

2008 Guide: Running for Office as a Minor Party or Independent Candidate

This guide provides information on qualifications to hold office, the candidate filing procedure for minor and independent candidates, and important deadlines in the 2008 election year.



**Office of the
Secretary of State
State of Minnesota**

www.sos.state.mn.us

Minor Party and Independent Candidates

Unlike candidates affiliated with a major party such as the Democratic-Farmer-Labor, Independence, and Republican parties, independent and minor party candidates for partisan office are nominated by submitting a petition when filing for office. While major party candidates must first win in a state primary election before their name is placed on the general election ballot, independent and minor party candidates are placed directly on the general election ballot upon filing their petition.

Qualifications for Partisan Offices Elected in 2008:

President and Vice President: Candidate must be a natural born citizen, at least 35-years-old and a resident of the United States for 14 years. Candidates for president and vice president must be residents of different states.

U.S. Senator: Candidate must be living in Minnesota when elected, at least 30-years-old, and a U.S. citizen for at least nine years on January 3, 2009.

U.S. Representative: Candidate must be living in Minnesota when elected, at least 25-years-old, and a U.S. citizen for at least seven years on January 3, 2009.

State Representative: Candidate must be eligible to vote in Minnesota, have not filed more than once for the upcoming primary or general election, at least 21-years-old upon taking office, a resident of Minnesota for at least one year, and of the legislative district for at least six months as of November 4, 2008.

Filing for Office:

Candidates may file for offices other than president and vice president by:

1. Collecting signatures on a nominating petition during the filing period beginning July 1, 2008 and ending July 15, 2008 at 5:00 p.m.: and
2. Filing an affidavit of candidacy and the nominating petition along with a filing fee (or a petition in place of the filing fee) with the filing officer during the filing period.

If a candidate will be out-of-state during the entire filing period, the candidate may submit the affidavit of candidacy, nominating petition, and filing fee or the petition in place of filing fee (if being used) during the seven days before their absence. If a candidate will be absent, the nominating petition may be signed during the 14 days immediately preceding the date on which the affidavit of candidacy is filed.

Filing an Independent or Minor Party Candidacy for President and Vice President:

Presidential and vice presidential candidates gather nominating petition signatures beginning July 1, 2007 and ending September 9, 2008. Nominating petitions circulated by candidates must include the name of the presidential and vice presidential candidates, their electors, and a statement of political party or political principal. A petition nominates a slate of up to 10 presidential electors.

Filing Location:

Candidates for federal and state offices seeking votes in more than one county (multi-county districts) must file with the Office of the Minnesota Secretary of State at the following:

Office of the Minnesota Secretary of State
Elections Division
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Candidates for state office seeking votes in only one county (single-county districts) must file with the county auditor.

Nominating Petition Guidelines:

A nominating petition may not contain more than one candidate name unless it is for the joint nomination of candidates such as governor and lieutenant governor or the nomination of a slate of presidential electors. The petition form must comply with the following guidelines:

- Each page must state the candidate's name.
- Each page must state the candidate's residence address.
- Each page must state the office the candidate seeks in the election.
- Each page must state the candidate's political party or political principal expressed in no more than three words. No part of a major party's name may be used as a minor or independent candidate's political party or political principal. In addition, the term "nonpartisan" cannot be used as the name of the political party or a statement of political principal. However, the term "independent" may be used to designate a political party or political principal.
- Each page must state the following oath in 12-point text: "I solemnly swear (or affirm) that I know the contents and purpose of this petition, that I do not intend to vote at the primary for the office for which this nominating petition is made, and that I signed this petition of my own free will."
- The oath must appear above the signature lines on each page.
- The petition must be prepared on paper no larger than 8.5 inches wide and 14 inches long.
- The signer's oath and signature lines must be on the same side of the paper.
- The petition text must be printed as large as possible and no smaller than 8-point text.
- Each page must have a short title describing the purpose of the petition and a statement summarizing the purpose of the petition.
- Each page must include the following two statements: "All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so." "All information on this petition is subject to public inspection."
- Each page must have no more than 20 consecutively numbered signature lines with space provided for signature; date of signature; signer's year of birth; printed first, middle, and last name; and residence address, municipality, and county.

Nominating Petition Signatures:

The number of signatures required for a nominating petition is as follows:

- President and Vice President: 2000
- U.S. Senator: 2000
- U.S. Representative: 1000
- State Legislator: 500

Nominating petitions may be signed only by individuals eligible to vote for the candidate being nominated. In addition, no individual is allowed to sign more than one nominating petition for candidates running for the same office.

Signers to petitions are required to provide the following:

- signature
- date
- name
- year of birth
- residence address including street and number, if any, and mailing address if different from residence address

Petition signers must write out their whole printed name and signature. Ditto marks are not allowed for these items. It is acceptable to use ditto marks for the date, year of birth and residence address as long as it is clear as to what information the marks are referring.

Affidavits of Candidacy:

On an affidavit of candidacy, candidates state that they meet the qualifications for the office for which they are filing and that the name listed is their true name by which they are commonly known in the community. Candidates for president and vice president are the only candidates not required to file an affidavit of candidacy when filing for office.

Affidavits of candidacy for federal and state offices may be completed starting 60 days before the filing period and during the filing period. Affidavits must be signed in the presence of a notary or an individual authorized to administer oaths. Secretary of State and county auditor staff, if delegated, may witness affidavits of candidacy.

Filing Fee:

Candidates have the option of either paying a fee when filing an affidavit of candidacy or filing a petition in place of the filing fee with their affidavit. The number of signatures required on the petition in place of paying the filing fee is the same number required for the office on the nominating petition. Sample petition forms are available from the filing officer. The nominating petition may also be used as a petition in place of filing fee provided it states that it is being used for both purposes. Candidates opting to pay the filing fee must submit the following:

Amounts:

- U.S. Senator: \$400
- U.S. Representative: \$300
- State Representative: \$100

Write-in Candidates

Independent candidates for state and federal office who choose to run a write-in campaign instead of filing an affidavit of candidacy and nominating petition must file a written request if they want to have their write-in votes tallied. Written requests must be submitted to the filing office no later than the fifth day before the general election.

Campaign Expenditure Reporting:

Information about required financial reporting is available from the following:

Financial reports related to federal offices must be filed with the Federal Election Commission (FEC). Candidates for federal office whose reports are published on the FEC Web site are not required to file with the Office of the Minnesota Secretary of State. The FEC may be contacted as follows:

Federal Elections Commission
999 E Street NW
Washington, DC 20463
1-800-424-9530
www.fec.gov

Financial reports related to state offices must be filed with the Minnesota Campaign Finance and Public Disclosure Board (Minnesota Statute 10A). The Board may be contacted as follows:

Minnesota Campaign Finance and Public Disclosure Board
190 Centennial Office Building
St Paul, MN 55155
(651) 296-5148
www.cfboard.state.mn.us