

1 Secretary of State

2

3 Adopted Permanent Rules Relating to Election Changes

4

5 Rules as Adopted

6 8210.0300 BALLOT ENVELOPE.

7 The ballot envelope shall be printed in the following  
8 manner.

9 The envelope shall be tan in color with black ink. The  
10 envelope shall be of a size to fit inside the absentee ballot  
11 return envelope. The words "Ballot Envelope" shall be printed  
12 on the front of the envelope.

13 8210.0500 INSTRUCTIONS TO ABSENT VOTER.

14 Instructions to absent voter shall be enclosed with the  
15 absentee ballot materials mailed or delivered to the absent  
16 voter. The instructions shall be in the form in parts 8210.9920  
17 and 8210.9925.

18 8210.0600 STATEMENT OF ABSENTEE VOTER.

19 Subpart 1. **Form.** Except as provided in subpart 4, the  
20 statement of absentee voter for persons voting under Minnesota  
21 Statutes, sections 203B.04 to 203B.15 must be printed in the  
22 form shown in part 8210.9930.

23 Subp. 2. **First two lines.** The county auditor or municipal  
24 clerk may complete the first two lines of a statement of  
25 absentee voter before mailing it to the absent voter by printing  
26 the name and address of the absent voter or by attaching a  
27 mailing label.

28 Subp. 3. **Printing specifications.** The statement shall be  
29 printed on the right-hand three-fourths of the back of the  
30 absentee ballot return envelope. The words "STATEMENT OF  
31 ABSENTEE VOTER" shall be printed in no smaller than 12-point  
32 bold type in capital letters. The remainder of the statement  
33 shall be printed in no smaller than 11-point medium type.

34 Subp. 4. **Alternative statement.** As an alternative, a

1 county auditor may print two different versions of the  
 2 statement. One version must be provided to absentee voters not  
 3 previously registered to vote and must be printed as prescribed  
 4 in subpart 1. An alternate version may be printed in the form  
 5 shown in part 8210.9935 and must be provided only to absentee  
 6 voters who are registered to vote at the time of application.  
 7 The statement must be printed to the specifications of subpart 3.

8 8210.0700 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY  
 9 MINNESOTA STATUTES, SECTIONS 203B.04 TO 203B.15.

10 [For text of subpart 1, see M.R.]

11 Subp. 2. **Printing specifications.** The absentee ballot  
 12 return envelope must be printed according to the following  
 13 specifications:

14 [For text of items A and B, see M.R.]

15 C. The words and numbers printed on the left-hand end  
 16 of the envelope must be in no smaller than 12-point bold type.

17 D. The words "ABSENTEE BALLOT RETURN ENVELOPE"  
 18 printed across the face of the envelope must be in no smaller  
 19 than 18-point bold type in capital letters.

20 [For text of items E and F, see M.R.]

21 [For text of subps 3 to 8, see M.R.]

22 MAIL BALLOTS

23 8210.3000 MAIL BALLOTING.

24 Subpart 1. **Scope.** This part applies to mail balloting  
 25 conducted under Minnesota Statutes, sections 204B.45 and  
 26 204B.46. Except as otherwise provided in this part, parts  
 27 8210.0200 to 8210.2500 also apply to mail balloting. In  
 28 unorganized territory, the county auditor shall perform the  
 29 duties specified for the municipal clerk.

30 Subp. 2. **Authorization.** The municipal governing body,  
 31 school board, or county board may authorize mail balloting by  
 32 resolution adopted no later than 60 days prior to the first  
 33 election at which mail balloting will be used. If mail  
 34 balloting is adopted pursuant to Minnesota Statutes, section  
 35 204B.45, the resolution remains in effect for all subsequent

1 state and county elections until revoked. Revocation of the  
2 resolution may occur no later than 45 days before the next  
3 affected election. Authorization to conduct a special election  
4 pursuant to Minnesota Statutes, section 204B.46, expires after  
5 completion of the election.

6 Subp. 3. **Notice.** The municipal clerk or school district  
7 clerk shall notify the county auditor and the secretary of state  
8 of the adoption or discontinuance of mail balloting no later  
9 than two weeks after adoption or revocation of the resolution.  
10 The county auditor shall send a similar notice to the secretary  
11 of state for elections authorized pursuant to Minnesota  
12 Statutes, section 204B.45. The county auditor, municipal clerk,  
13 or school district clerk shall post notice of mail ballot  
14 procedures at least six weeks before each election. Notice of  
15 mail ballot procedures must include:

16 A. the name or description of the municipality or  
17 unorganized territory;

18 B. the date of the election and the dates that  
19 ballots will be mailed;

20 C. a statement that each voter registered by the 21st  
21 day before the election will be mailed a ballot;

22 D. the times, places, and manner in which voted  
23 ballots can be returned;

24 E. an explanation of how an eligible voter who is not  
25 registered may apply for a ballot and how a registered voter who  
26 will be absent from the precinct may apply to receive the ballot  
27 at a temporary address;

28 F. the place and time for counting of ballots; and

29 G. the name and address or telephone number of the  
30 official or office where additional information can be obtained.

31 Before the first election at which mail balloting will be  
32 used or discontinued, notice must also be given by one or more  
33 of the following means: publication in a newspaper of general  
34 circulation, posting of notice at public locations within each  
35 precinct, dissemination of information through the media or at  
36 public meetings, or mailed notice to registered voters.

1 Subp. 4. **Mailing ballots.** The county auditor, municipal  
2 clerk, or school district clerk shall mail ballots to the voters  
3 registered in the municipality or unorganized territory. A  
4 ballot mailing must be sent to each voter whose name is included  
5 in the registration file on the 21st day before the election,  
6 except that no ballot may be mailed to a challenged voter.

7 Ballots must be sent by nonforwardable mail. Ballots for  
8 eligible voters who reside in health care facilities may be  
9 delivered as provided in Minnesota Statutes, section 203B.11.  
10 The ballot mailing must be addressed to the voter at the voter's  
11 residence address as shown on the registration file unless the  
12 voter requests, in writing, that the ballot be mailed to the  
13 voter at a different address.

14 A return envelope, a ballot secrecy envelope, and  
15 instructions for marking and returning mail ballots must be  
16 included with the ballots. At the request of the secretary of  
17 state, a survey card that the voter can return to the secretary  
18 of state must also be included. The ballot return envelope must  
19 be printed with the mail voter's certificate. The ballot return  
20 envelope must be addressed for return to the county auditor as  
21 specified in part 8210.0700, subpart 4. First class postage  
22 must be affixed to the return envelope.

23 [For text of subps 5 to 11, see M.R.]

24 Subp. 12. **Costs.** The governing body authorizing mail  
25 balloting shall pay the costs of the mailing. Costs of mailing  
26 include postage costs and the costs of printing required  
27 envelopes, instructions, affidavits, and mailing labels. Other  
28 expenses must be paid as provided in Minnesota Statutes, section  
29 204B.32.

30 8210.3010 INSTRUCTIONS TO MAIL VOTERS, REQUIRED IN PART  
31 8210.3000, SUBPART 4.

32 INSTRUCTIONS TO MAIL BALLOT VOTERS

33 Follow these instructions carefully.

34 Before you vote you must have a witness.

35 Step 1. Locate one of the following people to serve as

1 your witness:

2 a. an eligible voter who lives in your county;

3 b. a notary public; or

4 c. any person having authority to administer an oath, such  
5 as a judge.

6 Step 2. Show your witness the unmarked ballots.

7 Step 3. Mark the ballots in secrecy. If you are disabled  
8 or otherwise unable to mark the ballots, you may ask your  
9 witness to assist you.

10 Step 4. Fold each ballot so that your votes cannot be  
11 seen. Do not put any identifying marks on the ballot.

12 Step 5. Place all voted ballots in the tan colored Ballot  
13 Secrecy Envelope and seal the envelope. Do not write on this  
14 envelope.

15 Step 6. Place the tan colored Ballot Secrecy Envelope into  
16 the white Ballot Return Envelope and seal the envelope. An  
17 unsealed envelope will not be accepted.

18 Step 7. Print your name and address and sign your name on  
19 the back of the white Ballot Return Envelope. The name,  
20 address, and signature of your witness is required as well.

21 Step 8. The Ballot Return Envelope may be mailed or  
22 delivered in person to the county auditor's office.

23 You may mark and return your ballot at any time before election  
24 day. Be sure to mail back the ballot in time to be delivered by  
25 election day or return the ballot in person to the auditor's  
26 office no later than 8:00 p.m. on election day.

27 8210.9920 INSTRUCTIONS TO ABSENTEE VOTERS, SPECIFIED BY PART  
28 8210.0500.

29 INSTRUCTIONS TO ABSENTEE VOTERS

30 Follow these instructions carefully.

31 Before you vote by absentee ballot you must have a witness.

32 Step 1. Locate one of the following people to serve as  
33 your witness:

34 a. an eligible voter who lives in your county;

35 b. a notary public; or

- 1 c. any person having authority to administer oaths; or  
2 d. a United States Postal Service official, if available.

3 Step 2. Fill out the voter registration card. You must  
4 provide all the information marked in red. Remember to sign  
5 your name at the bottom of the card.

6 Step 3. Show your witness your proof of residence in the  
7 precinct. One of the following documents may be used as proof  
8 of residence:

9 a. a valid Minnesota driver's license, permit, or  
10 identification card, or a receipt for any of these forms, that  
11 contains your current address; or

12 b. the signature of a registered voter who lives in your  
13 precinct; if your witness is registered to vote in your  
14 precinct, your witness may also vouch for you; or

15 c. a student identification card, registration card, or  
16 fee statement that contains the student's current address in the  
17 precinct; or

18 d. a current valid registration in the same precinct.

19 Step 4. Show your witness the unmarked ballots.

20 Step 5. Mark the ballots in secrecy. If you are disabled  
21 or otherwise unable to mark the ballots, you may ask your  
22 witness to assist you.

23 Step 6. Fold each ballot so that your votes cannot be  
24 seen. Do not put any identifying marks on the ballot.

25 Step 7. Place all voted ballots in the tan ballot envelope  
26 and seal the envelope. Do not write on the ballot envelope.

27 Step 8. Place the tan secrecy envelope and your completed  
28 voter registration card into the white ballot return envelope  
29 and seal the envelope. An unsealed envelope will not be  
30 accepted.

31 Step 9. Print your name and address and sign your name on  
32 the back of the white ballot return envelope. The name,  
33 address, and signature of your witness is required as well.

34 Step 10. Your ballot may be returned in one of the  
35 following ways:

36 a. by mail;

- 1           b. in person to your county auditor or municipal clerk at  
2 the address on the front of the white ballot return envelope; or  
3           c. by agent delivery to your county auditor or municipal  
4 clerk.

5           You may mark and return your ballots at any time after you  
6 receive them.

7           If your ballots are mailed, enough time should be allowed  
8 to permit the ballots to be delivered by the postal service no  
9 later than election day.

10          If you or your agent return your ballots in person, your  
11 county auditor or municipal clerk must receive them no later  
12 than 7:00 p.m. on the day before the election.

13 Note: Follow these instructions carefully. An improperly  
14 completed ballot, or statement of voter or witness, will  
15 invalidate your votes.

16 8210.9925 INSTRUCTIONS TO ABSENTEE VOTERS WHO ARE REGISTERED TO  
17 VOTE, SPECIFIED BY PART 8210.0500.

18                                   INSTRUCTIONS TO ABSENTEE VOTERS

19                                   Follow these instructions carefully.

20          Before you vote by absentee ballot you must have a witness.

21          Step 1. Locate one of the following people to serve as  
22 your witness:

- 23           a. an eligible voter who lives in your county;  
24           b. a notary public; ~~or~~  
25           c. any person having authority to administer oaths; or  
26           d. a United States Postal Service official, if available.

27          Step 2. Show your witness the unmarked ballots.

28          Step 3. Mark the ballots in secrecy. If you are disabled  
29 or otherwise unable to mark the ballots, you may ask your  
30 witness to assist you.

31          Step 4. Fold each ballot so that your votes cannot be  
32 seen. Do not put any identifying marks on the ballot.

33          Step 5. Place all voted ballots in the tan ballot secrecy  
34 envelope and seal the envelope. Do not write on the ballot  
35 envelope.

1 Step 6. Place the tan ballot secrecy envelope into the  
2 white ballot return envelope and seal the envelope. An unsealed  
3 envelope will not be accepted.

4 Step 7. Print your name and address and sign your name on  
5 the back of the white ballot return envelope. The name,  
6 address, and signature of your witness is required as well.

7 Step 8. Your ballot may be returned in one of the  
8 following ways:

9 a. by mail;

10 b. in person to your county auditor or municipal clerk at  
11 the address on the front of the white ballot return envelope; or

12 c. by agent delivery to your county auditor or municipal  
13 clerk.

14 You may mark and return your ballots at any time after you  
15 receive them.

16 If your ballots are mailed, enough time should be allowed  
17 to permit the ballots to be delivered by the postal service no  
18 later than election day.

19 If you or your agent return your ballots in person, your  
20 county auditor or municipal clerk must receive them no later  
21 than 7:00 p.m. on the day before the election.

22 Note: Follow these instructions carefully. An improperly  
23 completed ballot, or statement of voter or witness, will  
24 invalidate your votes. If you have any questions, call your  
25 county auditor.

26 8210.9930 STATEMENT OF ABSENTEE VOTER, SPECIFIED BY PART  
27 8210.0600, SUBPART 1.

28 STATEMENT OF ABSENTEE VOTER

29 \_\_\_\_\_  
30 (print voter's name)

31 \_\_\_\_\_  
32 (print voter's address)

33 I certify that on election day I will meet the eligibility  
34 requirements to vote provided by law.

35 \_\_\_\_\_  
36 (signature of voter)

37 STATEMENT OF WITNESS  
38



1 I certify that the above named voter showed the enclosed  
 2 ballots to me unmarked; that in my presence the voter marked the  
 3 ballots in secrecy, or if the voter was physically unable to  
 4 mark the ballots they were marked by another individual under  
 5 the personal direction of the voter, and enclosed and sealed  
 6 them in the ballot envelope; that if the above-named voter  
 7 registered to vote by enclosing a voter registration card in the  
 8 Absentee Ballot Return Envelope, then proof of residence was  
 9 provided as indicated below.

10 \_\_\_\_\_  
 11 (date) (signature of witness)  
 12  
 13 \_\_\_\_\_  
 14 (print witness' name)  
 15  
 16 \_\_\_\_\_  
 17 (print witness' address)  
 18  
 19 \_\_\_\_\_  
 20 (title if witness is not an  
 21 eligible voter in the county)  
 22

23 For those who need to register: Proof of residence used by  
 24 absentee voter ~~for-voter-registration~~ (check one).

25 Driver's License,	Notice of Ineffective
26 Permit, ID card or	Registration received
27 Receipt Number _____	from county auditor or
28	municipal clerk _____
29 Registration in the	Student ID Number _____
30 same precinct _____	
31	
32	

34 \_\_\_\_\_  
 35 (signature of registered voter  
 36 in the precinct who attested  
 37 to residence of the absentee  
 38 voter in the precinct)

40 \_\_\_\_\_  
 41 (print name of registered  
 42 voter who attested to  
 43 residence of absentee  
 44 voter in the precinct)

46 \_\_\_\_\_  
 47 (print address of registered  
 48 voter in the precinct who  
 49 attested to residence of the  
 absentee voter in the precinct)

50 8210.9935 ALTERNATIVE STATEMENT OF ABSENTEE VOTER, SPECIFIED BY  
 51 PART 8210.0600, SUBPART 4.

52 STATEMENT OF ABSENTEE VOTER

53 \_\_\_\_\_  
 54 (print voter's name)

Approved  
 by Revisor \_\_\_\_\_

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\_\_\_\_\_  
(print voter's address)

I certify that on election day I will meet the eligibility requirements to vote provided by law.

\_\_\_\_\_  
(legal signature of voter)

I certify that the above named voter exhibited the enclosed ballots to me unmarked; that in my presence the voter marked the ballots in secrecy and enclosed and sealed them in the ballot envelope.

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(signature of witness)

\_\_\_\_\_  
(print witness' name)

\_\_\_\_\_  
(title if witness is not an eligible voter in the county)

\_\_\_\_\_  
(print witness' address)

8255.0020 ESTABLISHMENT OF PRECINCT BOUNDARIES LACKING RECOGNIZABLE PHYSICAL FEATURES.

If recognizable physical features are unavailable for use as precinct boundaries, or if establishment of a precinct boundary along a school district boundary which does not follow a recognizable physical feature is desired, the county or municipal governing body may establish precinct boundaries lacking a recognizable physical feature. A precinct boundary lacking a recognizable physical feature must be established as provided in this part.

Two precincts may be formed which share a boundary that is not located on a recognizable physical feature. However, the boundary of the two precincts combined must be entirely located on recognizable physical features or jurisdictional boundaries.

The governing body of a municipality, or of a county for precincts in unorganized territory, may use, in whole or in part, the jurisdictional boundary of the municipality, unorganized territory, or county as a precinct boundary.

If two precincts are divided by a boundary not located on a recognizable physical feature as provided in this part, the two

1 precincts must be named to reflect a relationship for the  
2 purpose of reporting election results, for example: "precinct  
3 1A and precinct 1B." Two precincts that are divided by a  
4 congressional district boundary may be named in the same manner  
5 and may use a single polling place as provided in Minnesota  
6 Statutes, section 204B.16, subdivision 2.