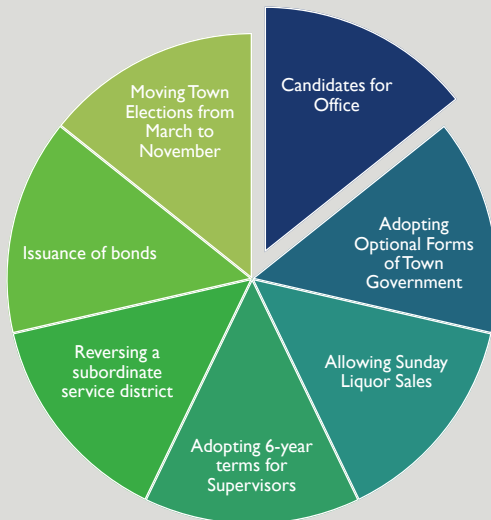


# ELECTION SELECTIONS AND YOUR INTERJECTIONS

2018 SUMMER SPECIALIZED TRAINING



## WHAT'S ON YOUR BALLOT?

## WHAT'S ON MY BALLOT? CANDIDATES FOR OFFICE

### • March Elections

- Supervisors, 3-year term
- Clerk and Treasurers, 2 year terms
  - Clerks elected in even years
  - Treasurers elected in odd years

### • November Elections

- All officers serve 4-year terms, unless 6 year terms are adopted
  - Two Supervisors and either the Clerk or Treasurer are on the ballot; or
  - One Supervisor and either the Clerk or Treasurer are on the ballot.

## WHAT'S ON MY BALLOT QUIZ

If the township wants to move an election from March to November, who decides?

- A. **The Town Board**
- B. **Town Electors at the Annual Town Meeting**
- C. **Town Electors**

## MOVING TO NOVEMBER ELECTIONS

- The Town Board may start the process by passing a resolution or ordinance designating the first Tuesday after the first Monday in November of either the even-numbered or the odd-numbered year as the date of the town general election.
- Or the Town Electors may pose the question of moving to a November election by passing a resolution at the Annual Town Meeting.
- It must go before the Town Electors for a vote at the next town election.

## RESOLUTION FOR NOVEMBER ELECTION

The resolution must include a plan to provide for an orderly transition to the November election schedule. It is strongly recommended that the plan lengthen, rather than shorten, the terms of the officers.

A sample resolution is found in EL4000 Guide to Moving Town Election to November

## WHAT'S ON MY BALLOT: GOING TO SIX-YEAR TERMS FOR SUPERVISORS

- Townships with November elections can extend the terms of supervisors from 4 years to 6 years. Minn. Stat. §367.03, subd. 4a.
- One Supervisor elected every two years
- Does not apply to clerks or treasurers

The question can be placed on the ballot either by:

- a) a resolution by the Board to submit the question to the voters; or
  - b) a resolution by the voters at an annual meeting to place the question on the next ballot.
- See EL 4200

## NO EASY WAY TO GO BACK

- Unlike other provisions in the law, this one does not provide a way to reverse it.



## WHAT'S ON MY BALLOT QUIZ

If a township want to appoint its clerk, rather than elect one, who decides?

- **The Town Board**
- **Town Electors at the Annual Town Meeting**
- **Town Electors**

## ADOPTING OPTIONAL FORM OF GOVERNMENT

- **The Town Board** may start the process by submitting an optional township government question to the town electors. The Board may pass either a motion or a resolution authorizing the question. Minn. Stat. § 367.31, subd. 1.
- **Elector Petition:** The process may be started by a petition signed by electors equal in number to at least 15 percent of the electors voting at the last town election.
- It must go before the **Town Electors** for a vote at the next town election.

## OPTIONAL FORMS OF TOWNSHIP GOVERNMENT, MINN. STAT. § 367.30

Plan	Effect
Option A – 5 Appointed Supervisors	Allows for 5 elected supervisors instead of 3.
Option B - Appointed Clerk or Treasurer	Eliminates elections for clerk and/or treasurer. Allows supervisors to appoint either a clerk, a treasurer, or both.
Option C - Town Administrator	Allows supervisors to appoint a town administrator, who has powers listed in Minn. Stat. § 367.35, subd. 2.
Option D - Combined Clerk & Treasurer	One person serves as town's clerk and treasurer. Depending on the town's annual revenue, the town may need yearly independent-outside audits.

See GI 1000 for details on Optional Township Plans

## OTHER BALLOT QUESTIONS REQUIRING TOWN BOARD APPROVAL

Allowing Sunday liquor sales. Minn. Stat. § 304.504, subd. 3(d) See TD3000.

Reversing a subordinate service district. Minn. Stat. § 365A.06

Issuance of bonds. Minn. Stat. § 475.58

## BALLOT QUESTION DEADLINES

- A town board may not act to submit a ballot question or accept a petition for submission of a ballot question unless all election related deadlines can be met, including publication deadlines for all required notices. Minn. Stat. § 205.10, subd. 5)
- One of those requirements is a notice of election to the county auditor which must be sent at least 74 days prior to every township election. Minn. Stat. § 205.16
- All requirements in the enabling legislation must be met in addition to these requirements.

## CLERK VERSUS SUPERVISOR

### CLERKS

- Clerk recommends election judges to be appointed (3-4 judges)
- Clerk must determine if additional election judges are required for each election.

### SUPERVISORS

- Supervisors Appoint the Judge; designating the Head Judge (or co-judges)
- Town Board may pass a resolution authorizing the appointment of additional judges within 25 days of election. Minn. Stat. § 204B.21.
- Town Board sets compensation, including training and work-related travel time. Minn. Stat. § 204B.31

## DESIGNATING POLLING PLACE

- The Town Board must designate polling place.
- In 2017, legislation required towns to designate polling places annually, before December 31. Minn. Stat. § 204B.16.
- Sample resolutions can be found in Information Library
  - Resolution on Designating Annual Polling Place - One Place (Document: EL 5000)
  - Resolution on Designating Annual Polling Place - Two Places (Document: EL 5100)
  - Resolution on Designating Annual Polling Place – Mail Ballot (Document: EL 5200)

## COMBINED POLLING PLACE

- The Town Board may by ordinance or resolution establish a combined polling place with
  - two contiguous precincts in the same township;
  - up to four contiguous municipalities located outside the metro area and in the same county, Congressional District and Legislative District;
  - noncontiguous precincts located in one or more counties subject to approval by both of the governing bodies of each municipality and the Secretary of State;
- A copy of the ordinance or resolution must be filed with the County Auditor after approval by the governing bodies.
- Can use a single team of election judges
- Separate ballot boxes and separate returns are kept for each precinct involved.
- Must be established no later than May 1 of any year.



## MAIL BALLOTING

- A Town of any size not located in a metropolitan county may apply to the county auditor for permission to conduct balloting by mail.
- The Town Board may authorize mail balloting by resolution adopted no later than 90 days prior to the first election at which mail balloting will be used. Minn. Stat. § 204B.45.
- The resolution remains in effect for all subsequent state and county elections until revoked.
- Revocation of the resolution may occur no later than 90 days before the next affected election. Minn. Rule § 8210.3000

## BOARD OF CANVASS

The Town Board serves as the Canvassing Board for Township Elections. Minn. Stat. § 205.185 subd. 3

## WHEN DO YOU MEET?

### MARCH ELECTIONS

Within 2 days of the March Election (By March 14, 2019)

### NOVEMBER ELECTIONS

Within 3 to 10 days of November Election (Nov. 9 to Nov. 16, 2018)

Notice can be made part of regular meeting schedule.

### 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.

## The steps to canvass the results

- the clerk prepares a canvass report (this report may be available from the state Election Reporting System for towns with November elections);
- the canvass board takes the Oath of Office and publicly canvasses the election returns by reviewing the abstract and write-in reports including any errors or abnormalities

## CANVASSING BOARD MEETING STEPS CONTINUED...

the board may ask to examine summary statements before it declares the results;

when satisfied that the abstract reports are correct, the board signs the abstracts and they become the official results.

## WHAT HAPPENS IF THERE IS A TIE? DETERMINE WINNER BY LOT

**FLIP A COIN**



**ROLLING DICE**



**PICK A CARD**



**DRAW STRAWS**



## CHOOSING THE WINNER

- In 1998, the "Today Show" carried a live broadcast of the coin flip that chose the new mayor of the Iron Range town of Gilbert. Then-Secretary of State Joan Growe flipped a 1902 silver dollar and candidate Karl Oberstar Jr. won the toss, and the election.
- In 2000, the two candidates for mayor in the southwestern Minnesota town of Delhi broke their 44-to-44 electoral tie by cutting a deck of cards.
- Ely officials settled a tie in a school board primary by letting the candidates pull numbers out of a hat.
- Coin flips chose the mayor of Goodridge in 2008, the mayor of Ely in 1992 and the mayor of Long Lake in 1986. Brooklyn Park officials tossed an Eisenhower silver dollar to break a tie between City Council candidates in 2004. Maplewood settled a tie in a City Council primary in 2003 with a coin toss.



## BOARD OF CANVASS PROPOSED AGENDA

1. Call to Order meeting as Board of Canvass – Takes the Oath of Office
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

## REMEMBER

If the Canvass Board is unsure of how to proceed, 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.



## AFTER THE BOARD OF CANVASS

The Clerk must certify the results of the town election to the County Auditor. Minn. Stat. § 205.185.

Candidates notified that "contest" period begins for seven (7) days. Minn. Stat. § 209.021.

Candidate must file a campaign financial statement with the Clerk. (Townships with websites must post the reports no later than 30 days after receipt of the reports and keep them online for up to four (4) years.) Minn. Stat. § 211.02, Subd. 6 (a).

Once the seven (7) days has run and campaign financial statement has been received, Clerk can issue the Certificate of Election. Minn. Stat. § 205.185, Subd. 3 (b).

## NEED HELP?

- **Election Guides:**
- <https://www.sos.state.mn.us/election-administration-campaigns/election-administration/election-guides/>
- **Election Calendars**
- <https://www.sos.state.mn.us/election-administration-campaigns/election-administration/election-calendars/>



## QUESTIONS



HAVE A GREAT ELECTION!