

CHAPTER 204C

ELECTION DAY ACTIVITIES

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204C.03 PUBLIC MEETINGS PROHIBITED ON ELECTION DAY.

[For text of subs 1 and 2, see M.S.1990]

Subd. 3. **Public elementary and secondary schools.** Except for regularly scheduled classes, a public elementary or secondary school may not schedule a school sponsored event between 6:00 p.m. and 8:00 p.m. on the day that a regularly scheduled election is held in any political subdivision in which the school is located.

[For text of subd 4, see M.S.1990]

History: 1991 c 221 s 2

204C.04 EMPLOYEES; TIME OFF TO VOTE.

Subdivision 1. **Right to be absent.** Every employee who is eligible to vote in an election has the right to be absent from work for the purpose of voting during the morning of the day of that election, without penalty or deduction from salary or wages because of the absence. An employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an employee.

Subd. 2. **Elections covered.** For purposes of this section, "election" means a regularly scheduled state primary or general election, an election to fill a vacancy in the office of United States senator or United States representative, or a presidential primary as described in section 207A.01 unless it is conducted by mail.

Subd. 3. **Penalty.** A person who violates this section is guilty of a misdemeanor, and the county attorney shall prosecute the violation.

History: 1991 c 245 s 1

204C.06 CONDUCT IN AND NEAR POLLING PLACES.

[For text of subd 1, see M.S.1990]

Subd. 2. **Individuals allowed in polling place.** (a) Representatives of the secretary of state's office, the county auditor's office, and the municipal or school district clerk's office may be present at the polling place to observe election procedures. Except for these representatives, election judges, sergeants-at-arms, and challengers, an individual may remain inside the polling place during voting hours only while voting or registering to vote, providing proof of residence for an individual who is registering to vote, or assisting a handicapped voter or a voter who is unable to read English. During voting hours no one except individuals receiving, marking, or depositing ballots shall approach within six feet of a voting booth, unless lawfully authorized to do so by an election judge.

(b) Teachers and elementary or secondary school students participating in an educational activity authorized by section 204B.27, subdivision 7, may be present at the polling place during voting hours.

[For text of subs 3 to 7, see M.S.1990]

History: 1991 c 237 s 5

204C.19 COUNTING VOTES; PENALTY.

[For text of subd 1, see M.S.1990]

Subd. 2. Ballots; order of counting. Except as otherwise provided in this subdivision, the ballot boxes shall be opened, the votes counted, and the total declared one box at a time in the following order: the white box, the pink box, the canary box, the light green box, the blue box, the buff box, the goldenrod box, the gray box, and then the other kinds of ballots voted at the election. If enough election judges are available to provide counting teams of four or more election judges for each box, more than one box may be opened and counted at the same time. The election judges on each counting team shall be evenly divided between the major political parties. The numbers entered on the summary sheet shall not be considered final until the ballots in all the boxes have been counted and corrections have been made if ballots have been deposited in the wrong boxes.

[For text of subd 3, see M.S.1990]

History: 1991 c 227 s 17

204C.22 DETERMINING VOTER'S INTENT.

[For text of subds 1 to 4, see M.S.1990]

Subd. 4a. Write-in vote for candidate team. A write-in vote cast for a candidate for governor without a write-in vote for a candidate for lieutenant governor must be counted as a vote for the candidate team including the lieutenant governor candidate selected by that candidate for governor.

[For text of subds 5 to 15, see M.S.1990]

History: 1991 c 320 s 14

204C.40 CERTIFICATES OF ELECTION.

[For text of subd 1, see M.S.1990]

Subd. 2. Time of issuance; certain offices. No certificate of election shall be issued until seven days after the canvassing board has declared the result of the election. In case of a contest, an election certificate shall not be issued until a court of proper jurisdiction has finally determined the contest. This subdivision shall not apply to candidates elected to the office of state senator or representative.

History: 1991 c 227 s 18