

8250.0385 FORM OF TOWN ELECTION BALLOT.

Subpart 1. **General form.** A town election ballot must be prepared in the same manner as the state general election ballot as provided in part 8250.1810, except towns conducting an election under the limited exemption under Minnesota Statutes, section 206.57, subdivision 5a, may prepare ballots as provided in this part.

Subp. 1a. **Ballot heading.** The words "Town Election Ballot" must be printed at the top of the ballot.

Subp. 2. **Ballot order.** Town offices and questions must be listed in the following order and must be identified as follows:

Town Supervisor

Town Clerk

Town Treasurer

Town Question

The name and/or number of the district that the person elected will represent must be printed 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 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. Town offices not listed in this subpart must follow the last office listed above and must be listed in the order determined by the town clerk.

Subp. 3. **Names of candidates.** The full name of each candidate shall be printed at right angles to the length of the town election ballot. 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 town election 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 candidates and the blank lines, there shall be placed squares or similar target shapes, and each square or similar target shape must 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.

Subp. 4. **Town questions.** 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" on that question. To vote against a question, put an (X) in the square next to the word "No" on that question." When a target shape

other than a square is used on the ballot, then the word "square" must be replaced with the applicable target shape word. When more than one town question is on the ballot, each town ballot question must be designated by a number and must be preceded by the words "Town Question" and the number assigned to the question. The town clerk or town governing body shall provide a title for each town question printed on the town election 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 above the question to which it refers. The body of the question must be printed in upper and lower case letters.

Subp. 5. **Back of ballot.** On the back of the town election 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 placed as to be visible when the ballot is properly folded for deposit.

Subp. 6. **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. When a target shape other than a square is used on the ballot, then the word "square" must be replaced with the applicable target shape word.

The words "Town Election Ballot" must be printed in as large as practicable but not smaller than 18-point type.

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

The words "Vote For One" must be printed in as large as practicable but no smaller than 8-point bold type.

The names of the candidates must be printed 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 no smaller than 8-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.

Subp. 7. **Town clerk's duties.** The town clerk shall prepare and print the town election ballot as soon as practicable, but in no event less than 30 days before the election. Two weeks before the election, the town clerk shall file sample copies in the town clerk's office for public inspection. The town election 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 division between candidates, office, instructions, and other matter proper to be printed on the ballot. The town clerk 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 205.17*

History: *23 SR 459; 25 SR 616; 38 SR 1368; 40 SR 1553*

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