D.03](#)

Nonpartisan (judicial, municipal, school, etc.) offices appear on the primary election ballot only when more than twice the number of persons to be elected file for the nomination. Municipalities and schools may, by resolution or ordinance, elect to choose nominees for municipal or school office by primary. [M.S. 204D.07, subd. 3](#); [205.065, subd. 2](#); [205A.03, subd. 1](#)

9.2 STATE GENERAL ELECTION

The state general election occurs on the first Tuesday after the first Monday in November in each even-numbered year. Its purpose is to elect county officers, judges of the state supreme, appellate and district courts, members of the state legislature, constitutional officers, senators and representatives in congress and presidential electors. Proposed amendments to the Minnesota Constitution may be on the ballot, as well as other local elective offices, such as members for soil and water conservation districts and hospital districts, and local ballot questions. The state general election may also include offices and questions for municipalities or school districts that hold their

regularly scheduled election in the even year or for municipalities or school districts holding a special election. [M.S. 103C.305, subd. 1](#); [M.S. 204D.02, subd. 1](#); [204D.03, subd. 2](#); [447.32, subd. 2](#)

9.3 STATE SPECIAL ELECTIONS

A special election to fill a vacancy in the legislature is held according to a statutorily defined time period. The Governor’s issuance of a “writ of special election” begins the special election process, setting forth the office to be filled, the opening and closing dates of filing for candidacy and the dates of the special primary and special election. A special primary and a special election may not be held during the four days before or the four days after a holiday or during the time period between the state primary election and the state general election. [M.S. 204D.17](#); [204D.19](#); [204D.20](#); [204D.21](#); [204D.22](#); [204D.29](#)

Note: The precincts, polling places and election judges for any special primary or special election have to be the same as those used at the last preceding general election in that municipality unless changed according to law. When a special primary or special election is held on the same day as another primary or election, the same precincts, polling places and election judges must be used for both. [M.S. 204D.24](#)

10.0 NOTICES

An important task in conducting an election is the notification process that takes place prior to the election. In state election years the OSS provides notification of the election to county auditors, the county auditors provide notifications to the municipal clerks in their counties and notification is provided to candidates and the public. In addition, local jurisdictions hold local elections for offices and/or ballot questions either with the state primary and general elections or as standalone election. They are required to notify the county auditor and, at times, others such as the Commissioner of Education, and the public by methods and timelines outlined in statutes.

10.1 SECRETARY OF STATE'S NOTICE

16 weeks before the primary (by April 19, 2016) in even-numbered years, the OSS will notify auditors of the federal and state offices to be voted on in that fall election, and specify which offices must file with the Secretary of State. The notice will include the time and place for filing for those offices. Within 10 days of receipt of the OSS notice, auditors must notify each municipal clerk of all of the offices to be voted for in the county in that election and the time and place for filing for those offices. Auditors and clerks must promptly post the notice in their offices. [M.S. 204B.33\(a\)](#)

10.2 CANDIDATE FILING PERIOD NOTICE

Auditors must publish a notice of filing at least 1 week (by May 10, 2016) before filing opens and must post a similar notice 10 days before (by May 6, 2016) filing opens. The notice must state the opening date, the closing at 5:00 p.m. on the last day of the filing period, and where candidates may file affidavits of candidacy. [M.S. 204B.33](#)

10.3 NOTICE OF PRIMARY & GENERAL ELECTION

At least 15 days before a state primary or general election, auditors must post a notice of election in their offices' for public inspection. The notice should include the offices in the county to be nominated (in a primary election) or elected (in a general election) and polling hours and locations for each municipality and unorganized territory in the county. Municipal clerks shall also post a similar notice stating the offices to be nominated or elected, the location of each polling place in the municipality and the hours for voting. An optional provision of the notice may include municipal offices to be nominated or elected. It is also optional for counties and certain municipalities to *publish* the election notice. A **Sample Notice of General Election** can be found in the Appendix.

The notice must include:

- the date of the election
- a listing of all offices and questions on the ballot
- the voting hours
- the location of all polling places [M.S. 204B.34, subd. 1](#)

10.4 EXAMPLE & SAMPLE BALLOTS

10.4.1 Example Ballots

By May 1 each year, OSS sends county auditor example ballots illustrating the format for ballots used at primary and general election of that year. Example ballots can be found at the OSS Example Ballots webpage located at www.sos.state.mn.us/election-administration-campaigns/election-administration/example-ballots/ . [M.S. 204D.09, subd. 1](#)

10.4.2 Primary Sample Ballots

At least 46 days before the state primary the county auditor shall prepare a sample ballot for each precinct for public inspection and transmit an electronic copy of the sample ballots to the OSS. The sample ballot shall be posted in a conspicuous place in the auditor's office and shall be published at least 1 week before the state primary in at least 1 newspaper of general circulation in the county. [M.S. 204D.09](#)

10.4.3 General Election Sample Ballots

At least 46 days before the state general election the county auditor shall post sample ballots for each precinct in the auditor's office for public inspection and transmit an electronic copy of these sample ballots to the OSS. No earlier than 15 days and no later than two days before the state general election the county auditor shall publish a sample state general election ballot in at least one newspaper of general circulation in the county. [M.S. 204D.16](#)

10.4.4 Sample Ballots For Each Polling Location On Election Day

At least 2 sample ballots must be created for posting in each polling place in the county during the day of every primary and general election day. Each sample ballot must reflect the offices, candidates and candidate order of the ballot(s) being used in that polling place. [M.S. 204c.08, subd. 2a](#)

Note: When providing sample ballots electronically for the state primary and state general election, auditors have the option to provide UOCAVA ballot files as well. When provided, these files are used with the UOCAVA e-mail delivery system in SVRS.

10.5 MAIL ELECTION NOTICES

Notice of the mail election and the special mail procedure must be given at least 10 weeks prior to the election. [M.S. 204B.45, subd. 2](#)

Before the 1st election at which mail balloting will be used or discontinued, notice must also be given by 1 or more of the following means:

- publication in a newspaper of general circulation
- posting of notice at public locations within each precinct
- dissemination of information through the media or at public meetings
- mailed notice to registered voters [M.R. 8210.3000, subp. 3](#)

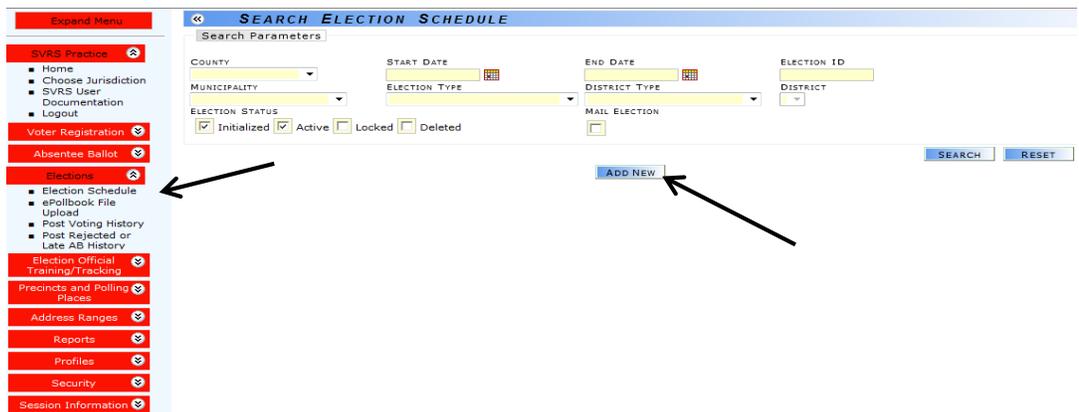
10.6 ELECTION NOTICES TO COUNTY AUDITOR

At least 74 days before every local election (city, township, school district & hospital district) the clerk of that jurisdiction shall provide a written notice to the county auditor, including the date of the election, the offices and the title and language for each ballot question to be voted on at that election. 74 days is the deadline for a written notice of the cancellation of a local election and notice of a mail election for a question. [M.S. 205.16, subd. 4](#); [205A.07, subd. 3](#); [447.32, subd. 3](#); [204B.46](#)

When a mail election or school district standalone election is called, it is suggested that auditors have the clerk indicate how they would like the polling place rosters printed for the upcoming election. For example, one per precinct or two or more precincts combined. With this information, auditors can appropriately set up the election and polling place rosters in SVRS. They also are then able to provide accurate information to the public, coordinate absentee voting and begin ballot layout.

Auditors notify the OSS of every special election not held in conjunction with a regularly scheduled election by the same 74-day deadline by adding the election into SVRS. The initialization of UOCAVA absentee ballots and Safe at Home ballots and the production of rosters are directly connected to this action. The

home county for a school district election will add the election into SVRS and that will result in the election being placed into SVRS for all the school district's counties. There is no need to send any other type of notice of a local special election to the OSS.



Note: County auditors do not have to set up an election in SVRS to notify the OSS of regularly scheduled primary and general elections held in each year (odd and even years). Those elections are already set up in SVRS based on the jurisdiction's profile. Make sure that each jurisdiction's profile accurately reflects when they hold their regularly scheduled elections and if a primary is possible or not.

Special Note: The 2013 legislature changed the local election notice statutes to include the deadline to notify the county auditor of all local elections by 74 days prior to the election. However, cities and school districts with the possibility of a primary election might not "know" if enough candidates have filed to require the need for a primary election until after the candidate filing and withdrawal period has ended. These cities and school districts are encouraged to let the County Auditor know of the possibility of a primary and then confirm the election when the final candidate number is known.

10.7 ELECTION NOTICES CALENDAR

The following is a summary of the required notifications that are to be made prior to state elections. Similar requirements apply to local elections.

May 1 each year

OSS sends county auditor example ballots illustrating format for ballots used at primary & general elections of that year. [M.S. 204D.09, subd. 1](#)

Even numbered year – 16 weeks before state primary (April 19, 2016)

OSS notifies county auditors of federal and state offices to be voted on at the next state general election. [M.S. 204B.33\(a\)](#)

Within 10 days after notice is received by county auditors (by April 29, 2016)

County auditors provide notice to municipal clerks of all offices to be voted on in the county and time and place of filing for those offices. [M.S. 204B.33\(a\)](#)

County auditors and municipal clerks must promptly post a copy of the notice in their offices. [M.S. 204B.33\(a\)](#)

10 days before the first day to file an affidavit of candidacy (by May 6, 2016)

County auditor must post notice of filing listing first and last days for federal, state and county candidate filing and closing time on the last day of filing – the candidate filing period is May 17 to May 31, at 5:00 p.m. on 2016. [M.S. 204B.33 \(b\)](#)

1 week before the first day to file an affidavit of candidacy (by May 10, 2016)

County auditor must publish a notice listing first and last days for federal, state and county candidate filing and closing time on last day of filing. [M.S. 204B.33\(b\)](#)

At least 74 days before the state primary (by May 27, 2016)

Local jurisdictions notify county auditor of primary election for offices and titles and ballot language of questions to be placed on the primary ballot. Auditor notifies OSS by the same 74 days deadline. [M.S. 205.16](#); [205A.07](#); [447.32](#)

At least 10 weeks before the state primary (by May 31, 2016)

County auditors give notice of mail ballot procedures. May include procedures for both the primary and general elections for that year. [M.S. 204B.45, subd. 2](#); [M.R. 8210.3000, subp. 3](#)

At least 46 days before the state primary (by June 24, 2016)

County auditor shall prepare a sample ballot for each precinct for public inspection and transmit an electronic copy of these sample ballots to the OSS. [M.S. 204D.09, subd. 2](#)

15 days before state primary & state general (by July 25 & October 24, 2016)

Municipal clerk must post notice of election stating offices to be nominated or elected, location of each polling place in the municipality and hours of voting. The notice may also include municipal offices to be nominated or elected and may be published in addition to posting it. [M.S. 204B.34, subd. 1](#)

County auditor must post a similar notice in their office that includes information on polling places in unorganized territory in the county. The notice may be published in addition to posting it. [M.S. 204B.34, subd. 1](#)

At least 1 week before the state primary (by August 2, 2016)

County auditor shall post the sample ballots in a conspicuous place in the auditor's office and shall cause them to be published in at least one newspaper of general circulation in the county. [M.S. 204D.09, subd. 2](#)

At least 74 days before the state general (by August 26, 2016)

Local jurisdictions notify county auditor of general election for offices and titles and ballot language of questions to be placed on the general ballot. Auditor notifies OSS by the same 74-day deadline. [M.S. 205.16](#); [205A.07](#); [447.32](#)

At least 46 days before the state general (by September 23, 2016)

County auditor shall post sample ballots for each precinct in the auditor's office for public inspection and transmit an electronic copy of sample ballots to the OSS. [M.S. 204D.16](#)

No earlier than 15 days and no later than 2 days before the state general (October 24 to November 6, 2016)

County auditor shall cause a sample state general election ballot to be published in at least one newspaper of general circulation in the county. [M.S. 204D.16](#)

11.0 CANDIDATE FILING

11.1 FILING PERIOD

Candidate filing is the process through which candidates have their names placed on the ballot. Generally, a candidate can only run for one office at a time. Candidates must file during a two-week filing period that opens 84 days before (May 17, 2016) the primary and closes 70 days (May 31, 2016) before the primary at 5:00 p.m. [M.S. 204B.09](#)

Specific soil and water conservation district supervisor candidates may file for two offices during the same filing period. Soil and water conservation district supervisor candidates whose district is not totally or partially located in Anoka, Hennepin, Ramsey or Washington County may also have an affidavit on file for mayor, council member or town supervisor if the municipality has a population less than 2,500 and at least a portion of the municipality is located in the soil and water conservation district. [M.S. 204B.06, subd. 1](#)

Information regarding whether one person may hold specific combinations of elected or appointed public positions at the same time is detailed in the Compatibility of Offices document authored by the Research Department of the Minnesota House of Representatives and is found at the OSS Candidate Qualifications webpage located at www.sos.state.mn.us/election-administration-campaigns/become-a-candidate/candidate-qualifications/.

11.2 FILING OFFICER

As explained previously, at least 16 weeks before the state primary (by May 3, 2016) the OSS provides notice to the county auditors regarding what federal and state offices are up for election and which of these offices file with the OSS. The county auditor then provides notice to the municipal clerks regarding the offices up for election and the location for filing for those offices:

- Candidates for federal offices file with the OSS [M.S. 204B.09](#)
- Candidates for state and judicial offices file with the OSS or with the county auditor of the county in which the candidate resides [M.S. 204B.09](#)
- Candidates for county office file with the county auditor [M.S. 204B.09](#)
- Candidates for municipal offices file with the municipal clerk [M.S. 205.13](#)
- Candidates for school district offices file with the school district clerk [M.S. 205A.06](#)

11.3 CANDIDATE ELIGIBILITY

11.3.1 Federal Candidates

- For U.S. Senate, candidates must live in the state when elected, be at least age 30, a U.S. citizen for nine years by January 3, 2019, or if filled at a special election, within 21 days after the election. The normal state eligibility requirements do not apply to candidates for federal office. **Note:** No US Senator is to be elected in 2016. [M.S. 204B.06, subd. 4](#); [U.S. Const. Art. 1, Sec. 3](#)
- For U.S Representative, candidates must live in the state when elected, be at least 25 years of age, a U.S. citizen for seven years by January 3, 2017, or if filled at a special election, within 21 days after the election. The normal state eligibility requirements do not apply to candidates for federal office. [M.S. 204B.06, subd. 4\(a\)](#); [U.S. Const. Art. 1, Sec. 2](#)

11.3.2 State Candidates

- **For 2018 elections:** Candidates for governor or lieutenant governor must be eligible to vote in Minnesota, not filed for more than one office for the upcoming primary or general election, be at least 25 years old, and a U.S. citizen for at least seven years on January 7, 2019. Also, they must file “jointly” by indicating their running mate on their individual affidavits of candidacy. [M.S. 204B.06, subd. 1 & 4\(a\) & 6; MN Const. Art. V](#)
- **For 2018 elections:** Candidates for attorney general, state auditor and secretary of state must be eligible to vote in Minnesota, have not filed for more than one office for the upcoming primary or general election, be at least 21 years of old by January 7, 2019 and a resident of Minnesota for at least 30 days before November 6, 2018. [M.S. 204B.06 subd. 1](#)
- Candidates for state senator or state representative must be eligible to vote in Minnesota, have not filed for more than one office for the upcoming primary or general election, be at least 21 years old on January 2, 2017, a resident of Minnesota for at least one year and in the legislative district for at least six months before November 8, 2016. [M.S. 204B.06, subds. 1 & 4\(f\); MN Const. Art. IV](#)
- Candidates for judicial office must be eligible to vote in Minnesota, be at least 21 years old at the beginning of their term, be residents of the state for at least 30 days before November 8, 2016, and be licensed to practice law in Minnesota. A copy of a current attorney license must be provided at the time of filing. [M.S. 204B.06, subds. 1, 4\(d\), & 8](#)

11.3.3 County and Local Office Candidates

- Candidates for county office must be eligible to vote in Minnesota, age 21 on assuming office, and a resident of the county or county commissioner district for 30 days before the election. The same requirements apply to municipal and school district candidates. [M.S. 204B.06, subds. 4\(e\), 1\(a\)\(3\); Op. Atty. Gen. 186A, July 24, 1968](#)
- Candidates for county sheriff must provide a copy of a current Peace Officer Standards and Training Board License at the time of filing. [M.S. 204B.06](#)
- Soil and Water Conservation Supervisors not located in Anoka, Hennepin, Ramsey or Washington counties, may also hold other municipal offices if they meet certain compatibility requirements. [M.S. 103C.315](#)

11.4 FILING PROCESS

Candidate filing is accomplished when a candidate submits to the filing officer:

- an affidavit of candidacy;
- a filing fee or a petition in place of filing fee; or
- a nominating petition - if filing for a federal or state partisan office as an independent or minor political party candidate.

11.4.1 Fees & Petition Requirements

Office	Filing Fees	Nominating Petition # of Signatures	In Place of a Filing Fee Petition # of Signatures
U.S. President/Vice President	None	2,000	n/a
U.S. Senator	\$400	2,000	2,000
U.S. Representative	\$300	1,000	1,000
State Constitutional Office	\$300	2,000	2,000
State Judge (Supreme Court or Court of Appeals)	\$300	n/a	500
District Judge	\$300	n/a	500
State Senator or Representative	\$100	500	500
County Office	\$50	n/a	*
Soil & Water Conservation District	\$20	n/a	*

*Either 500 signatures of people who are eligible to vote in the election or signatures equal to 10% of the total number of persons who voted in the last general election when the office was on the ballot, whichever is less. [M.S. 204B.08](#); [204B.11](#)

11.4.2 Affidavit of Candidacy

Candidates must file an affidavit of candidacy when filing for office. The candidates must meet the qualification for the office. They must also state that the name listed on their affidavit is their true name by which they are commonly known by in the community. *Write in candidates are not required to file affidavits of candidacy when registering as a write-in candidate.*

Because candidate names will now appear on ballots with upper and lower case lettering, it is important to make sure that the candidate has listed exactly how the **name should be spelled and capitalized**. It is suggested to make a copy of the affidavit and go over the spelling and capitalization of the name with the candidate, underlining the exact letters that should be capitalized, before the candidate leaves.

Candidates seeking the nomination of a major political party must state that they participated in the party's most recent precinct caucus or that they intend to vote for a majority of the party's candidates at the next state general election. [M.S. 204B.06](#)

Affidavits of candidacy for federal, state, and county offices may be completed starting 60 days before and during the filing period. The properly completed affidavit, filing fee (or petition in place of filing fee), and nominating petition (if required) must be received by the filing officer during the filing period no later than 5:00 p.m. on the last day for filing. Except for absent candidates as described in section 12.4.4, affidavits of candidacy must be submitted by mail or by hand. [M.S. 204B.09](#)

Affidavits must be signed in the presence of a notary or an individual authorized to administer oaths. OSS and county auditor staff members, if delegated, may witness affidavits of candidacy. Judicial candidates must submit proof that the candidate is licensed to practice law, current attorney's license, in Minnesota at the time of filing. County sheriff candidates must submit proof

of licensure as a peace officer in Minnesota, copy of a current peace officer's standard and training board certificate, at the time of filing. [M.S. 204B.06](#)

Note: If it is determined that the candidate name provided on the affidavit of candidacy should not appear on the ballot because it gives the candidate an advantage over an opponent, including words descriptive of the candidate's occupation, qualification, principles or opinions ([M.S. 204B.35, subd. 2](#)) then the candidate should be notified that their name will appear on the ballot in a different form than what was provided in the affidavit of candidacy.

11.4.3 Filing Fee

A non-refundable filing fee must be paid at the time of filing. A petition may be filed in place of the filing fee. Sample forms must be available from either the OSS or county auditor. Information regarding the number of signatures required on a petition in place of a filing fee is listed in section 11.4.1. [M.S. 204B.11](#)

Note: Signatures for a petition in place of the filing fee may be collected at any time. Addresses provided on petitions must be residential addresses, not P.O. boxes. Addresses must also be verified as addresses within the district for which the candidate is filing.

11.4.4 Nominating Petition

Unlike candidates affiliated with a major party, **independent and minor party candidates** for partisan office need to submit a nominating petition when filing for office. The names of independent and minor party candidates are placed directly on the general election ballot once they have filed for office and their petitions have been approved. Candidates for federal office file their petitions with the Office of the Secretary of State. Candidates for state office may file with either the county auditor in the county in which they reside, or with the Secretary of State's Office. A nominating petition may not contain the name of more than one candidate unless it is for the joint nomination for governor and lieutenant governor or for the nomination of a slate of presidential electors.

Nominating petitions may only be signed by individuals who are eligible to vote for the candidate being nominated. Also, no individual is allowed to sign more than one nominating petition for candidates for the same office, unless more than one candidate is being elected to that office. In this case, an individual is only allowed to sign as many petitions as there are candidates being elected for the office. Additional information regarding nominating petitions is available from the filing officer and at the OSS Candidate Petitions website located at www.sos.state.mn.us/election-administration-campaigns/become-a-candidate/candidate-petitions/. [M.S. 204B.07; 204B.08](#)

Note: Signatures for nominating petitions must be collected during the 14 day period of candidate filing. *Reiter v. Kiffmeyer, Supreme Court of Minnesota, 9/28/2006*

11.4.5 Absent Candidates

Candidates for any office who will be out of the state during the filing period may file affidavits of candidacy and filing fees or petitions, if any, during the seven days immediately preceding their absence from the state. Petitions may be circulated during the 14 days before the affidavit of candidacy is filed. The candidate must state in writing the reason for being unable to file during the normal filing period. [M.S. 204B.09, 205.13, 205A.06](#)

A candidate for federal, state, county, or special district offices who will be out of the state during the entire filing period or who must leave the state for the remainder of the filing period and who certifies to the OSS that the circumstances for the absence constitutes an unforeseen emergency may submit their affidavit by fax or by sending a scanned image of the affidavit electronically to the OSS during the filing period. Candidates must state in writing the reason why they were not able to submit their affidavit by hand or by mail prior to the start of or during the filing period. The affidavit of candidacy, filing fee, if any, and any necessary petitions must be submitted to the OSS by 5:00 p.m. on the last day of filing. If the candidate is filing for a special district or county office, the OSS forwards the affidavit of candidacy, filing fee and/or any necessary petitions to the appropriate filing officer. [M.S. 204B.09, subd. 1a](#)

11.5 WITHDRAWAL

Candidates may withdraw from participation in the election by filing an affidavit of withdrawal with the filing officer. The affidavit must request that the official withdraw the candidate's name from the ballot. The candidate's filing fee is non-refundable. Also, a candidate may stop campaigning but their name will remain on the ballot if they fail to submit an affidavit of withdrawal during the withdrawal period. Candidates for federal, state and county offices must withdraw by 5 p.m. no later than two days after the last day for filing for the office. Affidavits of withdrawal may be submitted by fax.

The only case in which a candidate for partisan offices may file an affidavit of withdrawal after the withdrawal period has passed is when the candidate becomes incapacitated due to catastrophic illness at least one day before the general election in which case a special election may be held on the second Tuesday in February. [M.S. 204B.12, subd. 1; 204B.13, subd. 1](#)

Candidates for city, township and school district offices have until 5:00 p.m. two days after the close of filing to withdraw. [M.S. 205.13, subd. 6; 205A.06, subd. 5](#)

A copy of the Affidavit of Withdrawal is available at the OSS website located at www.sos.state.mn.us/election-administration-campaigns/become-a-candidate/campaign-filing-packet/

11.6 REGISTERED WRITE-IN CANDIDATES

Candidates for federal, state or county office who want their write-in votes counted must file a written request with the filing officer no later than the seventh day before the general election (November 1, 2016 for the State General Election). There are some charter cities that have write-in registration requirements. [M.S. 204B.09](#)

11.7 ELECTION REPORTING SYSTEM ENTRIES

All candidates at the state primary or general election for federal, state, or county level office are entered into the state election reporting system. Local offices may optionally be input for results reporting. The election reporting system will allow the county to request several different types of reports and general election results abstracts.

11.8 CAMPAIGN PRACTICES

As candidates file, auditors and clerks must give them a copy of the Minnesota Campaign Manual, available at the OSS Election Guides website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/. The manual explains campaign financial reporting and campaign practices requirements and prohibitions that apply to candidates and campaign committees as specified in Minnesota Statutes 211A and 211B. [M.S. 211A](#); [211B](#)

Candidates and campaigns choosing to post campaign signs must become familiar with additional laws prohibiting sign placement on highway right-of-ways and the Minnesota Outdoor Advertising Act. These additional laws are traditionally summarized in the form of a letter by the Commissioner of the Minnesota Department of Transportation and made available for distribution in even numbered years. A copy of the letter is available at the OSS website for Campaign Filing Packets located at www.sos.state.mn.us/election-administration-campaigns/become-a-candidate/campaign-filing-packet/. [M.S. 160.27](#); [173.15](#)

11.9 FINANCIAL REPORTING

Candidates for federal office file financial reports with the Federal Election Commission. Additional information is available at www.fec.gov.

Financial reporting for candidates for state level offices is governed by Minnesota Statutes Chapter 10A administered by the state Campaign Finance and Public Disclosure Board. The Campaign Finance and Public Disclosure Board will provide counties with packets of their materials for distribution to legislative and judicial candidates. Additional information is available at www.cfboard.state.mn.us.

Financial reporting for candidates for county, municipal, and school offices is governed by Minnesota Statutes Chapter [211A](#). Candidates for these offices file financial reports with the local office with whom they filed their affidavit of candidacy. Immediately upon receipt (or no longer than 30 days), the filing officer is to place an electronic copy of the financial reports on their web site and it is kept on the site for four years. The web site address of the web page that financial reports are kept is to be shared with the Campaign Finance and Public Disclosure Board. Additional information is available in the Campaign Manual. Also, local jurisdictions may have additional campaign finance reporting requirements.

11.10 CAMPAIGN COMPLAINTS

Complaints of campaign finance or practice violations are heard by the Office of Administrative Hearings (OAH). To initiate a complaint, a completed form must be filed with the OAH; the matter is then subject to review and possible hearing.

In addition to receiving financial reports required under [M.S. 211A.02](#), auditors and clerks also have to notify a candidate or committee who files an initial report, but fails to file a subsequent campaign finance report. Furthermore, if a report is not filed within ten days after the notification is mailed, the filing officer must file a complaint with the OAH. [M.S. 211A.05, subd. 2](#); [211A.32](#)

Auditors and clerks are not responsible for interpreting or enforcing campaign finance or practice laws but have the following administrative duties for local level candidates who report under [M.S. 211A](#):

- provide report forms to candidates or committees. The forms are printed by the OSS and distributed through the auditors and are available at the OSS website for Campaign Filing Packets located at www.sos.state.mn.us/election-administration-campaigns/become-a-candidate/campaign-filing-packet/
- receive financial reports from candidates and committees (They may be filed electronically)
- notify a candidate or committee that has filed an initial report of the failure to file a subsequent report on the date it is due
- file a complaint with the OAH of any candidates or committees who appear to have collected or spent more than \$750 but did not file Campaign Financial Reports and/or a Certification of Filing form
- hold financial reports available for public inspection
- collect Certification of Filing forms from all candidates and committees within seven days after the election, available at the OSS website for Campaign Filing Packets located at www.sos.state.mn.us/election-administration-campaigns/become-a-candidate/campaign-filing-packet/
- issue Certificates of Election only to winning candidates who have filed Certification of Filing forms [M.S. 13.60](#); [211A.02](#); [211A.05](#); [211B.32](#)

11.11 CONTACT INFORMATION

Federal Election Commission

999 E Street NW
Washington, DC 20463
Phone: (800) 424-9530
or (202) 694-1000
TTY: (202) 219-3336
www.fec.gov

Minnesota Campaign Finance and Public Disclosure Board

190 Centennial Office Building
658 Cedar St.
Saint Paul, MN 55155-1603
Phone: (651) 539-1180
Toll Free: (800) 657-3889
Fax: (651) 539-1196
Toll-Free Fax: (800) 357-4114
www.cfboard.state.mn.us

Office of Administrative Hearings

600 North Robert Street
Saint Paul, MN 55101
Phone: (651) 361-7900
Fax: (651) 539-0300
TDD: (651) 361-7878
www.oah.state.mn.us

12.0 BALLOT PREPARATION

12.1 PRINTING ARRANGEMENTS

The official administering the election must identify a ballot printer as early as possible and begin working with the printer well before filing closes. Immediately after the filing period closes and the withdrawal period has passed, the official administering the election needs to finalize the ballot preparation. The ballots must be prepared in time to have a supply for every precinct available to cover absentee voting at least 46 days before a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal or county office, and at least 30 days for a March township election. [M.S. 203B.081; 204B.35](#)

The official charged with preparation of the ballots prepares instructions to the printer in writing addressing candidate name rotation, if any, and ballot layout. These instructions must be approved by the legal advisor of the official before delivery to the printer. If the printing contract will exceed \$1,000, the election official may request the printer first furnish a bond, letter of credit, or certified check conditioned on the ballots being prepared in accordance with the furnished instructions and Minnesota election law. [M.S. 204D.04, subd. 2](#)

Each precinct must be provided with at least 100 ballots for every 85 individuals who voted in that precinct at the previous election for the same office or on similar questions, or in an amount at least 10 percent greater than the number of votes which are reasonably expected to be cast in that precinct, whichever supply of ballots is greater. The auditor or clerk must certify the number of ballots being provided to each precinct, without opening any of the packages of ballots, and provide this number to the election judges for inclusion on the summary statement. [M.S. 204B.28, subd. 3; 204B.29 sub. 1](#)

A major decision to resolve well in advance is whether to use an electronic voting system or traditional hand counted paper ballots. Even when normally using an electronic voting system for state elections, it may be more convenient and cost-effective to hand count the ballots for low turnout elections. Even with hand counting, ballots must be in optical scan format to accommodate use of an assistive voting device. The only exception is townships with fewer than 500 registered voters as of June 1 are not required to use optical scan ballots or an assistive voting device when a town election is not held in conjunction with any federal, state, county or school district election.

12.2 BALLOT LAYOUT

By May 1st of state election years, the OSS will distribute examples of the ballots to auditors. These example ballots are available at www.sos.state.mn.us/election-administration-campaigns/election-administration/example-ballots/. The county auditor distributes copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. [M.R. 8250.1810, subp. 18; M.S. 204D.09, subd. 1](#)

12.2.1 Optical Scan Ballot Layout

Ballots must be prepared by the county auditor according to the rules for format of optical scan systems. The ballots must be packaged for each precinct in groups of 25, 50 or 100. [M.R. 8250.1810](#)

12.2.2 Paper Ballot Layout

Towns with fewer than 500 registered voters conducting elections exempted from the use of an assistive voting device under [M.S. 206.57, subd. 5a](#), may use paper ballots that must be prepared according to the rules for town election ballots. [M.R. 8250.0385](#)

12.3 Proofing Tips

Check ballot header language for accuracy.

- Check the layout matches the example ballot.
- Check the headings on the ballot.

- Check order of offices on the ballot.
- Check the vote for # on each office.
- Check to make sure candidates are in proper order for each race.
- Check that candidate names are spelled correctly.
- Check the question titles and text for typos.
- Check these items for both the front and back sides of the ballots.

12.4 BALLOT QUESTIONS

12.4.1 What Are Ballot Questions?

A local governing body may decide to place certain questions on the ballot that the voters are authorized or required under the law to vote on. Such questions generally are limited to:

- adoption or amendment of a city charter;
- changing options for organizing the governing body;
- consolidation of school districts;
- liquor licensing or Sunday liquor sales;
- raising school district levy limits;
- issuance of bonds; or
- other subjects authorized by a city's charter. [M.S. 103C.211; 275; 123B.09; 123A.48; 340A.504; 367.36; 410; 412.02; 414.04; 410.12; 375.20](#)

12.4.2 Bond and Levy Referendums

A bond referendum is a referendum held to determine if the jurisdiction should be authorized to sell bonds to obtain the funds to finance a project, such as a new building. For all bond or levy referendums that will have the effect of raising property taxes, the ballot must include the notice:

BY VOTING “YES” ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE. [M.S. 275.60](#)

A levy referendum is a referendum held to determine if the jurisdiction should be authorized to levy additional property taxes to fund general operational expenses. Levy referendum ballots may also require notice of the maximum amount of the increased levy as a percentage of market value and the amount that will be raised by the new referendum tax rate in the first year it is to be levied. [M.S. 275.61](#)

12.5 COURT REMEDY FOR ERRORS AND OMISSIONS

Any person may petition a court to seek to correct any error, omission or wrongful act that they feel has occurred or is about to occur in the election process or ballot preparation. This includes mistakes in preparing or printing ballots, errors or omissions in printing names or questions, or any error or wrongful act of any individual charged with any duty concerning an election.

The petitioner must state the problem and the proposed solution in the petition. In matters concerning election for state or federal office the petition must be filed with a judge of the state Supreme Court. In matters concerning election for county, municipal, or school district office the petition must be filed with a judge of the district court in the county where the election was held. The court will hold an expedited hearing and issue its findings and orders soon as possible after. Failure to obey the order is contempt of court. [M.S. 204B.44](#)

13.0 ABSENTEE VOTING

13.1 Administering Absentee Voting

Voters must not be required to go to more than one location in order to cast an absentee ballot. For example, if a county and a municipality and/or school district are conducting an election on the same day, the auditor administers absentee voting for the other jurisdictions whose residents also reside in the county. There are scenarios where the county may designate this responsibility or where it is the responsibility of the municipality or school district to administer absentee voting, but the county auditor is always responsible for administering absentee voting for military and overseas (UOCAVA) voters.

13.1.1 State Elections

The county auditor administers absentee voting for county, state and federal elections, and for UOCAVA voters. They may also designate the job of administering regular absentees to a full-time municipal clerk. A full-time clerk must accept the designation. If the auditor has not designated, a full-time clerk may give the auditor notice that the municipality will administer regular absentee voting. A municipality may only be designated to administer regular absentee voting if they have the technical capacity to access SVRS and must first receive training from the OSS. The designation or notice must specify whether the clerk will be responsible for the administration of a ballot board as provided in [M.S. 203B.121](#). A clerk of a city that is located in more than one county may only administer absentee voting if the clerk has been designated by each of the county auditors or has provided notice to each of the county auditors that the city will administer absentee voting. [M.S. 203B.05, subd. 1; 203B.22](#)

Counties must establish an absentee ballot board for processing returned UOCAVA ballots. Also, counties and designated municipalities must establish an absentee ballot board for processing returned regular absentee ballots.

13.1.2 Special Elections, Municipal Elections & School Elections

When a local election is held on a different day than a state election, the local government is responsible for administering absentee voting for its election, except for UOCAVA absentee ballots which are administered by the county auditor. However, if the local government asks the county, and the county agrees, the county may administer all absentee voting for the local government.

The local government, or county if they have agreed, must establish an absentee ballot board for processing returned regular absentee ballots.

Note: If the county agrees to conduct school district absentee voting, the county must be open on the Saturday prior to the election for absentee voting even if the school district would not have been required to be open. [M.S. 203B.05, subd. 2](#)

13.1.3 Locations for Absentee Voting In-Person

An eligible voter may vote by absentee ballot in the office of the county auditor and at any other absentee polling place designated by the county auditor during the 46 days before the election, except as provided in [M.S. 203B.081](#).

Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election. Location designations are made at least 14 weeks before the election. At least one voting booth and assistive voting device is to be available in each absentee voting location as per [M.S. 206.57, subd. 5](#).

Regardless of the jurisdiction, size of the election or if it is a stand-alone election, all absentee voting laws/processes/procedures are followed for all elections.

13.1.4 Further Absentee Voting Information

Further information about absentee voting can be found in the Absentee Voting Administration Guide available at the OSS Election Guides website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/.

14.0 VOTING SYSTEMS

14.1 WHAT ARE VOTING SYSTEMS?

All voting systems must be certified to meet standards issued by the federal government and by the OSS before they can be used in Minnesota.

14.1.1 Optical Scan

Optical scan voting systems are computerized ballot counters that use scanners for reading the marks voters make on the ballots similar to the process used for standardized testing. They can instantly produce vote totals, even on the most complex ballots. Other than paper ballots in certain cases, current state law permits the use of only optical scan type voting systems. [M.S. 206.57, subd. 6](#)

Optical scan systems are available in two configurations:

- "precinct ballot counters" that sit on top of the ballot box in the polling place and that scan the ballot as the voter places the ballot into the ballot box; and
- "central count" systems where ballots are collected from several precincts or absentee ballot boards and brought to the scanner for tabulation. [M.S. 206.56, subd. 8](#); [206.57](#)

The following are certified precinct optical scan voting systems in the State of Minnesota:



M100



Accu-Vote



DS200



VerityScan



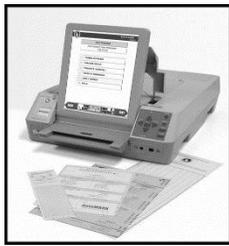
ImageCast Evolution

14.1.2 Assistive Voting Device

Every precinct, except stand-alone township elections for a town with less than 500 registered voters, must have at least one assistive voting device. Assistive voting devices allow voters with disabilities to mark their ballot independently and privately but does not count the ballot. Local jurisdictions must make assistive voting devices purchased with HAVA funds available to other jurisdictions holding stand-alone elections. The jurisdiction providing the equipment cannot charge the jurisdiction using the equipment a rental fee, but may require reimbursement for any actual direct cost that results from the equipment's use and prorated indirect costs of maintaining and storing the equipment.

Reimbursements for any costs paid for with HAVA funds must be deposited in your HAVA account. [M.S. 204B.18, subd. 1](#)

The following are certified assistive voting devices in the State of Minnesota:



AutoMARK



ImageCast Evolution



Verity TouchWriter

14.2 STATE COOPERATIVE PURCHASING VENTURE (CPV)

The Minnesota Department of Administration, working with the OSS, may enter into purchasing agreements with certified vendors of optical scan voting systems to provide low prices and easy purchasing of precinct ballot counters.

For a nominal fee, local governmental subdivisions may join the CPV program and make purchases at state prices without the necessity of doing a competitive procurement. For more information about the state CPV program, contact the Department of Administration at (651) 201-2555. Ask for details about Contract Release V-18(5). Jurisdictions may contact the vendors directly to make their purchases.

Jurisdictions may enter into maintenance agreements to have a vendor provide service to the voting systems. Under this type of maintenance agreement, the vendor regularly services and repairs the voting systems. The level of service varies depending on the terms of the maintenance agreement.

14.3 PROGRAMMING AND BALLOT LAYOUT

Voting systems require specific programming for each election, and the programming must be carefully coordinated with ballot printing. Some jurisdictions opt to do their own programming, but the majority contract for this service. Either way, timeliness is critical. As soon as possible, jurisdictions must provide the programmer with complete ballot information including office order, candidate names, base rotation, ballot questions, and the precinct registration counts used in the rotation algorithm.

The deadline for providing the candidate names is within 5 days after the withdrawal period closes. If all candidates are entered into ERS, the OSS works to electronically transfer the candidate information to the vendor. When entering the candidate information into ERS, auditors should note any pronunciations of a candidate's name to assist with audio programming.

The vendor or programmer, in turn, must provide the completed programming to the jurisdiction at least 21 days prior to the election. [M.R. 8220.0850](#)

14.4 TESTING

State statutes and rules require jurisdictions to complete two rounds of testing of optical scan and assistive voting equipment and programming prior to Election Day. Preliminary testing is extensive and should be performed as soon as possible.

14.4.1 Preliminary and Public Accuracy Testing

The first round of testing is preliminary testing and is extensive and should be performed as soon as possible. The second round of testing is a Public Accuracy Test (PAT) which occurs within 14 days of the election. Each jurisdiction that operates electronic voting equipment, even if only an assistive voting device is employed, must hold a PAT, giving at least 48 hour published and posted notice of the time and place of the test. At least two election judges from different parties must be on hand to witness the test. If the jurisdiction has three or fewer precincts, all precincts must be tested. If more precincts exist, test at least three including one from each congressional, legislative, county commissioner, school district and ward. The public is welcome to watch the test. See the Equipment Testing Guide for more details on conducting testing available at the OSS Elections Guide website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/. [M.R. 8220.1550](#)

15.0 ELECTION DAY

15.1 VOTING HOURS – POSTPONEMENT

For state elections, voting hours are 7 a.m. to 8 p.m. Towns with fewer than 500 inhabitants and unorganized territories may open as late as 10 a.m. Voters waiting in line at 8 p.m. are allowed to register and/or vote. Those who arrive after 8 p.m. cannot vote. [M.S. 204C.05](#)

Local county, municipal and school elections not held in conjunction with a state or federal election may be postponed for inclement weather. When one or more local jurisdictions are holding elections in conjunction with one another, the jurisdiction with the largest geographic area has the authority, after consulting with the other auditors and clerks, to postpone the election. A decision to postpone must apply to every precinct in the jurisdiction and must be made no later than 6 p.m. on the day before the election. A postponed election must be rescheduled for the next following Tuesday. An election that is postponed due to weather may be postponed again. [M.S. 205.065, subd. 1](#); [205.07, subd. 1a](#); [205.105](#); [205A.03, subd. 2](#); [205A.055](#); [365.51, subd. 1](#); [373.50](#)

15.2 VOTER REGISTRATION

Minnesota is among the states that permit Election Day registration. Especially in the presidential election, twenty percent or more of all voters may register at the polling places. Because the Election Day registration process requires some additional time and interaction between voter and election judge, it is important to do advance planning and preparation. For auditors, this means checking inventories of voter registration applications, so all polling places will have abundant supplies. For clerks, avoiding delays and congestion in the polling places requires planning for smooth traffic flow and the appointment of additional election judges to handle the registration duties. Note that one judge may distribute ballots and register voters during the course of an Election Day, but may not perform both functions for the same voter. [M.S. 201.061, subd. 3](#); [201.061, subd. 4](#); [M.R. 8200.5300](#)

The mechanics of registration are in the Election Judge Guide. For administrators, the major concern is that eligible voters register and vote in the proper place. To enable the election judges to confirm each new registrant's address, each polling place must be provided with either a precinct finder or a precinct map. A precinct finder is a report generated from SVRS listing all of the address ranges for a specific precinct or district. Auditors and clerks must arrange to equip the polling place with a **map and/or precinct finder**. It is also recommended that the Election Day Registration table have a copy of the **Greeter's List** so that a person's registration can be checked one more time before having to complete the registration process. [M.S. 201.061, subd. 6](#)

Within two days of the election, clerks must return the polling place roster(s) and completed voter registration applications to the county auditor.

Note: If the county does not delegate absentee administration, the rosters may need to be returned earlier to complete AB process within 24 hours after polls close. [M.S. 201.061, subd. 7](#); [201.081](#)

15.3 AUTHORIZED PERSONS AND ACTIVITIES IN THE POLLING PLACE

During voting hours, the law only allows election judges, people directly engaged in voting, and authorized persons to be present in a polling place.

Authorized persons are:

- Persons helping a voter who is disabled or unable to read English.
- Persons who are vouching for a voter's residence.
- Observers with written authorization from the OSS, the county auditor, or the clerk for the purpose of observing election procedures.
- Peace officers, if the election judges request their presence to keep order.
- Children when accompanying voters.
- Challengers authorized to observe in the polling place.
- Teachers and elementary and high school students if participating in a mock election that has been authorized by the secretary of state.
- The news media may enter the polling place to observe the voting process so long as they:
 - Show photo identification to the head election judge upon arrival at the polling place along with either a recognized media credential or written statement from a local election official attesting to the media representative's credentials.
 - Stay at least 6 feet from voters.
 - Do not converse with voters or interfere with the voting process.
 - Do not make a list of those voting or not voting.
- Persons making written complaint. [M.S. 204C.06](#)

15.4 ELECTION JUDGE NEUTRALITY IN THE POLLING PLACE

Even though many judges are affiliated with major parties and often have strong political opinions about candidates and ballot questions, once a judge steps into the polling place and takes the oath, they are to remain neutral while serving in the role of election judge. Voters have the right to vote in a polling place, free of any influence.

This can be difficult when there is a controversial question on a ballot; especially a constitutional amendment. Many people will ask election judges, what does this "mean?" Or, what effect does this or that action have on the outcome of the election?

There should be nothing for election judges to explain orally about any question. The instruction wording is printed on the ballot above all questions. The instructions above a constitutional amendment are very clear and are explicitly laid out in law.

It is suggested that when election judges are asked about ballot questions, to refer the voter to the instructions. If needed, the election judge may read the instructions out loud. No further explanation is needed.

15.5 PROHIBITED CONDUCT IN THE POLLING PLACE

Disorderly persons, intoxicated persons and/or liquor, persons campaigning and/or campaign materials, smoking, and persons lingering are not allowed in the polling place.

People may not gather or linger in the polling place or within 100 feet of the building in which the polling place is located. One exception is an individual conducting an exit poll. Exit polls cannot be conducted within the polling place, but may be conducted anywhere outside of the room being used as the polling place. An individual conducting an exit poll may only approach voters as they leave the polling place after having voted to ask them to take an anonymous written questionnaire.

Furthermore, campaigning is also not allowed in the polling place, within 100 feet of the building where the polling place is located or on public property if the polling place is on public property.

See the Election Judge Guide for additional information regarding prohibited conduct in the polling place.

Note: Per *Schimming v. Riverblood*, OAH 7-6347-20326-CV (June 5, 2009), the prohibition of signs and campaign materials within 100 feet does not apply to adjacent private property.

15.6 ROLE OF CHALLENGERS IN THE POLLING PLACE

Specifically-appointed challengers are permitted to be present in the polling place during the hours of voting. When challengers arrive at a precinct, they should be directed to the Head Judge to prove their Minnesota residency by presenting one of the proofs of residency accepted for Election Day registration. Challengers do not need to prove residence in the precinct where they are appointed on Election Day.

The challenger cannot speak to voters. Furthermore, the challenger cannot handle or inspect any of the voting materials, or make lists of who has or has not voted, or compile lists of voters to challenge on the basis of mail sent by a political party that was returned undeliverable or if the receipt by the intended recipient was not acknowledged in the case of registered mail, and cannot attempt to influence voting in any manner. Challenge of a particular voter's eligibility to vote takes place through the election judge. The challenger must complete the Oath of Challenge to Voters Eligibility form for each voter challenge and the election judge then resolves the issue with the voter. [M.S. 204C.07, subd. 4; 204C.12](#)

Appointment as a challenger requires issuance of a written certificate according to the following circumstances:

- **Partisan elections.** At an election to fill partisan offices, the chair of an authorized committee of each major political party may appoint by written certificate voters from that political party to act as challengers of voters at the polling place for each precinct. Only one challenger from each major political party for each precinct is allowed to remain in the polling place at one time.
- **Nonpartisan elections.** At an election to fill nonpartisan offices, nonpartisan candidates may appoint by written certificate voters to act as challengers of voters at the polling place for each precinct. Only one challenger for each candidate is allowed to remain in the polling place for each precinct at one time.
- **Elections on questions.** At an election where a question is to be voted upon, the mayor of a city, or the school board of a school district, or the board of supervisors of a town, upon receiving a written petition signed by at least 25 eligible voters, must appoint by written certificate one voter for each precinct in the municipality, or school district if applicable, to act as a challenger of voters in the polling place for that precinct.

Challengers must be residents of the state of Minnesota and prove their residency by presenting one of the proofs of residency accepted for Election Day registration. Challengers do not need to prove residence in the precinct where they are appointed on Election Day. [M.S. 204C.07](#)

Note: See the Election Judge guide for additional information regarding the roll of challengers in the polling place.

15.7 EMERGENCIES

Nothing must interfere with the right of voters to vote free of undue delay or inconvenience. Should emergencies occur, auditors, clerks and election judges have wide discretion to resolve the problem. Polling places may be moved, additional judges enlisted, and materials or supplies (including ballots and voter registration applications) photocopied, if necessary. If a precinct ballot counter should break down, the emergency voting slot in its ballot box should be opened immediately. [M.S. 204B.16, subd. 7; 204B.25, subd. 1; 204B.30](#)

15.8 PUBLIC ACCESS TO POLLING PLACE AFTER POLLS CLOSE

After all voters in line at 8 p.m. have voted, the polling place is open to the public until votes are counted and the results are declared.

15.9 SUMMARY STATEMENTS

In precincts with a precinct ballot counter, the printed results tape is the summary statement if it contains all required elements. Election judges from all precincts must complete at least three copies of the summary statement and seal each in individually signed envelopes. At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections. The first copy must remain attached to the zero report printed when the polls were opened.

The result counts of all voted absentee ballots for a precinct must be recorded on a summary statement in substantially the same format as provided in [M.S. 204C.26](#). The ballot board shall submit at least one completed summary statement to the county auditor or municipal clerk. The county auditor or municipal clerk may require the ballot board to submit a sufficient number of completed summary statements, or the county auditor or municipal clerk may certify reports containing the details of the ballot board summary statement to the recipients of the summary statements.

Each copy of the summary statements must include the following:

- Total ballots delivered to your precinct as adjusted by the actual count (from any adjustments noted on the incident log);
- The number of unofficial ballots made, if any;
- The number of spoiled ballots;
- The number of duplicate ballots made, if any;
- The number of unused ballots at the end of the day;
- The number of absentee ballots delivered;
- The number of absentee ballots rejected;
- The number of persons registered to vote at 7am on Election Day;
 - This number is listed in the back of the pre-registered roster.
- The number of persons who registered to vote at the polling place on Election Day;
 - This is the number of voter signatures on the Election Day registration roster (or the number of EDR voter registration applications).
- The number of signatures on the rosters (pre-registered roster plus the election day registration roster);
 - This is the number of voter signatures on both rosters or the number of issued voter receipts.
 - Do not count “AB” notations printed, written, or stamped on the registered roster.
- The number of accepted absentees;
- The total number of voters that voted at the polling place on Election Day
- Number of Election Judges present at the poll place (count signatures of those who have signed the oath)
- Number of booths or other types of voting spaces available in the poll pace (do not count assistive voting device). [M.S. 204C.24](#)

16.0 RECEIVING AND REPORTING RESULTS

16.1 RECEIVING AND POSTING RESULTS

Auditors' offices must remain open after the polls close in order to receive the election returns, to permit public review of the summary statements, and to tabulate ballots if operating a central count voting system. The offices must remain open until these tasks are completed or for 24 hours, whichever comes first. If clerks or election judges fail to deliver the returns, the auditor must send a special messenger to the polling place to pick up the returns. [M.S. 204C.28, subd. 1](#); [204C.29, subd. 1](#)

In precincts where an electronic voting system is used, if the election judges determine that the number of ballots exceeds the number of voters, the judges must seal the ballots and transport them to the county auditor or municipal clerk. The auditor or clerk must remove excess ballots and run the remaining ballots through the ballot counter. When the final count agrees with the number of ballots to be counted, those ballots not counted shall be sealed in a separate envelope with a certificate stating why they were not counted. [M.S. 204C.20](#); [206.86](#)

16.2 ELECTION NIGHT REPORTING SYSTEM

All candidates at the state primary or general election for federal, state, or county level office are entered into the state election reporting system (ERS). The election reporting system will allow the county to request several different types of reports, including canvass reports. Detailed information on the use of the system will be provided prior to the election.

17.0 AFTER THE ELECTION

17.1 RETURNING MATERIALS

At least one election judge from each precinct must deliver the following sealed items to the county auditor or the municipal clerk (who delivers to the county auditor) after all ballots have been counted but no later than 24 hours after voting ends at 8 p.m. on election night:

- two sets of summary statements; and
- all voted and spoiled ballots. [M.S. 204C.27](#)

Every auditor must remain in their office on the night of the election until all returns have been delivered to the auditor's office. The auditor must prepare a record of all materials delivered to their office on the night of the election. This record must be prepared in the presence of the municipal clerk or election judge who delivered the materials to the auditor's office. The record must include all materials delivered, the time of delivery, the name of the individual who made the delivery, the number of ballots delivered to the precinct and the total number of ballots returned as listed on the summary statement. A discrepancy between the number of ballots delivered and returned must be noted. All envelopes returned on election night must remain sealed and stored in a secure place in the auditor's office. [M.S. 204C.28, subd. 1](#)

At least one election judge from each precinct must deliver the following to the municipal or school district clerk within 24 hours after voting has ended on the night of the election:

- remaining summary statements and returns;
- all unused and spoiled municipal or school district ballots;
- completed voter registration applications;
- voter rosters; and
- voting systems.

The municipal clerk then must return all polling place rosters and completed voter registration applications to the county auditor within 48 hours after voting ends on election night. You may need to make arrangements to have rosters returned sooner to complete accepting/rejecting absentee ballots within 24 hours after the polls close. [M.S. 204C.27](#)

17.2 GENERATING ABSTRACTS

A benefit to entering results into the state election reporting system is that the system will generate the abstracts needed by the county canvassing board for federal, state and county level. If local election results are entered into the reporting system, abstracts can be produced for local officials and their canvass board meetings.

The Election Reporting System (ERS) is located at <https://acecounty.sos.state.mn.us/Login.aspx>. If you have forgotten your User ID or Password, please contact the Elections Division at elections.dept@state.mn.us or 651/215-1440.

When printing abstracts for state and county offices:

- printer should be set to landscape with all margins set to 0.5; adjust if needed;
- review Pre-Canvass Reports in the ERS's Results Reports (see screenshot);
- confirm precincts for each race;
- confirm election results are appearing as expected; and
- make corrections and reprint if discrepancies are identified.

Remember, the abstract your canvassing board signs are the official results which are reported to the State Canvassing Board. Care is needed in proofing results to insure the results are reported accurately.

Results Reports

Election Results Status

Polling Place and Absentee Precinct Proofing

Pre-canvass: More Votes Than Voters

Pre-canvass: No Votes but Has Voters

Pre-Canvass: No Votes but Votes Exist for Other Offices

Pre-Canvass: EDR Deviations

Pre-Canvass: Summary Statistics

Winners List

Precinct Voting System Data Report



17.3 CANVASS OF THE RETURNS

Canvass means to review the vote totals, certify the results, and declare the nominees or winners. Canvassing boards have little power beyond these limited duties. The county canvassing board consists of the county auditor, the court administrator of the district court, the mayor (or chair of the township board) of the county's most populous municipality, and two members of the county board selected by the board from its members who are not candidates at the election. [M.S. 204C.31](#)

The canvassing board must meet:

- on the second or third day after a state primary or election held on another date; or
- between three and 10 days after a November state general election; or
- the day following a special primary or special general election if the special primary or election is not held on the day of a state election. [M.S. 204C.32](#); [204C.33](#); [204D.27, subd. 1](#)

Steps in canvassing board procedure vary according to the method of voting system used in the county. The steps to canvass the results:

1. the auditor inputs or uploads the results and statistics by precinct in the statewide Election Reporting System (ERS) and generates two state abstract reports that are the summary of statistics and votes cast for federal and state offices in the election, one county abstract report that is the summary of statistics and votes cast for county offices in the election, and a separate registered write-in report for federal, state, and county offices;
2. the auditor proofs the reports prior to the canvass board meeting to ensure they contain the correct vote totals and that the statistics add up to the total reported voting;
3. the canvass board takes an oath of office as defined in the Constitution of the State of Minnesota article V, section 6 and publicly canvasses the election returns by reviewing the abstract and write-in reports provided by the auditor;
 - a. the board may ask to examine summary statements before it declares the results;
 - b. when satisfied that the abstract reports are correct, the board signs the abstracts and they become the official results;
 - c. in the case of a tie vote, the canvassing board determines the winner by lot;
4. obvious errors by election judges or the county canvass board may be corrected by following the specific procedures prescribed by [M.S. 204C.38](#);
5. at the county canvass of the state primary, the board also sets the date, time and location of the Post-Election Equipment Review (PER) and the auditor promptly notifies the OSS to be posted on the OSS website;
6. at the county canvass of the state general, the canvass board must appoint the auditor as the PER official and must randomly select the precincts to be reviewed at the PER;
7. immediately after the conclusion of the county canvass for state elections, the auditor sends one copy of the state abstract (registered write-in summary statement is sent with state general canvass) to the OSS by messenger, express mail or similar service; and
8. the auditor keeps one state abstract and the county abstract as a permanent record of the election, available for public inspection. [M.S. 204C.33](#); [204C.34](#); [204C.37](#); [204C.38](#); [204C.39](#)

17.4 RECOUNTS

Minnesota election law authorizes administrative recounts after the canvassing board certifies the results. Rather than seeking a court order, the election administrator, on behalf of the appropriate canvassing board, may conduct a manual recount. A recount is limited in scope; the sole issue a recount may resolve is whether the election judges arrived at the correct vote total. Original ballots that have been duplicated are not within the scope of a recount and must not be examined except as provided by a court in an election contest. Rejected absentee envelopes may not be opened or subject to further review except in an election contest pursuant to [Chapter 209](#). [M.S. 203B.121, subd 2; 204C.35, subd. 3](#)

[Minnesota Rules Chapter 8235](#) provides a complete discussion of the procedure for conducting a recount. See the Minnesota Recount Guide found at the OSS Election Guides webpage located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/ for more information on general procedures.

17.4.1 PUBLICLY FUNDED RECOUNTS

State Offices: When the difference between the votes cast is less than:

- one-half of one percent for state legislative offices or
- one-quarter of one percent for statewide federal office, state constitutional office, statewide judicial office, congressional office or district judicial office

of the total number of votes counted for that office or is 10 votes or less and the total number of votes cast is 400 votes or less, there shall be a manual recount of the votes upon written request from the candidate whose nomination or election is in question. [M.S.204C.35, subd. 1](#)

Local Offices: A losing candidate of a county, municipal or school district office may request a recount of the votes cast if the difference between the votes cast for that candidate and the winning candidate is less than one-quarter of one percent of the total votes founded for that office. In the case of offices where two or more seats are being filled, the one-quarter of one percent difference is between the elected candidate with the fewest votes and the candidate with the most votes from among the candidates who were not elected. Exceptions include:

- One-half of one percent if there are more than 400 but less than 50,000 votes cast for the office and
- 10 votes or less if the number of votes cast is 400 or less. [M.S. 204C.36, subd. 1](#)

17.4.2 DISCRETIONARY RECOUNTS

A losing candidate whose name was on the ballot can request a manual recount, at the losing candidate's expense, when the vote difference is greater than the percents or numbers of votes cast noted in [M.S. 204C.35, subd. 1](#).

The candidate requesting the recount may provide the filing officer with a list of up to three precincts that are to be recounted first and may waive the balance of the precincts after these recounts have been counted. If the winner of the race is changed by the result of the recount or if the difference between the result of the recount and what was reported on Election Day is more than the accepted margin of error for the post election review, the cost of the recount is paid by the jurisdiction conducting the recount. [M.S. 204C.35 subd. 2](#)

17.4.3 BALLOT QUESTION RECOUNTS

A recount for a county, school or municipal ballot question may be requested at the jurisdiction's expense by any person eligible to vote on the question if the difference between the votes for and the votes against the question is less than or equal to the differences provided for local offices in 17.4.1. The individual must also file a petition signed by 25 voters eligible to vote on the question. If the difference between the votes for and the votes against the question is greater than the differences provided for local offices in 17.4.1, the person requesting the recount is responsible for the expenses of the recount. [M.S. 204C.36, subd. 3](#)

17.4.4 CONTEST OF ELECTION

Any voter, including a candidate, may contest the election of any person or contest the declared result of a question for which the voter had the right to vote. An election may be contested over an irregularity in the

conduct of an election or canvass of votes or on the grounds of deliberate, serious, and material violations of the provisions of the Minnesota election law.

Complete information about election contests may be found in [Minnesota Statutes Chapter 209](#). Those who wish to contest an election must file a written notice of contest that specifies the points on which the contest will be made. The notice must be filed with the clerk of the district court of the county within seven days after the canvassing board declares the results of a general or special election or within five days for a primary.

[M.S. 209.02](#)

It is essential that all election-related materials as required by law are preserved and safeguarded throughout a contest period. Information regarding retention and security of election materials is found in the Retention and Security of Election Materials found in the beginning section of this guide.

17.5 NOTICE OF NOMINATION AND CERTIFICATES OF ELECTION

After five days for a primary or 7 days for a general election has passed without a recount having been requested and all required campaign finance reports and certification of filings have been filed, the filing officer (auditor for county offices) must issue a certificate of nomination (for a primary) or a certificate of election (for a general) to each successful candidate.

The OSS, rather than auditors, prepares and issues the notices of nomination and the certificates of election for federal and state candidates. [M.S. 204C.32](#); [204C.40](#)

17.6 RECORD RETENTION

The county auditor is responsible for custody of election materials returned to them after any election for at least 22 months from the date of the election. All election materials involved in a contested election must be retained for 22 months or until after the contest is decided, whichever is later. UOCAVA materials must be retained for six years. The auditor must permanently retain abstracts canvassed by the county canvassing board and make them available for public inspection. These abstracts are permanently retained because they contain the original signatures of the canvassing board.

Materials include:

- Pre-election accuracy test results tapes.
- Completed VRAs.
- Records of notices of late, incomplete, and deficient registrations.
- Records of notices of ineligibility for registration.
- Returned PVCs, NCOA notices, or election mailing
- Reports of deceased voters, name changes, felony convictions, guardianships and commitments.
- Ballots cast.
- Defective and spoiled ballots.
- Precinct summary statements.
- Polling place rosters.
- Completed EDR applications.
- County records of materials delivered to them after completion of voting.
- County records of access to ballots.
- Lists submitted by residential facilities and educational institutions, per M.S. 135A.17 and 201.061, subd. 3.
- Completed Oath of Challenge to Voter's Eligibility forms.
- Precinct Incident Logs.
- Used absentee ballot applications.
- Used absentee ballot return envelopes.

- UOCAVA precinct record.
- Copies of post-election machine audits, including machine tapes generated as part of that process, or copies of any other similar documented means of verification.

Unused ballots and electronic voting system and counting programs only need to be kept through the end of the contest period and do not need to be kept through the end of the 22 month retention period. [M.S. 204B.40](#)

17.7 POSTING VOTER HISTORY

Within six weeks after every election, the county auditor must post the voting history for every person who voted in that election. If the county is not able to enter all Election Day Registration application information and subsequent voting history into SVRs prior to the 42-day deadline, they must notify the OSS prior to the deadline that the deadline will not be met. This notification is for EDRs only; there is no extension provided for in law for delayed posting of precinct roster history. Voting history must also be entered for late or rejected absentee or mail ballots. Although not counted in an election, a late or rejected AB or MB must be considered a vote for the purpose of continuing registration, but is not considered voting history for the purpose of public information lists. [M.S. 201.121](#); [201.171](#)

Entering voting history into SVRS is a key step in keeping the database of registrants up to date. The voting history (normal and rejected/late ABs and MBs) is used during the annual list maintenance to determine whether a registration record had activity within the past four years. After the close of the calendar year, the OSS performs list maintenance and changes the status of registrants without activity for four years to “inactive.”

17.8 POST ELECTION REVIEW OF VOTING SYSTEMS

A post election review of voting systems will take place for specific precincts after every state general election.

At the county canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the post election review of the state general election. The review must occur between 11th and 18th day after the state general election.

At the canvass of the state general, the county canvassing board in each county must randomly select the precincts to be included in the post election review. The ballots to be reviewed for a precinct include both the ballots counted at the polling place and the absentee ballots counted centrally by a ballot board. The county auditor must notify the OSS when these selections have been made. The votes cast for President or Governor; United States Senator and United States Representative must be reviewed for the precincts selected by lot by the county canvassing board; unless the office is subject to a publicly funded recount. The county auditor is the post election review official unless the auditor designates the municipal clerk the review official within 24 hours after the county canvass of the state general election. The post election review official may conduct a post election review of the votes cast for additional offices.

Number of precincts to be selected: The county canvassing board of a county with fewer than 50,000 registered voters must conduct a review of a total of at least two precincts.

- The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of at least three precincts.
- The county canvassing board of a county with more than 100,000 registered voters must conduct a review of at least four precincts or 3% of total number of precincts in the county, whichever is greater.
- One precinct selected in each county must have had more than 150 votes cast at the general election.
- The county auditor must notify the OSS of the precincts that have been chosen for review, the time and place of the review as soon as the decision is made.
- If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the OSS may require counties to select additional precincts by lot.

The review is a comparison of a hand tally of the voted ballots cast in the precinct with the reported results certified by the county canvassing board. The comparison of the results from the voting system and the hand count must be accurate to within one-half of one percent or two votes in a precinct where 400 or fewer voters cast ballots. This does not include votes marked outside the vote targets on the ballot or votes marked by an unreadable manual marking

device. The review of additional precincts is required if one of the reviewed precincts reveals a difference greater than one-half of one percent, or greater than two votes in a precinct where 400 or fewer voters cast ballots. [M.S. 206.89](#)

For additional information regarding this process see the Post Election Review Guide available at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/ .

17.9 PERFORMANCE REVIEW

The OSS is required to monitor and evaluate the election procedures in at least four precincts that are subject to the post election audit in each congressional district. The precincts to be reviewed are chosen by lot by the State Canvassing Board at its meeting to canvass the State General Election. The OSS may review the activities and materials used in the selected polling places on Election Day. [M.S. 206.895](#)

17.10 UOCAVA PRECINCT RECORD AND CERTIFICATION

No later than 60 days after the general election the auditor must report to the OSS the combined number of absentee ballots sent to UOCAVA voters, the number of absentee ballots that were returned by UOCAVA voters, and the number of absentee ballots that were cast by UOCAVA voters.

18.0 VACANCIES IN ELECTIVE OFFICES

18.1 REASONS FOR VACANCY

Vacancies in elective offices are usually due to the incumbent's death, resignation, becoming ineligible, or moving out of the elective district. Occasionally, someone who has been elected to an office will decline or refuse to serve; this is also considered a vacancy. The process for filling a prospective vacancy may begin once the incumbent submits a letter of resignation and it has been accepted. [M.S. 351.02](#); [351.055](#)

18.2 FEDERAL VACANCIES

18.2.1 U.S. Senator

When a vacancy occurs in the office of U.S. Senator, the governor may make a temporary appointment to fill the vacancy. An appointee holds office until a successor is elected and qualified at a special election or by the next regularly elected senator. The special election is held at the next November election if the vacancy occurs at least 11 weeks before the August primary in either odd or even year. If the vacancy occurs less than 11 weeks before the next August primary, the special election is held in November of the following year. [M.S. 204D.28](#)

18.2.2 U.S. Representative

When a vacancy in the office of representative in Congress occurs more than 27 weeks before the next state primary election, the vacancy is filled at a special election held between 20 and 24 weeks of the vacancy, but not fewer than 47 days before a state primary. A special primary must be held 11 weeks before the special election or on the second Tuesday in August if the general election is held in conjunction with a November general election if any major party has more than one candidate after the time for withdrawal has expired.

In this case, the filing period ends on or before the 131st day before the special election. Minor party and independent candidates must submit petitions by the last day of filing and all signatures on the petitions must be dated from the time of the vacancy occurred through the last day of filing. Also, there must be a one-day withdrawal period.

When a vacancy in the office of representative in Congress occurs more than 22 weeks but fewer than 27 weeks before the next state primary election, the vacancy is filled at a special election held on the day of the state primary with a special primary held 11 weeks before the state primary. The winner of a special election under this provision serves the remainder of the vacant term and is eligible to be seated in Congress upon issuance of the certificate of election. The winner of the regularly scheduled term at the general election takes office on the day new members of Congress take office.

In this case, the filing period must end on or before the 147th day before the state primary. Minor party and independent candidates must submit petitions by the last day of filing and all signatures on the petitions must be dated from the time of the vacancy occurred through the last day of filing. Also, there must be a one-day withdrawal period. Candidates filing for this vacancy are allowed to have more than one affidavit of candidacy on file for the same election.

When a vacancy in the office of representative in Congress occurs 22 or fewer weeks before the next state primary election to the day before the general election, no special election will be held. The winner of the general election for the next full term will serve the remainder of the unexpired term and is eligible to be seated in Congress immediately upon issuance of the certificate of election.

When a vacancy in the office of representative in Congress occurs between the day of the general election and the day new members of Congress take office and the incumbent was not the winner of the general election, the winner of the general election for the next full term is eligible to be seated in Congress immediately upon issuance of the certificate of election or the vacancy, whichever occurs last. If the incumbent was the winner of the general election, the vacancy must be filled as a vacancy more than 27 weeks before the next state primary election as noted above. [M.S. 204D.29](#)

18.3 STATE LEGISLATURE VACANCIES

When a vacancy occurs more than 150 days before the next state general election, and the legislature will not be in session before the final canvass of the state general election returns, the vacancy is filled at the next state general election. Otherwise, a special election process begins when the governor issues a "writ of special election" which sets the election and filing dates. [M.S. 204D.19](#), [204D.22](#)

Nominations for a special election are made by a special primary unless no more than one candidate from each major political party files for office. [M.S. 204D.20](#)

18.4 COUNTY OFFICE VACANCIES

18.4.1 County Auditor, Treasurer, Recorder, Sheriff, Attorney, Surveyor & Coroner

Vacancies in the offices of auditor, treasurer, recorder, sheriff, attorney, surveyor and coroner are filled by appointment for the remainder of the term by the county board. If the office has a deputy, the deputy fills the vacancy until the board makes an appointment. [M.S. 375.08](#)

18.4.2 County Commissioner

County commissioner vacancies can either be filled immediately by special election or by appointment depending on the length of the remaining unexpired term. [M.S. 375.101](#)

Note: Hennepin County commissioners are filled by [M.S. 383B.031](#).

18.4.2.1 More Than One Year Remaining on Commissioner Term

If one year or more remains in the unexpired term, a special election must be held. A special election held according to the earliest of the following time schedule:

- not held less than 120 days following a vacancy but no later than 84 days prior to the next regularly scheduled primary election; or
- concurrently with the next regularly scheduled primary and general election; or
- no sooner than 120 days following the next regularly scheduled general election.

The auditor is free to arrange the public notice and filing period as appropriate to fit the schedule. The winner takes office immediately after the certificate of election is issued. [M.S. 375.101, subd. 1](#)

18.4.2.2 Less Than One Year Remaining on Commissioner Term

From 120 days to one year remaining in the term: A county commissioner vacancy with 120 days to 1 year remaining on the term may be filled immediately by special election or by appointment.

Special Election

A special election held immediately following a vacancy must be held: not less than 120 days following a vacancy but no later than 84 days prior to the next regularly scheduled primary election; or

- concurrently with the next regularly scheduled primary and general election; or
- no sooner than 120 days following the next regularly scheduled general election.

The auditor is free to arrange the public notice and filing period as appropriate to fit the schedule. The winner takes office immediately after the certificate of election is issued. [M.S. 375.101, subd. 1](#)

Appointment

The county board may make an appointment to fill the vacancy for the remainder of the term. In this case, the person elected at the regularly scheduled general election takes office at the beginning of their term on the 1st Monday in January.

The county board must hold a public meeting before making an appointment to fill a commissioner vacancy. The appointment may be made at a regular or special meeting which must be held no more than 30 days after the vacancy occurs and public notice of the meeting must be given. At the public meeting the county board takes testimony regarding the qualifications of possible appointees to fill the vacancy from individuals who live in the district. Prior to making an appointment, the board must also notify public officials in the affected district and enter the names and addresses of the officials notified into the record at the board meeting where the appointment is made. The board must pass a resolution as evidence of the appointment.

The county board can hold a special election if they are unable to or choose not to make an appointment to fill the vacancy. If no appointment is made, the time period in which the election must be held starts from the date of the public hearing. [M.S. 375.101, subd. 4](#)

Less than 120 days before the next general election

If the vacancy occurs within 120 days of the next county general election, no appointment is made and the vacancy is filled at the general election. The person elected to fill the vacancy takes office immediately and serves the remainder of the unexpired term and the new term for which the election was otherwise held. [M.S. 375.101, sub. 2; 375.101, subd. 4](#)

18.4.3 Soil & Water Conservation District Supervisor Vacancy

If a vacancy occurs in the office of an elected soil & water conservation supervisor more than 56 days before the next state primary, the district board shall fill the vacancy by appointment. The supervisor appointed shall hold office until the first Monday in January following the next general election. A successor shall be elected at the general election following the appointment and hold office for the remainder to the term or for the next regular term, whichever is appropriate.

If the vacancy occurs less than 56 days before the next state primary, the district board shall fill the vacancy by appointment. The appointed supervisor shall hold office until the expiration of the term or until the first Monday in January following the second succeeding general election, whichever is shorter. A successor shall be elected at the general election preceding expiration of the appointed term and hold office for the remainder of the term or for the next regular term, whichever is appropriate.

All terms continue until a successor has been elected and has qualified. [M.S. 103C.305, subd. 6](#)

18.5 LOCAL OFFICE VACANCIES

For local offices vacancies, the governing body typically appoints someone of their choosing (who is eligible to hold the office) to serve until the next regular municipal or school district election. Filings for the position are taken separate from the full-term filings during the usual filing period, and voters elect a permanent replacement to serve out the balance of the term. The elected person takes office as soon as the seven-day contest period is over and a certificate of election has been presented. Please note that cities with charters may have specific procedures for filling vacancies in their charters. [M.S. 367.03](#); [412.02](#); [471.46](#)

The 2015 legislature added [M.S. 123B.095](#) to provide for special elections of school board members due to a vacancy in office (dependent upon length of unexpired term); as opposed to automatic appointment until the next general election. School district clerks often have questions surrounding the new laws and should be referred to their school district attorney for legal opinions and guidance. [M.S. 123B.09](#); [123B.095](#)

All regular election laws apply

When filling a vacancy by special election, regular laws, including election-related deadlines, must be followed as far as practicable ([M.S. 204D.18](#)). Also, the precincts, polling places and election judges are the same as the last general election, unless they are changed according to law. [M.S. 204D.24](#)

19.0 OTHER ELECTIONS

19.1 UNIFORM LOCAL ELECTION DAY

Cities and school districts must hold their officer elections in the fall of either even or odd numbered years (but not both) at local option. The general elections occur on the first Tuesday after the first Monday in November. Municipalities and school districts have the option to hold a primary election; if held, it must be on the second Tuesday in August, and the election calendar is essentially the same as for state elections. [M.S. 205.13](#); [205A.03](#); [205.16](#); [205A.06](#); [205A.07](#)

Timeline for cities and school districts ***without*** a primary:

- notice of filing published at least 2 weeks before the 1st day to file affidavits of candidacy;
- the filing period is no more than 98 days not less than 84 days before the general election held in November of any year;
- the city clerk's office (not required of the school district clerk) must be open for filing from 1-5 p.m. on the last day of filing;
- candidate withdrawal closes at 5:00 p.m. 2 days following the close of filing;
- clerk notifies county auditor of election at least 74 days before by written notice. Auditor notifies OSS by confirming the districts included in the election through the Election Schedule in SVRS. No other method is needed;
- school districts may need to notify Commissioner of Education. See [M.S. 205A.07](#).
- notice of Election is published (some exceptions to publishing) 2 weeks before;
- notice of Election is posted at least 10 days before; and
- the governing body canvasses between three and ten days after the election.

Metropolitan area cities minimum voting hours are from 10:00 a.m. to 8:00 p.m. In non-metro areas, minimum hours are from 5:00 p.m. to 8:00 p.m. [M.S. 205.16](#); [205.175](#); [205A.09](#)

The county is required to provide polling place rosters, VR application forms, etc. as supplies for other elections. The county also provides the municipality or school district with labels or lists of any names of permanent AB voters so that AB applications can be mailed. The county is required to issue UOCAVA ABs and have a UOCAVA ballot board to process returned ballots.

Assistive voting devices are required to be made available to school districts for their use in standalone elections. County involvement in these elections may also depend on whether school districts have made any agreements with municipalities to use voting tabulator equipment, and may include assisting in input of candidate names/questions into ERS, programming/proofing ballots and programming/testing of machines.

19.2 SCHOOL DISTRICT REFERENDUMS

School districts frequently hold special elections or referendums either to authorize bond sales or to raise their tax levy limit. Bond referendums may be combined with state or local elections or held at any other time except:

- A special election may not be held during the 56 days before and the 56 days after a regularly scheduled primary or general election conducted wholly or partially within the school district (other than March Township elections).
- May not be held on the date of a regularly scheduled town election conducted wholly or partially within the school district.

- May not be held during the 30 days before or the 30 days after a regularly scheduled town election in March conducted wholly or partially within the school district.
- A special primary and a special general election may not be held for a period beginning the day following the date of the state primary election, and ending the day prior to the date of the state general election. [M.S. 204D.195](#); [205A.05, subd. 1](#)

Revenue or levy referendums may only be held on the November election or else by mail. [126C.17, subd. 11](#)

In addition to the county involvement as noted in section 19.1 above, the county must also set up any special elections for the question(s) in SVRS (e.g., for school districts having referendums in 2017 that are usually only “regular” even-year elections for board members).

19.3 TOWNSHIP GENERAL ELECTIONS

The township general elections occur on the second Tuesday in March each year or, by resolution, on the first Tuesday after the first Monday in November every other year (even or odd). An affidavit of candidacy must be filed no more than 70 days and not less than 56 days before the township general election held in March. For November elections, filing is the same as for cities without a primary. For additional information see the Township Clerk Election Guide found at the OSS Election Guides website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/ . [M.S. 205.075, subds. 1 & 2](#); [205.13, subd. 1a](#)

Metropolitan area townships minimum voting hours are from 10:00 a.m. to 8:00 p.m. In non-metro areas, minimum voting hours are from 5:00 p.m. to 8:00 p.m. [M.S. 205.175](#)

19.4 MAIL BALLOTING AND MAIL ELECTIONS

Minnesota Statutes provide procedures for the conducting of an election by mail, where the only polling place is the office of the clerk or auditor. [M.S. 204B.45](#) allows certain municipalities or counties to use special mail balloting procedures for precincts for all of their elections. [M.S. 204B.46](#) allows a special election for question(s) to be conducted as a mail election for precincts which would normally vote at a regular polling place in other elections.

A Mail Election Guide (for mail balloting and mail elections) is available at the OSS Election Guides website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/.

19.4.1 Mail Balloting

Minnesota Statutes permit mail balloting in the following situations:

- A town of any size not located in a metropolitan county.
- A city having fewer than 400 registered voters on June 1 of an election year and not located in a metropolitan county.
- Any municipal precinct having fewer than 100 registered voters.
- Unorganized territories.

If conducting balloting by mail, the notice of election and notice of special mail procedure must be given at least 10 weeks prior to the election. Mail balloting can be used at any municipal, county or state election. The clerk will need to develop a plan for the mailing and for processing the voted ballots and the office of the auditor or clerk is the only polling place. Except for a mail special election for a question, the county auditor

must give approval before special mail ballot procedures can be used for an election. Except for a mail special election for a question, all county auditors must give approval for municipalities within multiple counties.

Ballots are mailed not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election. If needed, the county auditor does a second mailing no later than 14 days before the election to voters who registered to vote after the initial mailing but before the voter registration cutoff.

The auditor or clerk must appoint a ballot board, as done for processing regular absentee ballots, to process returned ballots. The ballot board must mark returned ballots “accepted” or “rejected” within five days they are received, and within three days if they are received 14 or fewer days before Election Day. More detailed information regarding mail elections is available in the Mail Elections Guide found at the OSS Elections Guide website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/. [M.S. 204B.45](#); [M.R. 8210.3000](#)

19.4.2 Mail Elections (not mail balloting)

A county, municipality or school district submitting questions to the voters at a special election may conduct the election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election under this provision. The county auditor must be given 74-days-notice and a notice must be posted at least 6 weeks prior to the election. Ballots are mailed no more than 46 or later than 14 days prior to the election. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to voters who registered to vote after the initial mailing was sent but before the voter registration cutoff, 20 days before election day, for the election.

School district levy referendums held at a time other than the November Election Day must be conducted by mail. Questions as to whether a school district’s ballot questions are “levy referendums” or not can only be answered by the school district’s attorney.

The auditor or clerk must appoint a ballot board, as done for processing regular absentee ballots, to process returned ballots. The ballot board must mark returned ballots “accepted” or “rejected” within 5 days after they are received, and within 3 days if they are received 14 or fewer days before Election Day. More detailed information regarding mail balloting is available in the Mail Elections Guide found at the OSS Election Guides website located at www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/. [M.S. 204B.46](#); [M.R. 8210.3000](#)

19.5 RECALL ELECTION OF STATE ELECTED OFFICIALS

A proposed recall petition form for a state officer shall be provided by the OSS and must be proposed by 25 or more eligible voters. Petitions received with the appropriate filing fee by the OSS and then, upon approval, are forwarded to the appellate courts for action under [M.S. 211.05](#).

The petition must be filed within 90 days and if the Secretary of State determines that the petition has been signed by a sufficient number of eligible voters, the secretary of state will certify the petition and immediately notify the Governor, the petitioners and the state officer named in the petition. Within five days of receiving the certification of the petition the Governor will issue a writ calling for a special recall election. A recall election must be conducted and the results canvassed and returned in the same manner as provided by law for a special election. [M.S. 211C.06](#)

If a majority of votes cast in a recall election favor the removal of the state officer, upon certification of the results the state officer is removed from office and the office is vacant. [M.S. 211C.08](#)

19.6 REMOVAL ELECTION FOR COUNTY OFFICER

Any registered voter may petition the county auditor requesting a removal election and setting forth the facts which allege with specificity that an elected county official committed malfeasance or nonfeasance in the performance of official duties. The petition may not be submitted during the 180 days immediately preceding a general election for the office which is held by the county official named in the petition. The County Auditor will examine the petition to determine whether it contains the requisite number of valid signatures of registered voters and if so will forward it to the appellate court within 15 days of receipt. [M.S. 351.16](#)

If it is determined by the courts that the county official committed malfeasance or nonfeasance in the performance of official duties, the case must be certified to the county auditor for a removal election on a date to be fixed by the county auditor and held within 30 days. If a majority of votes cast in a removal election favor the removal of the county official, a resulting vacancy is filled as provide by law for that office. A removed county official may not hold the same office for the remainder of the term to which the official was elected. [M.S. 351.20](#); [351.22](#)

GLOSSARY

Absentee ballot board: A special board of election judges, that handles all processing of regular absentee ballots.

Agent delivery: A process by which during the seven days preceding an election, and up until 2:00 p.m. on Election Day, specific eligible voters designate someone to serve as an agent to pick up and return absentee ballots to them. [M.S. 203B.11, subd. 4](#)

Assistive voting device: An electronic ballot marker with a touch screen, keypad, sip-and-puff input device, keyboard, earphones, or any electronic ballot marker that assists voters to use an audio or electronic ballot display in order to cast votes. [M.S. 206.56, subd. 1](#)

Ballot, Spoiled: A ballot returned to an election judge due to an error made by the voter. The voter can exchange this for a new blank ballot.

Ballot, Defective: A ballot is defective if the voter overvoted, voter's intent cannot be determined during counting, or if the voter has written their name, ID number, or signature on the ballot. A ballot may be defective in whole (as in cross-party voting in a partisan primary) or as to a single office or ballot question (as in voting for too many candidates for one office).

Ballot, Duplicate: A ballot created by an election judge team to replace a ballot that cannot be scanned by a ballot counter.

Ballot box: Secure box used to hold voted ballots. The ballot counter sits atop the ballot box.

Ballot counter: Electronic optical scan device that counts paper ballots.

Central Counting Center: A place selected by the governing body of an election jurisdiction where ballots from multiple precincts are tabulated by a central count voting system. [M.R. 8220.0250, subd. 5b](#)

Central Count Voting System: An electronic voting system designed for and certified by the secretary of state for use in a central counting center. [M.R. 8220.0250, subd. 5a](#)

Challenger: An individual with written authorization to be present in a polling place to question the eligibility of voters. A challenger must prove they are a resident of Minnesota by providing the Head Judge with one of the proofs of residence acceptable for election day registration under and complete an Oath of Challenge to Voters Eligibility form to challenge a voter's eligibility.

City: A home rule charter or statutory city. [M.S. 200.02, subd. 8](#)

Clerk: Statutes refer to "municipal" clerks meaning either the city clerk or township clerk or a designee. References to school districts mean the school district clerk or a designee.

Coterminous: Two precincts having the same border or covering the same area.

COA: Change of address: whether through NCOA or ERIC.

Cross-party voting: Voting for candidates of more than one party when a candidate appears on the ballot under a political party designation. "Cross-party" voting is not allowed in a partisan primary.

DOH: Department of Health, also known as the Minnesota Department of Health or MDH

Exit polling: Individuals may conduct exit polls, surveys of voters, anywhere outside of the room being used as the polling place. An individual conducting an exit poll may only approach a voter as they leave the polling place after having voted to ask them to complete a written anonymous questionnaire.

FPCA (Federal Postcard Application): Absentee ballot application available to UOCAVA voters that is valid through the end of the calendar year in which it was submitted.

General election: An election held at regular intervals on a day set by law at which voters of the state or any of its subdivisions choose by ballot public officials or presidential electors. [MS 200.02, subd. 2](#)

Governing body: The board of commissioners of a county, the elected council of a city, or the board of supervisors of a township. Not to be confused with the governor. [M.S. 200.02, subd. 10](#)

Help America Vote Act (HAVA): A federal law which has modified election administration.

Health care agent delivery: When a patient in a healthcare facility authorizes a person to pick up and return absentee ballots for the patient.

Health care facility (HCF): A hospital, residential treatment center, or nursing home.

Metropolitan Area: "Metropolitan area" means the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright. [M.S. 200.02, subd. 24](#)

Metro Towns: Towns located in the "metropolitan area" as defined above.

MSBA: Minnesota School Board Association.

Municipality: Any city or township. [M.S. 200.02, subd. 9](#)

NCOA: National Change of Address.

Non-partisan: In a non-partisan primary or a non-partisan general election, voters may vote for any candidates. In a non-partisan election, individual candidates are listed without party designation, unless a local city Charter creates other options.

Partisan: In a partisan primary, voters may only vote for candidates within one major political party. In a partisan general election, voters may vote for any candidates regardless of the party affiliation of the candidates. Individual candidates are listed with party designation.

Precinct: The basic geographical units for organizing and administering elections.

Precinct count voting system: A ballot counter, at a precinct, designed to store ballot configurations and vote totals on a removable memory unit. Voters insert their voted ballots into the ballot counter during voting hours on Election Day and the ballot counter counts the ballots after 8pm. [M.R. 8200.0250, subp. 22b](#)

Primary: An election at which voters choose the nominees for the offices to be filled at a general election. [M.S. 200.02, subd. 3](#)

Prior registration: The registration record of an individual with the individual's most recent prior name or residence address.

PVC: Postal Verification Card.

Roster: The document provided to each precinct listing the voters registered in that precinct and containing additional information about each voter, such as current residence address and date of birth.

Statewide Voter Registration System (SVRS): A central database containing voter registration information from around the state and used to facilitate election administration.

Summary statement: The precinct summary statement is the official record of the numbers of voters and vote totals for the precinct. In precincts using an electronic ballot counter, the machine tape is the summary statement.

UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) : Alternate voting procedures available to eligible voters who are absentee from the precinct where they maintain residence because they are either indefinitely or temporarily outside of the U.S., or are in the military or are the spouse or dependent of an individual serving in the military.

UOCAVA ballot board: The county auditor must form an absentee ballot board to process UOCAVA absentee ballots.

Voter Registration Application (VRA): Application used to register to vote or to update an existing registration.

Vouching: An Election Day procedure that permits an individual to register to vote and to cast a ballot if another authorized individual swears an oath that the individual resides in that precinct. Election Day voter vouchers within a polling place are limited to eight voters they may vouch for, however, that limitation does not apply to employees of residential facilities vouching for residents of those facilities.

Vouching, Registered Voter in the Precinct: A registered voter in the precinct or a voter who registers on Election Day in the precinct who can attest to a new registrant's residence allowing them to register in the same precinct on Election Day. A voter may vouch for a maximum of eight (8) persons. Vouched for voters cannot vouch for new voters on Election Day.

Vouching, Employee of a Residential Facility: An individual who proves that they are an employee of a residential facility in the precinct and attests to know a new registrant's residence at the facility. The employee voucher may vouch for an unlimited number of residents of the facility.

Witness: A registered voter who signs an absentee ballot envelope to document that the ballots inside were marked by the voter entitled to cast the ballots.

Please refer to the 2016 Election Terminology Guide, [M.S. 200.02](#), [M.S. 206.56](#) and [M.R. 8220.0250](#) for other definitions that may be used in this guide.

APPENDIX

ELECTION RESOURCES

COUNTY AUDITOR

County auditors are required to train city clerks, election judges and individuals serving on the absentee ballot board (unless delegated) prior to the state primary. Training addresses election laws and procedures; duties of city clerks and duties of election judges; and related subjects. [M.S. 204B.25](#); [M.S. 204B.28](#)

SECRETARY OF STATE

The OSS supports county auditors' training programs by training the auditors (or their designees) in the administration of election laws and the training of local election officials and election judges. As part of the OSS training program, the OSS meets with election officials to present information about new laws and rules, and to discuss proposals for laws and for amendments to rules. The OSS also collaborates with other programs and conferences offered for election officials by their own associations. [M.S. 204B.27](#)

To assist county auditors, city clerks, and other election officials in their duties, the OSS makes available the following publications in hardcopy or electronic form

MINNESOTA ELECTION LAWS - A compilation of Minnesota's election laws with annotations by the Attorney General. Printed in odd-numbered years, copies and updates are sent to county auditors for distribution to municipal clerks. Updated online in even-numbered years, the law and rule are the final authority. [M.S. 204B.27](#)

MINNESOTA ELECTION JUDGE GUIDE - Explains election judge duties.

MINNESOTA ABSENTEE VOTING ADMINISTRATION GUIDE – Explains absentee voting in the State of Minnesota.

MINNESOTA CITY CLERK ELECTIONS GUIDE - Provides city election calendar, procedure summary and references to Minnesota election laws.

MINNESOTA TOWNSHIP CLERK ELECTIONS GUIDE - Provides township election calendar, procedure summary and references to Minnesota election laws.

MINNESOTA SCHOOL DISTRICT CLERK ELECTIONS GUIDE - Provides school board election calendar, procedure summary and references to Minnesota election laws.

MINNESOTA CAMPAIGN MANUAL - Summarizes campaign financial reporting and fair campaign practices; provides references to Minnesota election laws.

MINNESOTA VOTING EQUIPMENT TESTING GUIDE – Contains procedures for creating test decks, conducting pre-testing and public accuracy tests when using electronic voting equipment.

MINNESOTA MAIL VOTING GUIDE – Explains mail ballot precincts and mail elections procedures.

MINNESOTA RECOUNT GUIDE – Provides explanation of recount procedures.

MINNESOTA POST ELECTION REVIEW GUIDE – Summarizes post election review procedures.

MINNESOTA TRAIN THE TRAINER GUIDE – Provides train the trainer materials.

ELECTION EXPENSE COST ALLOCATION PROCEDURES

INTRODUCTION

The Secretary of State has developed the following procedures for allocating election costs among local governmental units as required in [M. S. 204B.32, Subd. 2](#). The procedures must be followed in determining the election costs to be paid by counties, municipalities, school districts and hospital districts *unless* they have voluntarily entered into an agreement to assume or share election expenses in another manner.

GENERAL FORMULA

When a single election process is shared among multiple governments (e.g., county, municipal, school district, or hospital district), total election costs are allocated according to each jurisdiction's share of eligible voters and its share of the total ballot (measured as a percent of the total "column inches" of ballot). Therefore, the general cost allocation formula is:

$$\text{Your share} = (\text{total election costs}) \times (\% \text{ voters in your jurisdiction}) \times (\text{your \% of ballot}).$$

Where precincts are split by one or more school district boundaries, the allocation of the school district share of costs must be distributed among the affected school districts in proportion to the percentage of the total number of registered voters in the precinct who reside in each school district.

An exception to this general rule is the cost of paper ballots, which are usually paid for directly by the municipality or school district. With this exception, percentage allocations of total ballot inches can be used as the basis for allocating all election expenses covered by this procedure.

Here are two examples of how this formula works. Example one is a school district election conducted in conjunction with a municipal election on an optical scan ballot. All residents of the municipality live in the school district. The front of the ballot contains three columns, each 15 inches long. For this example the back of the ballot was not used. The total ballot has 45 inches of offices and questions, (3 X 15). The school district offices and questions are 10 inches long. So in this example, the school district pays 22% (10/45) of the cost of the election.

In the second example the school district is conducting its election in conjunction with a municipal election on paper ballots, and only a third of the municipality's registered voters live in the school district. All of the paper ballots (blue, green, buff, goldenrod, etc.) are pasted together as a single ballot. The total combined length is 30 inches long. Of those 30 inches, the school district offices and questions take up 5 inches. The percentage of ballot length used by the school district is 16.5% (5/30). However because the municipality contains more than one school district, the percentage of ballot length is divided by the percentage of registered voters who reside in the school district. So in this example the school district is responsible for 5.5% of the total election cost, (16.5% x 33%).

There are, of course, more complicated situations than presented in these two examples. Still by keeping the basic formula in mind, **your share = (total election costs) x (% voters in your jurisdiction) x (your % of ballot)**, you should be able to fairly allocate the election expenses.

APPLICABILITY

These procedures are applicable for any election in which offices or questions for more than one of the following categories is voted on.

Category A:

Federal offices
state legislative offices
state constitutional offices
state constitutional amendments
judicial offices
county offices & ballot questions
soil and water district offices & questions

Category B:

Municipal offices & ballot questions

Category C:

school district offices & ballot questions

Category D:

Hospital district offices & ballot questions

The terms “county offices” and “county ballot questions” in Category A include county park district offices and ballot questions. The terms “municipal offices” and “municipal ballot questions” in Category C include municipal park board, library board and other municipal-level elected offices and related ballot questions.

BALLOT PREPARATION

Where electronic voting systems are used, the county auditor shall determine the number of column inches devoted to offices and questions in each applicable category. If no offices or questions from Category A are on the ballot, the county auditor may delegate these duties to the municipal clerk. The county auditor shall determine the proportion of the ballot covered by each of these categories as a percentage of the total number of column inches devoted to offices and questions on the ballot.

The county auditor shall pay the cost of the portion of the ballot used for Category A. The municipal clerk shall pay the cost of the portion of the ballot used for Category B. The school district clerk shall pay the cost of the portion of the ballot used for Category C. The hospital district clerk shall pay the cost of the portion of the ballot used for Category D.

The cost of the ballot includes the programming, layout, proofing and printing required to produce the ballot in the manner required by the Minnesota election law.

The cost of paper ballots are to be paid by the election jurisdiction preparing the ballots.

PREPARATION AND TESTING OF ELECTRONIC VOTING SYSTEMS

The county auditor shall determine the total cost required to prepare the program, conduct the preliminary test and perform the public accuracy test for each ballot counter to be used in an election. When federal, state, or county offices or questions are not on the ballot, the county auditor may delegate this responsibility to the appropriate municipal, school district or hospital district clerk.

The county auditor shall pay the percentage of the costs of programming and testing determined for Category A. The municipal clerk shall pay the percentage of the costs of programming and testing determined for Category B. The school district clerk shall pay the percentage of the costs of programming and testing determined for Category C. The hospital district clerk shall pay the percentage of costs of programming and testing determined for Category D. By mutual agreement, the county auditor and the municipal, school district and hospital district clerks may adopt an alternate method of paying the costs of programming and testing of electronic voting systems.

PREPARATION OF POLLING PLACES

The municipal clerk determines the total cost required to set up and equip each polling place in the manner required by the Minnesota election law.

The municipal clerk pays the percentage of costs of preparation of the polling places determined for Categories A and B. The school district clerk pays the percentage of costs of preparation of the polling places determined for Category C. The hospital district clerk pays the percentage of costs of preparation of the polling places determined for Category D.

The county auditor pays the percentage of costs of preparation of the polling places determined for Categories A and B for precincts in unorganized territories.

POSTAGE FOR ABSENTEE BALLOTS AND APPLICATIONS

When federal, state, or county offices or questions are on the ballot, the county auditor shall determine the total cost of postage required to mail absentee ballots and absentee ballot applications. For other elections, the county auditor may delegate this responsibility to the municipal clerk.

The county auditor pays the percentage of the costs of postage determined for Category A. The municipal clerk pays the percentage of the costs of postage determined for Category B. The school district clerk pays the percentage of the costs of postage determined for Category C. The hospital district clerk pays the percentage of costs of postage determined for Category D. The county auditor may choose to assume all the postage costs for absentee ballot requests for which applications were submitted to the county auditor.

When the responsibility to administer absentee voting in state and county elections has been delegated to a municipality, the municipal clerk shall also pay the percentage of costs determined for Category A.

ELECTION NOTICE PUBLICATION COSTS

The following two sections apply only to those election jurisdictions that have entered into an agreement to prepare and publish election notices jointly.

State and County Elections

The county auditor shall determine the total cost of preparing and publishing the notice of election for all state and county elections.

The county auditor shall pay the percentage of the costs of the election notices determined for Category A. The municipal clerk shall pay the percentage of the costs of the election notices determined for Category B. The school district clerk shall pay the percentage of the costs of the election notices determined for Category C. The hospital district clerk shall pay the percentage of costs of the election notices determined for Category D.

Municipal Elections not Held with State and County Elections

The municipal clerk shall determine the total cost of preparing and publishing the notice of election for all municipal elections held on a day other than the day when a state or county election is held.

The municipal clerk shall pay the percentage of the costs of the election notices determined for Category B. The school district clerk shall pay the percentage of the costs of the election notices determined for Category C. The hospital district clerk shall pay the percentage of costs of the election notices determined for Category D.

TRANSPORTATION OF BALLOTS AND ELECTION SUPPLIES

The county auditor shall determine the total cost to transport ballots and election supplies from the auditor to the municipal clerk. The municipal clerk shall determine the total cost required to transport ballots and election supplies to the polling places prior to and after the election in the manner required by the Minnesota election law.

The municipal clerk shall pay the percentage of transportation costs determined for Categories A and B. The school district clerk shall pay the percentage of transportation costs determined for Category C. The hospital district clerk shall pay the percentage of transportation costs determined for Category D.

The county auditor shall pay the percentage of transportation costs determined for Categories A and B for precincts in unorganized territories.

SALARIES OF ELECTION JUDGES

The municipal clerk shall determine the total cost required to pay the salaries of the election judges needed for each election.

The municipal clerk shall pay the percentage of costs of the election judges' salaries determined for Categories A and B. The school district clerk shall pay the percentage of costs of the election judges' salaries determined for Category C. The hospital district clerk shall pay the percentage of costs of the election judges' salaries determined for Category D.

The county auditor shall pay the percentage of costs of the election judges' salaries determined for Categories A and B for precincts in unorganized territories.

COMPENSATION FOR ADMINISTRATIVE EXPENSES

When the administrative duties of an election official are carried out, by mutual written agreement, by another election official, the actual costs of administering these duties may be billed to the jurisdiction whose duties have been assumed. The agreement between jurisdictions must include an itemized list of duties to be performed and the rate at which billing for the duties will be made. No billing may be made for any expense which does not appear on the itemized list of duties to be performed.

DOCUMENTATION OF ELECTION EXPENSES

Documentation of actual expenditures is required for the allocation of election expenses required in [M.S. 204B.32](#), as described in these procedures. The determination of the total cost of election judges salaries and administrative expenses must be made from an itemized list including the names of persons serving, the number of hours served and the rate of payment per hour. Invoices or billing statements are acceptable documentation for goods or services purchased from vendors.

SAMPLE NOTICE OF GENERAL ELECTION
STATE OF MINNESOTA
PATTY O’CONNOR, DIRECTOR OF ELECTIONS, BLUE EARTH COUNTY

NOTICE OF GENERAL ELECTION

**To the Clerks of the County of Blue Earth and voters of the County of Blue Earth
In the County of Blue Earth, State of Minnesota.**

Notice is Hereby Given, that a State Partisan General Election will be held in the Election Precinct at:

See Attached List of Polling Locations and Times

on Tuesday, the 8th day of November 2016, at which the polls will be open for the purpose of electing the following officers, to-wit:

FEDERAL OFFICES

One Representative in the United States House of Representatives for District 1

LEGISLATIVE OFFICES

One Governor and Lieutenant Governor
One Secretary of State
One State Auditor
One State Attorney General
One State Senator for District 23
One State Representative for District 23B
One State Senator for District 24
One State Representative for District 24B

COUNTY OFFICES

One County Sheriff
One County Attorney
One County Commissioner in District 1
One County Commissioner in District 2

CITY/TOWNSHIP OFFICES

One Mayor for the City of Amboy
Two Council Members (City of Amboy)
One Town Supervisor Seat A (Beauford Township)
One Town Supervisor Seat B (Beauford Township)

SCHOOL OFFICES

Four School Board Members in School District #2135 (Maple River)

Three School Board Members in School District #88 (New Ulm)

Four School Board Members in School District #837 (Madelia)

Four School Board Members in School District #2071 (L.C.W.M.)

Question 1 – Approval of School District #88 Renewal of Portion of Existing Reference Revenue Authorization

Question 2 – Approval of School District #88 Additional Referendum Revenue Authorization to Fund School Operations

Question 3 – Approval of School District #88 Funding to Acquire Technology and Improve Technology Infrastructure

JUDICIAL OFFICES

Supreme Court

One Supreme Court Associate Justice 2

One Supreme Court Associate Justice 5

One Supreme Court Associate Justice 6

Court of Appeals

One Court of Appeals Judge 2

One Court of Appeals Judge 3

One Court of Appeals Judge 4

Dated October 1, 2016



Director of Elections
Blue Earth County, Minnesota

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