Board of Canvass

One of the duties of Township Supervisors is to serve as the Canvassing Board for Township elections. The board must meet to canvass the returns and declare the results within three to 10 days after a November township election and within two days after an election held in March.¹

Notice of Meeting

Notice of the meeting can be part of the Board’s regular meeting schedule; otherwise, a special meeting would need to be called to have it.² (Special meetings require a three-day notice period, however, the date of posting and the date of the meeting are not included in the notice period; MAT typically refers to this as a minimum of a five-day period of time.)

The Meeting

The Board will take the following steps to canvass the results:

- The clerk prepares a canvass report. For towns with November elections, this report may be available from the state Election Reporting System for towns. (Appendix B)
- The canvass board takes the oath of office and publicly canvasses the election returns by reviewing the abstract and write-in reports;
- The board may ask to examine summary statements before it declares the results. The Board does not view the ballots or do another count.
- When satisfied that the abstract reports are correct, the board signs the abstracts and they become the official results.³

Oath of Office

I, _____________ do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Minnesota, and that I will discharge faithfully the duties of the office of _______________ in the County of _______________, the State of Minnesota, to the best of my judgment and ability.

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¹ Minn. Stat.§ 205.185, subd. 3.
² Minn. Stat. § 13D.04, subd. 1.
³ Minn. Stat. § 205.185.
• errors by election judges in counting may be corrected by following specific procedures as prescribed by law.\(^4\)

A sample Agenda can be found in Appendix A.

**What happens if there is a tie vote?**

The Canvassing Board determines the winner by lot.\(^5\) There is more than one way to select a winner – flipping a coin, picking a card, drawing straws, etc. If there are multiple candidates, the winner could be drawn from a hat. The only determining factor is deciding the winner “by lot.”

**Remember**

If the Board of Canvass is unsure of how to proceed or have additional questions, **don’t adjourn the meeting, recess it.** Pick a new time and place for certifying results – within 2 days of the March election or 3-10 days of the November elections. It saves calling a Special Meeting, which would certainly fall outside the time limit for reporting in March.

**What Happens to Write-in Votes?**

Write-in winners are treated the same as any other winners – they are contacted with the results and informed they won the election. A Certificate of Election is issued, informing them they must take the oath of office within 10 days of receiving the certificate of election.

If the person does not take the oath of office, the office is treated as vacant and the Township Board can appoint a person to the position.\(^6\)

The candidate with the second-highest number of votes does not receive a certificate of election if the winner declines the office or resigns.

**After the Meeting**

• The Clerk must certify the results of the town election to the County Auditor. The Clerk shall be the final custodian of the ballots and the returns of the election.\(^7\)

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\(^4\) Minn. Stat. §§ 204C.38; 204C.39.
\(^5\) Minn. Stat. § 205.185, subd. 3(c).
\(^6\) Minn. Stat. § 367.03, subd. 6.
\(^7\) Minn. Stat. § 205.185.
• Once the Canvass Board declares the winners, candidates are notified that the "contest" period begins for seven (7) days.\textsuperscript{8}

• Candidate must file a campaign financial statement with the Clerk.\textsuperscript{9} Townships with websites and more than 400 registered voters must post the reports no later than 30 days after receipt of the reports and keep them online for up to four (4) years.\textsuperscript{10}

• Once the seven (7) days has run and the campaign financial statement has been received, the Clerk can issue the Certificate of Election.\textsuperscript{11} Sample Certificates are available in the Information Library, See EL1000A-Certificate-of-Election-November and EL1000B-Certificate-of-Election-March.

• The Clerk must secure all materials used in the election including optical scan testing materials and the voted ballots for 22 months following the election. Abstracts filed by canvassing boards shall be retained permanently by the Town Clerk. These abstracts are permanently retained because they contain the original signatures of the canvassing board.\textsuperscript{12} Note: The County Auditor is responsible for ballot retention when federal or state offices and township offices are part of a combined optical scan ballot.


\textsuperscript{8} Minn. Stat. § 209.021.
\textsuperscript{9} Minn. Stat. § 211A.02.
\textsuperscript{10} Minn. Stat. § 211A.02, Subd. 6 (a).
\textsuperscript{11} Minn. Stat. § 205.185, Subd. 3 (b).
\textsuperscript{12} Minn. Stat. §§ 138.163; 204B.40.
Appendix A

BOARD OF CANVASS

Proposed Agenda

1. Call to Order meeting as Board of Canvass
   a. Clerk to issue oath to Board of Canvass Members.
      “I, __________ do solemnly swear or affirm that I will support
      the Constitution of the United States and the Constitution of
      the State of Minnesota, and that I will discharge faithfully the
      duties of the office of ___________ in the County of
      ___________, the State of Minnesota, to the best of my
      judgment and ability.”

2. Clerk presents Canvass Reports and abstracts to Board

3. Board reviews and concurs, or deals with any errors or write-in
   issues through the required statutes

4. Board moves to declare the results of the vote and signs off on the
   Summary and any other abstracts

5. Clerk is authorized to issue notification to candidates and request
   their signed campaign financial forms within the time period

6. Board adjourns as the Board of Canvass
Appendix B

PRECINCT SUMMARY STATEMENT

For Township Election held __________ ____, ______

1. Number of persons registered prior to poll opening.   ______
2. Number of persons registering to vote on election day.   ______
3. Number of signatures on the polling place roster.   ______
4. Number of accepted absentee ballots.           + ______
5. Total number of persons voting in precinct (3+4=5)           = ______
6. Number of ballots received from the clerk prior to polls opening ______
7. Number of completely blank ballots            ______
8. Number of completely defective ballots        ______
9. Number of spoiled ballots.                   ______
10. Number of "substitute" ballots used if any    ______
11. Number of unused ballots returned to Town Clerk   ______

Certification of Election Board

We, the undersigned election judges, do hereby certify that:

• all ballots cast were properly checked and counted;
• all numbers entered on this summary statement correctly show the number of votes cast for each candidate and question voted on in this election;
• the National Flag of the United States of America was flown at or near the entrance to the polling place during the time that the election polls were open

Election Judge: _______________________________     Date: ________________
Election Judge: _______________________________     Date: ________________
Election Judge: _______________________________     Date: ________________
Election Judge: _______________________________     Date: ________________
<table>
<thead>
<tr>
<th>Candidate Name</th>
<th>Office</th>
<th>Votes Cast</th>
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**Total Valid Votes Cast for Candidates**

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<th>Questions Vote</th>
<th>For</th>
<th>Against</th>
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**Total Valid Votes Cast for All Questions**

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**Board of Canvass Certification**

In accordance with Minn. Stat. § 205.185, subd. 3, we, the undersigned board of canvass for the town of _____________ do hereby certify the election results, as stated above in the election board summary statement as the official results for the _____________ _____, _______ (date) Town of _____________ Elections.

Supervisor ___________________________________________ Date: _________________

Supervisor ___________________________________________ Date: _________________

Supervisor ___________________________________________ Date: _________________

or

We hereby certify the official election results as (enter different results) due to (add in the reasons for change)

Supervisor ___________________________________________ Date: _________________

Supervisor ___________________________________________ Date: _________________

Supervisor ___________________________________________ Date: _________________