

Independent School District 833

South Washington County Schools

School Board Candidate Filing Information

2023



INDEPENDENT SCHOOL DISTRICT 833
South Washington County Schools
7362 East Point Douglas Road South
Cottage Grove, MN 55016
651-425-6300

INDEPENDENT SCHOOL DISTRICT 833

CANDIDATE INFORMATION

This packet contains selected general information regarding the candidate filing and election process for school district offices. The process is principally governed by Minnesota Statutes, Chapter 200 through 211B. Please refer to these sources for more complete information.

If you have any questions pertaining to the election, feel free to call the district office at 651-425-6300 or the Secretary of State's Office at 651-215-1440.

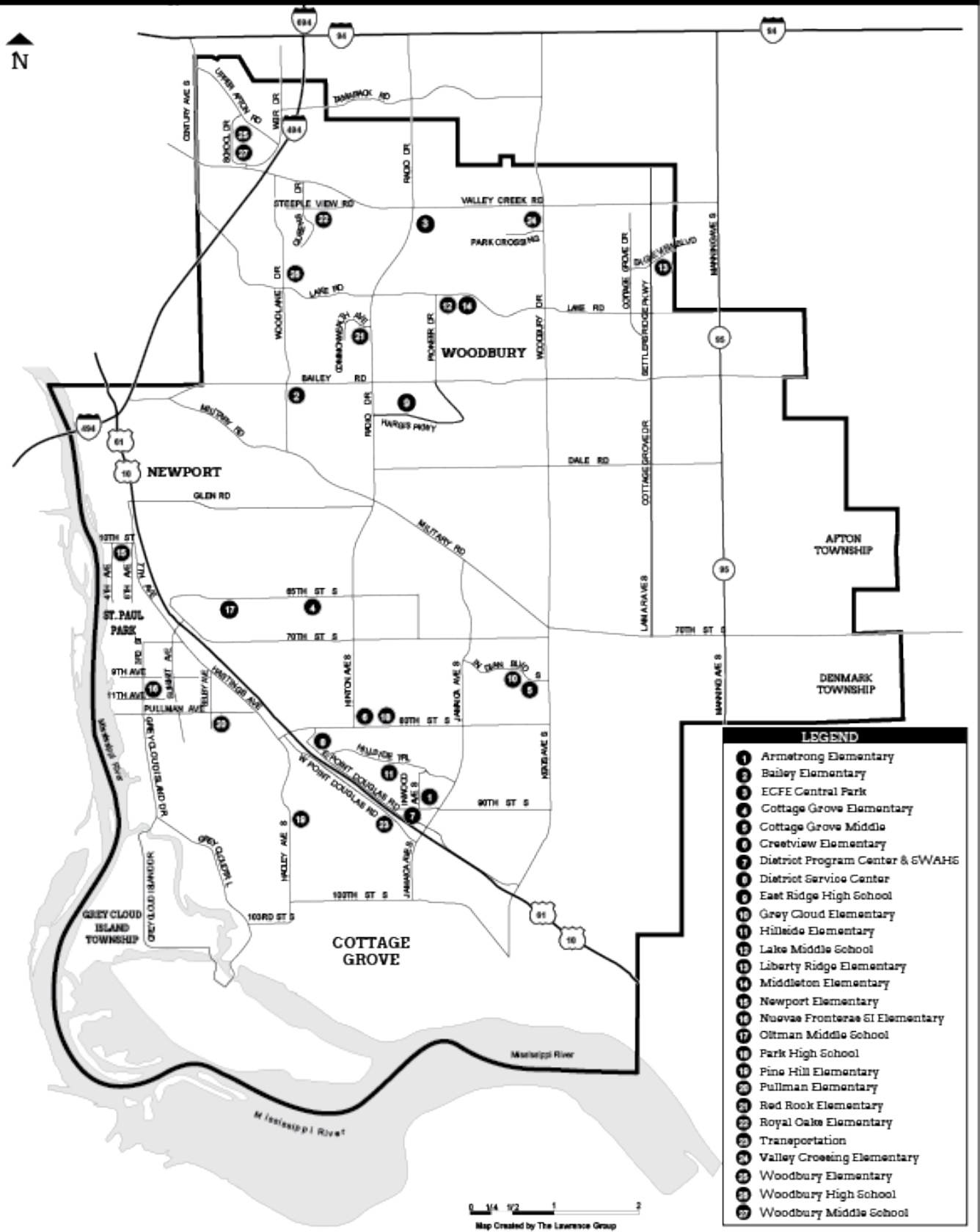
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ATTACHMENTS ENCLOSED:

2023 Candidate Filing Information Sheet
Affidavit of Withdrawal
Campaign Financial Report
Campaign Financial Report Certification of Filing
Minnesota Department of Transportation letter
Washington County Department of Transportation letter
Secretary of State Cybersecurity Memo
Minnesota AG Memo on Automatic Dialing
Secretary of State Absentee/Mail Ballot List, Map Order, and Voter Registration List Order Forms
Secretary of State Precinct Finder & Polling Place Request Forms

South Washington County Schools



School Board Duties

1. A seven-member School Board governs the district. Board members are elected at-large on Election Day in November of odd numbered years and begin service in January after they are elected. The Superintendent of Schools is an ex-officio, non-voting, member of the Board.
2. School Board meetings are generally held twice a month (except for July and December) at the District Service Center, 7362 East Point Douglas Road South in Cottage Grove. The public is welcome to attend these meetings. The Board Workshop and Business Meetings are live streamed on the district website.
3. Several other events occur throughout the year for School Board members. They include, but are not limited to, training sessions, special meetings, committee meetings, building visits and event appearances. This does not take into account the phone calls and emails you will receive as well.
4. School Board members are compensated at \$475 per month.
5. The South Washington County School District is a member of the Minnesota School Boards Association (MSBA). MSBA supports, promotes and enhances the work of public school boards (www.mnmsba.org). The work of the MSBA is divided into six major divisions - Administration/Governance, Board Development/Training, Public Relations/Communications, Governmental Relations, Management Services, and Policy Services.

6. Roles and Responsibilities of the School Board as outlined by MSBA: The major function of the School Board is to provide leadership, policy development, policy oversight and communication. This is usually accomplished by adopting policies which the administrators and staff carry out.
- A. Areas for which the board is responsible for *policy* include but are not limited to:
- Educational program development and monitoring
 - Student assessment
 - Student support services
 - Employee relations including hiring, in-service and evaluation
 - Instructional materials
 - Facility use
 - Extracurricular activities
 - Board operations
- B. Other board roles include:
- Budget adoption, revenue management and expenditure authorization
 - Superintendent selections, contract and evaluation
 - Long range planning
 - Ratifying collective bargaining agreements
 - Legislative involvement
- C. The qualities of leadership that have been identified are: integrity, perseverance, commitment, ability to plan, vision, initiative and courage. Effective board members share a number of these characteristics and are also able to work as a team member.
7. 10 Guidelines for School Board Meetings: Attend all regularly scheduled meetings; Recognize decisions are made by the Board as a whole; Delegate authority for administration to the Superintendent; Focus on policy making, goal setting, planning and evaluation; Become informed and base all decision on available facts; communicate at appropriate times; Encourage free expression of opinions; Refuse to surrender judgment to individuals or special groups; Respect confidentiality of information; Make decisions on the educational welfare of all students.
8. If you would like more information or have questions:
- Check out our website at www.sowashco.org
 - Call the Superintendent's Office at 651-425-6201 for a phone conversation or to schedule an appointment.

2023 Open Seats

For the 2023 Election, South Washington County Schools has the following open seats:

- 3 School Board Member Positions for 4 Years

Filing for Office

When to File:

Filing for Independent School District 833 Board Members opens Tuesday, August 1, 2023, and ends at 5:00 p.m. on Tuesday, August 15, 2023. The filing fee for office is \$2.

A candidate who provides the filing fee by a check for which sufficient funds are not available will have his or her name removed from the ballot and is liable for all costs incurred by election officials in removing the name from the ballot (MS 204B.11).

A candidate for a school district elective office may withdraw from the election by filing an affidavit of withdrawal with the school district clerk no later than 5:00 p.m. August 17, 2023. After that date, no candidate may file an affidavit of withdrawal. Filing fees are not refundable.

August 2023						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Where to File:

File at the Independent School District 833 Office:

7362 E. Point Douglas Rd. S., Cottage Grove, MN 55016. The telephone number is 651-425-6300 for these offices.

Qualifications for candidates filing for Independent School District 833 Board Member:

- Eligible voter
- At least 21 years of age when assuming office
- Resident of district for 30 days preceding the General Election
- Has not filed for another office in the same Election
- Is not a registered sex offender (M.S. 204B.06 subd1: M.S. 205A.06, subd1b.).

Affidavit of Candidacy

An individual who is eligible and desires to become a candidate for an office to be voted on at the election must file an affidavit of candidacy with the school district. The affidavit must be in substantially the same form as that in section 204B.06 subdivision 1. The school district clerk shall also accept an application signed by at least five voters and filed on behalf of an eligible voter in the school district whom they desire to be a candidate, if service of a copy of the application has been made on the candidate and proof of service is endorsed on the application being filed. No individual shall be nominated by nominating petition for a school district elective office. Upon receipt of the proper filing fee, the clerk shall place the name of the candidate on the official ballot without partisan designation. Affidavits of candidacy for school district candidates must be filed during the applicable filing period. The affidavit must be signed in the presence of a notarial officer. Filings are not complete without the filing fee or petition filed in lieu of the fee. The candidate should be prepared to supply satisfactory evidence of identification.

All candidates, including those filing by petition, must file affidavits stating, in part:

- The name of the office sought;
- The candidate is an eligible voter;
- The candidate has no other affidavit on file for any other office for the election;
- The candidate meets the qualifications for the office; and
- The name listed on the affidavit is the candidate's true name or name by which the candidate is commonly known in the community.

Filing Fee (or Petition in Lieu of Filing Fee)

To petition in lieu of a filing fee, five or more voters may "draft" a candidate by filing an application on behalf of a candidate with the clerk. The candidate must indicate his or her willingness to run by signing the application. The petition in lieu of a filing fee must have signatures of people who are eligible to vote in the election, either 500 signatures or a number equal to 5% of the total number of persons who voted in the last general election when the office was on the ballot (whichever is less) (M.S. 204B.11, subd 2; M.S. 205A.06, subd. 3 and 4).

2023 Election

General Election: Tuesday, November 7, 2023

Campaign Financial Reporting

Campaign Finance Reports:

Minnesota Statute 211A generally regulates campaign reporting requirements of candidates and committees supporting school districts or other political subdivisions candidates for office and questions. Candidates and committees supporting candidates for judicial office are not regulated by Chapter 211A.

Minnesota Statute 211B regulates a variety of campaign practices and applies to all federal, state, and local candidates. It also regulates the activities of committees formed to promote or oppose ballot questions and proposed constitutional amendments.

Candidates and their committees for elective office are responsible for adherence to the provisions of Minnesota Statutes 211A and 211B regarding Campaign Financial Reporting and Fair Campaign Practices.

Enclosed for your use are the following:

- **Minnesota Campaign Manual**
This contains a digest and the text of Chapters 211A and 211B.
- **Campaign Financial Report Forms**
These are to be filed as indicated by the provisions of M.S. 211A.02

As a candidate for school district elective offices, you are responsible for fulfilling the requirements of Minnesota Statutes Chapter 211A Campaign Financial Reporting.

A summary of several important dates regarding Campaign Financial Reporting related to the General Election is as follows.

Initial Report

A committee or a candidate who receives contributions or makes disbursements of more than \$750 in a calendar year shall submit an initial report to the filing officer **within 14 days** after the candidate or committee receives or makes disbursements of more than \$750. Reporting dates for candidates and committees required after the initial report are as follows:

10 days before the General Election

October 28, 2023

Campaign Financial Report Certification of Filing

November 14, 2023

Each school district level candidate shall certify to the filing officer that all reports required by Minnesota Statutes 211A.02 have been submitted to the filing officer or that the candidate **or** committee has not received contributions or made disbursements exceeding \$750 in the calendar year. The certification shall be submitted to the filing officer no later than **seven days** after the general election.

A certification of election will **not** be issued to a candidate who has not certified that all reports required by Section 211A.02 have been filed.

January 31, 2024

The committee or candidate must file a report by January 31 of each year following the year when the initial report was filed.

Final Report

A candidate or committee may file a final report when all debts have been settled and all assets in excess of \$100 in the aggregate are disposed of. The final report may be filed at any time and must include the kinds of information contained in the financial statements required by Section 211A.02 for the period from the previously submitted report to the date of the final report.

Notice of Failure to File

If a candidate or committee fails to file a report on the date it is due, the filing officer shall immediately notify the candidate or committee of the failure to file. If a report is not filed within ten days after the notification is mailed, the filing officer shall file a complaint under section 211B.32

THIS IS ONLY A SUMMARY TO HELP INFORM YOU REGARDING REPORTING DATES AND REQUIREMENTS. PLEASE REFER TO THE FULL TEXT OF MINNESOTA STATUTES CHAPTER 211A FOR THE COMPLETE INFORMATION.

Electronic Filing of Financial Reports

Financial reports requires under Minnesota Statutes 211A.02 may be filed electronically, subject to the approval of the filing officer (MS 211A.02, Subd. 5).

Fair Campaign Practices

Minnesota Statute 211B governs fair campaign practices. Candidates must comply with regulations concerning campaign contributions and spending, Election Day campaigning, advertising, influencing voters, and other campaign activities.

Questions?

Call the Washington County Elections Division at 651-430-6790.

Campaign Signs

Contact the clerk in any community where you will campaign if you plan to post political signs and have any questions as to any local sign regulations. Placing signs on State or County right-of-way is prohibited. Minnesota Statute 160.27 prohibits advertisements on highway right-of-ways. See attached letters from Minnesota Department of Transportation and County Transportation Department. If signs are to be placed on private property, permission must be obtained from the landowner. Any signs that are in the highway right-of-way will be removed. The telephone numbers for the cities and townships in Washington County are as follows:

<u>CITIES/TOWNSHIPS</u>	<u>PHONE</u>
AFTON	651-436-5090
COTTAGE GROVE	651-458-2814
DENMARK	651-436-1704
GREY CLOUD ISLAND	651-459-6236
NEWPORT	651-459-5677
ST. PAUL PARK	651-459-9785
WOODBURY	651-714-3533

2023 Important Election Dates

Filing for Office:

August 1	First day to file affidavits of candidacy for school district office
August 15	Last day to file affidavits of candidacy for school district office
August 17	Last day to file affidavits of withdrawal for school district office

Election Dates:

September 22-Nov 6	Absentee voting
October 17	End of pre-registration of voters for general election
November 4	Saturday hours 8-3 absentee voting
November 7	General Election

Important Financial Reporting Dates

More than \$750 (contribution/disbursements)

Within 14 days	of receiving or disbursing more than \$750 in a calendar year
October 28	Pre-general election campaign financial reports due
December 7	Post-general election campaign financial reports due
January 30	Annually until all debts have been settled and all assets in excess of \$100 in the aggregate are disposed of, at which a final report is filed.

\$750 or less (contribution/disbursements)

November 14	Certificate of filing due
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Office of the Minnesota Secretary of State - Elections Division

2023 Candidate Filing Information Sheet

(2022 Campaign Manual Supplement)

New Affidavit of Candidacy

There is a new [Affidavit of Candidacy](#) to be used for all candidate filings after June 1, 2023.

Email Addresses

[2023 Session Laws, chapter 62, article 4, section 70](#)

Candidates **must** provide a non-government issued email address on the affidavit of candidacy or attest that they do not have an email address.

- Affidavits of candidacy are updated to note this requirement and include an option to check if the candidate does not have an email address.

Residence Classified as Private Data

[2023 Session Laws, chapter 62, article 4, section 70](#)

Candidates may request their residence be classified as private data if the candidate has a reasonable fear regarding the safety of the candidate or the candidate's family.

- The candidate must provide their residential address to the filing officer to be kept privately.
- Any office where the residency requirement must be satisfied by the close of the filing period and where the candidate has requested their address be classified as private data, the filing officer must, within one day, determine whether that address is within the boundaries of the district represented by the office. *This is only for the offices of Governor, Lieutenant Governor, State Senator, and State Representative.*

There is a new [Address of Residence Form](#) that may be used for this request.

Pre-Primary Financial Reports

[2023 Session Laws, chapter 62, article 4, section 127](#)

All candidates are now required to submit a pre-primary report even if the jurisdiction has never been primary-possible.

- If a candidate has filed an initial report after receiving contributions or making disbursements of more than \$750, they are then required to file another report ten days before the primary or special primary (or the date when the primary would have taken place).

Office of the Minnesota Secretary of State

AFFIDAVIT OF WITHDRAWAL

Instructions

Generally, a candidate who has filed an affidavit of candidacy may remove his or her name from the ballot by filing an affidavit of withdrawal by 5 p.m. no later than 2 days after the end of the filing period. The affidavit of withdrawal is filed with the same filing officer where the original affidavit of candidacy was filed. The withdrawal affidavit should include the candidate's name and office for which they filed and include a request to have their name withdrawn from the ballot. See the [Candidate Withdrawal](#) webpage for details regarding U.S. Presidential and Vice Presidential candidates, and candidates for State Constitutional Offices (Governor and Lieutenant Governor, Secretary of State, Attorney General, and State Auditor).

Statement

I,
certify that I filed an affidavit of candidacy for the office of
on _____, 2022. I request that my name be withdrawn from the ballot,
pursuant to *Minnesota Statutes* 204B.12, subd. 1.

Signature

Date

INSTRUCTIONS

(Reference: Minnesota Statutes, Chapters [211A](#) and [211B](#))

This CAMPAIGN FINANCIAL REPORT is for use by candidates and committees for county, municipal, school district and special district office who receive contributions or make disbursements of more than \$750 in a calendar year; committees or corporations spending more than \$750 for or against a ballot question in a calendar year; and corporations spending more than \$200 on activities to encourage participation in precinct caucuses, voter registration or voting.

Where to file this report:

Hospital Districts	The municipal (city or town) clerk – same place where filed affidavit of candidacy
Park Districts	The county auditor or municipal clerk – same place where filed affidavit of candidacy
School Districts	School district clerk
Townships	Town clerk
Cities	City clerk
Soil & Water Conservation Districts	County auditor
Counties	County auditor

Candidate or committee report: The initial report must be filed within 14 days after the candidate or committee receives contributions or makes disbursements of more than \$750 in a calendar year. Subsequent reports must be filed.

During an Election Year - An "election year" is any year in which the candidate's name or a question appears on the ballot.

In such a year (if an initial report has been filed) reports are required to be filed:

- 10 days before the primary or special primary
- 30 days after a general election or special election
- 10 days before the general election or special election
- By January 31 of each year following the year when the initial report was filed.

During a non-election year - By January 31 of each year following the year when the initial report was filed.

Once a final report* is filed, no further subsequent reports are required to be filed.

CONTRIBUTIONS: Means anything of monetary value that is given or loaned to a candidate or committee for a political purpose. "Contribution" does not include a service provided without compensation by an individual. **Each candidate or committee must list the total amount of cash-on-hand designated to be used for political purposes as of the close of the reporting period.**

CONTRIBUTION LIMITS: Candidates or candidate's committees for county, municipal, school district offices may not accept aggregate contributions in excess of \$600 in an election year or in excess of \$250 in a non-election year made or delivered by an individual or committee. However, candidates seeking election from districts with a population in excess of 100,000 may not accept aggregate contributions in excess of \$1,000 in an election year and \$250 in a non-election year.

BALLOT QUESTIONS: Any political committee, association or corporation that makes a contribution or expenditure to promote or defeat a ballot question as defined in Minnesota Statutes, section [211A.01](#) shall file reports with the filing officer responsible for placing the question on the ballot. Reports must be filed within 14 days of receiving contributions or making disbursements of more than \$750 in one calendar year, using the same schedule as above.

CONGRESSIONAL CANDIDATES: Candidates for election to the United States House of Representatives and Senate and any committee raising funds exclusively on behalf of any one of those candidates may file copies of the reports required by federal law in lieu of those required by Minnesota Statutes Chapter [211A](#).

CORPORATE ACTIVITIES TO ENCOURAGE PARTICIPATION: Corporations may contribute to or conduct public media projects to encourage individuals to attend precinct caucuses, register or vote if the projects are not controlled by or operated for the advantage of a candidate, political party or committee. The total amount of expenditures or contributions for any one project greater than \$200, together with the date, purpose and the names and addresses of the persons receiving the contribution or expenditures must be reported. Reports must be filed with the Secretary of State, 180 State Office Building, St. Paul, MN 55155-1299, using the same schedule as above.

***FINAL REPORT:** A final report may be filed any time after the candidate, committee or corporation has settled all debts and disposed of all assets in excess of \$100 in the aggregate. Check final report under "type of report".

PROHIBITED TRANSFERS: Candidates for county, municipal, school district or special district offices may not accept contributions from the principal campaign committees of any candidate for legislative, judicial or state constitutional office. In addition, a candidate may not make contributions to the principal campaign committee of any candidate for legislative, judicial or state constitutional office unless the contributions are made from the candidate's personal funds.

STATE CANDIDATES: Candidates and committees for state constitutional offices, the state legislature, supreme court, court of appeals, district court and committees for state constitutional amendments are governed by Minnesota Statutes Chapter [10A](#). Contact the State Campaign Finance and Public Disclosure Board for further information at (651) 539-1180.

Note: The filing officer must restrict public access to the address of any individual who has made a contribution that exceeds \$100 and who has filed with the filing officer a written statement signed by the individual that withholding the individual's address from the financial report is required for the safety of the individual or the individual's family.

CAMPAIGN FINANCIAL REPORT CERTIFICATION OF FILING

Instructions

Each county, municipal or school district candidate or treasurer of a committee formed to promote or defeat a ballot question shall certify to the filing officer that all reports required by *Minnesota Statutes* 211A.02 have been submitted to the filing officer or that the candidate or committee has not received contributions or made disbursements exceeding \$750 in the calendar year. The certification shall be submitted to the filing officer not later than seven days after the general or special election. (*Minnesota Statutes* 211A.05, subdivision 1)

Campaign Information

Name of candidate or committee

Office sought by candidate (if applicable)

Identification of ballot question (if applicable)

Certification

Select the appropriate choice below, and sign.

I do swear (or affirm) that all campaign financial reports required by Minnesota Statutes 211A.02 have been submitted to the filing officer.

I do swear (or affirm) that all campaign contributions or disbursements did not exceed \$750 in the calendar year.

Signature of candidate or committee treasurer

Date

RE: Placement of Signs along Trunk Highways

CANDIDATES FOR PUBLIC OFFICE:

The Minnesota Department of Transportation reminds members of the public that placing signs, including campaign signs, within trunk highway right of way is prohibited. State law ([Minn. Stat. 160.2715](#)) prohibits the placement, painting, printing or affixing of advertisements or any object within the limits of a trunk highway, which includes driving lanes, inside and outside shoulders, ditches, sight corners at intersections and the area above and below the highway. The trunk highway system includes state, U.S. and interstate highways in Minnesota.

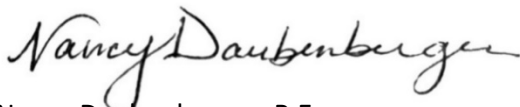
In addition, the Minnesota Outdoor Advertising Control Act ([Minn. Stat. 173.15](#)), which applies to land next to trunk highway right of way, prohibits the placement of advertising devices on private land without the consent of the owner or occupant; on trees, shrubs, or public utility poles; or by painting on rocks or natural features.

These laws protect the safety of both the traveling public and those who would place signs. They ensure that Minnesota complies with federal highway beautification laws. Right of way is used for a variety of purposes, including providing a safe place for vehicles that leave travel lanes, snow storage, location of public utilities, drainage of excess water away from roads, vegetation growth for aesthetics and erosion control and even pollinator habitat. Unauthorized signs and people stopping to place signs within the limits of the highway can create a safety hazard and compromise these functions.

County, city and township employees administer applicable laws on roads under their jurisdiction. MnDOT is responsible for the trunk highway system. Please contact local MnDOT offices for assistance when placing signs where trunk highway right of way cannot be clearly identified. Please ensure that those who place signs on your behalf are familiar with the law. Illegally placed signs will be removed by MnDOT employees and temporarily stored; please contact [local MnDOT district offices](#) promptly to retrieve signs that have been removed.

Thank you for your cooperation.

Respectfully,



Nancy Daubenberger, P.E.
Interim Commissioner



PUBLIC WORKS

Wayne Sandberg, P.E., Director, County Engineer
Frank D. Ticknor, P.E., Deputy Director

July 28, 2022

Dear Candidates for Elective Office:

Congratulations on your candidacy for public office. As you and your team work toward Election Day, one of the strategies you may be considering is placing campaign related signs along County highways. This letter is to remind you that these signs must be placed on private property, outside of County highway right-of-way. We also remind you that signs cannot be attached to traffic control devices, such as traffic signals or other roadway signs.

Minnesota Statute 160.2715 prohibits the placement of any advertisement within the limits of any highway right-of-way, including County highways. This includes signs related to political campaigns. Washington County is committed to promoting a high level of safety along County highways. One critical component of this safety mission is to minimize the number of physical obstructions within the highway right-of-way. This statute also provides the authority for the County to remove any signs not placed in compliance with this statute.

The highway right-of-way width is not uniform across the County, but typically includes the roadway, ditches, trails and sidewalks, and utility poles. Right-of-way width can vary on different roads and even along the same road. The owner of the private property should be able to determine their property boundaries. More detailed right-of-way boundary information is available online at <https://www.co.washington.mn.us/92/County-Maps>.

In summary, any signs you place for your campaign must be placed on private property, and you must obtain permission from the private property owner first. Any signs placed in the public County highway right-of-way will be subject to removal by County forces. If you have any questions, please feel free to contact Jennifer Oehler at Jennifer.Oehler@co.washington.mn.us or 651-430-4313. Thank you in advance for helping keep our highways safe.

Sincerely,

A handwritten signature in purple ink, appearing to read "W. Sandberg".

Wayne H. Sandberg, P.E.
Public Works Director
County Engineer

A great place to live, work and play...today and tomorrow

North Shop | 11660 Myeron Road North | Stillwater, MN 55082-9537
P: 651-430-4300 | F: 651-430-4350 | TTY: 651-430-6246
www.co.washington.mn.us

Washington County is an equal opportunity organization and employer



STATE OF MINNESOTA
Office of Minnesota Secretary of State
Steve Simon

February 25, 2022

To: All Candidates Filing for Office
Subject: Campaign Cybersecurity

Cybersecurity is an important part of voters' confidence in our democracy. In response to the growing emphasis on secure elections, the Office of the Secretary of State suggests consulting the following free resources and encourages candidates and their campaigns to consider their recommendations:

The U.S. Department of Homeland Security offers a cybersecurity checklist for political campaigns:

https://www.cisa.gov/sites/default/files/publications/dhs_campaign_checklist_final_october.pdf

The FBI has produced the "Protected Voices" series of short videos for political campaigns on the subject of cybersecurity: <https://www.fbi.gov/investigate/counterintelligence/foreign-influence/protected-voices>

Researchers at Harvard University, in collaboration with bipartisan campaign professionals, national security experts, and leaders in cybersecurity from the public and private sector, created the Campaign Cybersecurity Playbook as a practical guide for candidates. <https://www.belfercenter.org/CyberPlaybook>

Finally, Meta Inc. has established Facebook Protect, a program for political candidates and their staffers to apply an extra level of security to their accounts: <https://www.facebook.com/gpa/facebook-protect>

Minnesota's Automatic Dialing-Announcing Device Law

TO: Candidates, Political Campaigns, Political Parties, Political Committees and Other Interested Persons
FROM: Minnesota Attorney General's Office
DATE: April 22, 2022
RE: Minnesota's Automatic Dialing-Announcing Device Law

This memorandum provides guidance to candidates, political campaigns, political parties, political committees, and others concerning Minnesota's automatic dialing-announcing device law. It is similar to memoranda first issued by the Minnesota Attorney General's Office ("AGO") in 2004.

Minnesota's ADAD Law

A copy of Minnesota's automatic dialing-announcing device ("ADAD") law, which is contained at Minn. Stat. §§ 325E.26-.31, is attached.

The law provides as follows:

A caller shall not use or connect to a telephone line an automatic dialing-announcing device unless: (1) the subscriber has knowingly or voluntarily requested, consented to, permitted, or authorized receipt of the message; or (2) the message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered.

Minn. Stat. § 325E.27(a) (2020). An ADAD is "a device that selects and dials telephone numbers and that, working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called." *Id.* § 325E.26, subd. 2. "Caller" includes "a person, corporation, firm, partnership, association, or legal or commercial entity who attempts to contact, or who contacts, a subscriber in this state by using a telephone or a telephone line." *Id.*, subd. 3. A "subscriber" is "a person who has subscribed to telephone service from a telephone company or the other persons living or residing with the subscribing person." *Id.*, subd. 5.

The ADAD law does not apply to "messages to subscribers with whom the caller has a current business or personal relationship." *Id.* § 325E.27.

Minnesota law also governs other aspects of using ADADs in Minnesota. For example, all ADADs (to the extent their use is not prohibited) must be designed and operated to disconnect within ten seconds after a subscriber terminates the telephone call. *Id.* § 325E.28. ADADs may not be used before 9:00 a.m. or after 9:00 p.m. *Id.* § 325E.30. In addition, when an ADAD message is immediately preceded by a live operator, the operator must make certain disclosures to the subscriber. *See id.* § 325E.29.

The constitutionality of the ADAD statute has been upheld by the Minnesota Supreme Court and the Eighth Circuit Court of Appeals. *See Gresham v. Swanson*, 866 F.3d 853, 856

(8th Cir. 2017) (upholding constitutionality of ADAD statute in challenge by telephone-solicitation firm and its managing member); *Van Bergen v. State*, 59 F.3d 1541, 1556 (8th Cir. 1995) (upholding constitutionality of ADAD statute in challenge by political candidate); *State v. Casino Mktg. Group, Inc.*, 491 N.W.2d 882, 891-92 (Minn. 1992) (upholding constitutionality of ADAD statute in challenge by telephone-solicitation firm).

Enforcement of the ADAD Law

The AGO is authorized to enforce the ADAD law and seek a court order to enjoin violations of it. *See, e.g.*, Minn. Stat. §§ 8.31, 325E.31. The AGO generally intends to follow the following policy:

Upon receiving a verified and substantiated complaint that the ADAD law has been violated, the AGO will promptly contact the campaign committee that had allegedly violated the law and advise it of the alleged ADAD violations. Upon receiving verified and substantiated complaints from at least three or more individuals involving an identified campaign committee, the AGO may ask the committee to sign an Assurance of Discontinuance. If the committee does not do so promptly, the AGO may file a lawsuit and seek a temporary restraining order to enjoin further violations of the law.

For a complaint to be verified and substantiated, the complainant must sign an affidavit that documents the following:

- 1) The date and time the subscriber received the ADAD message;
- 2) When available (i.e., when left on an answering machine), a recording of the message;
- 3) Substantiation of the identity of the caller;
- 4) A statement that the subscriber (which includes persons living or residing with the subscriber) did not knowingly or voluntarily request, consent to, permit, or authorize receipt of the message;
- 5) A statement that the message was not immediately preceded by a live operator who obtained the subscriber's consent (or the consent of a person living or residing with the subscriber) before the message was delivered; and
- 6) A statement that the subscriber (which includes other persons living or residing with the subscriber) does not have a current business or personal relationship with the caller.

The policy adopted in 2004 required at least three signed affidavits to balance the legitimate enforcement of the statute with "the potential for mischief by political opponents." The AGO intends to continue the same general policy in 2022.

Attachment

325E.26 DEFINITIONS.

Subdivision 1. **Scope.** The terms used in sections 325E.26 to 325E.30 have the meanings given them in this section.

Subd. 2. **Automatic dialing-announcing device.** "Automatic dialing-announcing device" means a device that selects and dials telephone numbers and that, working alone or in conjunction with other equipment, disseminates a prerecorded or synthesized voice message to the telephone number called.

Subd. 3. **Caller.** "Caller" means a person, corporation, firm, partnership, association, or legal or commercial entity who attempts to contact, or who contacts, a subscriber in this state by using a telephone or a telephone line.

Subd. 4. **Commercial telephone solicitation.** "Commercial telephone solicitation" means any unsolicited call to a residential subscriber when the person initiating the call has not had a prior business or personal relationship with the subscriber, and when the purpose of the call is to solicit the purchase or the consideration of purchase of goods or services by the subscriber. Commercial telephone solicitation does not include calls initiated by organizations listed in Minnesota Statutes 2000, section 290.21, subdivision 3, clauses (a) to (e).

Subd. 5. **Subscriber.** "Subscriber" means a person who has subscribed to telephone service from a telephone company or the other persons living or residing with the subscribing person.

Subd. 6. **Message.** "Message" means any call, regardless of its content.

History: 1987 c 294 s 1; 1994 c 534 art 2 s 1; 2003 c 2 art 1 s 38

325E.27 USE OF PRERECORDED OR SYNTHESIZED VOICE MESSAGES.

(a) A caller shall not use or connect to a telephone line an automatic dialing-announcing device unless: (1) the subscriber has knowingly or voluntarily requested, consented to, permitted, or authorized receipt of the message; or (2) the message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered.

(b) This section and section 325E.30 do not apply to (1) messages from school districts to students, parents, or employees, (2) messages to subscribers with whom the caller has a current business or personal relationship, or (3) messages advising employees of work schedules. This section does not apply to messages from a nonprofit tax-exempt charitable organization sent solely for the purpose of soliciting voluntary donations of clothing to benefit disabled United States military veterans and containing no request for monetary donations or other solicitations of any kind.

History: 1987 c 294 s 2; 2009 c 178 art 1 s 60

325E.28 REQUIREMENTS ON AUTOMATIC DIALING-ANNOUNCING DEVICES.

A caller shall not use an automatic dialing-announcing device unless the device is designed and operated so as to disconnect within ten seconds after termination of the telephone call by the subscriber.

History: *1987 c 294 s 3*

325E.29 MESSAGE REQUIREMENTS.

Where the message is immediately preceded by a live operator, the operator must, at the outset of the message, disclose:

- (1) the name of the business, firm, organization, association, partnership, or entity for which the message is being made;
- (2) the purpose of the message;
- (3) the identity or kinds of goods or services the message is promoting; and
- (4) if applicable, the fact that the message intends to solicit payment or commitment of funds.

History: 1987 c 294 s 4

325E.30 TIME OF DAY LIMIT.

A caller shall not use an automatic dialing-announcing device nor make any commercial telephone solicitation before 9:00 a.m. or after 9:00 p.m.

History: *1987 c 294 s 5*

325E.31 REMEDIES.

A person who is found to have violated sections 325E.27 to 325E.30 is subject to the penalties and remedies, including a private right of action to recover damages, as provided in section 8.31.

History: *1987 c 294 s 6*



Office of the Minnesota Secretary of State

ACCEPTED ABSENTEE/MAIL BALLOT LIST REQUEST – 2022 STATE ELECTIONS

Instructions

Use this form to request a list of accepted absentee and mail ballots in the 2022 state primary or general election. The list is provided in a comma-delimited text format which can be opened in most text-editing, spreadsheet, and database programs. The report will be current as of the time the report is run. This office may take up to 10 days to produce the report. The use of the list of accepted absentee and mail ballots for purposes unrelated to elections, political activities or law enforcement is a violation of Minnesota law. (*Minnesota Statutes* [201.091](#); [203B.12](#))

Voter Information

Name (as it would appear on your voter record)

Street Address

City

State

Zip Code

Email

Phone

Report Information

Choose a geographic area for your report:

Statewide (\$46)

Single Jurisdiction (\$30) – Specify Name (of city, county, district, etc.)

Select the days of the absentee period before the **State Primary** on 8/9/22 you would like the report run:

	M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F
6/27-7/1						7/4-7/8	Holiday					7/11-7/15					
7/18-7/22						7/25-7/29						8/1-8/5					

Select the days of the absentee period before the **State General Election** on 11/8/22 you would like the report run:

	M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F
9/26-9/30						10/3-10/7						10/10-10/14					
10/17-10/21						10/24-10/28						10/31-11/4					

Additional information

Delivery Information

Send the file(s) to this email address

Payment Information

Number of reports x cost per report \$46
\$30 = TOTAL COST

Payment via cash (in-person orders only. Note: orders are not produced “while you wait”)

Payment via check

Payment via money order

Return order to: MN Secretary of State, First National Bank Building, 332 Minnesota St, Suite N201, St Paul MN 55101

Certification

I certify that I am a registered voter in the State of Minnesota and that the information in this list of accepted absentee ballots will be used only for purposes related to elections, political activities, or law enforcement (M.S. 201.091).

Signature

Date

OFFICE USE ONLY

Date - Fiscal	Date - Media Prod	Client Acct	Amt Paid	Work Order #
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Rev. 1/2022

Office of the Minnesota Secretary of State
Map Order Form

Contact Information

Name

Address

City, State and Zip Code

Phone or email

Order will be picked up from State Office Building

Ship to address above via UPS Ground (\$3.50)

Available Maps

Maps usually include congressional district, legislative district, county, city, township, and precinct boundaries, and physical features such as roads, railroads, rivers and lakes, depending on scale.

Please select from the following available maps and indicate quantity, size and desired jurisdiction, as applicable.

Available sizes are large (36" by 48"), medium (17" by 22") and small (8.5" by 11"), unless otherwise indicated.

- Statewide legislative and congressional districts. **Quantity and size**
- Metropolitan area legislative and congressional districts (large size only). **Quantity**
- Individual congressional districts (large size only). **Quantity and district(s)**
- Individual state house or senate districts. **Quantity, size and district(s)**
- County, showing legislative districts (large size only). **Quantity and county**
- County, showing commissioner districts (large size only). **Quantity and county**
- Individual school district (large size only). **Quantity and school district**
- Individual city or town (large size only). **Quantity and municipality**
- Additional information

Cost, delivery and payment

- Map prices are \$11 per large map, \$9 per medium map, and \$7 per small map.
- Maps may be shipped via UPS for \$3.50 per order, or picked up from the State Office Building (address below).
- Full payment must be submitted with this request. Checks or money order are accepted via mail. Cash is also accepted when ordering in person. Allow five to ten days for processing. Return completed form and payment to:
Minnesota Secretary of State
Elections Division
180 State Office Building
100 Dr. Rev. Martin Luther King, Jr. Blvd.
Saint Paul MN 55155
- For questions, call 651-215-1440 or email elections.dept@state.mn.us

Disclaimer

This document can be made available in large print by calling (651) 296-2803/Voice, or on our website at <https://www.sos.mn.gov>. For TTY communication, contact the Minnesota Relay Service at 1-800-627-3529 and ask them to place a call to (651) 215-1440. The Secretary of State's Office does not discriminate on the basis of race, creed, color, sex, sexual orientation, national origin, age, marital status, disability, religion, reliance on public assistance or political opinions or affiliations in employment or the provision of services.



Office of the Minnesota Secretary of State
REGISTERED VOTER LIST REQUEST

Instructions

Use this form to request a list of registered voters. For multiple orders, submit a new form for each list. Lists are provided in a ready-to-print pdf format, or in a comma-delimited text format which can be opened in most spreadsheet and database programs. Examples of these formats are available on the [Secretary of State's website](https://www.sos.state.mn.us) (<https://www.sos.state.mn.us>). This office may take up to 10 days to produce the report. The report will be current as of the time the report is run. The use of the list of registered voters for purposes unrelated to elections, political activities or law enforcement is a violation of Minnesota law. ([Minn. Statutes 201.091](#))

Voter Information

Name (as it would appear on your voter record)

Street Address

City

State

Zip Code

Email

Phone

Report Information

1) Choose **one** geographic area for your report:

Statewide (\$46) – Must choose Text format below

PDF format may be unavailable for jurisdictions below with large numbers of registered voters

Congressional or Judicial District (\$30) – Must choose Text format below

Minnesota Senate or House District (\$30)

County or County Commissioner District (\$30)

School District (\$30)

Entire City or Town (\$30)

Ward or Precinct (\$30) City/Town

Ward or Precinct Name

2) Choose **one** format for your report:

Voter Lists with Voting History

Text (comma-delimited)

PDF (ready for printing, not sortable)

Walking List (sorted by street)

Summary Voting History for All Elections

not available

Detailed Voting History for All Elections

not available

Voter Lists for Mailing Labels

Text (comma-delimited)

PDF (ready for printing, not sortable)

One label per registered voter

One label per household

Delivery Information

Once processed, an email will be sent to the email above with a link to the requested voter data. This link will be active for seven days. For security, the voter data will be encrypted. Instructions will be included in the email about how to unencrypt the data. Please note the Secretary of State no longer provides this data on CD-ROM.

Payment Information

Total Cost:

\$46 Statewide Report

\$30 Local Report

Mail or hand-deliver your order to:

Office of the Secretary of State, First National Bank Building, 332 Minnesota Street, Suite N201, Saint Paul, MN 55101

Payment via cash (in-person orders only. Orders are not produced "while you wait")

Payment via check or money order

Certification

I certify that I am a registered voter in the State of Minnesota and that the information in this list of registered voters will be used only for purposes related to elections, political activities, or law enforcement (M.S. 201.091).

Signature

Date

OFFICE USE ONLY

Date - Fiscal	Date - Media Prod	Client Acct	Amt Paid	Work Order #
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Revised 10/2021



Office of the Minnesota Secretary of State

POLLING PLACE LIST REQUEST

Instructions

Use this form to request a list of polling places for an upcoming election. The list is provided electronically either in a pdf format ready for printing, or in a comma-delimited text format which can be opened in most spreadsheet and database programs. The report will be current as of the time the report is run. This office may take up to 10 days to produce the report.

Requestor Contact Information

Name

Street Address

City

State

Zip Code

Email

Phone

Report Information

Choose a geographic area for your report:

Statewide (\$46) – MUST CHOOSE TEXT FORMAT BELOW

Single Jurisdiction (\$30) – Specify name (of county, city, district, etc.)

Choose a specific election for your report:

Next State Primary (available May before the primary)

Next State General Election (available August before the election)

Other Election (Specify Election Name & Date)

Choose a format for your report:

PDF (ready for printing)

Text (comma-delimited, for use in spreadsheets or databases)

Delivery Information

Once processed, an email will be sent to the email above with a link to the requested voter data. This link will be active for seven days. The Secretary of State no longer provides this data on CD-ROM.

Payment Information

Total Cost

Payment via cash (in-person orders only. Note: orders are not produced “while you wait”)

Payment via check

Payment via money order

Mail or hand-deliver your order to:

Office of the Secretary of State, First National Bank Building, 332 Minnesota Street, Suite N201, Saint Paul, MN 55101

OFFICE USE ONLY

Date - Fiscal	Date - Media Prod	Client Acct	Amt Paid	Work Order #
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Rev. 10/2021



Office of the Minnesota Secretary of State

PRECINCT FINDER REQUEST

Instructions

Use this form to request precinct finder data, which is a list of address ranges that can be used to find precinct and district information for a given address. This data is provided electronically either in a pdf format ready for printing, or in a comma-delimited text format which can be opened in most spreadsheet and database programs. The report will be current as of the time the report is run. This office may take up to 10 days to produce the report.

Requestor Contact Information

Name

Street Address

City

State

Zip Code

Email

Phone

Report Information

Choose a geographic area for your report:

Statewide (\$46)

Single Jurisdiction (\$30) – Specify Name (of city, county, district, etc.)

Choose a format for your report:

PDF (ready for printing)

Text (comma-delimited, for use in spreadsheets or databases)

Delivery Information

Once processed, an email will be sent to the email above with a link to the requested voter data. This link will be active for seven days. The Secretary of State no longer provides this data on CD-ROM.

Payment Information

Total Cost

Payment via cash (in-person orders only. Note: orders are not produced “while you wait”)

Payment via check

Payment via money order

Mail or hand-deliver your order to:

Office of the Secretary of State, First National Bank Building, 332 Minnesota Street, Suite N201, Saint Paul, MN 55101

OFFICE USE ONLY

Date - Fiscal	Date - Media Prod	Client Acct	Amt Paid	Work Order #
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Rev. 10/2021

Registered Voter List Ordering Information

Registered voter information is only available to registered Minnesota voters, and may only be used for purposes related to elections, political activities, or law enforcement. ([Minnesota Statutes 201.091](#)) All data on registered voter reports is current as of the time the report was run. Only currently registered voters are included in the report. Voting history may not be updated for up to six weeks after an election.

Geographic Area

Reports can be requested for different geographic areas such as statewide, county, city, town, or precinct. Reports can also be requested by election district, such as congressional district, state senate district, state house district, judicial district, school district, city ward, or precinct.

Note that statewide reports may only be ordered in text format below. These reports will be divided into separate files for each congressional district.

Report Format

Reports are available in pdf format, text format, or sometimes both. Pdf reports come ready to print, but cannot be edited, sorted or filtered. Text files come in a comma-delimited format, ready to import into spreadsheet or database software. In that software, the data can be edited, sorted, and filtered, and also used in other ways, such as for mail merges. This office does NOT offer support for using this data with specific software application.

Report Information

Report	Voter Name	Address	Phone	Birth Year	Voter ID	Legacy ID	Registration Date	County	MCD	Precinct Code	School District Code	Other District Codes	Voting History
Walking List (pdf or text)	Yes	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Yes
Summary History for All Elections (pdf)	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes
Detailed History for All Elections (text)	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Voter Mailing Labels (pdf or text)	Yes	Yes	No	No	No	No	No	Yes	No	Yes	Yes	No	No
Household Mailing Labels (pdf or text)	No	Yes	No	No	No	No	No	Yes	No	Yes	Yes	No	No

Additional report notes:

- Walking Lists are sorted by street name, then street number
- Walking list and summary history reports include abbreviated election description for each year.
- Detailed history reports include two files: one is a list of voters, the second is a list of elections the voters have history of voting in. The Voter ID can be used as a primary key to cross-reference the records in the two files.
- Detailed history reports' elections files include election date, election description, and voting method.
- Mailing label pdf reports are formatted to print on Avery 5160 (or similar) label sheets.
- Household mailing labels include one label per address with at least one registered voter. All labels are addressed to "Registered Voters."

Ordering and Payment

Submit your order by mail or in person to:

Office of the Secretary of State, First National Bank Building, 332 Minnesota Street, Suite N201, Saint Paul, MN 55101

Orders may not be submitted online at this time. If ordering multiple lists, submit a separate order form for each list. Orders submitted together may be paid for with one payment.

- To order by mail, send your order form(s) and payment to the address above, "Attention: Voter Registration Lists". Payment may be by check or money order, payable to the Office of the Secretary of State.
- To order in person, come to the address above and submit your order form(s) and payment. You may pay with cash or check payable to the Office of the Secretary of State. Note that orders are not produced "while you wait."

Delivery

Once processed, a message will be sent to the specified email with a link to the requested voter data. This link will be active for seven days. For security, the voter data will be encrypted. Instructions will be included in the email message about how to unencrypt the data. Please note the Secretary of State no longer provides this data on CD-ROM.