

1 Secretary of State

2

3 Adopted Permanent Rules Relating to Ballot Form

4

5 Rules as Adopted

6 8200.3900 PROCESSING OF NATIONAL VOTER REGISTRATION ACT

7 APPLICATIONS.

8 All county auditors shall accept voter registration
9 applications on forms prescribed by the Federal Election
10 Commission as provided by the National Voter Registration Act if
11 the application is from a person eligible to vote in Minnesota,
12 and includes the registrant's name, address in
13 Minnesota, previous address (if any), date of birth,
14 registrant's signature, and the date of registration. The
15 application must be processed and stored by the county auditor
16 in the same manner as a Minnesota voter registration card.

17 8200.9115 FORM OF POLLING PLACE ROSTERS.

18 [For text of subps 1 and 2, see M.R.]

19 Subp. 3. Production of rosters. The Secretary of State
20 shall identify and develop methods of producing polling place
21 rosters. The Secretary of State shall provide polling place
22 rosters for each election in the state. The roster may be
23 provided to the county auditor on paper or computer tape or
24 other electronic medium.

25 8200.9305 ADMINISTRATION OF STATEWIDE REGISTRATION SYSTEM.

26 The Secretary of State shall develop and operate a
27 centralized database of all registered voters in the state of
28 Minnesota. The database must be available to each county in the
29 state through a statewide registration system provided by the
30 Secretary of State. The registration system must allow the
31 county auditors to add, change, and delete information from the
32 system in order to maintain an accurate database of
33 registrants. The system must provide all county auditors and
34 the Secretary of State with a method to view and search

1 registration information.

2 ~~At the discretion of the Secretary of State access to the~~
 3 ~~statewide registration system may be extended to municipal~~
 4 ~~clerks who have been delegated the responsibility of maintaining~~
 5 ~~voter registration records by the county auditor.~~

6 A county auditor must use the statewide registration system
 7 to execute the duties of chief registrar of voters and chief
 8 custodian of registration records in the auditor's county.

9 8200.9310 PROCESSING OF COMPLETED VOTER REGISTRATION CARDS.

10 A completed voter registration card may be returned to any
 11 state agency or county auditor. The Secretary of State shall
 12 provide training to state agencies on the proper forwarding of
 13 completed voter registration cards. Completed registration
 14 cards received by the Secretary of State ~~may~~ must be forwarded
 15 to the appropriate county auditor for entry into the statewide
 16 registration system, ~~or may be entered into the system by the~~
 17 ~~Secretary of State.~~ With the approval of the appropriate county
 18 auditor, the Secretary of State shall enter the registration
 19 cards into the statewide registration system for that county.

20 The Secretary of State may electronically transmit the
 21 information on the voter registration cards to the appropriate
 22 county auditor. The county auditor shall promptly enter the
 23 information into the statewide registration system. The
 24 original registration cards submitted to the Secretary of State
 25 ~~may~~ must be maintained either by the Secretary of State or by
 26 the appropriate county auditor. Voter registration cards ~~may~~
 27 must be stored in either paper, microfilm, or electronic format.

28 The Secretary of State shall have full access to all
 29 functions of the statewide registration system and may, with the
 30 authorization of the county, add, change, or delete registration
 31 records or other information in the system.

32 8200.9315 PROCEDURE FOR ENTERING DATA INTO STATEWIDE
 33 REGISTRATION SYSTEM.

34 When entering information from a voter registration card
 35 into the statewide registration system, the Secretary of State

1 or county auditor shall:

2 A. conduct a statewide search of the registration
3 database to determine if the registrant has previously
4 registered in Minnesota;

5 B. assign the registrant to the proper voting
6 precinct for the address provided on the registration card;

7 C. determine all election districts in which the
8 registrant will be eligible to vote;

9 D. notify the appropriate county auditor if the
10 registrant has moved from another county in the state in which
11 the registrant was previously registered;

12 E. assign the registration record a unique
13 identification number, and date the record as to when the
14 registration was entered into the registration database;

15 F. maintain a record of voting history of the
16 registrant for at least the previous six calendar years and a
17 record of ~~other-transactions-as-determined-by-the-Secretary-of~~
18 State previous registrations and changes to voter status in the
19 state for at least two years; and

20 G. provide information on prior registrations in
21 other states. At periodic intervals, the Secretary of State
22 shall notify the chief election officials of other states of
23 individuals who have registered to vote in Minnesota and who
24 indicated a prior registration in their state.

25 The Secretary of State shall establish a precinct finder
26 that must be maintained by each county auditor. The precinct
27 finder must identify the voting precinct that will be assigned
28 to the registrant. ~~At-the-discretion-of-the-Secretary-of-State,~~
29 ~~the-precinct-finder-may-also-include-geographical-data-from-the~~
30 ~~United-States-Census-Bureau.~~ For the purposes of redistricting,
31 the Secretary of State shall include geographical data from the
32 United States Census Bureau in the precinct finder.

33 8200.9320 INTERACTION WITH DEPARTMENT OF PUBLIC SAFETY.

34 The Secretary of State, in cooperation with the
35 commissioner of public safety, ~~may~~ shall develop a single

1 unified application for use by the Department of Public Safety
 2 to permit eligible voters who have indicated they wish to
 3 register to vote to simultaneously register to vote and apply
 4 for a driver's license or state identification card. The
 5 Secretary of State and the commissioner of public safety may
 6 access a common database of information entered from this
 7 application.

8 The information from the unified application for voter
 9 registration and a driver's license or state identification card
 10 ~~may~~ must be transferred electronically from the commissioner of
 11 public safety to the Secretary of State. The Secretary of State
 12 shall make available to each county auditor the data necessary
 13 to add or update a voter record on the statewide registration
 14 system. The county auditor shall process the data in the manner
 15 provided in part 8200.9315.

16 8200.9325 SECURITY FOR STATEWIDE REGISTRATION SYSTEM.

17 All authorized users of the statewide registration system
 18 must be identified uniquely in the manner provided by the
 19 Secretary of State. No access to the statewide registration
 20 system will be allowed to any person not identified as an
 21 authorized user of the system.

22 ~~The-Secretary-of-State-may-provide-"display-only"-access-to~~
 23 ~~the-statewide-registration-system-to-other-public-officials~~
 24 ~~subject-to-the-provisions-of-Minnesota-Statutes, section~~
 25 ~~201.091, and any data security provisions deemed necessary by~~
 26 ~~the-Secretary-of-State.~~

27 To ensure that information obtained from the statewide
 28 registration system is being used in the manner provided by law,
 29 the Secretary of State ~~may~~ shall insert verification records
 30 into the statewide registration system. The verification
 31 records must not be included on any master list, ~~public~~
 32 ~~information-list,~~ or polling place roster. If the Secretary of
 33 State has reason to believe that information obtained from the
 34 statewide registration system was used in a manner inconsistent
 35 with Minnesota Statutes, section 201.091, a report must be

1 immediately transmitted to the appropriate county attorney.

2 8200.9953 REQUEST FOR COPIES OF PUBLIC INFORMATION LISTS,

3 SPECIFIED BY PART 8200.6100.

4 To the Auditor of _____ County

5 County Courthouse

6 _____ (County Seat), Minnesota

7
8 I hereby request copies of the lists of registered voters

9 for the following precincts: _____

10 _____

11 _____

12 (attach additional sheets if necessary).

13 My name is _____.

14 I reside at _____ (Street

15 address) _____ (City or Township).

16 I certify that I am a registered voter in Minnesota. I am
17 aware that using the public information lists of voters for
18 purposes not related to elections, political activities, or law
19 enforcement is a violation of the law. I am also aware that any
20 individual who subsequently acquires the public list of
21 registered voters from me may only use that information for the
22 purposes listed above. Any individual who acquires the public
23 information lists of registered voters from me must first
24 certify to the Secretary of State that the information in those
25 lists will only be used for the purposes allowed in Minnesota
26 election law.

27
28 _____
29 (Date)

(Signature)

30 8210.0700 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY

31 MINNESOTA STATUTES, SECTIONS 203B.04 TO 203B.15.

32 Subpart 1. Form. The absentee ballot return envelope must
33 be printed in the form shown in part 8210.9945.

34 [For text of subps 2 to 6, see M.R.]

35 Subp. 7. Ward and precinct number. The official mailing
36 or delivering absentee ballots to an absent voter shall, before
37 doing so, fill in the absent voter's ward and precinct number in
38 the spaces provided on the left-hand end of the return envelope.

1 [For text of subp 8, see M.R.]

2 8210.3000 MAIL BALLOTING.

3 [For text of subps 1 to 3, see M.R.]

4 Subp. 4. **Mailing ballots.** The county auditor, municipal
5 clerk, or school district clerk shall mail ballots to the voters
6 registered in the municipality or unorganized territory. A
7 ballot mailing must be sent to each registered voter no earlier
8 than 20 or later than 14 days prior to the election. No ballot
9 may be mailed to a challenged voter.

10 Ballots must be sent by nonforwardable mail. Ballots for
11 eligible voters who reside in health care facilities may be
12 delivered as provided in Minnesota Statutes, section 203B.11.
13 The ballot mailing must be addressed to the voter at the voter's
14 residence address as shown on the registration file unless the
15 voter completes an absentee ballot request as provided in
16 Minnesota Statutes, section 203B.04.

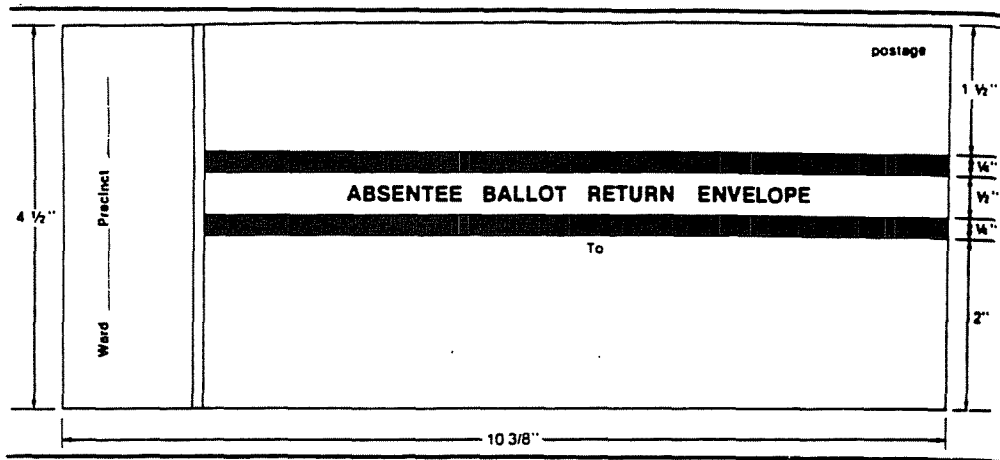
17 A return envelope, a ballot secrecy envelope, and
18 instructions for marking and returning mail ballots must be
19 included with the ballots. At the request of the secretary of
20 state, a survey card that the voter can return to the secretary
21 of state must also be included. The ballot return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

26 [For text of subps 4a to 12, see M.R.]

27 ~~Subp. 13. Purpose and effect statement. The governing~~
28 ~~body authorizing a mail election as provided in Minnesota~~
29 ~~Statutes, section 204B.46, may include a statement of the~~
30 ~~purpose and effect of the ballot question with the ballot. Any~~
31 ~~information provided in the purpose and effect statement must be~~
32 ~~factual, impartial, and designed only to clarify or summarize~~
33 ~~the wording of the question, or to explain statutory or charter~~
34 ~~provisions under which the election is held. The enclosure must~~
35 ~~not be designed to influence the outcome of the election. The~~

1 ~~text-of-the-purpose-and-effect-statement-must-be-prepared-by-the~~
2 ~~legal-advisor-of-the-governing-body-placing-the-questions-before~~
3 ~~the-voters-~~

- 1 8210.9945 ABSENTEE BALLOT RETURN ENVELOPE, SPECIFIED BY PART
- 2 8210.0700.



1 8235.0300 NOTICE.

2 Within 24 hours after determining that an automatic recount
3 is required or within 48 hours of receipt of a written request
4 for a recount and filing of a security deposit if one is
5 required, the official in charge of the recount shall send
6 notice to the candidates for the office to be recounted and the
7 county auditor of each county wholly or partially within the
8 election district. The notice must include the date, starting
9 time, and location of the recount, the office to be recounted,
10 and the name of the official performing the recount. The notice
11 must state that the recount is open to the public, and in case
12 of an automatic recount, that the losing candidate may waive the
13 recount.

14 8250.0365 FORM OF PINK BALLOT.

15 Subpart 1. **General form.** The ballot for constitutional
16 amendments must be prepared in the same manner as the white
17 ballot, except as provided in this part. Ballot pages and
18 ballot cards for electronic voting systems must be prepared in
19 the manner provided for paper ballots to the extent practicable.

20 Subp. 2. **Ballot heading.** The words "CONSTITUTIONAL
21 AMENDMENT BALLOT" must be printed at the top of the ballot.
22 Directly below the heading will be a bold dividing line running
23 the width of the ballot. The following statement shall be
24 beneath the dividing line and printed in upper and lower case:
25 "Failure to vote on a constitutional amendment, will have the
26 same effect as voting no for the amendment." A bold dividing
27 line running the width of the ballot shall be immediately below
28 the statement.

29 Subp. 3. **Instructions to voters.** The following
30 instructions must be printed directly below the statement
31 required in subpart 2. "To vote for a proposed constitutional
32 amendment, put an (X) in the square before the word "YES" at the
33 left of the proposition. To vote against a proposed
34 constitutional amendment, put an (X) in the square before the
35 word "NO."" A bold dividing line running the width of the

1 ballot must appear immediately below the instructions.

2 8250.0370 FORM OF CANARY BALLOT.

3 Subpart 1. General form. The canary ballot must be
4 prepared in the same manner as the white ballot, except as
5 provided in this part. Ballot pages and ballot cards for
6 electronic voting systems must be prepared in the manner
7 provided for paper ballots to the extent practicable.

8 Subp. 2. Ballot order. County offices must be listed
9 first on the canary ballot in the following order: county
10 commissioner, county auditor, county treasurer, county recorder,
11 county sheriff, county attorney, county coroner, and county
12 surveyor. Special district offices must follow the last county
13 office. Judicial offices must follow special district offices
14 and appear in the following order: chief justice - supreme
15 court, associate justice - supreme court, judge - court of
16 appeals, and judge - district court. Where judicial seats are
17 designated by number, the offices must be listed in numerical
18 order. Optical scan ballots must be prepared in the order
19 provided in Minnesota Statutes, chapter 206. County and
20 judicial offices for which there is only one candidate will
21 appear in the manner provided in Minnesota Statutes, section
22 204D.14.

23 Subp. 3. Ballot size. The canary ballot must be 5-1/4
24 inches wide and no more than 30 inches long.

25 8250.0375 FORM OF GRAY BALLOT.

26 Subpart 1. General form. The judicial nonpartisan office
27 ballot must only be used if the canary ballot exceeds 30 inches
28 in length, except in counties using optical scan ballots, when
29 the gray ballot may be prepared at the discretion of the county
30 auditor. The ballot for judicial nonpartisan offices must be
31 prepared in the same manner as the white ballot, except as
32 provided in this part. Ballot pages and ballot cards for
33 electronic voting systems must be prepared in the manner
34 provided for paper ballots to the extent practicable.

35 Subp. 2. Ballot order. Offices appearing on the gray

1 ballot must be listed in the order provided by part 8250.0370,
2 subpart 2.

3 8255.0025 CORRECTION OF PRECINCT BOUNDARIES NOT BASED ON
4 RECOGNIZABLE PHYSICAL FEATURES.

5 The Secretary of State shall monitor precinct boundaries
6 within the state. If a precinct boundary is not in compliance
7 with the requirements of Minnesota Statutes, section 204B.14,
8 the Secretary of State shall notify the county auditor or
9 municipal clerk who established the boundary of the error and
10 provide a map showing a suggested boundary that meets all
11 statutory requirements. The governing body responsible for the
12 precinct has 60 days from the time of notice to adopt the
13 precinct boundary suggested by the Secretary of State, or create
14 another boundary that meets all statutory requirements. If the
15 governing body fails to act within 60 days, the precinct
16 boundary is, by default, the boundary suggested by the Secretary
17 of State.

18 REPEALER. Minnesota Rules, part 8210.9940, is repealed.