

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H..F. 272 **DATE:** March 1, 1999  
**Version:** First Engrossment  
**Authors:** Abrams and others  
**Subject:** State Primary: Name, Date, and Candidate Support  
**Analyst:** Deborah K. McKnight 651-296-5056

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

### Overview

The bill (1) re-names the state partisan primary the "state party nominating election," (2) changes the date from September to the fourth Tuesday in June, (3) requires major party candidates for constitutional offices to receive a minimum show of support at their state convention to get on the ballot, and (4) designates a major party's endorsed candidate for each constitutional office as such on the state party nominating election ballot.

- 1 Method of calculation.** Strikes the current date (June 1 of the general election year) by which the Campaign Finance and Public Disclosure Board (board) must determine the spending limits for chapter 10A candidates who take a public subsidy. Necessary to accommodate the new primary date proposed in section 18.
- 2 Publication of expenditure list.** Requires the board to publish spending limits by March 15 rather than June 15 of the general election year, as in current law.
- 3 Distributing of party accounts.** Amends a provision of chapter 10A to (1) reflect the proposed new name for the state partisan primary: state party nominating election, and (2) change a date reference to reflect the earlier primary date in the bill.
- 4 Estimates of minimum amounts to be received.** Requires the department of revenue to certify to the board amounts in the state elections campaign fund one week before the first day for filing for office. Under current law certification is made before July 1. Requires the board to estimate to candidates the minimum each will receive two weeks after the last day for filing for office. Under current law this estimate is provided by August 15.
- 5 Agreement by candidate.** Lets a candidate submit a spending limit agreement any time that is at least one week before the candidate's state party nominating election. Under current law, the agreement must be filed before September 1.
- 6 Matching requirements.** Requires the affidavit of matching contributions to be filed with the board not later than (1) one week before the state party nominating election to receive the

payment following that election, or (2) by November 1 to receive the payment made after the general election.

**7 Constitutional office.** Defines a constitutional office for the purposes of the elections code to mean the offices of governor, lieutenant governor, secretary of state, state auditor, and attorney general.

**8 Filing for primary; major party candidates for constitutional office.**

**Subd. 1. Notice of offices to be filled.** Requires the secretary of state to notify each major political party at least 20 weeks before the party nominating election, which constitutional offices will be elected at the state general election.

**Subd. 2. Certification of candidates.** By eight weeks before the state primary nominating election, the state chair of each major party must certify names of those who got at least 20 percent of the vote on any ballot at the party convention by party rules. The party also must certify candidates who have party endorsement.

**Subd. 3. Form of certification.** Certification must be prepared by the party chair in the manner provided by the secretary and must include the candidate's name as it would appear on the ballot and the name of the office sought, as well as a statement that the candidate meets the office qualifications.

**Subd. 4. Eligibility of candidates.** Prohibits a party from certifying a candidate who does not meet the constitutional and statutory requirements of the office sought.

**Subd. 5. Filing by petition.** Lets an eligible voter not certified by a major party get on the party nomination ballot for constitutional office by filing an affidavit of candidacy and a petition. Requires signatures in a number equal to at least five percent of the vote for the office at the last state party nominating election, calculated for each congressional district. At least 20 weeks before the state party nominating election, the secretary of state must determine the required minimum number of signatures and the minimum distribution by congressional district.

**Subd. 6. Form of petition.** Specifies the petition contents. Requires it to include an oath for signers that they knew the petition contents and either participated in the party's latest precinct caucus or intend to vote for a majority of the party's candidates at the next general election. Makes it perjury to sign a false oath on a petition. Requires the secretary of state to prepare samples of the petition form.

**Subd. 7. Candidates without party certification or petition.** Such individuals cannot appear on the state party primary nominating ballot for the nomination of a major political party for constitutional office.

**9 Time for signing.** Changes "nominating petition" to "petition" in current law.

**10 Qualifications of signers.** To sign a petition, individuals must be eligible to vote for the candidate.

**11 Candidates in state and county general elections.** Requires affidavits of candidacy and nominating petitions for state, county, and federal offices filed at the general election to be filed between ten and eight weeks before the state party nominating election. Current time periods are stated in terms of an equivalent number of days. Strikes requirement that an affidavit of candidacy be notarized.

Provides that the petition in section 8 may be signed no earlier than 18 weeks before, and must be filed with the secretary of state by eight weeks before, the state party nominating election.

**12 Petitions; acknowledgment; numbering.** Changes "nominating petition" to "petition" in the current law that requires acknowledgment and filing of nominating petitions.

**13 Inspection.** Same terminology change as section 12; amends the section on inspecting petitions

to verify signatures.

- 14 Certification.** Candidates filing petitions under section 8 must be certified to the county auditors by the secretary of state when the secretary certifies candidates for the state party nominating election. Candidates nominated by petition must be certified when the secretary certifies the names of candidates nominated at the primary.
- 15 Petition in place of filing fee.** Makes a petition filed under section 8 effective as a petition in place of filing fee.
- 16 Before primary.** Allows a candidate to withdraw from the primary ballot no later than 5:00 p.m. the day after filings close. Current law allows withdrawal up to three days after filings close.
- 17 Notice of filing.** Requires the secretary of state to notify county auditors of candidates who filed with the secretary and will be voted on in their county not later than 15 weeks before the state party nominating election. Currently that notice is given in June for the September primary.
- 18 State primary nominating election and primary.** Sets the state party nominating election for constitutional officers and the state primary for other offices on the fourth Tuesday in June of even years. Currently the state primary is held the first Tuesday after the second Monday in September.
- 19 State party nominating election ballot; party columns.** Provides the name of the state party nominating ballot. Requires the term "endorsed" on the ballot following the name of a candidate who has major party endorsement. Provides that if only one individual files for the nomination of a major party for an office, that individual will appear on the ballot in that party's column.
- 20 Revisor's instruction.** Directs the revisor to change "state primary" to "state party nominating election and primary" and to change "state partisan primary" to "state party nominating election" throughout the statutes.