

## CHAPTER 202A

### CAUCUSES AND CONVENTIONS

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**202A.001** MS 2006 [Renumbered 15.001]

#### **202A.01 DEFINITIONS.**

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

**History:** 1975 c 5 s 1

#### **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.

A delegate or alternate who is deaf, deafblind, or hard-of-hearing who needs interpreter services at a county, legislative district, congressional district, or state convention shall so notify the executive committee of the major political party unit whose convention the delegate or alternate plans to attend. Written notice must be given by certified mail or electronic mail to the executive committee at least 30 days before the convention date. The major political party, not later than 14 days before the convention date, shall secure the services of one or more interpreters if available and shall assume responsibility for the cost of the services. The state central committee of the major political party shall determine the process for reimbursing interpreters.

A visually impaired delegate or alternate to a county, legislative district, congressional district, or state convention may notify the executive committee of the major political party unit that the delegate or alternate requires convention materials in audio tape, Braille, or large print format. Upon receiving the request, the executive committee shall provide all official written convention materials as soon as they are available, so that the visually impaired individual may have them converted to audio tape, Braille, or large print format, prior to the convention.

**History:** 1975 c 5 s 4; 1981 c 29 art 7 s 38; 1986 c 444; 1989 c 308 s 1; 1990 c 585 s 18; 2013 c 62 s 11; 2016 c 161 art 1 s 1

### **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.** (a) In every state general election year, beginning at 7:00 p.m. on the date established pursuant to paragraph (b), there shall be held for every election precinct a party caucus in the manner provided in sections 202A.14 to 202A.19.

(b)(1) The chairs of the two largest major political parties shall jointly submit to the secretary of state, no later than March 1 of each odd-numbered year, the single date on which the two parties have agreed to conduct their precinct caucuses in the next even-numbered year. For a year when a presidential nomination primary is scheduled, the date submitted must not be the date of the presidential nomination primary, or the town general election date provided in section 205.075, subdivision 1.

(2) Within two business days after the parties have agreed on a single date on which to conduct their precinct caucuses, the secretary of state shall publicly announce the official state precinct caucus date for the following general election year.

(3) If the chairs of the two largest major political parties do not jointly submit a single date for conducting their precinct caucuses as provided in this paragraph, then for purposes of the next general election year, one of the following dates shall be considered the day of a major political party precinct caucus and sections 202A.19 and 202A.192 shall only apply on that date:

(i) the first Tuesday in February in a year when no presidential nomination primary is required; or

(ii) the Tuesday immediately prior to the presidential nomination primary in a year when a presidential nomination primary is required.

(4) For purposes of this paragraph, the two largest major political parties shall be the parties whose candidates for governor received the greatest and second greatest number of votes at the most recent gubernatorial election.

(c) 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 municipal clerk and county auditor at least 20 days before the precinct caucus. The county auditor shall make this information available at least ten days before the date of the caucuses 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; 1987 c 263 s 1; 1991 c 349 s 29; 1993 c 150 s 1; 2004 c 293 art 2 s 12; 2008 c 263 s 1; 2013 c 131 art 2 s 13; 2016 c 162 s 2

### 202A.15 TIME AND PLACE OF CAUCUS.

Subdivision 1. **Time.** Precinct caucuses within a county shall be held on the day established pursuant to section 202A.14, subdivision 1, and the caucuses shall remain open for at least one hour.

Subd. 2. **Place.** 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.

A precinct caucus must be held at a place that meets the accessibility standards for precinct polling places specified in section 204B.16, subdivision 5. In addition, the place where a precinct caucus is held must contain restrooms that conform to the standards in the State Building Code for accessibility by disabled persons. If a precinct caucus is held on a floor of a building that is either above or below the entrance level for the building, an elevator must be available. Any elevators used for access to the room where the precinct caucus is held must conform to the standards in the State Building Code for accessibility by disabled persons.

If there are not enough places within a precinct that are or can be made accessible as provided by this subdivision and section 204B.16, subdivision 5, for each major party to hold its precinct caucus, a major party may hold its caucus at a place outside one of the boundaries of the precinct in order to comply with accessibility requirements.

If only one place satisfies the accessibility and location requirements of this subdivision, the major parties shall alternate use of the place. Prior to January 1, 1990, the county auditor shall decide by lot which party is to use the accessible place in years evenly divisible by four and which party is to use the place in other years when a state general election is held.

**History:** 1975 c 5 s 6; 1975 c 292 s 3; 1981 c 29 art 7 s 38; 1989 c 308 s 2; 2005 c 56 s 1; 2008 c 263 s 2

### 202A.155 INTERPRETER SERVICES; CAUCUS MATERIALS.

An individual who is deaf, deafblind, or hard-of-hearing who needs interpreter services at a precinct caucus shall so notify the major political party whose caucus the individual plans to attend. Notice must be

given by letter or electronic mail to the state office of the major political party before the precinct caucus date. The major political party shall promptly attempt to secure the services of one or more interpreters if available and shall assume responsibility for the cost of the services if provided. The state central committee of the major political party shall determine the process for reimbursing interpreters.

A visually impaired individual may notify the county or legislative district committee of the major political party whose precinct caucus the individual plans to attend, that the individual requires caucus materials in audio tape, Braille, or large type format. Upon receiving the request, the county or legislative district committee shall provide all official written caucus materials as soon as they are available, so that the visually impaired individual may have them converted to audio tape, Braille, or large print format prior to the precinct caucus.

**History:** 1989 c 308 s 3; 2006 c 242 s 15; 2013 c 62 s 12

#### **202A.156 INTERPRETER SERVICES AND ACCESSIBLE PRECINCT CAUCUS EXEMPTIONS.**

A major political party is not required to:

(1) provide an interpreter for a convention or precinct caucus if it has made documented good faith efforts to locate and assign an interpreter, including contacting an interpreter referral center or regional service center for people who are deaf, deafblind, and hard-of-hearing, and no interpreters are available; or

(2) hold a precinct caucus at a place that meets the accessibility standards for precinct polling places specified in section 204B.16, subdivision 5, if it has made documented good faith efforts to locate and secure an available accessible site within a reasonable distance of the precinct, and no accessible site is available.

**History:** 1989 c 308 s 4; 2013 c 62 s 13

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

Subdivision 1. **Eligible voters.** 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. **Agreement with party principles.** 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. **Decision by caucus vote.** 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. **One caucus per year.** 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** [Repealed, 1996 c 310 s 1]

#### **202A.18 CAUCUS, PROCEDURE.**

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

Subd. 2. **Nominations; time of election of officers and delegates.** Nominations for the election of permanent officers and delegates shall remain open for at least the first quarter hour of the caucus. Election of delegates and alternates must begin within one hour of convening a caucus. Election of delegates and alternates may begin one-half hour after the convening of the caucus.

Subd. 2a. **Preference ballot.** Prior to the opening of nominations for the election of permanent offices and delegates, a ballot must be distributed to permit caucus participants to indicate their preference for the office of the governor. The results of preference voting must be reported to the secretary of state immediately upon conclusion of the voting, in the manner provided by the secretary of state. The secretary of state shall provide the appropriate forms to the party for reporting the results.

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

Subd. 4. **Announcement and certification of election results.** 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. **Rules of order.** 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; 1987 c 263 s 2; 1999 c 250 art 1 s 84; 2016 c 162 s 3

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

Subdivision 1. **Limits on local government meetings.** No special taxing district governing body, 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. As used in this subdivision, "special taxing district" has the meaning given in section 275.066.

Subd. 2. **Absence from work.** 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. **Limits on college or university meetings.** 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 Minnesota state college or 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 Board of Trustees of the Minnesota State Colleges and Universities.

Subd. 4. **Use of public school buildings.** 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. **Limits on public school events.** 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. **Limits on state public meetings.** 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; 1996 c 395 s 9; 1Sp2001 c 10 art 18 s 9

#### **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.20 CAUCUS INFORMATION; RESULTS.**

Subdivision 1. **Information.** The secretary of state may sponsor or participate in activities designed to provide public information related to the precinct caucuses and to promote participation in the caucus process.

Subd. 2. **Reporting caucus results.** The secretary of state shall promptly report to the public the results of preference balloting at the precinct caucuses.

**History:** 1989 c 291 art 1 s 2; 1999 c 250 art 1 s 85

**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]

**202A.25** [Repealed, 1981 c 29 art 7 s 39]

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

**202A.27** [Repealed, 1981 c 29 art 7 s 39]

**202A.28** [Repealed, 1981 c 29 art 7 s 39]

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

**202A.30** [Repealed, 1981 c 29 art 7 s 39]

**202A.31** [Repealed, 1981 c 29 art 7 s 39]

**202A.32** [Repealed, 1981 c 29 art 7 s 39]

**202A.41** [Repealed, 1981 c 29 art 7 s 39]

**202A.42** [Repealed, 1981 c 29 art 7 s 39]

**202A.51** [Repealed, 1981 c 29 art 7 s 39]

**202A.52** [Repealed, 1981 c 29 art 7 s 39]

**202A.53** [Repealed, 1981 c 29 art 7 s 39]

**202A.54** [Repealed, 1981 c 29 art 7 s 39]

**202A.61** [Repealed, 1981 c 29 art 7 s 39]

**202A.62** [Repealed, 1981 c 29 art 7 s 39]

**202A.63** [Repealed, 1981 c 29 art 7 s 39]

**202A.64** [Repealed, 1981 c 29 art 7 s 39]

**202A.65** [Repealed, 1981 c 29 art 7 s 39]

**202A.66** [Repealed, 1981 c 29 art 7 s 39]

**202A.67** [Repealed, 1981 c 29 art 7 s 39]

**202A.68** [Repealed, 1981 c 29 art 7 s 39]

**202A.69** [Repealed, 1981 c 29 art 7 s 39]

**202A.70** [Repealed, 1981 c 29 art 7 s 39]

**202A.71** [Repealed, 1981 c 29 art 7 s 39]

**202A.72** [Repealed, 1978 c 456 s 3]

**202A.721** [Repealed, 1981 c 29 art 7 s 39]