

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **BALLOT INITIATIVES - MINNESOTA**

### **Butler v. City of Saint Paul**

**Supreme Court of Minnesota - December 18, 2019 - N.W.2d - 2019 WL 6884527**

Citizen filed petition claiming that city election officials erred in refusing to put his petition to amend the city's charter before voters.

The District Court granted summary judgment for election officials. Citizen appealed. The Court of Appeals affirmed. Citizen appealed.

The Supreme Court held that:

- Election officials did not err in looking to statewide voter registration system to determine whether citizen collected signatures from the required number of voters and in rejecting signatures of those who were registered to vote at an address outside of city, and
- Citizen failed to carry his burden of demonstrating that city election officials committed an error, omission, or wrongful act in refusing to put his petition on ballot.

City election officials did not err in looking to statewide voter registration system (SVRS) to determine whether citizen collected signatures from the required number of voters to put petition to amend the city's charter on ballot, and in rejecting signatures of those who were registered to vote at an address outside of city; state law provided that only registered voters were eligible to sign a charter-amendment petition, SVRS was the official record of registered voters in the state, and a voter's registration to vote was tied to voter's current residence.

Citizen failed to carry his burden of demonstrating that city election officials committed an error, omission, or wrongful act in refusing to put his petition to amend city's charter on ballot because he failed to obtain a sufficient number of signatures from registered voters in city on his petition, where city diligently compared each signature on petition to state's official record of registered voters, city reviewed petition four more times to re-examine rejected signatures and still found that it fell 74 signatures short of the minimum statutory requirement, and citizen produced no evidence to demonstrate that any of those 74 signatures were wrongly rejected by the city because those individuals were residents of city.