

1 Secretary of State

2

3 Adopted Permanent Rules Relating to Presidential Primary

4

5 Rules as Adopted

6 8200.6400 FORM OF PUBLIC INFORMATION LIST PROVIDED BY SECRETARY
7 OF STATE.

8 The public information list provided by the secretary of
9 state must contain the following items from the statewide
10 registration system: voter's name, voter's address, voter's
11 telephone number (if provided by the voter), voter's party
12 choice in the preceding presidential primary election, and the
13 voter's record of voting in elections during the previous five
14 calendar years. The public information list may also include
15 the precinct, ward, congressional district, legislative
16 district, county commissioner district, judicial district,
17 school district, or other identifiers for each election district
18 in which the voter resides. The public information list may be
19 requested on paper or on electronic media.

20 8200.9115 FORM OF POLLING PLACE ROSTERS.

21 Subpart 1. General form of roster. The polling place
22 rosters must contain the following items from the statewide
23 registration system: voter's name, voter's address, voter's
24 date of birth, voter's school district number, and a line on
25 which the voter's signature can be written. When a voter's
26 registration has been challenged pursuant to Minnesota Statutes,
27 section 201.121, subdivision 2, an indicator noting the voter's
28 challenged status must be printed on the line provided for the
29 voter's signature. A similar indicator must be printed on the
30 line provided for the voter's signature to note a voter's
31 guardianship or felony status, if any.

32 The following certification must be printed at the top of
33 each page of the polling place roster: "I certify that I am at
34 least 18 years of age and a citizen of the United States; that I
35 reside at the address shown and have resided in Minnesota for 20

1 days immediately preceding this election; that I am not under
2 guardianship of the person, have not been found by a court to be
3 legally incompetent to vote, and have not been convicted of a
4 felony without having my civil rights restored; and that I am
5 registered and will be voting only in this precinct. I
6 understand that giving false information is a felony punishable
7 by not more than five years imprisonment and a fine of not more
8 than \$10,000, or both."

9 One or more pages in the polling place roster must be
10 provided for use by voters who register to vote in the polling
11 place on election day. An election day registrant shall fill in
12 the registrant's name, address, and date of birth and shall sign
13 the roster on the line provided.

14 Each page in the polling place roster must also contain the
15 name of the precinct and a page number. In addition, each line
16 provided for a voter's signature must be consecutively numbered
17 on each page.

18 Subp. 2. Presidential primary roster. In addition to the
19 information required in subpart 1, the polling place rosters for
20 the presidential primary election must include a space next to
21 the line provided for the voter's signature for the voter to
22 indicate the major political party whose ballot the voter has
23 requested.

24 The election judges shall instruct each voter who wishes to
25 vote in the presidential primary to indicate on the polling
26 place roster the major political party whose ballot the voter
27 has requested. The election judges shall then issue the voter a
28 presidential primary ballot for the party indicated by the voter
29 on the roster. A voter who has not indicated a major political
30 party choice on the polling place roster must not be issued a
31 presidential primary ballot.

32 The county auditor must enter the voter's presidential
33 primary party choice into the statewide registration system when
34 voter history is posted pursuant to Minnesota Statutes, section
35 201.171.

36

CHAPTER 8205

1 SECRETARY OF STATE
2 PETITIONS
3 PRESIDENTIAL PRIMARY

4 8205.1000 NOMINATING PETITION FORM, PROCEDURES, AND VERIFICATION.

5 Subpart 1. Form of petition. Petitions used on behalf of
6 candidates for the nomination of a major political party for
7 president of the United States must be prepared in accordance
8 with items A to E.

9 A. The petition must be prepared on paper 8.5 inches
10 wide and 14 inches long. Each petition page must include space
11 for the names, addresses, and signatures of ten persons.

12 B. The words "PRESIDENTIAL NOMINATING PETITION" must
13 be printed at the top of each page of the petition. Each page
14 in the petition must include the following information:

15 (1) the name and address of the person being
16 nominated;

17 (2) the name of the major political party whose
18 nomination for president is being sought;

19 (3) the number of the congressional district in
20 which the petition is being circulated;

21 (4) a statement indicating that the persons
22 signing the petition will be eligible to vote at the
23 presidential primary, reside in the congressional district
24 indicated on the petition, and have signed the petition of their
25 own free will;

26 (5) a space for the signature of each person
27 signing the petition;

28 (6) a space for the printed first, middle, and
29 last name of each person signing the petition;

30 (7) a space for the residence address of each
31 person signing the petition, including the municipality and
32 county of residence;

33 (8) a space for the date of birth of each person
34 signing the petition; and

35 (9) a space for the date on which each person
36 signed the petition.

1 C. Each page of the petition must be consecutively
2 numbered. In addition, the signature lines on each page must be
3 consecutively numbered from 1 to 10.

4 D. A separate petition must be circulated in each of
5 the state's congressional districts.

6 E. The secretary of state shall make available sample
7 nominating petition forms at least four weeks before the first
8 day to file affidavits of candidacy for the presidential primary.

9 Subp. 2. **Completing the petition.** The information
10 required in subpart 1, item B, subitems (5) to (9), must be
11 completed by the person who signed the petition. A petition may
12 only be signed once by any eligible voter.

13 Subp. 3. **Receipt of petition.** The secretary of state
14 shall provide the person submitting the nominating petition a
15 receipt for the petition. The receipt must include the name and
16 address of the person on whose behalf the petition was
17 submitted; the name, address, and telephone number of the person
18 submitting the petition; the date on which the petition was
19 submitted; and the total number of pages in the petition
20 submitted.

21 Subp. 4. **Method of verification.** The secretary of state
22 shall verify each nominating petition submitted on behalf of a
23 candidate for president pursuant to Minnesota Statutes, section
24 207A.02, by the following method:

25 The secretary of state shall inspect each petition to
26 determine whether at least 1,000 persons eligible to vote in
27 each congressional district have signed the petition. The
28 secretary of state shall use the address information and date of
29 birth provided by persons signing the petition to verify voter
30 eligibility. A petition containing the signatures of fewer
31 eligible voters than the number required by Minnesota Statutes,
32 section 207A.02, must be rejected.

33 If the secretary of state determines that an insufficient
34 number of eligible voters have signed a petition, the secretary
35 of state shall immediately notify the person submitting the
36 petition. The person submitting the petition may submit

1 additional petition pages within the time period provided by
2 Minnesota Statutes, section 207A.02.

3 Subp. 5. Time for verification. The secretary of state
4 shall complete the verification of a petition no later than ten
5 days after the day on which the petition was submitted. If the
6 petition is determined to be sufficient, the secretary of state
7 shall immediately notify in writing the person submitting the
8 petition.

9 Subp. 6. Access to petitions. The secretary of state
10 shall securely store any nominating petitions submitted during
11 the filing period. The secretary of state shall make a
12 nominating petition available for public inspection after the
13 verification process for that petition has been completed.
14 Photocopies of petitions may be prepared at the expense of the
15 person requesting the copies.

16 Subp. 7. Petition in lieu of filing fee. Candidates
17 filing for office pursuant to Minnesota Statutes, section
18 207A.02, may submit a petition in lieu of payment of the filing
19 fee. The petition must be submitted at the same time that the
20 affidavit of candidacy is submitted.

21 The words "PRESIDENTIAL PETITION IN LIEU OF FILING FEE"
22 must be printed at the top of each page of the petition. The
23 petition must conform in all other respects to the form of the
24 nominating petition provided in subpart 1.

25 A nominating petition filed pursuant to Minnesota Statutes,
26 section 207A.02, may also be used as a petition in lieu of
27 filing fee if the words "PRESIDENTIAL NOMINATING PETITION AND
28 PETITION IN LIEU OF FILING FEE" are printed at the top of each
29 page of the petition and a statement indicating that the
30 petition will be used for both purposes is printed on each page
31 of the petition. The petition must conform in all other
32 respects to the form of the nominating petition provided in
33 subpart 1.

34 The procedures in subparts 2 to 6 apply to petitions in
35 lieu of filing fee and combined nominating and filing fee
36 petitions.

1 The secretary of state shall make available sample filing
2 fee and combined nominating and filing fee petition forms at
3 least four weeks before the first day to file affidavits of
4 candidacy for the presidential primary.

5 8250.0360 FORM OF PRESIDENTIAL PRIMARY BALLOTS.

6 Subpart 1. General form. The presidential primary ballot
7 must be prepared in the same manner as the white ballot, except
8 as provided in this part. Ballot pages and ballot cards for
9 electronic voting systems must be prepared in the manner
10 provided for paper ballots to the extent practicable.

11 Subp. 2. Ballot heading. The words "PRESIDENTIAL PRIMARY
12 BALLOT" must be printed at the top of the ballot. Directly
13 underneath this heading, the words " PARTY" must be
14 printed, giving the appropriate party name.

15 Subp. 3. Instruction to voters. The following instruction
16 must be printed directly below the paper ballot heading: "Put
17 an (X) in the square opposite the name of the candidate you wish
18 to vote for or next to the words 'UNCOMMITTED DELEGATES'." A
19 small arrow pointing downward must be printed to the left of
20 this instruction, directly above the column in which a voter's
21 marks are to be made.

22 Subp. 4. Office title. The title "PRESIDENT OF THE UNITED
23 STATES" must be printed in upper case and bold face directly
24 above the names of the candidates. The instruction "VOTE FOR
25 ONE" must be printed below the office title.

26 Subp. 5. Order of candidates. The county auditor shall
27 prepare a separate ballot for each major political party
28 containing the names of the candidates of each party certified
29 by the secretary of state. The names of the candidates must be
30 rotated in the manner provided in Minnesota Statutes, section
31 204D.08, subdivision 3. In the first position under the last
32 candidate name, the words "UNCOMMITTED DELEGATES" must be
33 printed. In the second position under the last candidate name,
34 a blank line must be printed to allow a voter to write in the
35 name of an individual whose name is not listed on the ballot.

1 8250.1400 EXAMPLE BALLOT.

2 At least 42 days before the presidential primary, state
3 primary, and state general election, the secretary of state
4 shall supply each auditor with a copy of an example ballot. The
5 example ballot must illustrate the format required for the
6 presidential primary, state primary, and state general election
7 ballots. The presidential primary, state primary, and state
8 general election ballots must conform in all respects to the
9 example ballot.

10 8250.1550 REIMBURSEMENT OF PRESIDENTIAL PRIMARY BALLOT COSTS.

11 The secretary of state shall reimburse each county using
12 lever voting machines or electronic voting systems for the
13 preparation of ballot cards, ballot labels, and ballot pages for
14 the presidential primary election, as provided in Minnesota
15 Statutes, section 207A.07, from the money appropriated by the
16 legislature for this purpose. The county auditor shall submit a
17 request for payment of ballot costs to the secretary of state no
18 later than 30 days after the presidential primary. The request
19 for payment must be accompanied by an itemized description of
20 actual county expenditures, including copies of invoices. In
21 addition, the county auditor must certify that the request for
22 reimbursement is based on actual ballot costs incurred by the
23 county in the presidential primary and that the ballots were
24 prepared in the manner provided by law. The secretary of state
25 shall complete issuance of reimbursements to the counties no
26 later than 60 days after the presidential primary.

27 If the total amount of requests for reimbursement of ballot
28 costs from all counties exceeds the total amount appropriated by
29 the legislature for this purpose, the secretary of state shall
30 apportion the reimbursements to the counties on the basis of the
31 number of persons in each county registered to vote at 7:00 a.m.
32 on the day of the presidential primary as a fraction of the
33 total number of persons registered to vote in the state at that
34 time.