

CHAPTER 8205
SECRETARY OF STATE
PRESIDENTIAL PRIMARY

8205.1000 **PETITIONS**
 NOMINATING PETITION FORM,
 PROCEDURES, AND VERIFICATION.

PETITIONS

8205.1000 NOMINATING PETITION FORM, PROCEDURES, AND VERIFICATION.

Subpart 1. **Form of petition.** Petitions used on behalf of candidates for the nomination of a major political party for president of the United States must be prepared in accordance with items A to E.

A. The petition must be prepared on paper 8.5 inches wide and 14 inches long. Each petition page must include space for the names, addresses, and signatures of ten persons.

B. The words "PRESIDENTIAL NOMINATING PETITION" must be printed at the top of each page of the petition. Each page in the petition must include the following information:

- (1) the name and address of the person being nominated;
- (2) the name of the major political party whose nomination for president is being sought;
- (3) the number of the congressional district in which the petition is being circulated;
- (4) a statement indicating that the persons signing the petition will be eligible to vote at the presidential primary, reside in the congressional district indicated on the petition, and have signed the petition of their own free will;
- (5) a space for the signature of each person signing the petition;
- (6) a space for the printed first, middle, and last name of each person signing the petition;
- (7) a space for the residence address of each person signing the petition, including the municipality and county of residence;
- (8) a space for the date of birth of each person signing the petition; and
- (9) a space for the date on which each person signed the petition.

C. Each page of the petition must be consecutively numbered. In addition, the signature lines on each page must be consecutively numbered from 1 to 10.

D. A separate petition must be circulated in each of the state's congressional districts.

E. The secretary of state shall make available sample nominating petition forms at least four weeks before the first day to file affidavits of candidacy for the presidential primary.

Subp. 2. **Completing the petition.** The information required in subpart 1, item B, subitems (5) to (9), must be completed by the person who signed the petition. A petition may only be signed once by any eligible voter.

Subp. 3. **Receipt of petition.** The secretary of state shall provide the person submitting the nominating petition a receipt for the petition. The receipt must include the name and address of the person on whose behalf the petition was submitted; the name, address, and telephone number of the person submitting the petition; the date on which the petition was submitted; and the total number of pages in the petition submitted.

Subp. 4. **Method of verification.** The secretary of state shall verify each nominating petition submitted on behalf of a candidate for president pursuant to Minnesota Statutes, section 207A.02, by the following method:

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The secretary of state shall inspect each petition to determine whether at least 1,000 persons eligible to vote in each congressional district have signed the petition. The secretary of state shall use the address information and date of birth provided by persons signing the petition to verify voter eligibility. A petition containing the signatures of fewer eligible voters than the number required by Minnesota Statutes, section 207A.02, must be rejected.

If the secretary of state determines that an insufficient number of eligible voters have signed a petition, the secretary of state shall immediately notify the person submitting the petition. The person submitting the petition may submit additional petition pages within the time period provided by Minnesota Statutes, section 207A.02.

Subp. 5. Time for verification. The secretary of state shall complete the verification of a petition no later than ten days after the day on which the petition was submitted. If the petition is determined to be sufficient, the secretary of state shall immediately notify in writing the person submitting the petition.

Subp. 6. Access to petitions. The secretary of state shall securely store any nominating petitions submitted during the filing period. The secretary of state shall make a nominating petition available for public inspection after the verification process for that petition has been completed. Photocopies of petitions may be prepared at the expense of the person requesting the copies.

Subp. 7. Petition in lieu of filing fee. Candidates filing for office pursuant to Minnesota Statutes, section 207A.02, may submit a petition in lieu of payment of the filing fee. The petition must be submitted at the same time that the affidavit of candidacy is submitted.

The words "PRESIDENTIAL PETITION IN LIEU OF FILING FEE" must be printed at the top of each page of the petition. The petition must conform in all other respects to the form of the nominating petition provided in subpart 1 with the exception that the number of signatures, residency requirement, and oath requirements of persons signing the petition is as provided in Minnesota Statutes, section 204B.11, subdivision 2.

A nominating petition filed pursuant to Minnesota Statutes, section 207A.02, may also be used as a petition in lieu of filing fee if the words "PRESIDENTIAL NOMINATING PETITION AND PETITION IN LIEU OF FILING FEE" are printed at the top of each page of the petition and a statement indicating that the petition will be used for both purposes is printed on each page of the petition. The petition must conform in all other respects to the form of the nominating petition provided in subpart 1.

The procedures in subparts 2 to 6 apply to petitions in lieu of filing fee and combined nominating and filing fee petitions to the extent practicable.

The secretary of state shall make available sample filing fee and combined nominating and filing fee petition forms at least four weeks before the first day to file affidavits of candidacy for the presidential primary.

Statutory Authority: *MS s 201.022; 201.221; 201.091; 201.221; 203B.08; 203B.09; 204B.25; 204B.45; 204C.361; 204D.11; 206.57; 207A.09*

History: *15 SR 2308; 17 SR 8*