

CHAPTER 206

VOTING MACHINES

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206.08 EXAMINATION OF NEW VOTING MACHINES.

[For text of subs 1 and 2, see M.S.1982]

Subd. 3. **Advisory task force.** The secretary of state may appoint a nonpartisan advisory task force to advise in the examining and reporting duties prescribed in this section. The task force shall expire, and the terms, compensation, and removal of members shall be as provided in section 15.059.

[For text of subd 4, see M.S.1982]

History: 1983 c 260 s 48

206.09 BALLOT LABELS; DIAGRAMS FOR VOTING MACHINES.

The same authorities as are charged with providing paper ballots when such are used shall be required to provide all ballots, ballot labels and ballot cards, diagrams, sample ballots, return sheets and all other necessary supplies needed for the voting machines or electronic voting systems.

In state and county general elections the county auditor of each county in which voting machines or electronic voting systems are used shall provide all ballots, ballot labels, ballot cards, and other necessary printed forms and supplies needed for the voting machines, including all such forms needed for placing on such voting machines, all officers, candidates and constitutional amendments and other questions and propositions which are required by the election laws to be placed on the white, pink, and canary ballots.

Except as herein provided all ballots (or ballot labels) shall be printed in black ink on clear white material of such size as will fit the ballot frame of the voting machine or as will conform to the requirements of electronic voting systems where used, and in as plain clear type as the space will reasonably permit. In primaries where electronic voting systems are used, the ballot pages for the partisan primary ballots may be different colors or may be otherwise distinctively differentiated as between parties and all pages of the partisan primary ballot of a single party shall be consecutive without the intervention of any pages of any other party. In a prominent place on such ballots there shall be conspicuously printed a notice stating in substance the effect of attempting to vote in more than one partisan primary. Preparation of separate ballots for use on separate marking devices, each ballot containing the partisan primary ballot of only one party, shall also be permitted. Candidates' names may be set in as large type as the length of the majority of such names of all candidates on the ballot permits and the remaining candidates' names may be set in such smaller sizes or styles of type as the length of each such name requires based upon the available space in the frame of the voting machine or upon the space available on any card, paper, booklet, or pages. Ballots (or ballot labels) for constitutional amendments or that portion of the ballot containing constitutional amendments shall be printed on material tinted pink. In a prominent place on such ballots, there shall be conspicuously printed a notice stating in substance that if a voter fails to vote on a constitutional

amendment he votes, in effect, in the negative. Ballots (or ballot labels) for other questions shall be printed on material so tinted as to conform with the laws relating to paper ballots.

The authorities charged with the duty of providing ballots for any polling place where voting machines are used shall provide therefor at least two sample ballots which shall be arranged in the form of a diagram showing such part of the face of the voting machine as shall be in use at that election for voting for all candidates whose names are entitled to be placed on the ballot at such election and shall also show such part of the face of the voting machine as shall be in use for voting for all referendum questions, constitutional amendments, or other propositions; the proper authorities shall provide at least two sample ballots, ballot cards, or ballot labels which shall be arranged in the form of a diagram showing the ballot label containing the names of all candidates and propositions to be voted upon at that election in each polling place. Candidates' names shall not be rotated on such sample ballots but shall be arranged in alphabetical order for all offices where rotation of names on the official ballots on the voting machines is required by law. Such sample ballots shall be either in full or reduced size and shall contain suitable illustrated directions for voting on the voting machine, or for operating a marking device, or such illustrated instructions shall be provided on a separate poster, to be posted adjacent to each sample ballot. Not less than two such sample ballots shall be posted in a prominent place in the polling place and shall remain open to inspection by the voters throughout the election day.

The county auditor may use a one inch or more space between partisan and nonpartisan ballots, but in all cases a canary yellow color shall be used as background color on the nonpartisan ballots.

History: 1983 c 301 s 164

206.11 PRECINCTS MAY BE CHANGED.

The precincts in which voting machines are to be used may be enlarged, reduced, or reformed, in the manner prescribed in section 204B.14, so that each precinct shall when so first formed, contain not to exceed 600 registered voters for each voting machine to be used therein. More than one voting machine may be used in any precinct.

History: 1983 c 253 s 23

206.19 INSTRUCTIONS TO ELECTION JUDGES.

Subdivision 1. Not more than 30 days before each primary or election if no primary is held at which a voting machine is to be used, there shall be held under the direction of the proper authority having charge of the conduct of the elections, a meeting or meetings for the purpose of instructing the election judges about the operation of the voting machine and the duties of election officials when voting machines are used. Each election judge serving in a precinct where voting machines are used, shall attend at least one such meeting prior to either the primary or the other election in which such election judge is to serve, and shall receive a certificate showing that he has attended such instruction meeting and has been found qualified to serve. Each election judge, who shall attend such instruction meeting and shall qualify and serve at an election, shall receive at least \$1 for the time spent in receiving such instruction, in addition to car or railroad fare in going to or returning from such meeting, which shall be paid at the same time and in the same manner as the payment for serving on election day. Such certificate shall not be issued to any person unless he has attended an instruction

meeting and been found qualified and no person shall be eligible to serve as election judge unless he has first received a certificate as herein provided. In case of emergency, when an insufficient number of certified election judges is available for the proper conduct of the election, there shall be appointed a sufficient number of election judges to conduct such election, although such election judges have not received the required certificate; provided that no person shall be appointed an election judge who is not a qualified voter in the precinct to which he is appointed as such election judge, except as otherwise provided by law.

[For text of subds 2 and 3, see M.S.1982]

History: 1983 c 253 s 24

206.21 MACHINES; LOCKING, OPENING, CUSTODY AND CARE.

[For text of subds 1 and 2, see M.S.1982]

Subd. 3. **Opening of machines.** The voting machines shall remain locked against use until all automatic recounts have been verified by the appropriate election office and the time for filing a contest of election has passed. When a contest of election has been filed, the voting machines shall remain locked until the voting machine count has been verified in accordance with the orders of the appropriate court.

[For text of subds 4 and 5, see M.S.1982]

History: 1983 c 124 s 5