

## Jo Thieling

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**From:** Cindy Reichert <Cindy.Reichert@co.anoka.mn.us>  
**Sent:** Monday, November 20, 2017 4:47 PM  
**To:** City of Andover - Michelle Hartner; City of Anoka - Amy Oehlers; City of Bethel - Ginger Berg; City of Blaine - Cathy Sorensen; City of Blaine - Lisa Derr; City of Centerville - Teresa Bender; City of Circle Pines Contact 1 - Ronda Dalbec; City of Circle Pines Contact 2 - Linda Gresback; City of Columbia Heights - Katie Bruno; Elizabeth x. Mursko; Emmy Robinson; City of Coon Rapids - Joan Lenzmeier; City of Coon Rapids Contact 2 - Stephanie Lincoln; City of East Bethel - Carrie Frost; City of East Bethel Contact 2 - Karen White; City of Fridley - Deb Skogen; City of Ham Lake - Denise Webster; City of Ham Lake - Jennifer Bohr; City of Hilltop - Ruth Nelsen; City of Lexington - Mary Vinzant ; City of Lexington Contact 2 - Peggy McNamara; City of Lino Lakes - Julie Bartell; City of Nowthen - Corrie LaDoucer; City of Nowthen - Lori Streich; City of Oak Grove - Tara Olson; Jo Thieling; Daniel Buchholtz; City of Spring Lake Park Contact 2 - Wanda Brown; City of Spring Lake Park Contact 3 - Jenny Gooden; City of St Francis - Barb Held; Linwood Township - Election Contact; Sheila Bien - Home  
**Cc:** Heather Peters; Jody Josephson; Dawn Hoium; Andler, Lori; Ann Johnson (Ann.Johnson@ISD15.org); Karen Stifter; Mansky, Joseph; Londa Chambers (londa.chambers@isd728.org); Connie Ramberg; Paul A. Linnell; Christine B. Nelson  
**Subject:** 2018 Polling Place Designations  
**Importance:** High

We received this guidance from the Office of the Secretary of State about designating polling locations. See their explanation below.

The language of the statute now requires BOTH cities and school districts to pass a resolution prior to December 31<sup>st</sup> of each year setting polling places for the following year. School Districts can still use combination precincts, but for the combination they must designate a polling place for the combination that has been designated by the municipality.

This is very confusing. The upshot is that all cities will need to adopt a resolution establishing their polling places for 2018 before the end of this year, *even if there will be no changes from what was designated in a prior resolution*. Our school districts will be doing the same and need to know right away if you plan to make changes.

**Please let me know as soon as possible if your city plans to change any of the polling places from what was used in 2016 to a new building for the 2018 elections.**

Thank you.

Office of the Minnesota Secretary of State  
Elections Division

November 13, 2017

To: County Auditors and Election Administrators:

We have received quite a few questions regarding the 2017 legislative changes to M.S. 204B.16, subd. 1 (Municipal and County-Unorganized Territory Polling Place Designations) and 205A.11, subd. 2 (School District Combined Polling Places Designations). See statutory language changes below.

OSS believes that the legislature was seeking to lessen voter confusion and frustration as it relates to voters' perceptions of "ever changing" poll places from one election to the next by:

- A. Requiring all municipalities (and counties with unorganized territories) to designate polling places for each precinct by December 31<sup>st</sup> each year for the next calendar year.
- B. Requiring school districts using combined polling places for standalone elections to designate polling places for the combination(s) by December 31<sup>st</sup> each year for the next calendar year. A school district may only use a polling place for a combination if that location has been designated as a polling place by a municipality (or a county for unorganized territory).

We offer a few clarifying thoughts:

1. Municipalities (and counties with unorganized territories) designate their polling places for each precinct each year *regardless* if there is an election scheduled for the next year or not (in the event of a special election that is called).
2. Municipalities (and counties with unorganized territories) designate their polling places for each precinct each year even if *no change* is noted for the next calendar year.
3. Municipalities (and counties with unorganized territories) must designate their polling places each year by ordinance or resolution.
4. School districts designate their combined polling places for each precinct each year *regardless* if there is an election scheduled for the next year or not (in the event of a special election that is called).
5. School Districts designate their combined polling places for each precinct each year even if *no change* is noted for the next calendar year.
6. School districts must designate their combined polling places each year by resolution.
7. A polling place may only be designated for a school district combination if that location has been designated as a polling place by a municipality (or a county for unorganized territory).
  - a. If a school building has not been designated for use as a polling place by a municipality (or county with unorganized territory), the school building cannot be designated as a combined location by the school district.
  - b. Counties only have authority to designate polling places for unorganized territories. A county cannot designate a polling place on behalf of a school district.
8. A school district that does not pass a resolution designating combined polling places by December 31<sup>st</sup> could be putting itself in the position of having to use the regular polling places for all individual precincts in the school district for any standalone elections in the following year.

As OSS cannot provide legal opinions, each jurisdiction should consult with their legal advisor for their advice on the interpretation and effect of the new statutory language.

#### **204B.16 POLLING PLACES; DESIGNATION.**

Subd. 1 changes effective January 1, 2018, and applies to any special election held on or after that date.

Subd. 1a changes effective July 1, 2017

Subdivision 1. **Authority; location.** By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory shall **must** designate by ordinance or resolution a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made:

- (1) pursuant to section 204B.175;
- (2) because a polling place has become unavailable; or

(3) because a township designates one location for all state and federal elections and one location for all township only elections.

Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

**205A.11 PRECINCTS; POLLING PLACES.**

**Changes effective January 1, 2018, and applies to any special election held on or after that date.**

Subd. 2. **Combined polling place.** (a) When no other election is being held in two or more precincts on the day of a school district election, the school board may designate one or more combined polling places at which the voters in those precincts may vote in the school district election.

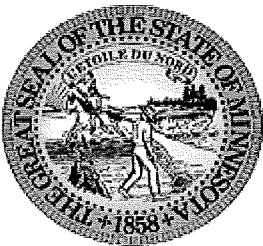
(b) By December 31 of each year, the school board must designate, by resolution, combined polling places. The combined polling places designated in the resolution are the polling places for the following calendar year, unless a change is made:

- (1) pursuant to section 204B.175; or
- (2) because a polling place has become unavailable.

(c) If the school board designates combined polling places pursuant to this subdivision, polling places must be designated throughout the district, taking into account both geographical distribution and population distribution. A combined polling place must be at a location designated for use as a polling place by a county or municipality.

(d) In school districts that have organized into separate board member election districts under section 205A.12, a combined polling place for a school general election must be arranged so that it does not include more than one board member election district.

Best,



**Stella Mary Hegg, MPA**

*State Program Administrator, Senior – Elections Division*

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