

CHAPTER 202A

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202A.01 DEFINITIONS.

The words used in this chapter have the meanings prescribed to them in chapter 200.

History: 1975 c 5 s 1

CAUCUSES AND CONVENTIONS

202A.11 PARTY NAME.

Subdivision 1. **Change.** Any major political party may change its name by complying with the following conditions:

The state central committee of the party may call a convention, and shall state in its call that a convention is called for a certain time and place, for the purpose of changing the name of the party to some specific name given in the call. The convention shall be held not less than 70 days before the state primary, and the change shall be agreed upon by resolution of a majority of the convention. A copy of the resolution determining the change of the name, certified by the chair and secretary of the convention, shall be filed with the secretary of state within five days after the holding of the convention. Thereafter the political party shall be known by the new name called for by the resolution, and the party under its new name shall have all the rights that it had under its former name.

Subd. 2. **Right to use.** A major political party which has adopted a party name is entitled to the exclusive use of that name for the designation of its candidates on all ballots, and no candidate of any other political party is entitled to have printed on a ballot as a party designation any part of that name.

History: 1975 c 5 s 2; 1981 c 29 art 7 s 4; 1986 c 444; 1986 c 475 s 5

202A.12 STATE CONVENTION, AUTHORITY OF.

Subdivision 1. **Time of convention.** The final authority over the affairs of each major political party is vested in the party's state convention to be held at least once every state general election year at the call of the state central committee.

Subd. 2. **State central committee.** Subject to the control of the state convention the general management of the affairs of the state party is vested in the party's state central committee.

Subd. 3. **State executive committee.** The state executive committee of the party shall have charge of the administration of the party's affairs, subject to the direction and control of the state convention and the state central committee.

Subd. 4. **Constitution, filing.** The chair of the state central committee of each party shall file with the secretary of state a copy of the party's constitution and all amendments to the constitution as they are enacted.

History: 1975 c 5 s 3; 1981 c 29 art 7 s 38; 1986 c 444

202A.13 COMMITTEES, CONVENTIONS.

The rules of each major political party shall provide that for each congressional district and each county or legislative district a convention shall be held at least once every state general election year. Each major political party shall also provide for each congressional district and each county or legislative district an executive committee consisting of a chair and such other officers as may be necessary. The party rules may provide for only one executive committee and one convention where any county and congressional district have the same territorial limits.

History: 1975 c 5 s 4; 1981 c 29 art 7 s 38; 1986 c 444

202A.135 LEAVE TIME FROM EMPLOYMENT; PARTY OFFICERS; DELEGATES TO PARTY CONVENTIONS.

If an employee gives at least ten days written notice to the employer, the employee may be absent from work to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee, or may attend any convention of major political party delegates including meetings of official convention committees if the employee is a delegate or alternate delegate to that convention. An employee who gives proper notice as provided in this section shall suffer no penalty or deduction from salary or wages on account of absence other than a deduction in salary or wages for the actual time of absence from employment. A violation of this section by an employer is a misdemeanor.

History: 1980 c 400 s 1; 1981 c 29 art 7 s 38; 1986 c 444

202A.14 PRECINCT CAUCUS.

Subdivision 1. **Time and manner of holding; postponement.** At 8:00 p.m. on the third Tuesday in March in every state general election year there shall be held for every election precinct a party caucus in the manner provided in sections 202A.14 to 202A.19, except that in the event of severe weather a major political party may request the secretary of state to postpone caucuses. If a major political party makes a request, or upon the secretary of state's own initiative, after consultation with all major political parties and on the advice of the federal weather bureau and the department of transportation, the secretary of state may declare precinct caucuses to be postponed for a week in counties where weather makes travel especially dangerous. The secretary of state shall submit a notice of the postponement to news media covering the affected counties by 6:00 p.m. on the scheduled day of the caucus. A postponed caucus may also be postponed pursuant to this subdivision.

Subd. 2. **Caucus call.** The chair of the county or legislative district executive committee, whichever is provided for by party rules, shall issue the call for the precinct caucus at least 20 days before the time set for holding the caucus, and the call shall contain the following:

- (a) Name of party;
- (b) Precinct number;
- (c) Date caucus is to be held;
- (d) Place caucus is to be held;
- (e) Hours during which caucus shall be held;
- (f) Statutory rules governing the caucus;
- (g) A statement of business to be conducted including the election of a chair and such other officers as may be provided by party rules, and the election of delegates to county or district conventions;
- (h) Number of delegates to be elected;
- (i) Name of the county or legislative district chair issuing the call;
- (j) Name of the present precinct chair or other person who will be the convener of the caucus;
- (k) A space for entering the names of the officers and delegates elected by the caucus.

Subd. 3. **Notice.** The county or legislative district chair shall give at least six days' published notice of the holding of the precinct caucus, stating the place, date, and time for holding the caucus, and shall deliver the same information to the county auditor at least 20 days before the precinct caucus. The county auditor shall make this information available to persons who request it.

History: 1975 c 5 s 5; 1975 c 292 s 1,2; 1981 c 29 art 7 s 38; 1983 c 168 s 1; 1986 c 324 s 1; 1986 c 444

202A.15 TIME AND PLACE OF CAUCUS.

Subdivision 1. Precinct caucuses within a county shall be held on the day provided by law and the caucuses shall remain open for at least one hour.

Subd. 2. The precinct caucuses shall be held at the regular polling places for each precinct or other suitable places designated in the call, and no caucus may be adjourned to any other place or time.

In the event that there is only one suitable meeting place in the precinct polling place and the major political parties cannot agree as to its use, the county auditor shall decide by lot prior to January 15, 1970, the party which is to receive the use of the meeting place in years evenly divisible by four and which party shall receive the use of the meeting place in other years in which a state general election is held. The report of such selections by lot in the county shall be filed by the auditor with the county board which shall publish the same as a part of the minutes of the board meeting at which the report is filed.

History: 1975 c 5 s 6; 1975 c 292 s 3; 1981 c 29 art 7 s 38

202A.16 CAUCUS, WHO MAY PARTICIPATE AND VOTE.

Subdivision 1. Only those individuals who are or will be eligible to vote at the time of the next state general election, may vote or be elected a delegate or officer at the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in the precinct where the voter resides at the time of the caucus.

Subd. 2. Only those persons who are in agreement with the principles of the party as stated in the party's constitution, and who either voted or affiliated with the party at the last state general election or intend to vote or affiliate with the party at the next state general election, may vote at the precinct caucus.

Subd. 3. In case the right of a person to participate at the caucus is challenged, the question of the right to participate shall be decided by a vote of the whole caucus. A person so challenged may not vote on the question of the person's right to participate.

Subd. 4. No person may vote or participate at more than one party's caucuses in any one year.

History: 1975 c 5 s 7; 1981 c 29 art 7 s 5,38; 1986 c 444; 1986 c 475 s 6

202A.17 CAUCUS, BUSINESS.

Each precinct caucus shall elect a chair and such other officers as may be provided by party rules, and the proper number of delegates to congressional district, county, or legislative district conventions as determined by the party's call. The caucus may also discuss party policies, candidates, and any other business as prescribed by party rules.

History: 1975 c 5 s 8; 1986 c 444

202A.18 CAUCUS, PROCEDURE.

Subdivision 1. The convener shall be the temporary chair of the caucus.

Subd. 2. Nominations for the election of permanent officers and delegates shall remain open for at least the first half hour of the caucus.

Subd. 3. All voting shall be by secret ballot.

Subd. 4. Upon completion of the counting of votes the chair shall announce the

names of persons who are elected, and shall certify the names to the chair of the county or legislative district executive committee and to the chair of the state central committee.

Subd. 5. All questions concerning the manner in which a caucus is conducted or called that are not covered by statute shall be determined by Robert's Rules of Order (revised) unless otherwise specified by party rules.

History: 1975 c 5 s 9; 1975 c 292 s 4; 1986 c 444

202A.19 CAUCUS, SCHOOL SCHEDULE PREEMPTION, EXCUSAL FROM EMPLOYMENT TO ATTEND.

Subdivision 1. No school board, county board of commissioners, township board, or city council may conduct a meeting after 6:00 p.m. on the day of a major political party precinct caucus.

Subd. 2. Every employee who is entitled to attend a major political party precinct caucus is entitled, after giving the employer at least ten days written notice, to be absent from work for the purpose of attending the caucus during the time for which the caucus is scheduled without penalty or deduction from salary or wages on account of the absence other than a deduction in salary for the time of absence from employment.

Subd. 3. The University of Minnesota may not schedule an event which will take place after 6:00 p.m. on the day of a major political party precinct caucus unless permission to do so has been received from the board of regents. No state university may schedule an event which will take place after 6:00 p.m. on the day of a major political party precinct caucus unless permission to do so has been received from the state university board. No community college may schedule an event which will take place after 6:00 p.m. on the day of a major political party precinct caucus unless permission to do so has been received from the state board for community colleges.

Subd. 4. No school official may deny the use of a public school building for the holding of a major political party precinct caucus if the school office has received a written request for the use of the school building 30 days or more prior to the date of the caucus.

Subd. 5. No public elementary or secondary school may hold a school sponsored event after 6:00 p.m. on the day of a major political party precinct caucus.

Subd. 6. No state agency, board, commission, department or committee shall conduct a public meeting after 6:00 p.m. on the day of a major political party precinct caucus.

History: 1973 c 349 s 2; 1975 c 5 s 10; 1975 c 321 s 1; 1981 c 29 art 7 s 38; 1983 c 168 s 2; 1986 c 444

202A.192 USE OF PUBLIC FACILITIES.

Every statutory city, home rule charter city, county, town, school district and other public agency, including the university of Minnesota and other public colleges and universities, shall make their facilities available for the holding of precinct caucuses and legislative district or county conventions required by this chapter. A charge for the use of the facilities may be imposed in an amount that does not exceed the lowest amount charged to any public or private group.

History: 1978 c 591 s 1

202A.21 [Repealed, 1981 c 29 art 7 s 39]

202A.22 [Repealed, 1981 c 29 art 7 s 39]

202A.23 [Repealed, 1981 c 29 art 7 s 39]

202A.24 [Repealed, 1981 c 29 art 7 s 39]

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202A.26 [Repealed, 1981 c 29 art 7 s 39]

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