

CHAPTER 8250

SECRETARY OF STATE

BALLOT PREPARATION

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FORM OF OTHER BALLOTS

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 no less than 2-1/2 inches wide. If fewer than three major political parties appear on the ballot, the center column containing instructions must be 2-1/2 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*

History: *23 SR 459*

8250.0360 FORM OF PRESIDENTIAL PRIMARY BALLOTS.

[For text of subps 1 to 4, see M.R.]

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. 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*

History: *23 SR 459*

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. Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

[For text of subp 2, see M R]

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 next to the word "YES" for that question. To vote against a proposed constitutional amendment, put an (X) in the square next to the word "NO" for that question." A bold dividing line running the width of the ballot must appear immediately below the instructions.

Subp. 4. **Designation by number.** Each constitutional amendment must be designated by a number. Each constitutional amendment must be preceded by the word "AMENDMENT" and the number assigned to the amendment

Statutory Authority: *MS s 204D 11*

History: *23 SR 459*

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. The county auditor may add the name of the county directly under the heading of the canary ballot. If the canary ballot contains a ballot question, the following instruction must be printed directly under the instructions required in part 8250 0400 "To vote for a question, put an (X) in the square next to the word "YES" for that question. To vote against a question, put an (X) in the square next to the word "NO" for that question." Ballots for electronic voting 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 and identified as follows in upper case letters:

COUNTY COMMISSIONER

COUNTY AUDITOR

COUNTY TREASURER

COUNTY RECORDER

COUNTY SHERIFF

COUNTY ATTORNEY

COUNTY SURVEYOR

COUNTY CORONER

The name and number of the district that the person elected will represent must be printed in upper case letters or numbers directly under the title of the office

If two of the offices listed in this subpart have been combined into one office, the combined office must take the place of the first office listed in this subpart

The names of candidates to fill vacancies at a special election must be listed under the heading "Special election for (name of office) to fill vacancy in term expiring (date)" with the name of the office, the date of expiration of the term, and any other information necessary to distinguish the office. Vacant offices being filled by special election must be listed with other offices of that type but after any offices for which a candidate will be elected for a full term

Any county offices not listed in this subpart must follow the office of county coroner on the ballot and must be listed in the order determined by the county auditor

County ballot questions must be printed after county offices on the canary ballot. Each county ballot question must be preceded by a number. Each county ballot question must be preceded by the words "COUNTY QUESTION" in upper case letters and the number assigned to the question. The county auditor or county board shall provide a title for each county question printed on the canary ballot. The title must not contain more than ten words. The county attorney shall review the title to determine whether it accurately describes the question asked. The title must not be used on the ballot until it has been approved by the county attorney. The title must be printed in upper case letters and must be printed above the question to which it refers. The body of the question must be printed in upper and lower case letters

Special district offices must follow the last county question. The words "SOIL AND WATER CONSERVATION DISTRICT SUPERVISOR" in upper case letters must precede the names of candidates for the soil and water conservation district board. Where soil and water conservation district supervisor offices are designated by number, the offices must be listed in numerical order. The name and number of the district that the person elected will represent must be printed in upper case letters or numbers directly under the title of the 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

[For text of subp 3, see M R]

Statutory Authority: *MS s 204D 11*

History: 23 SR 459

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. Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

[For text of subp 2, see M R]

Statutory Authority: *MS s 204D.11*

History: 23 SR 459

8250.0385 FORM OF GREEN BALLOT.

Subpart 1. **General form.** The municipal nonpartisan office ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp 2. **Ballot order.** The municipal clerk may add the name of the municipality and the type of election directly under the heading of the green ballot. City offices must be listed in the following order and must be identified as follows in upper case letters:

MAYOR

COUNCIL MEMBER

CITY CLERK

CITY TREASURER

Town offices must be listed in the following order and must be identified as follows in upper case letters:

TOWN SUPERVISOR

TOWN CLERK

TOWN TREASURER

The name and/or number of the district that the person elected will represent must be printed in upper case letters or numbers directly under the title of the office.

Municipal offices elected at large must be listed before other offices of the same type elected by district. Where municipal offices are designated by number, those offices must be listed in numerical order. If two of the offices listed in this subpart have been combined into one office, the combined office must take the place of the first office listed in this subpart. Vacant municipal offices being filled by special election must be listed with offices of the same type but after any offices for which candidates will be elected for a full term. Municipal offices not listed in this subpart must follow the last office listed above and must be listed in the order determined by the municipal clerk.

Statutory Authority: *MS s 205 17*

History: 23 SR 459

8250.0390 FORM OF BLUE BALLOT.

Subpart 1. **General form.** The municipal question ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp 2. **Ballot heading.** The words "CITY QUESTION BALLOT" or "TOWN QUESTION BALLOT" must be printed at the top of the ballot in upper case letters. The mu-

municipal clerk may add the name of the municipality and the type of election directly under the heading of the blue ballot. The following words must be printed directly under the ballot heading, municipality name, and election type: "To vote for a question, put an (X) in the square next to the word "YES" for that question. To vote against a question, put an (X) in the square next to the word "NO" for that question."

Each municipal ballot question must be designated by a number. Each municipal ballot question must be preceded by the words "CITY QUESTION" or "TOWN QUESTION" in upper case letters and the number assigned to the question. The municipal clerk or municipal governing body shall provide a title for each municipal question printed on the blue ballot. The title must not contain more than ten words. The municipality's attorney shall review the title to determine whether it accurately describes the question asked. The title must not be used on the ballot until it has been approved by the municipality's attorney. The title must be printed in upper case letters and must be printed above the question to which it refers. The body of the question must be printed in upper and lower case letters.

Statutory Authority: *MS s 205.17*

History: *23 SR 459*

8250.0395 FORM OF BUFF BALLOT.

Subpart 1 **General form.** The school district office ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp 2 **Ballot offices.** The words "SCHOOL DISTRICT BALLOT" must be printed at the top of the ballot in upper case letters. The school district clerk may add the name and/or number of the school district and the type of election directly under the heading of the buff ballot. School district offices must be identified on the buff ballot as follows in upper case letters:

SCHOOL BOARD MEMBER

The name and/or number of the district that the person elected will represent must be printed directly under the title of the office.

School district offices elected at large must be listed before other offices of the same type elected by district. Where school board offices are designated by number, the offices must be listed in numerical order. Vacant offices being filled by special election must be listed with offices of the same type but after any offices for which a candidate will be elected for a full term.

Statutory Authority: *MS s 205A.08*

History: *23 SR 459*

8250.0397 FORM OF GOLDENROD BALLOT.

Subpart 1 **General form.** The school district question ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp 2 **Ballot heading.** The words "SCHOOL DISTRICT QUESTION BALLOT" must be printed at the top of the ballot in upper case letters. The school district clerk may add the name and/or number of the school district and the type of election directly under the heading of the goldenrod ballot. The following words must be printed directly under the ballot heading, school district identifier, and election type: "To vote for a question, put an (X) in the square next to the word "YES" for that question. To vote against a question, put an (X) in the square next to the word "NO" for that question."

Each ballot question must be designated by number. Each ballot question must be preceded by the words "SCHOOL DISTRICT BALLOT QUESTION" in upper case letters and the number assigned to the question. The school district clerk or school board shall provide a title for each school district question printed on the goldenrod ballot. The title must not contain more than ten words. The school district's attorney shall review the title to determine whether it accurately describes the question asked. The title must not be used on the ballot until it has been approved by the school district's attorney. The title must be printed in upper

case letters and must be printed above the question to which it refers. The body of the question must be printed in upper and lower case letters.

Statutory Authority: *MS s 205A 08*

History: *23 SR 459*

FORM OF WHITE BALLOT

8250.0400 TOP OF BALLOT.

Under the heading of the white ballot and the name of the county shall be printed in upper and lower case 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: *23 SR 459*

8250.0500 BALLOT HEADING.

At the top of the white ballot shall be printed the words "STATE GENERAL ELECTION BALLOT" in upper case letters. The county auditor may add the name of the county directly under the heading of the white ballot.

Statutory Authority: *MS s 204D.11*

History: *23 SR 459*

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 as large as practicable but no smaller than 8-point bold type.

The words "STATE GENERAL ELECTION BALLOT" must be printed in upper case in as large as practicable but no smaller than 18-point type

The office and its identification must be printed in upper case in as large as practicable but no smaller than 10-point bold type

The words "VOTE FOR ONE" must be printed in upper case in as large as practicable but no smaller than 8-point bold type.

The names of the candidates must be printed in upper case in as large as practicable but no smaller than 8-point bold type.

The party designation or political principle must be printed in upper and lower case in as large as practicable but no smaller than 8-point bold type

The words "OFFICIAL BALLOT" on the back of the ballot must be printed in upper case in as large as practicable but no smaller than 18-point bold type, the date in upper case in as large as practicable but no smaller than 8-point type, and the word "Judge" in upper and lower case in as large as practicable but no smaller than 10-point type

Statutory Authority: *MS s 204D.11*

History: *23 SR 459*

EXAMPLE BALLOT

8250.1400 EXAMPLE BALLOT.

The secretary of state shall supply each auditor with a copy of an example ballot by June 1 of each year. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year. The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballots must conform in all respects to the example ballot.

Statutory Authority: *MS s 204D.11*

History: *23 SR 459*

PRESIDENTIAL PRIMARY BALLOT COST REIMBURSEMENT**8250.1550 REIMBURSEMENT OF PRESIDENTIAL PRIMARY BALLOT COSTS.**

The secretary of state shall reimburse each county using electronic voting systems for the preparation of ballots 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: 23 SR 459

8250.1700 [Repealed, 23 SR 459]

BALLOTS FOR ELECTRONIC VOTING SYSTEMS**8250.1800 FORMAT OF BALLOTS FOR OPTICAL SCAN SYSTEMS.**

Subpart 1. **General form.** Ballots for optical scan voting systems must be prepared in the same manner as the white ballot to the extent practicable. Ballots for optical scan voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp 2 **Ballot order.** The offices must appear on the optical scan voting system ballot in the following order and must be identified as follows in upper case letters:

FEDERAL OFFICES

STATE OFFICES

CONSTITUTIONAL AMENDMENTS

COUNTY OFFICES

COUNTY QUESTIONS

CITY OFFICES

CITY QUESTIONS

TOWN OFFICES

TOWN QUESTIONS

SCHOOL DISTRICT OFFICES

SCHOOL DISTRICT QUESTIONS

SPECIAL DISTRICT OFFICES

SPECIAL DISTRICT QUESTIONS

JUDICIAL OFFICES

The county auditor may add the name and/or number of the appropriate municipality, school district, or special district directly under the titles listed in this subpart.

Subp 3 **Type sizes.** The type sizes in items A to E must be used in the printing of ballots for optical scan voting systems.

A. The titles listed in subpart 2 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, one of the fol-

lowing instructions must be printed in upper case and bold face in as large as practicable but no smaller than 8-point type

VOTE FOR ONE TEAM

VOTE FOR ONE

VOTE FOR UP TO . . . followed by the number of candidates to be elected.

The office titles must either be shaded with a screen of ten percent or less, or printed white on black.

[For text of item C, see M R]

D The number and 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 question numbers and titles must be shaded with a screen of ten percent or less or printed white on black. 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 aligned as close as possible to the vote targets and must be printed 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 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. 4. **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. 5 **Two-sided ballots.** On two-sided ballots, the words "VOTE FRONT AND BACK OF BALLOT" must be printed in upper case 10-point bold type at the bottom of both sides of the ballot.

Subp. 6 **Extraneous marks.** No election official may place marks on the ballot other than those provided in Minnesota Statutes, section 204C 09, subdivision 1, or 206 86, subdivision 5.

Subp. 7 **Example ballot.** The secretary of state shall supply each auditor with a copy of an example ballot by June 1 of each year. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year. The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballots must conform in all respects to the example ballot.

Statutory Authority: *MS s 204D 11*

History: 23 SR 459

8250.9910 [Repealed, 23 SR 459]

8250.9920 [Repealed, 23 SR 459]