



GUIDE TO MOVING THE TOWN ELECTION TO NOVEMBER

The issue of whether to move town elections to November has been around for many years. Some believe moving the election to November improves voter turnout and makes town elections consistent with other governmental entities. Others believe towns will lose their separate identity if they hold elections in November. They argue town candidates will get lost in the long list of positions on the November ballot and that merely having more voters is not necessarily “better” if they do not know the town candidates and issues. Ultimately, this is an issue of local control.

All towns have the option to adopt November elections by passage of a ballot question.¹ This document provides a general overview of the required procedures.

By default, town officers in towns using November elections serve four-year terms of office that begin on the first Monday in January following the election,² which means the town will elect two supervisors at the same election every four years. So towns can remedy the concern of electing two supervisors within the same election. The legislature has also provided towns with the option of adopting six-year terms of office for supervisors.³

I. THE PROCESS TO ADOPT NOVEMBER ELECTIONS

1. Starting the Procedure: Moving the town election to November can be started either by the town board or by the town electors.

A. *Town Board Initiated:* 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.⁴ The resolution or ordinance **must** include a plan to shorten or lengthen the terms of office to

¹ See Minn. Stat. § 205.075.

² Minn. Stat. § 367.03, subd. 4.

³ *Id.*, at subd. 4a (The process of adopting six-year terms of office is described in MAT Information Library document EL4200).

⁴ Minn. Stat. § 205.075, subd. 2.

provide an orderly transition to the November election schedule.⁵

When developing an election plan, the town should designate each supervisor position with a letter or number. This designation enables the clerk to identify each position when more than one supervisor is on the ballot. When someone files for a supervisor position, they must indicate which position they want (e.g., Supervisor A position). During the creation of the schedule, the town must assure that the clerk's and treasurer's terms expire at alternate elections.⁶

B. *Town Elector Initiated*: The town electors may pose the question of moving to a November election by passing a resolution at the annual town meeting. The electors must provide a proposed transition schedule for their vote on the issue to be valid.⁷ The board can help the electors in creating the transition schedule, but it is not a requirement. The board should remind the electors that shortening any current board member's term without their consent may be invalid and end up invalidating the electors' vote to move the town election to November. The town then submits the question to move the election to the voters at the next town general election.

2. **Place the Question on the Ballot**: The question of whether to designate the first Tuesday after the first Monday in November of even-numbered or odd-numbered years as the date of the town general election must be placed on a ballot and submitted to the town electors at the next annual town election.⁸

A. **84- Day Rule**: The township is required to notify the county auditor of all ballot questions at a town election at least 84 days prior to the election.⁹ Therefore, any question to move the election to November must be submitted earlier than this 84-day deadline. If the process begins after that point, the ballot question cannot be included until the next town election.

3. **Implementing November Elections**: If a majority of the town electors affirms the resolution or ordinance by voting on the question, the town elects the officers for four-year terms. The town elects the clerk and treasurer in alternate election years.¹⁰ The town must accomplish the transition to the four-year terms as set out in the transition schedule described in the resolution or ordinance.

Persons elected in November take office on the first Monday in January, after taking the oath

Possible Ballot Language
Town Question 1 - Whether to Move the Town Election to November
Shall the first Tuesday after the first Monday in November be designated as the date of the _____ Township general election?

⁵ **NOTE**: Towns should lengthen rather than shorten the terms of the officers. Refer to **APPENDIX A** for a sample resolution. Carefully read Appendix A and make the changes needed to fit your town's situation.

⁶ Minn. Stat. § 367.03, subd. 4.

⁷ If the electors fail to provide a proposed transition schedule, the town board should not place the question on the ballot because the electors have not followed the requirements of the statute. However, the board **may** choose later to start the process in recognition of the electors' intent, using the *Town Board Initiated* process.

⁸ See Minn. Stat. §§ 204B.36, subd. 3; and the sample town question ballot supplied by the Secretary of State's office.

⁹ Minn. Stat. § 205.16, subd. 4

¹⁰ Minn. Stat. § 367.03, subd. 4.

of office and filing the oath with the clerk.¹¹ The usual requirement of having to take the oath of office within 10 days of receiving the certificate of election does not apply when the town holds November elections.

- 4. Adjustment of the Schedule:** If passed, the clerk must adjust the town's election schedule to accommodate a November town general election. MAT's calendar includes deadlines for November election activities that MAT mails to town clerks in December.

¹¹ See Minn. Const. Art. 7, § 7; Minn. Stat. § 367.25.

RESOLUTION # _____
_____ Township
_____ County, Minnesota

RESOLUTION DESIGNATING THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER AS THE TOWN GENERAL ELECTION DATE

WHEREAS, Minn. Stat. § 205.075 provides towns the option to designate 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; and

WHEREAS, the town board determines that changing the town’s general election date from March to November serves the public’s interest by aligning the town’s election with the other November elections; and

or

WHEREAS, the town electors at the last annual town meeting adopted a resolution changing the town’s general election date from March to November;

NOW, THEREFORE BE IT RESOLVED, that the [Board / Electors] of _____ Township, _____ County, Minnesota does hereby designate the first Tuesday after the first Monday in November of [Even / Odd]-numbered years as the date of the town general election; and

BE IT FURTHER RESOLVED, that the designation shall take effect for the 20__ town election provided the electors vote to authorize the designation at the next town election; and

BE IT FURTHER RESOLVED, that the following plan shall be used to provide an orderly transition to the November election schedule by lengthening the terms of office:

1. The supervisor position that expires in March of _____ shall be designated “Supervisor position A” and shall be extended so the position is up for election in November of 20__ and the person serving in the position will serve until the first Monday in January of 20__;
2. The supervisor position that expires in March of _____ shall be designated “Supervisor position B” and shall be extended so the position is up for election in November of 20__ and the person serving in the position will serve until the first Monday in January of 20__;
3. The supervisor position that expires in March of _____ shall be designated “Supervisor position C” and shall be extended so the position is up for election in November of 20__ and the person serving in the position will serve until the first Monday in January of 20__;
4. The position of clerk that expires in March of _____ shall be extended so the position is up for election in November of 20__ and the person serving in the position will serve until the first Monday in January of 20__;
5. The position of treasurer that expires in March of _____ shall be extended so the position is up for election in November of 20__ and the person serving in the position will serve until the first Monday in January of 20__; and

APPENDIX A

BE IT FURTHER RESOLVED, that officers elected after the effective date of this resolution and approval of the town electors shall be elected for four-year terms as provided in Minn. Stat. § 367.03, subd. 4; and

BE IT FINALLY RESOLVED, that the clerk is hereby authorized and directed to prepare the ballot question and take such other actions as may be needed to submit the question of adopting the November election date to the electors for a vote at the next town election.

Adopted this _____ day of _____, 20____.

By the _____ Town Board

Attested to by:

Town Board Chair

Town Clerk