

**205.17** MS 1957 [Repealed, 1959 c 675 art 13 s 1]

**205.17 BALLOTS.**

Subdivision 1. **Second, third, and fourth class cities; towns.** In all statutory and home rule charter cities of the second, third, and fourth class, and in all towns, for the municipal general election, the municipal clerk shall have printed on light green paper the official ballot containing the names of all candidates for municipal offices. The ballot shall be printed in quantities of 25, 50, or 100, shall be headed "City or Town Election Ballot," shall state the name of the city or town and the date of the election, and shall conform in other respects to the white ballot used at the state general election. The names shall be arranged on city ballots in the manner provided for the state elections. On town ballots names of the candidates for each office shall be arranged either:

(1) alphabetically according to the candidates' surnames; or

(2) in the manner provided for state elections if the town electors chose at the town's annual meeting to arrange the names in that way for at least two consecutive years.

Subd. 2. **First class cities.** In all cities of the first class, for the municipal general election, the city clerk shall have printed in blocks of 50 a partisan ballot upon which the names of all candidates for the office of mayor and for the city council are printed, and a nonpartisan ballot upon which the names of all candidates for all other city offices are printed. The partisan ballot shall be printed on light orange paper and shall be headed "City Partisan General Ballot." The nonpartisan ballot shall be printed on light green paper and shall be headed "City Nonpartisan General Ballot." Both ballots shall state the name of the city and the date of the election and conform in all other respects to the white ballot used at the state general election. The names of the candidates on the nonpartisan ballot shall be rotated in the manner prescribed for the rotation of names on nonpartisan ballots in state general elections.

On the partisan ballot the names of the candidates for mayor shall be placed first. The order of the names of the candidates shall be in the manner prescribed for state general elections in section 204D.13.

Subd. 3. **Primary ballots.** The municipal primary ballot in cities of the second, third, and fourth class and towns and the nonpartisan primary ballot in cities of the first class shall conform as far as practicable with the municipal general election ballot except that it shall be printed on light green paper. No blank spaces shall be provided for writing in the names of candidates. The partisan primary ballot in cities of the first class shall conform as far as practicable with the state partisan primary ballot.

Subd. 4. **Blue ballots; questions.** All questions relating to the adoption of a city charter or charter amendments, a proposition for the issuance of bonds, and all other questions relating to city or town affairs submitted at an election to the voters of the municipality shall be printed on one separate blue ballot and shall be prepared, printed, and distributed under the direction of the municipal clerk at the same time and in the same manner as other municipal ballots. The ballots, when voted, shall be deposited in a separate blue ballot box provided by the local authorities for each voting precinct. The ballots shall be canvassed, counted, and returned in the same manner as other municipal ballots. The returns shall provide appropriate blank spaces for the counting, canvassing, and returning of the results of the questions submitted on the blue ballot.

Subd. 5. **Statutory cities; vacancies.** In statutory cities, the names of candidates to fill vacancies at a special election held as provided in section 412.02, subdivision 2a, shall be placed on the municipal primary and general election ballots. The names of candidates to fill a vacancy in

the office of council member in a statutory city shall be listed under the separate heading "Special election for council member to fill vacancy in term expiring ....., " with the date of expiration of the term and any other information necessary to distinguish the office. Under the heading for the office of mayor in a special election shall be the words "To fill vacancy in term expiring ....., "

Subd. 6. **Form of ballot.** The ballots for municipal elections must be prepared by the municipal clerk in the manner provided in the rules of the secretary of state.

Subd. 7. **Example ballot.** No later than 30 days before absentee ballots must be prepared and delivered under section 204B.35 for use in a town general election conducted in March, the secretary of state shall supply each town clerk in a town conducting a March general election with a copy of an example ballot. The example ballot must illustrate the format required for the ballots used in the general election that year.

**History:** 1959 c 675 art 6 s 17; 1973 c 387 s 2; 1976 c 2 s 79,80; 1976 c 44 s 12,13; 1976 c 224 s 4; 1981 c 29 art 7 s 13,38; 1981 c 172 s 2; 1983 c 62 s 7; 1983 c 253 s 21; 1986 c 444; 1994 c 646 s 14; 1997 c 18 s 1; 1997 c 147 s 44; 2000 c 467 s 28; 1Sp2001 c 10 art 18 s 36