

The St. Louis County Board does hereby ordain:

**ORDINANCE # 58
PETITIONS**

1 Applicability.

This ordinance only applies to a petition that is required to be filed with the county and could result in an election in the county or a petition that requires the certification of a minimum number of eligible or registered voters. This ordinance does not apply to township related elections or the right of constituents to generally petition the county board for action.

2 Definitions.

2.01 Eligible Voter is an individual who qualifies to be a duly registered voter in any of the districts within the county for which the petition is applicable or more specifically as defined under Minnesota Statutes 201.014 and other laws: Be at least 18 years old, a citizen of the United States, been a resident in Minnesota and the County for at least the last 20 days, not under guardianship, not found by a court of law to be legally incompetent, and not been convicted of treason or a felony without restoration of civil rights.

2.02 Filing Officer is the St. Louis County Auditor

2.03 Registered Voter is an individual duly recorded on the Statewide Voter Registration System operated by the Secretary of State.

2.04 A Qualified Voter is an Eligible Voter as defined above.

2.05 Legal Voter is an Eligible Voter as defined above.

2.06 Voter(s) in last ... election is/are voter(s) who actually voted in the last specified election.

3 General form requirements.

Petitions must be prepared in accordance with items 3.01 through 3.10

3.01 A petition must be on paper no larger than 8-1/2 inches wide and 11 inches long. The signer's oath and the signature lines must be on the same side of the paper.

3.02 The language on the petition must be printed in a font no smaller than 8-point type.

3.03 Each petition page must have a short title describing the purpose of the

petition.

- 3.04 Each petition page must have a statement summarizing the purpose of the petition.
- 3.05 If the purpose of the petition is to put a question on the ballot, each petition page must have a statement of 75 words or less summarizing the ballot question.
- 3.06 Each petition page must have a signer's oath in 12-point bold type near the top of the page and prior to the signature lines. If the form of the signer's oath is not specified by statute, the following oath must be used: "I swear (or affirm) that I know the contents and purpose of this petition and that I signed this petition only once and of my own free will."
- 3.07 Each petition page must include the following statement immediately above the signature lines: "All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so."
- 3.08 Each petition page must have no more than 20 signature lines. The signature lines must be consecutively numbered. Each signature line must have space for the date of signature; a signature; and each signatory's month and year of birth; printed full name and address.
- 3.09 Each petition page must include the following statement: "All information on this petition is subject to public inspection."
- 3.10 Each petition page at its bottom must include the following oath signed by the a person circulating the petition: "I swear that I personally witnessed the above named individuals complete and sign this petition and have reason to believe that each such person was qualified to sign this petition."
- 3.11 Petition originators should also have a separate page of instructions available for signers to read that outline the specific eligibility requirements under law for signing the particular petition or may include the same information on the petition itself. Such separate page may contain other information without restriction.

4 CIRCULATING PETITIONS.

- 4.01 Petitioners may circulate photocopies of the sample petition page.
- 4.02 Each petition entry must be signed and completed in the presence of a person circulating the petition.
- 4.03 On each page of the petition the oath described in section 3.10 must be

signed by the person circulating the petition.

5 **SIGNING PETITIONS.**

5.01 **Required information.** The person signing the petition shall complete the signature, date, printed name, month and year of birth, and residence address lines on the petition.

5.02 **Signing by disabled person.** A person physically unable to complete the petition may receive assistance from another person other than the person circulating the petition.

5.03 **Signing only once.** A person may sign a petition only once.

6 **FILING PETITIONS.**

6.01 **Filing procedures.** The person filing the petition shall submit the entire petition at one time to the filing officer. The petitioners may submit the petition by mail, messenger, or similar delivery service. Filing of a petition is effective upon receipt by the filing officer. Petition pages must not be altered by anyone except the filing officer for verification purposes after the petition has been filed.

6.02 **Receipt.** The filing officer shall provide the person filing the petition with a receipt for the petition. The receipt must include the type of petition filed; the name, address, and telephone number of the person submitting the petition; the date on which the petition was filed; and the total number of pages in the petition submitted.

7 **VERIFYING PETITIONS.**

7.01 For petitions where a type of eligible voters' signatures are required the filing officer shall use the procedures described in 7.04 to verify the petition. For petitions requiring a type of registered voters' signatures the filing officer shall use the procedures described in 7.05 to verify the petition. In either case on any petition requiring more than 500 signatures the filing officer may utilize a sampling method described in 7.06 to determine the number of valid signatures.

7.02 The filing officer shall initially determine if the petition has been filed timely. If not the petition shall be rejected. The filing officer shall then determine if the petition is in compliance with the format described under 3.01 to 3.10 and that the appropriate oaths and affirmations have been executed. If not the petition or those pages not in compliance shall be rejected.

7.03 Initially, the filing officer shall then count the number of signatures on each

page and write the total at the bottom left corner of each page. After all individual pages are totaled the filing officer shall then tabulate a total for the petition as a whole. If the number of signatures is less than required, the petition shall be deemed insufficient and that information conveyed to the petitioner and county board. If the initial count indicates that there may be sufficient signatures the filing officer shall then proceed in further verification as described below.

- 7.04 To verify eligible voters the filing officer shall determine for each signature line inspected that the required information is complete and from the information provided thereon whether the person is of age 18 or more and a resident in the districts of the county for which the petition is applicable. The filing officer shall indicate upon the petition line ineligible signatures and at the bottom of the page enter a corrected count of valid signatures.
- 7.05 To verify registered voters the filing officer shall determine for each signature line inspected that the required information is complete and from the information provided thereon whether the person was a registered voter upon the Statewide Voter Registration system operated by the Secretary of State at the time of the signing of the petition and a resident in the districts of the county for which the petition is applicable. The filing officer shall indicate upon the petition line ineligible signatures and at the bottom of the page enter a corrected count of valid signatures.
- 7.06 For any petition requiring 500 or more valid signatures the Filing officer may use the random sampling technique described below to verify that the persons signing the petition are eligible voters or registered voters as the case may be. The sample size shall be 15% of the required number of valid signatures, but not less than 500 nor more than 2000. The process shall be completed as follows:
 - 7.06.01 The Filing officer shall consecutively number each valid petition page. If the petition does not contain a line number for each signature line (and the Filing officer waives that requirement), the Filing officer shall consecutively number each line on each page starting with 1 on each page and progressing through the last signature on the page.
 - 7.06.02 The Filing officer then shall through a computerized algorithm generate a set of random number pairs where the first shall indicated the page number and the second the line number.
 - 7.06.03 Using number pairs generated in 7.06.02 to pick the signatures for validation the Filing officer shall verify the signatures as under 7.04 or 7.05 whichever is applicable. If a

given number pair points to a blank line the next name in sequence shall be used for the sample.

- 7.06.04 The Filing officer shall determine what percentage of the signatories in the sample are eligible signatures then multiply the total number of petition signatories by the percentage of signatories determined to be eligible voters in the sample to determine how many of the signatories on the petition are deemed to be eligible or registered voters as the case may be.
- 7.07 If through any of the methods described in 7.04 to 7.06 the number of required valid signatures is less than 100 per cent of those required and the time for filing a petition has expired, the Filing officer shall dismiss the petition and so notify the County Board and the petitioner.
- 7.08 If through any of the methods described in 7.04 to 7.06 the number of required valid signatures is less than 100 per cent of those required and the time for filing a petition has not expired, the Filing officer shall notify the petitioner by first class mail of the following: that the petition did not contain sufficient valid signatures, the number additional valid signatures required, that the time for filing additional signatures has not expired, and when the time for filing additional signatures expires. Upon receipt of additional signatures the Filing officer shall via procedures previously outlined in 7.04 to 7.06 verify them and ascertain if in total the required number of valid signatures were submitted.
- 7.09 If the petitioners do not timely file with the Filing officer a sufficient number of additional valid signatures the Filing officer shall dismiss the petition and so notify the county board and the petitioner.
- 7.10 The Filing officer shall attempt to complete the verification process as quickly as possible but shall complete the task within 10 working days of the end of the filing period.
- 7.11 Upon the completion of the verification of signatures the filing officer shall file with the County Board a report on the petition and certify whether the petition contained a sufficient or insufficient number of valid signatures.
- 8 Sample Petition - A sample petition appears on the next page.

RIVER CREEK PARK DISTRICT PETITION

We the undersigned qualified voters in the district described below hereby request the St. Louis County Board to hold a referendum to establish a County Park under Minnesota Statutes 398 within the entire territory of Congressional Townships 72-20, 73-20, and sections 1 through 6 of Township 71-20 contained within the City of Pineville.

"I swear (or affirm) that I know the contents and purpose of this petition and that I signed this petition only once and of my own free will."

All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so.

	Date	Printed full Name	Mo/Yr Birth	Full Residence Address	Signature
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Oath of Person Circulating this petition: I swear that I personally witnessed the above named individuals complete and sign this petition and have reason to believe that each such person was qualified to sign this petition.

Signature

Date

All information on this petition is subject to public inspection.

EFFECTUATION

This ordinance shall take effect and be in full force on the 1st day of November, 2003, upon its adoption by the St. Louis County Board of Commissioners, and shall be published in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

A Public Hearing regarding this issue was held on October 28, 2003, by the St. Louis County Board.

Commissioner Forsman moved the adoption of this Ordinance, and Commissioner Sweeney duly seconded the motion, and it was adopted on the following vote:

Yeas - Commissioners Fay, Kron, Forsman, Sweeney, Nelson, Raukar, and Chair Fink - 7

Nays - None

Absent - None

Dennis Fink
Chair of the County Board

Certified as a complete and accurate copy
of Ordinance No. 58

Gordon D. McFaul
County Auditor

Attest: _____
Paul L. Tynjala
Clerk of the County Board