

CHAPTER 8250

SECRETARY OF STATE

WHITE BALLOTS

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PREPARING WHITE BALLOT

8250.0100 DEFINITION OF WHITE BALLOT.

The "white ballot" is the ballot used at general elections and is the ballot on which are printed the names of the candidates appearing on the presidential ballot and those candidates nominated for the offices of United States senator, United States representative, state senator, state representative, governor and lieutenant governor, secretary of state, state auditor, state treasurer, and attorney general.

Statutory Authority: *MS s 204D.11 subd 1; 206.57 subd 1*

History: *8 SR 1348; 13 SR 347*

8250.0200 AUDITOR'S DUTIES.

The white ballot shall be prepared under the direction of the county auditors in a sufficient number to enable the clerks to comply with the provisions of Minnesota Statutes, section 204B.29. The county auditors shall prepare and print the white ballot as soon as practicable, but in no event less than 30 days before the election. Two weeks before the general election the auditor shall file sample copies of the white ballot in the auditor's office for public inspection. Ballots for distribution in the polling place must be bound in pads of 50.

Statutory Authority: *MS s 204D.11; 206.57*

History: *8 SR 1348; 10 SR 1690*

8250.0300 FORM OF BALLOTS.

The white ballot shall be printed with black ink on white paper as close as practicable to 30 pound. The ballot shall be 5-1/4 inches wide and printed so as to be easily legible, with suitable lines for divisions between candidates, offices, instructions, and other matter proper to be printed on the ballot. The auditor shall prepare the ballots in such a manner as to enable the voter to understand what candidates have been nominated and how many are to be elected to each office and to designate the voter's choice easily and accurately.

Statutory Authority: *MS s 204D.11*

History: *17 SR 1279*

8250.0350 FORM OF STATE PRIMARY BALLOT.

The state partisan primary paper ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballot preparation for the state partisan primary ballot used with optical scan voting systems must conform to this part as much as practicable. The columns containing the names of candidates must be 5-1/4 inches wide. If fewer than three major political parties appear on the ballot, the center column containing instructions must be three inches wide.

The statements required by Minnesota Statutes, section 204D.08, subdivision 4, must be printed in upper case in as large as practicable but not smaller than 10-point type. Directly above the statement preceding the party names the words "INSTRUCTIONS TO VOTERS" must be printed in upper case and bold face in as large as practicable but not smaller than 12-point type.

Statutory Authority: *MS s 204D.08; 204D.11; 206.57; 207A.09*

History: *14 SR 2355; 17 SR 8*

8250.0360 FORM OF PRESIDENTIAL PRIMARY BALLOTS.

Subpart 1. **General form.** The presidential primary ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballot pages and ballot cards for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp. 2. **Ballot heading.** The words "PRESIDENTIAL PRIMARY BALLOT" must be printed at the top of the ballot. Directly underneath this heading, the words "..... PARTY" must be printed, giving the appropriate party name.

Subp. 3. **Instruction to voters.** The following instruction must be printed directly below the paper ballot heading: "Put an (X) in the square opposite the name of the candidate you wish to vote for or next to the words 'UNCOMMITTED DELEGATES'." A small arrow pointing downward must be printed to the left of this instruction, directly above the column in which a voter's marks are to be made.

Subp. 4. **Office title.** The title "PRESIDENT OF THE UNITED STATES" must be printed in upper case and bold face directly above the names of the candidates. The instruction "VOTE FOR ONE" must be printed below the office title.

Subp. 5. **Order of candidates.** The secretary of state or the county auditor shall prepare a separate ballot for each major political party containing the names of the candidates of each party certified by the secretary of state. The names of the candidates must be rotated in the manner provided in Minnesota Statutes, section 204D.08, subdivision 3. In the first position under the last candidate name, the words "UNCOMMITTED DELEGATES" must be printed. In the second position under the last candidate name, a blank line must be printed to allow a voter to write in the name of an individual whose name is not listed on the ballot.

Statutory Authority: *MS s 204D.11; 206.57; 207A.09*

History: *15 SR 2308; 17 SR 8*

8250.0365 FORM OF PINK BALLOT.

Subpart 1. **General form.** The ballot for constitutional amendments must be prepared in the same manner as the white ballot, except as provided in this part. Ballot pages and ballot cards for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp. 2. **Ballot heading.** The words "CONSTITUTIONAL AMENDMENT BALLOT" must be printed at the top of the ballot. Directly below the heading will be a bold dividing line running the width of the ballot. The following statement shall be beneath the dividing line and printed in upper and lower case: "Failure to vote on a constitutional amendment, will have the same effect as voting no for the amendment." A bold dividing line running the width of the ballot shall be immediately below the statement.

Subp. 3. **Instructions to voters.** The following instructions must be printed directly below the statement required in subpart 2. "To vote for a proposed constitutional amendment, put an (X) in the square before the word "YES" at the left of the proposition. To vote against a proposed constitutional amendment, put an (X) in the square before the word "NO." A bold dividing line running the width of the ballot must appear immediately below the instructions.

Statutory Authority: *MS s 204D.11*

History: *19 SR 593*

8250.0370 FORM OF CANARY BALLOT.

Subpart 1. **General form.** The canary ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballot pages and ballot cards for electronic vot-

ing systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp. 2. **Ballot order.** County offices must be listed first on the canary ballot in the following order: commissioner, auditor, treasurer, recorder, sheriff, attorney, surveyor, and coroner. Special district offices must follow the last county office. Judicial offices must follow special district offices and appear in the following order: chief justice – supreme court, associate justice – supreme court, judge – court of appeals, and judge – district court. Where judicial seats are designated by number, the offices must be listed in numerical order. Optical scan ballots must be prepared in the order provided in Minnesota Statutes, chapter 206. County and judicial offices for which there is only one candidate will appear in the manner provided in Minnesota Statutes, section 204D.14.

Subp. 3. **Ballot size.** The canary ballot must be 5–1/4 inches wide and no more than 30 inches long.

Statutory Authority: *MS s 204D.11*

History: *19 SR 593; 20 SR 2787*

8250.0375 FORM OF GRAY BALLOT.

Subpart 1. **General form.** The judicial nonpartisan office ballot must only be used if the canary ballot exceeds 30 inches in length, except in counties using optical scan ballots, when the gray ballot may be prepared at the discretion of the county auditor. The ballot for judicial nonpartisan offices must be prepared in the same manner as the white ballot, except as provided in this part. Ballot pages and ballot cards for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp. 2. **Ballot order.** Offices appearing on the gray ballot must be listed in the order provided by part 8250.0370, subpart 2.

Statutory Authority: *MS s 204D.11*

History: *19 SR 593*

8250.0400 TOP OF BALLOT.

At the top of the white ballot shall be printed in upper and lowercase letters the words “Put an (X) in the square opposite the name of each candidate you wish to vote for.” On the left side of the words and directly above the squares in which a voter marks choices shall be printed a small arrow pointing downward.

Statutory Authority: *MS s 204D.11*

History: *17 SR 1279*

8250.0500 BALLOT HEADING.

Below the marking instructions on the white ballot shall be printed the words “STATE GENERAL ELECTION BALLOT” in uppercase letters.

Statutory Authority: *MS s 204D.11*

8250.0600 OFFICES.

The offices must appear on the white ballot in the following order and must be identified as follows in upper case letters:

“PRESIDENT AND VICE-PRESIDENT”

“UNITED STATES SENATOR”

“UNITED STATES REPRESENTATIVE”

“STATE SENATOR”

“STATE REPRESENTATIVE”

“GOVERNOR AND LIEUTENANT GOVERNOR”

“SECRETARY OF STATE”

“STATE AUDITOR”

“STATE TREASURER”

“ATTORNEY GENERAL”

“United States” may be abbreviated as “U.S.” If an office is not to be filled at a general election, the office must not appear on the ballot. Directly underneath the titles of the offices of United States representative and state senator and representative must be printed in upper case letters or numbers the district (for example: “SIXTH DISTRICT,” “DISTRICT SIX,” or “DISTRICT 6”) that the person elected will represent. A single vote must be cast for president and vice-president and for governor and lieutenant governor.

Statutory Authority: *MS s 204D.11; 206.57*

History: *8 SR 1348; 10 SR 1690; 13 SR 347*

8250.0700 NUMBER OF CANDIDATES.

Directly underneath the title and identification of each office shall be printed in uppercase letters the words “VOTE FOR ONE” or more, according to the number to be elected.

Statutory Authority: *MS s 204D.11*

8250.0800 NAMES OF CANDIDATES.

The full name of each candidate shall be printed in uppercase letters and at right angles to the length of the white ballot. At least 32 days before a general election, the secretary of state shall certify to each county auditor the nominations that are required by law to be certified by the secretary and that are required by law to appear on the ballot in the county. Below the name of the last candidate for each office shall be placed as many blank lines as there are offices of that kind to be filled, and on the blank lines the voter may write the names of persons not printed on the ballot for whom the voter desires to vote. When no person has filed for an office to be filled, the title and identification of the office shall be printed on the ballot with as many blank lines below as there are offices to be filled; the voter’s choice may be written in the blanks. On the left side of the ballot and on a line with the names of the candidates and the blank lines, there shall be placed squares, each square to be of the same size, in which the voter may designate the choice by a mark (X). The name of a candidate may not appear on a ballot in any way which gives the candidate an advantage over an opponent except as provided by law.

Statutory Authority: *MS s 204D.11*

History: *17 SR 1279*

8250.0900 DESIGNATION OF CANDIDATE.

Above or below the name of each candidate for a partisan office must appear in upper and lower case letters the designation in not more than three words of the party or principle the candidate represents. Words used in the name of a political party as defined in Minnesota Statutes, section 200.02, subdivision 6, may not be used to identify the party of a candidate of any other party. The word “nonpartisan” may not be used in the designation of any candidate.

Statutory Authority: *MS s 204D.11; 206.57 subd 1*

History: *8 SR 1348*

8250.1000 ORDER OF CANDIDATES.

Before a general election, the secretary of state shall certify to the county auditors the order in which the names of the candidates representing the political parties as defined in Minnesota Statutes, section 200.02, subdivision 6, must appear for every partisan office on the white ballot. Candidates nominated by petition must appear on the ballot beneath the names of the candidates of the political parties as defined in Minnesota Statutes, section 200.02, subdivision 6, and in the order in which the petitions were filed with the filing officer.

Statutory Authority: *MS s 204D.11; 206.57 subd 1*

History: *8 SR 1348*

8250.1100 BACK OF BALLOT.

On the back of the white ballot shall be printed the words “OFFICIAL BALLOT,” the date of the election, and lines for the initials of two judges. The printing shall be so placed as to be visible when the ballot is properly folded for deposit.

Statutory Authority: *MS s 204D.11*

8250.1200 TYPE STYLES AND SIZES.

The words "Put an (X) in the square opposite the name of each candidate you wish to vote for" must be printed in upper and lower case in 8-point bold type.

The words "STATE GENERAL ELECTION BALLOT" must be printed in upper case in 18-point type.

The office and its identification must be printed in upper case in 10-point bold type.

The words "VOTE FOR ONE" must be printed in upper case in 8-point bold type.

The names of the candidates must be printed in upper case in 8-point bold type.

The party designation or political principle must be printed in upper and lower case 8-point bold type.

The words "OFFICIAL BALLOT" on the back of the ballot must be printed in upper case in 18-point bold type, the date in upper case in 8-point type, and the word "Judge" in upper and lower case in 10-point type.

Statutory Authority: *MS s 204D.11; 206.57*

History: *8 SR 1348; 20 SR 2787*

8250.1300 [Repealed, 8 SR 1348]**8250.1400 EXAMPLE BALLOT.**

At least 42 days before the presidential primary, state primary, and state general election, the secretary of state shall supply each auditor with a copy of an example ballot. The example ballot must illustrate the format required for the presidential primary, state primary, and state general election ballots. The presidential primary, state primary, and state general election ballots must conform in all respects to the example ballot.

Statutory Authority: *MS s 204D.08; 204D.11; 206.57; 207A.09*

History: *8 SR 1348; 14 SR 2355; 15 SR 2308*

8250.1500 [Repealed, 20 SR 2787]**8250.1550 REIMBURSEMENT OF PRESIDENTIAL PRIMARY BALLOT COSTS.**

The secretary of state shall reimburse each county using lever voting machines or electronic voting systems for the preparation of ballot cards, ballot labels, and ballot pages for the presidential primary election, as provided in Minnesota Statutes, section 207A.07, from the money appropriated by the legislature for this purpose. The county auditor shall submit a request for payment of ballot costs to the secretary of state no later than 30 days after the presidential primary. The request for payment must be accompanied by an itemized description of actual county expenditures, including copies of invoices. In addition, the county auditor must certify that the request for reimbursement is based on actual ballot costs incurred by the county in the presidential primary and that the ballots were prepared in the manner provided by law. The secretary of state shall complete issuance of reimbursements to the counties no later than 60 days after the presidential primary.

If the total amount of requests for reimbursement of ballot costs from all counties exceeds the total amount appropriated by the legislature for this purpose, the secretary of state shall apportion the reimbursements to the counties on the basis of the number of persons in each county registered to vote at 7:00 a.m. on the day of the presidential primary as a fraction of the total number of persons registered to vote in the state at that time.

Statutory Authority: *MS s 207A.09*

History: *15 SR 2308*

BALLOTS FOR ELECTRONIC VOTING SYSTEMS**8250.1600 APPLICABILITY.**

Parts 8250.1600 to 8250.1800 apply to electronic voting systems, as defined in Minnesota Statutes, section 206.56, subdivision 8. To the extent possible, parts 8250.0100 to 8250.1400 apply to the use of electronic voting systems, unless otherwise provided.

Statutory Authority: *MS s 204D.11; 206.57*

History: *13 SR 347; 20 SR 2787*

8250.1700 FORMAT OF BALLOT PAGES FOR PUNCH CARD SYSTEMS.

Subpart 1. **Form.** Punch card ballot pages must be printed in the form illustrated in part 8250.9910.

Subp. 2. **Order of office groups.** For purposes of organization, the ballot pages must be divided into separate sections and headed by the following titles:

“FEDERAL OFFICES”

“STATE OFFICES”

“CONSTITUTIONAL AMENDMENTS”

The titles must be printed in upper case and bold face in as large as practicable but no smaller than 36–point type and must be carried on each ballot page that contains an office for a particular category.

Subp. 3. **Office titles.** The office titles must be printed in upper case and bold face in as large as practicable but no smaller than 14–point type. The first legislative office appearing on the ballot must be printed at the top of the page, under the title “STATE OFFICES.”

The instruction “VOTE FOR ONE” or “VOTE FOR ONE TEAM” must be printed in upper case and bold face in as large as practicable but no smaller than 10–point type.

Subp. 4. **Candidate and party names.** The candidate names must be printed in upper case and bold face in as large as practicable but no smaller than 12–point type. The party name must be printed under the candidate name in as large as practicable but no smaller than 8–point type.

Subp. 5. **Ballot position numbers.** The appropriate ballot position number must be printed on the same line as the candidate’s name in as large as practicable but no smaller than 14–point type.

Subp. 6. **Precinct identifiers.** The name of the municipality and the ward and precinct number, if any, for which the ballot page has been prepared must be printed on the bottom of each page on which candidate names appear. The date of the election must be printed next to the precinct identifier. In addition, each ballot page for a precinct must be sequentially numbered. The page number must be printed in bold face in as large as practicable but no smaller than 10–point type.

Subp. 7. **Questions.** The subject of a proposed question must be printed in upper case and bold face in as large as practicable but no smaller than 14–point type. The question must be printed in bold face in as large as practicable but no smaller than 12–point type. The words “YES” and “NO” must be printed to the left of the appropriate ballot position number in upper case and bold face in as large as practicable but no smaller than 14–point type.

Subp. 8. **Party preference indicator.** In partisan primary elections, the ballot booklet must include a place to allow the voter to indicate the primary election in which the voter intends to vote. This party preference indicator must appear on the first ballot page preceding the pages containing the partisan offices. The page containing the party preference indicators must be printed in the form illustrated in part 8250.9920.

Subp. 9. **Designation of party colors.** The secretary of state shall notify the county auditor of each county of any colors used to designate a major political party at a state election. Notification must be made at the same time that the secretary of state certifies the names of the candidates to be nominated at the state primary election.

Subp. 10. **Color of ballot pages.** The names of candidates to be nominated for each major political party at a partisan primary election must be printed on pages of the color required by statute for that party. No page may contain the candidates of more than one major political party. All pages containing nonpartisan candidates or questions and the page containing the party preference indicator must be white.

Subp. 11. **Instructions to voters.** On ballot pages containing two offices, a vertical arrow must be printed perpendicular to the office titles in the space separating the offices. The arrow must point from the first office on the page toward the second office on the page. At the midpoint of the length of the arrow, the arrow must be broken with a space three–eighths of

an inch in length. In this space, the words "CONTINUE VOTING" must be printed horizontally in upper case and boldface in as large as practicable but no smaller than 14-point type.

Statutory Authority: *MS s 204D.11 subd 1; 206.57 subd 1*

History: *13 SR 347; 15 SR 802*

8250.1800 FORMAT OF BALLOT CARDS FOR OPTICAL SCAN SYSTEMS.

Subpart 1. **Type sizes.** The type sizes in items A to E must be used in the printing of ballot cards.

A. The titles "FEDERAL OFFICES," "STATE OFFICES," and "CONSTITUTIONAL AMENDMENTS" must be printed in upper case and bold face in as large as practicable but no smaller than 14-point type.

B. The office titles must be printed in upper case and bold face in as large as practicable but no smaller than 10-point type. Immediately under each office title, the instruction "VOTE FOR ONE" or "VOTE FOR ONE TEAM" must be printed in upper case and bold face in as large as practicable but no smaller than 8-point type. The office titles must either be shaded with a screen of ten percent or less, or printed white on black.

C. The candidate names must be printed in upper case in as large as practicable but no smaller than 10-point type. The party name must be printed under the candidate name in as large as practicable but no smaller than 8-point type. The name of the candidate must be aligned as close to the vote target as possible.

D. The title of a proposed question must be printed in upper case and bold face in as large as practicable but no smaller than 10-point type. The body of the question must be printed in upper and lower case in as large as practicable but no smaller than 8-point type. The words "YES" and "NO" must be printed to the left of the vote targets in upper case and bold face in as large as practicable but no smaller than 10-point type.

E. On each write-in line the words "Write-In If Any" must appear in upper and lower case in as large as practicable but no smaller than 6-point type. The words "Write-In If Any" must be aligned next to the vote target.

Subp. 2. **Vote targets.** The target used to indicate to the voters where to mark their votes may be either an arrow pointing toward the candidate name or a horizontal oval next to the candidate name. The target may be highlighted or outlined in a color that does not affect the ability of the ballot counter to read the ballot.

Subp. 3. **Extraneous marks.** No election official may place marks on the ballot other than those provided in Minnesota Statutes, section 204C.09, subdivision 1.

Statutory Authority: *MS s 204D.11; 206.57; 206.84*

History: *13 SR 347; 20 SR 2787*

FORMS

8250.9910 SAMPLE PUNCH CARD BALLOT PAGE FORM, SPECIFIED BY PART 8250.1700.

FEDERAL OFFICES	
U.S. PRESIDENT AND VICE-PRESIDENT	VOTE FOR ONE TEAM
CANDIDATE NAME and CANDIDATE NAME <small>Party Name</small>	00 _____
CANDIDATE NAME and CANDIDATE NAME <small>Party Name</small>	00 _____
UNITED STATES SENATOR	
CANDIDATE NAME <small>Party Name</small>	VOTE FOR ONE 00 _____
CANDIDATE NAME <small>Party Name</small>	00 _____
UNITED STATES REPRESENTATIVE DISTRICT _____	
CANDIDATE NAME <small>Party Name</small>	VOTE FOR ONE 00 _____
CANDIDATE NAME <small>Party Name</small>	00 _____
TURN PAGE	
TO CONTINUE VOTING	
<small>City or Town Ward _____ Precinct _____</small>	<small>Date of Election _____ 0</small>

STATE OFFICES	
STATE SENATOR	
DISTRICT _____	VOTE FOR ONE
CANDIDATE NAME <small>Party Name</small>	00 _____
CANDIDATE NAME <small>Party Name</small>	00 _____
STATE REPRESENTATIVE	
DISTRICT _____	
VOTE FOR ONE	
CANDIDATE NAME <small>Party Name</small>	00 _____
CANDIDATE NAME <small>Party Name</small>	00 _____
GOVERNOR AND LIEUTENANT	
GOVERNOR	
VOTE FOR ONE TEAM	
CANDIDATE NAME and CANDIDATE NAME <small>Party Name</small>	00 _____
CANDIDATE NAME and CANDIDATE NAME <small>Party Name</small>	00 _____
TURN PAGE	
TO CONTINUE VOTING	
<small>City or Town Ward _____ Precinct _____</small>	<small>Date of Election _____</small>

Statutory Authority: *MS s 204D.11 subd 1; 206.57 subd 1*
 History: *13 SR 347*

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WHITE BALLOTS 8250.9920

8250.9920 FORM OF PAGE CONTAINING PARTY PREFERENCE INDICATOR.

POLITICAL PARTY PREFERENCE INDICATOR

MINNESOTA ELECTION LAW PERMITS YOU TO VOTE FOR THE CANDIDATES OF ONLY ONE POLITICAL PARTY IN A STATE PARTISAN PRIMARY ELECTION. PLEASE INDICATE THE PRIMARY ELECTION IN WHICH YOU CHOOSE TO VOTE BY PUNCHING THE POSITION NEXT TO THE PARTY NAME, THEN BEGIN VOTING BY TURNING TO THE PAGES INDICATED BELOW.

(name of political party)	_____	00
PRIMARY ELECTION		
TURN TO THE xxxxx PAGES STARTING ON PAGE nn		

(name of political party)	_____	00
PRIMARY ELECTION		
TURN TO THE xxxxx PAGES STARTING ON PAGE nn		

YOU MAY VOTE FOR CANDIDATES FOR NONPARTISAN OFFICES ON THE WHITE PAGES EVEN IF YOU CHOOSE NOT TO VOTE IN ONE OF THE PARTISAN PRIMARY ELECTIONS.

Statutory Authority: *MS s 204D.11 subd 1; 206.57 subd 1*

History: *13 SR 347*