

CHAPTER 8250
SECRETARY OF STATE
BALLOT PREPARATION

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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 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 packaged in quantities of 25, 50, or 100.

Statutory Authority: *MS s 204D 11*

History: *25 SR 616*

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 no less than four 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: *25 SR 616*

8250.0360 [Repealed, 25 SR 616]**8250.0365 FORM OF PINK BALLOT.**

[For text of subps 1 to 3, see MR]

Subp. 4 **Designation by number.** If more than one constitutional amendment is on the ballot, each constitutional amendment must be designated by a number and must be preceded by the word "AMENDMENT" and the number assigned to the amendment.

Statutory Authority: *MS s 204D 11*

History: *25 SR 616*

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. The county auditor must add the date of the election directly under the heading of the canary ballot and the name of the county, if this name is printed on the 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. When more than one county question is on the ballot, each county ballot question must be designated by a number and 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.

Subp. 3. **Ballot size.** The canary ballot must be no less than four inches wide and no more than 30 inches long.

Statutory Authority: *MS s 204D 11*

History: *25 SR 616*

8250.0385 FORM OF GREEN BALLOT.

[For text of subpart 1, see MR]

Subp 2. **Ballot order.** The municipal clerk may add the type of election directly above the date on 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. The title of a vacant township office being filled at an annual town election may be followed by the number of years remaining in the 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: *25 SR 616*

8250.0390 FORM OF BLUE BALLOT.

[For text of subpart 1, see MR]

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 municipal clerk may add the type of election directly above the date on the blue ballot. The following words must be printed directly under the ballot heading, municipality name, election type, and election date. "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."

When more than one municipal question is on the ballot, each municipal ballot question must be designated by a number and 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: *25 SR 616*

8250.0395 FORM OF BUFF BALLOT.

[For text of subpart 1, see MR]

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 must add the name and/or number of the school district and the date of the election directly under the heading of the buff ballot. The school district clerk may add the type of election directly above the date on 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: 25 SR 616

8250.0397 FORM OF GOLDENROD BALLOT.

[For text of subpart 1, see MR]

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 must add the name and/or number of the school district and the date of the election directly under the heading of the goldenrod ballot. The school district clerk may add the type of election directly above the date on the goldenrod ballot. The following words must be printed directly under the ballot heading, school district identifier, election type, and election date: "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."

When more than one question is on the ballot, each ballot question must be designated by number and 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: 25 SR 616

8250.0398 FORM OF TAN BALLOT:

Subpart 1. **General form.** The hospital district 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 "HOSPITAL DISTRICT BALLOT" must be printed at the top of the ballot in upper case letters. The hospital district clerk must add the name of the hospital district and the date of the election directly under the heading of the tan ballot. The hospital district clerk may add the type of election directly above the date on the tan ballot.

Subp 3. **Ballot offices.** Hospital district offices must be identified on the tan ballot as follows in upper case letters:

HOSPITAL DISTRICT 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

Hospital district offices elected at large must be listed before other offices of the same type elected by district. Where hospital district 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. The title of a vacant hospital district office being filled by special election may be followed by the number of years remaining in the term.

Subp 4 **Ballot questions.** The following instruction must be printed directly under the ballot heading, hospital district identifier, election type, and election date: "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."

When more than one question is on the ballot, each ballot question must be designated by number and must be preceded by the words "HOSPITAL DISTRICT BALLOT QUESTION" in upper case letters and the number assigned to the question. The hospital district clerk or hospital district board shall provide a title for each hospital district question printed on the tan ballot. The title must not contain more than ten words. The hospital 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 hospital 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.

Subp 5 **Offices and questions on same ballot.** If both hospital district offices and questions will be on the hospital district ballot, the instruction for voting for questions must follow the instruction for voting for offices.

Statutory Authority: *MS s 447.32*

History: *25 SR 616*

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. The date of the election must be printed directly under the heading of the white ballot and the name of the county, if that name is printed on the ballot.

Statutory Authority: *MS s 204D.11*

History: *25 SR 616*

8250.1000 ORDER OF CANDIDATES.

At the same time that the secretary of state certifies the names of nominees under Minnesota Statutes, section 204C.32, subdivision 2, 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 determined by lot by the secretary of state. The secretary shall draw lots once by political party or principle. To draw the lot, a candidate who has used the word "independent" to designate the candidate's party or principal must be identified by the word "independent" followed by the candidate's surname. The order of political parties

or principles determined by the drawing of lots applies to all partisan offices on the ballot

Statutory Authority: *MS s 204D 11*

History: *25 SR 616*

8250.1550 [Repealed, 25 SR 616]

8250.1800 FORMAT OF BALLOTS FOR OPTICAL SCAN SYSTEMS.

[For text of subpart 1, see MR]

Subp 2 **Ballot order.** When more than one of the following types of offices is on the ballot, the offices must appear on the optical scan voting system ballot in the following order and must be identified as follows in 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 county, municipality, school district, or special district directly under the titles listed in this subpart

Subp 2a. **Primary ballot.** Items A to F apply to primary ballots.

A. On the partisan primary ballot, the names of the political parties that head the political party columns must be shaded with a screen of 30 percent.

B The office titles must be shaded with a screen of ten percent

C If a partisan primary ballot also includes a nonpartisan primary section, the title of the nonpartisan section of the ballot must be printed white on black.

D If a partisan primary ballot also includes a nonpartisan primary section, the 12-point solid line between political party columns that is required by Minnesota Statutes, section 204D 08, subdivision 4, must not be used between the party columns.

E If a partisan primary ballot also includes a nonpartisan primary section, a bold line must divide the partisan section of the ballot from the nonpartisan section of the ballot

F If a partisan primary ballot has political party columns on both sides of the ballot, the instruction in subpart 5 must not be used on the ballot.

[For text of subps 3 to 7, see MR]

Statutory Authority: *MS s 204D 08, 206 84*

History: *25 SR 616*