



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 their elections are held in November. They argue town candidates will get lost in the long list of positions on the November ballot, and that simply having more voters is not necessarily “better” if they do not know the town candidates and issues.

In 1999, the legislature allowed all towns the choice of whether to move their election to November.¹ Now, it is possible for any town to move its election to November with a vote of the electors. This document provides a general overview of the procedure to move the town’s general election to November.

Before moving elections to November, towns should understand the implications of the change on board members’ terms of office, the need for coordination with county officials, and how to return to March elections if desired.

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 One consequence of this change is that two supervisors will be elected within the same election every four years. For towns that are uncomfortable with the idea 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

PROCESS TO ADOPT NOVEMBER ELECTIONS

1. The process for 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

¹ See Minn. Stat. § 205.075.

² Minn. Stat. § 367.03, subd. 4.

³ See Minn. Stat. 367.03, 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.

- i. The resolution or ordinance must include a plan to shorten or lengthen the terms of office to provide an orderly transition to the November election schedule. It is strongly recommended that the plan 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.
- ii. When developing an election plan, the supervisors' positions should be designated with a letter or number. This enables the clerk to keep the positions separate when more than one supervisor position is on a single ballot. When someone files for a supervisor position, they would indicate which position they are seeking (e.g., Supervisor A position).
- iii. The positions of clerk and treasurer must expire at alternate elections.⁵

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 in order for their vote on the issue to be valid.⁶ The board can help the electors in creating the transition schedule but it is not required to do so. The board should remind the electors that shortening the term of any current board member without his or her consent may be invalid and end up invalidating the electors' vote to move the town election to November. The question to move the election is then submitted to the voters at the next town general election.

2. 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.⁷

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 gen-
 eral election?

3. If the resolution or ordinance is affirmed by a majority of the town electors voting on the question, the town officers are elected for terms of four years. The clerk and treasurer are elected in alternate election years.⁸ Transition to the four year terms must be accomplished as set out in the resolution or ordinance.

Persons elected in November take office on the first Monday in January, after taking the oath of office and filing the oath with the clerk.⁹ 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. If passed, the clerk must adjust the town's election schedule to accommodate a November town general election. Deadlines for November election activities are include in the Association's calendar that is mailed to town clerks in December.

⁵ Minn. Stat. § 367.03, subd. 4.

⁶ If the electors fail to provide a proposed transition schedule, the town board should not place the question on the ballot because the electors' action would not have followed the requirements of the statute. The board, however, may later choose to start the process in recognition of the electors' intent.

⁷ See Minn. Stat. §§ 204B.36, subd. 3; and the sample town question ballot supplied by the Secretary of State's office.

⁸ Minn. Stat. § 367.03, subd. 4.

⁹ 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

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