

**206.85 OFFICIALS IN CHARGE OF COUNTING.**

Subdivision 1. **Duties of responsible official.** The official in charge of elections in a municipality where an electronic voting system is used at a counting center must:

- (1) be present or personally represented throughout the counting center proceedings;
- (2) be responsible for acquiring sufficient facilities and personnel to ensure timely and lawful processing of votes;
- (3) be responsible for the proper training of all personnel participating in counting center proceedings and deputize all personnel who are not otherwise election judges;
- (4) maintain actual control over all proceedings and be responsible for the lawful execution of all proceedings in the counting center whether or not by experts;
- (5) be responsible for assuring the lawful retention and storage of ballots and readouts; and
- (6) arrange for observation by the public and by candidates' representatives of counting center procedures by publishing the exact location of the counting center in a legal newspaper at least once during the week preceding the week of election and in the newspaper of widest circulation once on the day preceding the election, or once the week preceding the election if the newspaper is a weekly.

The official may make arrangements with news reporters which permit prompt reporting of election results but which do not interfere with the timely and lawful completion of counting procedures.

Subd. 2. **Counting center in more than one municipality.** If a counting center serves more than one municipality, the county auditor of the county where the center is located is in sole charge of overall administration of the center and must:

- (1) establish procedures to implement the timely and lawful completion of the counting center proceedings;
- (2) coordinate training of all counting center personnel and require additional training as needed;
- (3) ask the county attorney, at least 30 days prior to an election, whether circumstances require that the municipalities sharing the use of a counting center resolve their respective duties and financial responsibilities by execution of a joint powers agreement pursuant to section 471.59;
- (4) coordinate, and if necessary, exercise the duties imposed by this section on the official in charge of elections in a municipality where an electronic voting system is used; and
- (5) limit the number of ballots to be counted at a single counting center to no more than 100,000.

**History:** 1984 c 447 s 27; 1986 c 362 s 11; 1986 c 444; 2005 c 162 s 28