

## CHAPTER 8240

### SECRETARY OF STATE

### ELECTION JUDGE TRAINING PROGRAM

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#### 8240.0100 DEFINITIONS.

Subpart 1. **Scope.** Terms used in parts 8240.0100 to 8240.2600 shall have the meanings given.

Subp. 2. **Training authority.** "Training authority" means a county auditor of the municipal election official to whom the county auditor has delegated training duties.

Subp. 3. **Training program.** "Training program" means a system of instruction to promote the competence of election judges by supplying necessary information to improve election-related skills.

**Statutory Authority:** *MS s 204B.25*

#### 8240.0200 SCOPE AND PURPOSE.

Parts 8240.0100 to 8240.2600 establish the program for training of election judges required by Minnesota Statutes, section 204B.25.

The purpose of the training program is to provide for uniform application of Minnesota election laws and rules by election judges and to promote accuracy, honesty, and efficiency in election procedures.

Parts 8240.0100 to 8240.2600 shall be construed as the minimum standards required of training programs conducted pursuant to Minnesota Statutes, section 204B.25. Nothing in parts 8240.0100 to 8240.2600 shall restrict training authorities from implementing training programs more comprehensive than are required by parts 8240.0100 to 8240.2600.

**Statutory Authority:** *MS s 204B.25*

#### 8240.1000 DELEGATION OF TRAINING DUTY.

Each county auditor shall notify the secretary of state of municipal election officials to whom the auditor has delegated the duty to train election judges. The notification of delegation shall include the name of the municipality, the date of delegation, the name and address of the municipal clerk, and the name and address of the municipal election official designated, if different from the municipal clerk. The auditor shall notify the secretary of state within 30 days after the delegation.

**Statutory Authority:** *MS s 204B.25*

#### 8240.1100 TRAINING CONFERENCE.

Each training authority shall attend a conference on election administration and training conducted by the secretary of state before each state primary election. If a county auditor delegates the duty to train election judges to a municipal election official and an election is to take place in that municipality prior to the next training conference held by the secretary of state, the county auditor shall train the municipal election official in administration of a training program.

**Statutory Authority:** *MS s 204B.25*

#### 8240.1200 TRAINING PROGRAM.

A training program shall consist of a basic training course, a review course, an emergency training course and, in municipalities conducting absentee voting pursuant to Minnesota

Statutes, section 203B.11, a health care facility absentee voting course. A training authority may design the courses to meet the election problems peculiar to the jurisdiction, but the courses shall meet at least the minimum standards set forth in parts 8240.1600 to 8240.1900.

**Statutory Authority:** *MS s 204B.25*

### 8240.1300 COURSES REQUIRED.

An election judge who must receive training pursuant to Minnesota Statutes, section 204B.25 shall successfully complete a basic training course which meets the requirements of part 8240.1600. After completing the basic training course, an election judge may serve at future elections by successfully completing a review course which meets the requirements of part 8240.1700 before service at such election. The basic training course need not be repeated if the judge serves at least one election every four years.

The basic training course and the review course shall be conducted not more than 60 days or fewer than three days before the election. When one or more election judges are unable to attend a scheduled training session, a makeup session shall be held which conforms to the scheduled training session so far as practicable.

A special training course must be conducted for all election judges not more than 60 nor fewer than three days before a presidential primary election. The county auditor shall establish either a one or two hour training course for the presidential primary. The length of training for the presidential primary should be determined by the voting method used at the presidential primary, and the experience level of election judges with the voting method.

No election judge who successfully completes the training required by these rules for a state primary election shall be required to complete additional training for the succeeding general election.

The training authority shall determine the maximum number of trainees in each training session conducted pursuant to parts 8240.1600 and 8240.1700. The maximum number of trainees shall be appropriate to the methods of instruction used.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 8*

### 8240.1400 HEALTH CARE FACILITY ABSENTEE VOTING REQUIREMENT.

Each election judge who conducts absentee voting in health care facilities pursuant to Minnesota Statutes, section 203B.11 shall successfully complete the course for health care facility absentee voting as provided in part 8240.1800 before performing duties.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

### 8240.1500 EMERGENCY TRAINING REQUIREMENT.

An election judge who is elected after the opening of the polls and who has not completed the basic training course or review course conducted for that election shall complete the emergency training course as provided in part 8240.1900.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

### 8240.1600 BASIC TRAINING COURSE.

**Subpart 1. Length.** The basic training course shall be at least two hours long.

**Subp. 2. Materials.** The training authority shall provide each election judge trainee with examples of all forms which election judges must complete in the course of their duties; with examples of all forms of identification acceptable for purposes of election day registration, including any forms of student identification issued by educational institutions in the area; and with all materials contemplated in the training plan approved by the secretary of state pursuant to part 8240.2400. Additional materials may be provided by the training authority as the authority deems useful.

**Subp. 3. Use of equipment.** A voting machine, electronic voting system, or specimen paper ballot and ballot box shall be utilized at each training session to familiarize each elec-

tion judge with the voting procedures for the method of voting employed in the precinct where the judge will serve.

**Subp. 4. Course content.** A basic training course shall include necessary information and skill development in the following areas:

A. judges' duties before election day: supplies; voter registration cards; voting machine checkout; and ballots;

B. preparations on election day before polls open;

C. judges' duties during voting hours: election day voter registration; persons allowed in polling place; challenge process; voting process; spoiled ballots; assistance to disabled voters; and absentee ballots;

D. judges' duties after polls close: closing polls; canvass process; defective and spoiled ballots; summary statements; and delivery of election materials;

E. new laws, rules, forms, and procedures; and

F. major problems at prior elections.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

### 8240.1650 PRESIDENTIAL PRIMARY TRAINING COURSE.

**Subpart 1. Length.** The training course shall be established by the county auditor at either one or two hours in length.

**Subp. 2. Materials.** By February 1 in years in which a presidential primary is conducted, the secretary of state shall provide each county auditor with examples of all forms and documents used by election judges that are unique to the presidential primary. The county auditor shall provide copies of this material to each training authority in the county. The forms and documents provided to a county auditor must include but are not limited to: polling place rosters; absentee ballot applications and return envelopes; ballots; and precinct summary statements. Additional material may be provided by the training authority as considered useful.

**Subp. 3. Use of equipment.** A voting system or specimen paper ballot and ballot box must be used at each training session to familiarize each election judge with the voting procedures used at the presidential primary.

**Subp. 4. Course content.** The presidential primary training course must include information and preparation in the following areas:

A. declaration of party preference noted on polling place roster;

B. transfer of party preference from absentee ballot applications to polling place roster;

C. counting of ballots, including party order and write-in ballots;

D. all forms, rules, laws, and procedures unique to the presidential primary; and

E. methods for responding to voters concerns about privacy.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 8*

### 8240.1655 QUALIFICATIONS FOR TRAINEE ELECTION JUDGES.

**Subpart 1. Requirement.** Trainee election judges appointed under Minnesota Statutes, section 204B.19, must meet the requirements of this part.

**Subp. 2. Training.** A trainee election judge must complete the basic two hour training course as defined in part 8240.1650 before serving in a special, primary, or general election.

**Subp. 3. Qualifications.** A trainee election judge must be a United States citizen, a resident of the municipality in which the trainee election judge serves, and be at least 16 years of age. Trainee election judges must provide certification from their school that they are enrolled in a Minnesota high school, have completed or be enrolled in a course on government at the time of service, and are performing at an academic level acceptable to the principal of the trainee's high school.

**Subp. 4. Appointment.** Trainee election judges may be appointed by the municipality or school district conducting the election if:

- A. the trainee election judge is appointed without party affiliation;
- B. the trainee election judge has submitted a written request, approved and signed by the trainee's parent or guardian, to be absent from school to the principal of the trainee's high school;
- C. a certificate from the appointing authority is submitted with the request stating the date and hours the student will serve as a trainee election judge;
- D. the request and certificate are submitted to the student's principal at least ten days prior to the election; and
- E. the appointment will not require the trainee election judge to serve past 10:00 p.m.

Subp. 5. **Payment.** For attending required training or for service as a trainee election judge, students must be paid not less than two-thirds of the minimum wage for large employers as provided in Minnesota Statutes, section 177.24.

Subp. 6. **Number of trainee election judges allowed per precinct.** No more than one-third of the election judges at a precinct may be trainees. The appointment of trainee election judges may count toward meeting the minimum number of election judges required by Minnesota Statutes, section 204B.22.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 8*

### 8240.1700 REVIEW COURSE.

Subpart 1. **Length.** A review course shall be at least one hour long.

Subp. 2. **Course content.** The training authority shall plan a review course which is tailored to the needs of the jurisdiction as demonstrated by performance and problems in prior elections. It shall include information on the following topics: summary of new laws, rules, forms, and procedures; summary of specific problems in previous elections; and step-by-step review of election judges' duties, emphasizing problem areas.

**Statutory Authority:** *MS s 204B.25*

### 8240.1800 COURSE FOR HEALTH CARE FACILITY ABSENTEE VOTING.

The course content shall include information on the following topics: who is eligible to vote absentee from health care facilities; application process; registration process, including methods for providing proof of residence; assistance to voters; voting procedures; procedures for transporting voted ballots; and particular problems encountered in previous elections.

**Statutory Authority:** *MS s 204B.25*

### 8240.1900 EMERGENCY TRAINING COURSE.

Subpart 1. **At the polls.** The chief judge shall conduct emergency training at the polling place. The training authority shall provide an outline of emergency training procedures and otherwise ensure that the chief judge is prepared to conduct emergency training, if necessary.

Subp. 2. **Course content.** The chief judge shall review with a replacement judge all procedures and duties that are assigned to the replacement judge.

Subp. 3. **Ongoing instruction.** The chief judge shall provide additional instruction as necessary throughout election day.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

### 8240.2000 TRAINING MATERIALS.

The secretary of state shall provide the county auditor with Minnesota Election Judges Guides and training materials concerning changes in election laws, rules, forms, and procedures. The county auditor shall transmit these materials to training authorities in the county. At each training session, the training authority shall provide election judge trainees with copies of the Minnesota Election Judges Guide received from the county auditor and with at least one copy for each polling place. The municipal clerk shall ensure that a Minnesota Elec-

tion Judges Guide is available at each polling place on election day for use by the election judges.

**Statutory Authority:** *MS s 204B.25*

### **8240.2100 TRAINING RECORD.**

Each municipal clerk, and county auditor in unorganized territory, shall maintain a record of all election judges who receive training. The record shall be a list or a card system containing the election judge's name; precinct number; party affiliation, if any; dates of training; type of course completed on each date; and dates of election judge service. The record shall be kept current for each election judge in the county or municipality.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

### **8240.2200 ELIMINATING JUDGE FROM RECORD.**

An election judge may be eliminated from the training record if she or he has not served as an election judge or received election judge training during the preceding four years.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

### **8240.2300 CERTIFICATION TRAINING.**

Each election judge who successfully completes a basic training course or review course shall receive a certification of training. The certification shall include the election judge's name, municipality, date of training, course completed, and the signature of the training authority.

Except as provided in Minnesota Statutes, section 204B.25, each election judge must show a certification of training to the chief judge of the precinct prior to being sworn in on election day.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

### **8240.2400 TRAINING PLAN.**

Each training authority shall submit a training plan to the secretary of state by August 1 of each general election year.

The training plan shall include the names of persons conducting training; number of sessions planned; projected attendance at each session; training materials to be used; training methods employed; and an outline of the content of the basic training course, review course, emergency training course, and any health care facility absentee voting course.

Copies of all materials which will be distributed at the training sessions shall be submitted with the training plan or as soon thereafter as they are available.

The training plan shall be subject to approval by the secretary of state, who shall approve the plan if it conforms to applicable state statutes and these rules.

If there is no change in the approved training plan on file with the secretary of state, the training authority need not submit a new training plan until a change occurs.

**Statutory Authority:** *MS s 204B.25*

**History:** *12 SR 2215*

### **8240.2500 IN-SERVICE REVIEW.**

After each primary election and before each ensuing general, special, or municipal election, the training authority shall confer or correspond with the chief judge of each precinct to review problems or questions encountered at the primary. The training authority shall analyze problems indicated by the election returns, incorrect registrations, or voter complaints and shall answer questions of the chief judges.

**Statutory Authority:** *MS s 204B.25*

**History:** *17 SR 1279*

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## 8240.2600 ELECTION JUDGE TRAINING PROGRAM

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### 8240.2600 TRAINING EVALUATION.

Each training authority shall complete a training evaluation form provided by the secretary of state after each election for which election judge training is conducted.

**Statutory Authority:** *MS s 204B.25*