



OFFICE OF THE CITY AUDITOR  
POLICY AND RESEARCH DIVISION

Resident Ballot Measures

PRESENTED TO THE MINNEAPOLIS CITY COUNCIL COMMITTEE OF THE WHOLE  
FEBRUARY 20<sup>th</sup>, 2024

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## Introduction

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At the February 6<sup>th</sup>, 2024, meeting of the Minneapolis City Council's Committee of the Whole, councilmembers directed the City Auditor's Policy and Research Division to<sup>1</sup>:

1. Conduct an analysis of municipal policies, both statewide and nationally, related to the use of resident ballot initiatives.
  - a. This should include Minnesota cities like Duluth, Saint Paul, and can include other similar sized localities with a strong mayor system.
2. Based on this analysis of other jurisdictions utilizing resident ballot initiatives, provide an overview of:
  - a. any trends or best practices related to signature requirements,
  - b. certification and timelines for legislative response,
  - c. potential barriers to implementation,
  - d. and any additional factors for consideration.

The requested analyses, data, and findings shall be reported to City Council by February 20, 2024, through the appropriate standing committees, upon completion and any supporting materials will be made available through the City's website.

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The brevity of this timeline, due in part to the time necessary to explore any potential charter impact or change, required this analysis to focus on a narrower scope consisting of comparable Minnesota charter cities. This decision was made based on the consideration that these locations operate under similar state rules and regulations, which simplifies any attempt at direct comparison, as opposed to other national examples that may not be bound by similar requirements. Additionally, a review of Minnesota's most populous cities gives several varying examples of ballot measures that use range of requirements and timelines.

If an expanded scope of analysis on this matter is determined to be necessary, Policy and Research will continue to make itself available to the Council in support of this matter.

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<sup>1</sup> [Resident Ballot Initiatives Staff Direction \(minneapolismn.gov\)](https://www.minneapolismn.gov)

## Overview of Ballot Measures

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Ballot measures in the United States cover a range of topics and purpose that provide avenues for people to engage in various forms of direct democracy. Ballot measures include actions at the state or local levels and cover subject matter that includes charter change, ballot initiatives, citizen referendums, recall measures, and many other questions related to the governance policies or operations of a legislative body.

While this request uses language specific to “ballot initiatives”, this analysis was expanded to include an overview of ballot initiatives and referendums. The National Conference of State Legislatures describes these two items as follows<sup>2</sup>:

*“The citizen initiative process enables citizens to bypass their state legislature by placing proposed statutes and, in some states, constitutional amendments on the ballot. Twenty-four states have citizen initiative processes.*

*The popular referendum process allows voters to approve or repeal an act of the legislature. Twenty-three states have popular referendum processes.”*

While these definitions are based on these items being utilized at the state level, their purpose when employed at the municipal level provides a very similar scope of focus and intent.

At the municipal level, resident ballot initiatives can be viewed as a “front-end” process intended as a mechanism to bring forward proposed charter or ordinance changes to be considered by elected officials or placed on the ballot for resident voting. Resident referendums serve a similar function but occur on the “back-end” of the legislative process after city officials bring forward a new, or changed, ordinance.

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<sup>2</sup> [Initiative and Referendum Processes \(ncsl.org\)](https://www.ncsl.org/initiative-referendum-processes)

## Municipal Ballot Measures in Minnesota Overview

	St. Paul	Rochester	Bloomington	Brooklyn Park	Duluth	
<b>Charter City</b>	Yes	Yes	Yes	Yes	Yes	
<b>Gov't Structure</b>	Mayor-Council	Mayor-Council	Council-Manager	Council-Manager	Mayor-Council	
<b>City Council</b>	7	7	7	7	9	
<b>Resident Ballot Petition</b>	Yes	No	Yes	Yes	Yes (two paths below)	
<b>% Vote</b>	8% of those who voted for the office of mayor in the last preceding city election in the case of initiative or referendum	N/A	10% of the total number of votes cast at the last preceding regular municipal election.	15% of registered voters in last gubernatorial vote	If 10%, but not 20%, percent of the total ballots cast at the last preceding general municipal election at which members of the council were elected.	If 20% of the total ballots cast at the last preceding general municipal election
<b>Council Action</b>	60	N/A	65 Days	60 Days	20	20
<b>Council Fails to Adopt</b>	Placed on the ballot at the next general election in the city which occurs on or after the 120th day from the filing of the petition with the city clerk.	N/A	If 10% Signatures: Vote at next municipal election If 15% or more, special election on next uniform election date at least 75 days after final council action	Special Election 30-45 Days from Council final action. (Or regular election within 3 months)	Within 25 days, submitted to a vote of the people at the next general municipal election occurring at any time after	Within 25 days, call special election between 40 and 50 days.

	St. Paul	Rochester	Bloomington	Brooklyn Park	Duluth
<b>Resident Ballot Referendum</b>	Yes	No	Yes	Yes	Yes
<b>Time to Act from Publication Date</b>	45	N/A			
<b>% Vote</b>	8% of those who voted for the office of mayor in the last preceding city election in the case of initiative or referendum.	N/A	15% of the total number of votes cast at the last preceding regular municipal election.	15% of registered voters in last gubernatorial vote	10% of the total ballots cast at the last preceding general municipal election protesting the passage of such ordinance.
<b>How Long Council Has to Act</b>	60 Days	N/A	The ordinance is suspended and the council must reconsider the ordinance at the next regular meeting after published notice of the reconsideration.  Must order an election to be held at the next uniform election date established in Minnesota Statutes that is at least 75 calendar days from the date of council reaffirmation of the ordinance.	60 Days	20 Days

<b>Council Does Not Repeal</b>	Shall be placed on the ballot at the next election, or at a special election called for that purpose, as the council shall determine.	N/A	If 10% Signatures: Vote at next municipal election If 15% or more, special election on next uniform election date at least 75 days after final council action	Special Election 30-45 Days from Council final action. (Or regular election within 3 months)	The council shall submit the ordinance, as provided in Section 51 of this Charter, to a vote of the electors of the city, either at the next general municipal election, or at a special election called for that purpose.
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## Municipal Ballot Measures in Minnesota Profiles

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### Saint Paul, MN

#### Sec. 8.02. - Petition.

##### **Ballot Initiatives**

- **Signature Requirement:** 8% of Registered Voters
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 8% is based on the total number of those voting for mayor in most recent election.
- **City Clerk Review Process:**
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 20 days
- **Legislative Response:** 60 Days to Act / 120+ Days if Placed on Ballot
  - The council has 60 days following the petition being filed with the city clerk to approve/enact the ordinance without change.
  - If the petition is not approved by council, it is placed on the ballot of the next general election occurring on or after 120 days from the initial filing date.

##### **Ballot Referendum**

- **Time to Act Following Publication:** 45 Days
- **Signature Requirement:** 8% of Registered Voters
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 8% is based on the total number of those voting for the office of mayor in the most recent city election.
- **City Clerk Review Process:**
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 20 days
- **Legislative Response:** Immediate suspension of ordinance\*
  - \*Emergency ordinances are still in effect and placed on ballot for general, or special, election.
  - Ordinance is placed on the ballot of the next elections (no 120-day requirement), or a special election can be called for that purpose.



## Duluth, MN

### City of Duluth Elections Charter

#### **Ballot Initiatives**

- **Signature Requirement:** 10% / 20%
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 10%, and 20%, is based on the total number of ballots cast in the preceding general municipal election.
- **City Clerk Review Process:** 10 Days
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 10 days, or if not sufficient the petition can be amendment in subsequent 10 days and resubmitted for an additional 10-day review period.
- **Legislative Response:** 20 Days to Act / 25 Days to Place on Ballot\*
  - The council has 20 days, following the petition being certified by the city clerk, to pass an unaltered ordinance
  - If council does not approve the petition,
    - BUT received met the 20% signature requirement, it is placed on the ballot within 25 days of certification for an election occurring between 40 and 50 days from the item being placed on the ballot.
    - BUT met the 10% signature requirement while not reaching 20%, the item shall be placed on the ballot for the subsequent municipal election

#### **Ballot Referendum**

- **Time to Act Following Publication:** 30 Days
- **Signature Requirement:** 10% / 20%
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 10% is based on the total number of ballots cast in the preceding general municipal election.
- **City Clerk Review Process:** 10 Days
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 10 days, or if not sufficient the petition can be amended over a supplemental 10 day window and

resubmitted for a final 10 day review period.

- **Legislative Response: 20 Days to Act / 25 Days to Place on Ballot\***
  - The council has 20 days, following the petition being certified by the city clerk, to pass an unaltered ordinance
  - If the petition is not approved by council,
    - BUT received met the 20% signature requirement, it is placed on the ballot within 25 days of certification for an election occurring between 40 and 50 days from the item being placed on the ballot.
    - BUT met the 10% signature requirement while not reaching 20%, the item shall be placed on the ballot for the subsequent municipal election

## **Bloomington, MN**

### **[City Charter Chapter 5 – Initiative, Referendum, and Recall](#)**

#### **Ballot Initiatives**

- **Signature Requirement: 10%**
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 10% is based on total votes cast at the preceding municipal election.
- **City Clerk Review Process: 10 Days**
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 10 days, or if not sufficient the petition can be amendment in subsequent 10 days and resubmitted for an added 10-day review period.
- **Legislative Response:** Next Regular Meeting after published notice of reconsideration
  - If the petition is not approved by council, an election shall be ordered on next uniform election date established by MN Statute at least 75 days from Council reaffirmation of ordinance.

#### **Ballot Referendum**

- **Time to Act Following Publication: 15 Days**
- **Signature Requirement: 15%**
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 10% is based on total number of ballots cast in the preceding general municipal election.

- **City Clerk Review Process: 10 Days**
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 10 days, or if not sufficient the petition can be amendment in subsequent 10 days and resubmitted for an additional 10-day review period.
- **Legislative Response: 20 Days to Act / 25 Days to Place on Ballot\***
  - The council has 20 days, following the petition being certified by the city clerk, to pass an unaltered ordinance
  - If the petition is not approved by council,
    - BUT received met the 20% signature requirement, it is placed on the ballot within 25 days of certification for an election occurring between 40 and 50 days from the item being placed on the ballot.
    - BUT met the 10% signature requirement while not reaching 20%, the item shall be placed on the ballot for the subsequent municipal election

## Brooklyn Park, MN

### City Charter Chapter 6 Initiative and Referendum

#### **Ballot Initiatives**

- **Signature Requirement: 15%**
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 15% is determined based on the total number of votes cast in the prior gubernatorial election
- **City Clerk Review Process: 10 Days**
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 10 days, or if not sufficient the petition can be amendment in subsequent 30 days
- **Legislative Response: 60 days**
  - If the petition is not approved by council, an election shall be ordered on next uniform election date established by MN Statute at least 75 days from Council reaffirmation of ordinance.
  - If petition is not approved, or an approved amended version is accepted by petitioners, a special election shall be held between 30 and 45 days from the

date of final council action -OR- a regular election occurring within 3 months from the date of submission to council by the city clerk.

### **Ballot Referendum**

- **Time to Act Following Publication:** 15 Days
- **Signature Requirement:** 15%
- **Signature Percentage Calculation:** “Total” population to determine what constitutes 15% is determined based on the previous number of votes cast in the prior gubernatorial election
- **City Clerk Review Process:** 10 Days
  - Initiative is filed with city clerk
  - City clerk reviews petition and reports to council within 10 days, or if not sufficient the petition can be amendment in subsequent 30 days
- **Legislative Response:** 60 days
  - If the petition is not approved by council, an election shall be ordered on next uniform election date established by MN Statute at least 75 days from Council reaffirmation of ordinance.
  - If petition is not approved, or an approved amended version is accepted by petitioners, a special election shall be held between 30 and 45 days from the date of final council action -OR- a regular election occurring within 3 months from the date of submission to council by the city clerk.

### **Conclusion**

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A review of five (5) of Minnesota’s most populous cities shows that a majority have adopted some form of resident ballot measures, in addition to charter amendment/revision processes. However, the mechanisms used by each locality vary in scope of signature requirements (8% to 20%), timeline for action once a petition is certified by the city clerk (20 to 65 days), and timelines for items to be brought forward on a ballot for an election (30 to 120+ days).

The existence of existing policies in comparable state municipalities shows there are not immediate barriers to the adoption on ballot measures but the range of requires suggests that it is an issue that requires a process tailored to a locality and population.

