

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

#459 Secretary of State

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 8/17/78 Temporary Rule —

Resubmitted and Received _____

DUE DATE 9/6/78

a. Returned to Agency w/o filing w/Secy of State _____
b. Approved _____ Date Sent Back to Agency _____

- -

1. Rules as Adopted _____
2. Rules as Proposed ✓
3. Certificate of Board's Authorizing Resolution, where applicable N.A
4. Order for Hearing ✓
5. Notice of Hearing ✓
   (i) Sufficiency ✓
6. Secretary of State's List ✓
7. Certificate of Acquisition of Secretary of State's List ✓
8. Affidavit of Mailing ✓
   (i) At least 30 days prior to hearing ✓
9. Statement of Need and Evidence ✓
10. Hearing Examiner's Report ✓
11. Agency's Findings of Fact ✓
12. Certificate of Board's Resolution Adopting Rules, where applicable N.A.
13. Order Adopting ✓
14. Report of Chief Hearing Examiner ✓
    (i) Finding of No Substantial Change ✓
    (ii) Permission to Incorporate by Reference, where applicable N.A.
15. Certificate of Compliance with Rulemaking Procedures ✓
16. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓
17. Petition by Public, where applicable N.A.

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED)
AMENDMENTS TO THE RULES OF THE)
SECRETARY OF STATE GOVERNING) ORDER ADOPTING RULES
VOTER REGISTRATION AND PREP-)
ARATION OF THE WHITE BALLOT)

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the Minnesota Office of Hearing Examiners at 10:00 a.m. on Tuesday, November 22, 1977, in the Auditorium of the State Office Building, Wabasha Street between Aurora and Fuller Avenues, in St. Paul, Minnesota, after proper notice required by Minnesota Statutes Section 15.0412 Subdivision 4 (Supplement 1977) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above-captioned rules.

NOW THEREFORE, IT IS ORDERED that these rules identified as SecStats 301, 502-513, 601, 604-607, 902, 903, 1002, 1101, 2101-2106, 2108-2111, 2113 and 2115 are adopted this Twenty-Seventh day of August, 1978, pursuant to authority vested in me by Minnesota Statutes Sections 201.221 Subdivisions 1-4 (1976) and 203A.31 subdivision 3a (1976).

Dated: August 27, 1978

Joan Anderson Growe

JOAN ANDERSON GROWE
Secretary of State

Office of the Secretary of State
Elections Division

Adopted Rules on Voter Registration

The rules proposed and published at State Register, Vol. 2, No. 15, pp. 784-794, Oct. 17, 1977 (2 S.R. 784) are adopted and are identical to their proposed form with the following amendments.

SecStat 301 Specifications.

A. Voter registration cards printed for the purpose of distribution and mailing shall be printed in the following manner:

1. The size shall be 6" X 12-3/4" (including 3/4" stub).

2. The paper shall be ~~approximately~~ at least white 100 lb. offset.

3. The ink shall be blue with red X's next to the line indicating the voter's name, address, last previous registration address (if any) and signature. The certification also shall be printed in red on the original voter registration card.

4. The duplicate card shall have a very light blue screen.

5. The card shall have three 1/16" perforations that result in the three equal size cards 6" X 4".

6. The top stub shall have a substance applied to it so that the card can be sealed when it is folded together for mailing.

B. The original voter registration cards shall be in the following form:

VOTER REGISTRATION CARD

Please type or print in ink

Read instructions before completing

X Name _____
Last First Middle

X Legal Residence _____
Street or Route No.

_____
Apt. No. and Rural Box No.

_____
☐ City or ☐ Township County Zip
(check whichever is applicable)

Mailing Address (if different from above)

_____
Street or Route No. Apt. No. and

_____
Rural Box No. City or Township County Zip

W _____ P _____

S.D. No. _____

OFFICE USE ONLY

Election day voter registration proof:
- ☐ Driver's License
- ☐ Minn. Ident. Card
- ☐ Witness
- ☐ Prior Registration
- ☐ Ineffective Notice
- ☐ Student Identification

_____
Number (if applicable)

Telephone Number _____

Date of Birth (optional) _____

Previous Name _____
(if changed since last registration)

X ~~Your Address at Your Most Recent Prior Registration~~ Address of Your Last Registration If Any _____
Street or Route No. Apt. No.

_____
City or Township County State Zip

BE SURE TO CHECK INSTRUCTIONS TO DETERMINE WHETHER YOU ARE QUALIFIED TO REGISTER

I certify that I will be at least 18 years old on election day and the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than 5 years imprisonment and a fine of not more than $5,000, or both.

____/____/_____ X _____

Date — Legal Signature of Voter
Be sure to sign the blue card

In the upper right hand corner of the card there shall be a box marked for "office use only". In the box there shall be "W _____", "P _____" and "S.D. No. _____". (These initials stand for "ward", "precinct" and "school district".) Other information may also be included. Judges of election shall record the type of election day registration proof and its number, if any, in the "office use only" box.

C. The duplicate voter registration card shall be in the following form:

DUPLICATE VOTER REGISTRATION CARD

Sign this card -- DO NOT COMPLETE

The information will be typed by the voter registration office.

* Name _____
Last First Middle

* Legal Residence _____
Street or Route No.

_____
Apt. No. and Rural Box No.

_____
☐ City or ☐ Township County Zip
(check whichever is applicable)

W _____ P _____

S.D. No. _____

OFFICE USE ONLY

~~Election day voter registration proof:~~

- ☐ ~~Driver's License~~
- ☐ ~~Minn. Ident. Card~~
- ☐ ~~Witness~~
- ☐ ~~Prior Registration~~
- ☐ ~~Ineffective Notice~~
- ☐ ~~Student Identification~~

_____
~~Number (if applicable)~~

Mailing Address (if different from above) _____
Street or Route No.

_____
Apt. No. and Rural Box No. City or Township County Zip

Telephone Number _____

Date of Birth (optional) _____

Previous Name _____
(if changed since last registration)

X ~~Your Address at Your Most Recent Prior Registration~~ Address of Your Last Registration If Any _____
Street or Route No. Apt. No.

_____
City or Township County State Zip

BE SURE TO CHECK INSTRUCTIONS TO DETERMINE WHETHER YOU ARE QUALIFIED TO REGISTER

____/____/____ X _____
Date Legal Signature of Voter (for identification only)

In the upper right hand corner of the card there shall be a box marked for "office use only". In the box there shall be: "W _____", "P _____" and "S.D. No. _____". (These initials stand for "ward", "precinct" and "school district".) Other information may also be included.

D. The instruction card shall be in the following form:

INSTRUCTIONS FOR VOTER REGISTRATION

READ CAREFULLY BEFORE REGISTERING

Lines indicated by an (X) must be completed by the registrant before his or her registration may be accepted.

1. Print in ink or type all information requested on white card.

2. Print or type your legal name - Do not use nicknames.

3. Your residence should be that place where you actually live. Check the appropriate box indicating whether you live in a city or township.

4. Print or type your mailing address if it is different from your residence address.

5. Place your telephone number (optional) on the appropriate line.

6. Place your date of birth (optional) on the appropriate line.

7. If your name has been changed through marriage, divorce or decree or order of court since your last voter registration, print or type your former name on the appropriate line.

8. Address of last previous registration -- Print or type the address from which you were last registered to vote. If you have never been registered to vote before, print or type "none".

9. After the white card is completed, sign your full name in ink and fill in the date on the white card.

10. SIGN THE BLUE CARD.

11. The blue card must be signed in ink on the line where it is required, but do not fill in the blue card. It will be typed in by the voter registration office.

12. After the white card is completed and both cards are signed, seal using sealing tab attached.

13. Complete the address on the reverse of the white registration card by filling in the name of the county where you reside and the name of the city which is the county seat. Mail or deliver to the office of the county auditor.

An eligible voter is a person who at the time of any election

(a) is 18 years of age or older,

(b) is a citizen of the United States and

(c) has resided in Minnesota for 20 days.

The following persons are not eligible voters:

(a) any person who has been convicted of a felony or treason, who has not been restored to his civil rights;

(b) any person who is under guardianship over his person;

(c) any person who is adjudicated to be not mentally competent; and

(d) any person who is not properly registered, in areas that provide for voter registration.

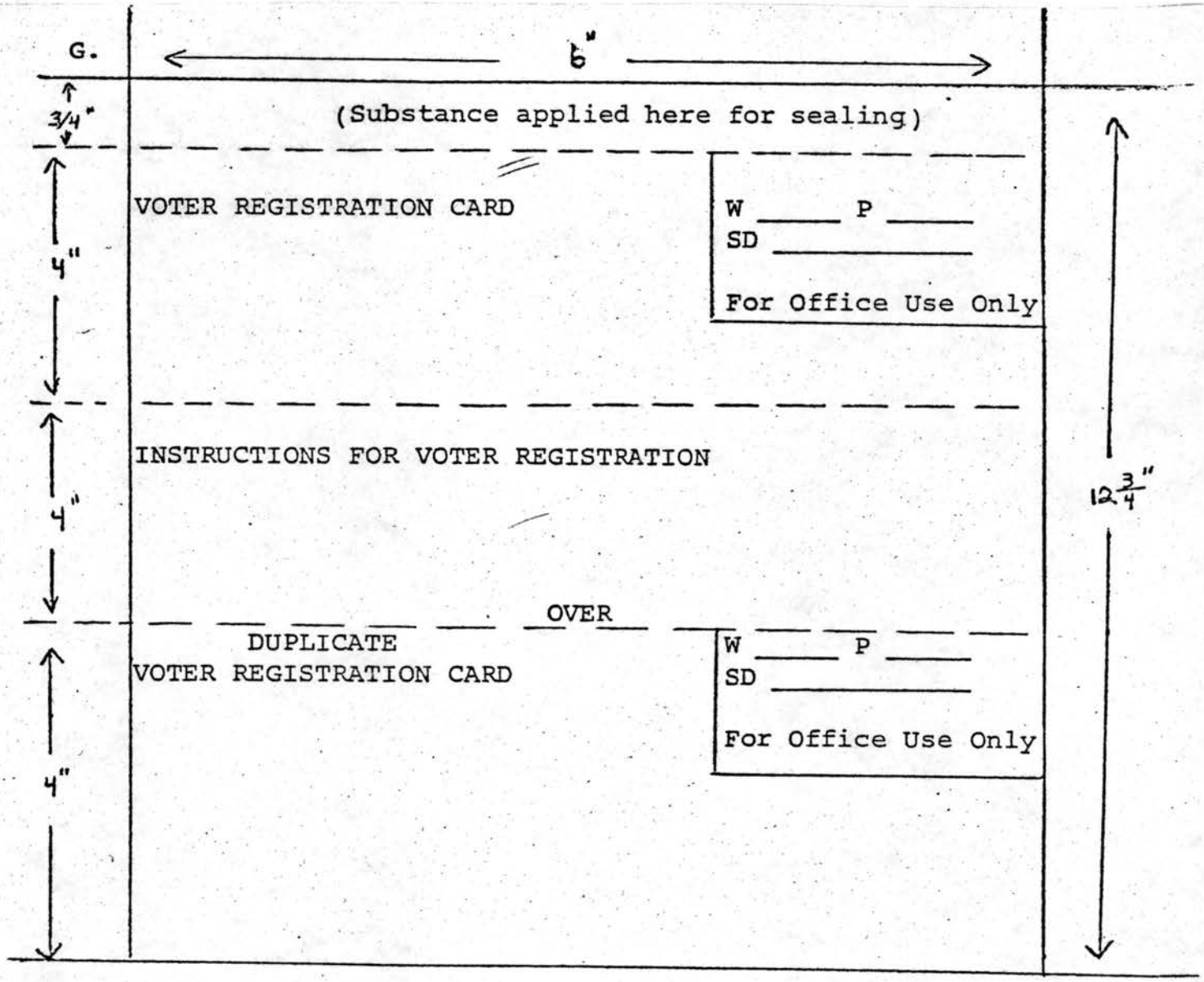
E. The reverse side of the original (white) registration card shall be in the following form:

first
class
postage

RETURN TO:
(here the county auditor shall
supply the address)

F. The reverse side of the duplicate (blue) registration card shall be lined horizontally to create spaces 1/4" wide and divided

vertically into four sections to allow the judges of election to record the date of the election in which the voter voted.



H.

PLACE
STAMP
HERE

RETURN: TO:

INSTRUCTIONS FOR VOTER REGISTRATION - Continued

ELECTION DATE	ELECTION DATE	ELECTION DATE	ELECTION DATE

For office use only

Record of Voting

SecStat 506 Ineffective registration.

Upon receipt of a voter registration card that is faulty or defective, filed with the wrong office or filed during a period when pre-election day voter registrations cannot by law be accepted, the following notice of ineffective registration shall be mailed to the person requesting to become registered. The notice shall require that it be returned if not deliverable.

NOTICE OF INEFFECTIVE REGISTRATION

IMPORTANT INFORMATION
ABOUT YOUR VOTER REGISTRATION

To: _____

Your Voter Registration cannot be accepted by this office for the following reasons(s):

1. ☐ Wrong County. Your registration has been forwarded to _____ County.

2. ☐ Incomplete: _____

_____

3. ☐ Your registration was received fewer than 20 days before the upcoming election. It will be effective on __/__/__ (day after next election).

4. ☐ Minnesota law provides that pre-election day registration for the upcoming __/__/__ election be received in this office by __/__/__. You may register to vote at the polling place on election day by presenting either

(a) this mailed notice;

(b) a valid Minnesota Driver's License or receipt thereof ~~,~~ ;

(c) a Minnesota Identification Card or receipt thereof ~~,~~ ;

(d) a student identification card that contains the student's valid address ~~,~~ ;

(e) a student fee statement that contains the student's valid address ~~or~~ ;

(f) a copy of a student registration card that contains the student's valid address;

(g) ~~by having~~ a registered voter in your precinct ~~witness your registration~~ who can attest to your address ; or

(h) ~~by having~~ a valid registration in the same precinct under a different address ~~, or by presenting this mailed card~~ .

Your polling Place is _____

_____ County Auditor ___/___/___
(signature) (date)

SecStat 604 Notation.

When a voter uses either a Minnesota Driver's License or Minnesota Identification Card to prove residence when registering on election day, the election judge who is registering voters shall ~~write~~ record the number on the card ~~and the letters D.L. (Driver's License) or M.I. (Minnesota Identification)~~ in the "office use only" area of original card.

SecStat 1002 Compatibility.

Any voter registration records maintained on electronic or automatic data processing systems and provided to registered voters within the county shall include ~~,-in-this-order,-horizontally-across form:~~ registrant name, address (including street or route number, city or township and zip code) and telephone number when provided by the registrant. ~~Each-entry-in-a-precinct-shall-be-arranged-in alphabetical-order-by-last-name-of-registrant.~~ Each precinct shall be entered in the municipality listing in numerical order by precinct number. Each municipality shall be entered in alphabetical order by municipality name within the county. Standards for data entry shall be compatible with secretary of state standards.

Chapter Eleven: Violations

SecStat 1101 County attorneys to report

County attorneys shall report the outcome of any investigation of alleged violations of voter registration laws to the ~~commissioner~~ Secretary of State within 10 days of the determination.

Office of the Secretary of State
Elections Division

Adopted Rules on Preparation of the White Ballot

The rules proposed and published at State Register, Vol. 2, No. 15, pp. 794-796, Oct. 17, 1977 (2 S.R. 794) are adopted and are identical to their proposed form.

APPROVED AS TO FORM AND LEGALITY
AUG. 28 1978 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 28 1978
Joan Anderson Growe
Secretary of State

8:30 Am

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED AMENDMENTS TO THE RULES OF THE SECRETARY OF STATE GOVERNING VOTER REGISTRATION AND PREPARATION OF THE WHITE BALLOT	STATEMENT OF COMPLIANCE WITH MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Robert C. Hentges, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed without any exceptions.

ROBERT C. HENTGES
Special Assistant
Attorney General

Dated: August 17, 1978

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED)
AMENDMENTS TO THE RULES OF THE) NOTICE OF SEEKING
SECRETARY OF STATE GOVERNING) OUTSIDE INFORMATION
VOTER REGISTRATION AND PREP-)
ARATION OF THE WHITE BALLOT)

NOTICE IS HEREBY GIVEN that the Secretary of State is seeking information or opinions from sources outside the agency in preparing to propose amendments to the rules governing voter registration (SecStat 101 to 1002) and preparation of the white ballot (SecStat 2101 to 2115). Any interested persons may submit data or views on these subjects in writing or orally to:

Secretary of State Joan Anderson Growe
Elections Division
180 State Office Building
St. Paul, Minnesota 55155
612-296-2805

Any written material received by the agency shall become a part of the hearing record in the event rules governing this subject are promulgated.

Please be advised that pursuant to Minn. Stat. § 10A.01 subd. 11 (1976) any individual engaged for pay or other consideration for the purpose of representing persons or associations attempting to influence administrative action, such as amendments to rules, must register with the Minnesota Ethical Practices Board as a lobbyist within five days of commencement of such activity by the individual.

Dated: August 15, 1977

MARK W. WINKLER
Deputy Secretary of State

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED AMENDMENTS TO THE RULES OF THE SECRETARY OF STATE GOVERNING VOTER REGISTRATION AND PREPARATION OF THE WHITE BALLOT

FINDINGS OF FACT

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the Minnesota Office of Hearing Examiners at 10:00 a.m. on Tuesday, November 22, 1977, in the Auditorium of the State Office Building, Wabasha Street between Aurora and Fuller Avenues, in St. Paul, Minnesota.

Secretary of State Joan Anderson Growe and Steven E. Lindroth, election procedure advisor in her office, testified in support of the proposed rules. Robert C. Hentges, special assistant attorney general, appeared as counsel on behalf of the Secretary of State. The hearing continued until all interested persons and groups had an opportunity to be heard concerning the adoption of the proposed rules.

Hearing Examiner Peter C. Erickson prepared the Report of the Hearing Examiner, dated January 12, 1978, stating his Findings of Fact, Conclusions and Recommendations, pursuant to Minn. Stat. § 15.052 subd. 3 (1976) and Minn. Reg. HE 106.

Having afforded interested persons and groups an opportunity to present written and oral data, statements and arguments and having considered all the testimony and other evidence adduced herein, based upon all the records, files, transcripts, exhibits and proceedings in this matter, the Secretary of State hereby adopts as her Findings of Fact the Findings of Fact and Conclusions propounded by the Hearing Examiner in his Report of January 12, 1978, with the following amendments:

The Secretary of State does not adopt Hearing Examiner Finding 11, which is reflected in Conclusion 4. Minn. Stat. § 201.071 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395

§ 3, makes only certain information mandatory on voter registration applications. Finding 11 would coerce applicants to supply information the statutes do not require.

The Secretary of State does not adopt Hearing Examiner Finding 13, which is reflected in Conclusion 4. Minn. Const. art. VII § 1, Minn. Stat. § 200.02 subd. 25 (1976) and SecStat 511 already require voters to reregister if they move, so the proposed amendment is unnecessary. Further, similar warnings also would be as useful in several other places in the rules, leading to longer and more complicated rules and, as a result, confusion.

The Secretary of State amends Hearing Examiner Finding 26 and Conclusion 5. The Secretary of State now proposes language to amend SecStat 1002 to promote flexibility and compatibility by deleting data entry standards that mandate an order, horizontal presentation and alphabetical precinct listing for voter information.

The Secretary of State amends Hearing Examiner Finding 12 to add that Minn. Laws 1978 ch. 714 § 3 requires county auditor to send notices to a random sample, determined by rules of the Secretary of State, of election day registrants within 10 days.

The Secretary of State amends Hearing Examiner Finding 14 to add that the Minnesota non-qualification certificate is now known as the Minnesota identification card.

The Secretary of State amends Hearing Examiner Finding 18 to add that proposed SecStats 507 and 509 reflect the fact that Minn. Laws 1977 ch. 395 § 3 amended Minn. Stat. § 201.071 subd. 1 (1976) by deleting "Most Recent Prior Residence" from voter registration cards and to add that the proposed addition of the date of new registration in SecStat 507 assists investigations of fraudulent registration by documenting multiple registrations.

The Secretary of State amends Hearing Examiner Finding 28 to add SecStat 2109 and to add that recodification by Minn. Laws 1975 ch. 5 §§ 42 and 135 necessitate a change in statutory reference in SecStat 2102, an amendment of Minn. Stat. § 203A.33 (1975 Supp.) by Minn. Laws 1976 ch. 33 § 1 necessitates a requirement in SecStat 2106 that uncontested non partisan offices appear at the bottom of general election ballots and an amendment of Minn. Stat. § 203A.12 subd. 2 (1975 Supp.) by Minn. Laws 1976 ch. 224 § 2 requires changes in the various designations set out in SecStat 2109.

The Secretary of State adds a finding that sample ballots and summary statements are reasonably related to preparation of the white ballot, reimbursement of the cost of which is a state responsibility under Minn. Stat. § 203A.31 subd. 3a (1976), and therefore SecStat 2115 should require state reimbursement of county costs of sample ballots and summary statements. Requirements of SecStat 2115 that bills be submitted in triplicate and that a copy of printer's invoices accompany bills are unnecessarily burdensome.

The Secretary of State adds a finding that red Xs beside three blanks on the duplicate voter registration card in SecStat 301 should be deleted. The Secretary of State proposed red Xs on the original voter registration card but not on the duplicate card, because SecStat 301 requires election officials, not voters, to fill in the duplicate card. The State Register erroneously placed Xs on the duplicate card when the proposed rules were published.

The Secretary of State adds a finding that proposed SecStat 604 need not require election judges to enter the letters D.L. or M.I. in the "office use only" area of the original voter registration card, because the Secretary of State proposes that the designations be pre-printed on the card. The Secretary of State proposed the deletion at the hearing.

The Secretary of State responded to all other suggestions for amendments to her rules governing voter registration and the white ballot in "Response of the Secretary of State." The response was submitted to the Hearing Examiner prior to the report of Peter C. Erickson.

Dated: August 27, 1978

Joan A. Growe

JOAN ANDERSON GROWE
Secretary of State

SOS-78-001-PE

STATE OF MINNESOTA
OFFICE OF HEARING EXAMIENRS

FOR THE SECRETARY OF STATE

IN THE MATTER OF PROPOSED)
AMENDMENTS TO THE RULES)
OF THE SECRETARY OF STATE)
GOVERNING VOTER REGISTRA-)
TION AND PREPARATION OF)
THE WHITE BALLOT.)

REPORT OF THE
CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on November 22, 1977, before Peter C. Erickson, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Secretary of State on January 12, 1978; and

WHEREAS, the Secretary of State has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Secretary of State has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Secretary of State has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Secretary of State has the responsibility of submitting the complete hearing record and the rules as adopted by the Secretary of State to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 18th day
of August, 1978.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED)
AMENDMENTS TO THE RULES OF THE)
SECRETARY OF STATE GOVERNING)
VOTER REGISTRATION AND PREP-)
ARATION OF THE WHITE BALLOT)

AFFIDAVIT OF MAILING

Jeanne McGree, Executive I in the Office of the Secretary of State for the State of Minnesota, being first duly sworn, deposes and says:

That on the 21st day of October, 1977, at the City of Saint Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons on the attached sheet as presently being members of the Minnesota Legislature.

Jeanne McGree

JEANNE McGREE
Executive I
Office of the Secretary of State

Subscribed and sworn to before me this 21st day of October, 1977.

Theresa R Elizondo

NOTARY PUBLIC

THERESA R. ELIZONDO
Notary Public, Ramsey County, Minn.
MY COMMISSION EXPIRES
December 29, 1978

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED AMENDMENTS TO THE RULES OF THE SECRETARY OF STATE GOVERNING VOTER REGISTRATION AND PREPARATION OF THE WHITE BALLOT

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

Jeanne McGree, being duly sworn on oath deposes and says:

1. That she is an employee in the Office of the Secretary of State of the State of Minnesota.

2. That on the 19th day of October, 1977, she requested from the Office of the Secretary of State for the State of Minnesota a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn. Stat. Section 15.0412 (1976), as amended.

3. That on the 19th day of October, 1977, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Jeanne McGree

JEANNE McGREE
Executive I
Office of the Secretary of State

Subscribed and sworn to before me this 19th day of October, 1977.

Theresa R. Elizondo

NOTARY PUBLIC

THERESA R. ELIZONDO
Notary Public, Ramsey County, Minn.
MY COMMISSION EXPIRES
December 29, 1978

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED AMENDMENTS TO THE RULES OF THE SECRETARY OF STATE GOVERNING VOTER REGISTRATION AND PREPARATION OF THE WHITE BALLOT	CERTIFICATE OF DELIVERY SECRETARY OF STATE LIST

I hereby certify that the attached 489 Labels, 4 sheets constitute the complete list of persons, associations, and other interested groups who as of 9:30 o'clock A .m., this 19th day of OCTOBER, 1977, have requested pursuant to Minn. Stat. Section 15.0412 (1976), as amended, that their names be placed on file with the Secretary of State for the purpose of receiving the notice of public hearing on proposed amendments to the rules on the subjects captioned above.

SECRETARY OF STATE

Joan Anderson Growe

JOAN ANDERSON GROWE

By Cheri L. Mattson

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED)
AMENDMENTS TO THE RULES OF THE)
SECRETARY OF STATE GOVERNING) NOTICE OF HEARING
VOTER REGISTRATION AND)
PREPARATION OF THE WHITE BALLOT)

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minn. Stat. § 15.0412 subd. 4 (1976), as amended by Minn. Laws 1977 ch. 443 § 2, in the Auditorium of the State Office Building, Wabasha Street between Aurora and Fuller Avenues, St. Paul, Minnesota 55155, on Tuesday, November 22, 1977, commencing at 10:00 a.m. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have the opportunity to participate. Statements may be made orally, and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail, whether or not an appearance is made at the hearing, to Peter C. Erickson, Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, telephone (612) 296-8118, either before, during or within five working days after the close of the hearing.

Copies of the proposed amendments are now available, and one free copy may be obtained by writing to Secretary of State Joan Anderson Growe, Elections Division, 180 State Office Building, St. Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing.

All persons have the right to be notified of the date on which the report of the Hearing Examiner will be available, after which date the agency may not take any final action on the rules for a period of five working days. All persons have the right to be informed of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may do so by so indicating at the hearing or by written request sent to the Hearing Examiner prior to the close of the record.

At least 25 days prior to the hearing, a Statement of Need, which will explain why the Secretary of State feels the proposed

amendments are necessary and reasonable, and a Summary of Evidence, which will outline the testimony that the Secretary of State will introduce, will be filed with and available for review at the Office of Hearing Examiners. Copies of the statement and summary also may be obtained from the Office of Hearing Examiners at a small charge.

Statutory authority to adopt the proposed amendments is contained in Minn. Stat. §§ 201.221 subds. 1-4 (1976) and 203A.31 subd. 3a (1976).

The proposed amendments to the rules of the Secretary of State governing voter registration, if adopted, would clarify existing rules that have led to confusion, conform the rules to legislative changes, renumber existing rules, alter the instructions to voter registrants and the form of voter registration cards in order to make the process of registration easier to understand and to assist election officials in obtaining accurate registration information, require a mailing address on registration cards in order to facilitate communication between election officials and registrants, require notation on voter registration cards of the method used to prove residence when registering on election day as a safeguard against fraudulent registration and voting, require random checks of election day registrants as a safeguard against fraud, provide additional methods to prove residence when registering on election day, require the date of new registration in a county auditor's notification to the auditor of a former county of residence in order to improve the capability of election officials to discover fraud, make certain election officials are aware of the statutory requirement of training for election judges who register voters on election day, require notation of Minnesota driver's license or identification card number on election day voter registrations in order to facilitate checks of registrants and prevention of fraud, permit election officials to contact registrants and request the registrants contact the officials to resolve a registration problem, require election officials to report to the Secretary of State on the training of election day registration judges in order to insure that training occurs and require county attorneys to report to the Secretary of State the outcomes of investigations of any alleged violations of voter registration laws in order to assist efforts of the Secretary of State to monitor and improve the effectiveness of voter registration laws.

The proposed amendments to the rules of the Secretary of State governing preparation of the white ballot, if adopted, would clarify existing rules that have led to confusion, conform the rules to legislative changes, improve clarity of the white ballot and specify the costs of preparation of the white ballot for which the Secretary of State will reimburse local units of government.

Please be advised that Minn. Stat. ch. 10A (1976), as amended, requires each lobbyist to register with the Ethical Practices Board within five days after he or she commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 a year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than $250 a year or five hours a month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Dated: October 5, 1977

MARK W. WINKLER
Deputy Secretary of State

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED)
AMENDMENTS TO THE RULES OF THE)
SECRETARY OF STATE GOVERNING) ORDER FOR HEARING
VOTER REGISTRATION AND PREP-)
ARATION OF THE WHITE BALLOT)

To effectively implement Minnesota Statutes Chapters 201 and 203A (1976), as amended, the Minnesota Secretary of State deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in me by Minnesota Statutes Sections 201.221 Subdivisions 1-4 (1976) and 203A.31 Subdivision 3a (1976).

NOW, THEREFORE, IT IS ORDERED this Fifth day of October, 1977, that a public hearing on the proposed rules captioned above be held in the Auditorium of the State Office Building, Wabasha Street between Aurora and Fuller Avenues, St. Paul, Minnesota 55155, on Tuesday, November 22, 1977, commencing at 10:00 a.m. and continuing until all persons have an opportunity to be heard.

IT IS FURTHER ORDERED that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose.

Dated: October 5, 1977

Joan Anderson Growe

JOAN ANDERSON GROWE
Secretary of State

PROPOSED AMENDMENTS

TO THE

PROPOSED AMENDMENTS

TO THE

SECRETARY OF STATE RULES

ON

VOTER REGISTRATION

SecStat 301 Specifications

A. Voter registration cards printed for the purpose of distribution and mailing shall be printed in the following manner:

1. The size shall be 6" X 12-3/4" (including 3/4" stub).

2. The paper shall be [[approximately]] at least white 100 lb. offset.

3. The ink shall be blue with red X's next to the line indicating the voter's name, address, last previous registration address (if any) and signature. The certification also shall be printed in red ink on the original voter registration card.

4. The duplicate card shall have a very light blue screen.

5. The card shall have three 1/16" perforations that result in the three equal size cards 6" X 4".

6. The top stub shall have a substance applied to it so that the card can be sealed when it is folded together for mailing.

B. The original voter registration cards shall be in the following form:

VOTER REGISTRATION CARD

Please type or print in ink

Read instructions before completing

X Name _____
Last First Middle

X Legal Residence _____
Street or Route No.
(Do not use P.O. Box)

_____
Apt. No. and Rural Box No.

_____
☐ City or ☐ Township County Zip
(check whichever is applicable)

Mailing Address (if different from above)

_____
Street or Route No. Apt. No. and
Rural Box No. City or Township County Zip

Telephone Number (optional) _____

Month and Day Date of Birth (optional) _____
Mo. Day

Previous Name _____
(if changed since last registration)

Most Recent Prior Residence _____
Street or Route No. Apt. No.

_____
City or Township County State Zip

X Your Address at Your Most
Recent Prior Registration _____
Street or Route No. Apt. No.

_____
City or Township County State Zip

W _____ P _____

S.D. No. _____

OFFICE USE ONLY

Election day voter registration proof:

- ☐ Driver's License
- ☐ Minn. Ident. Card
- ☐ Witness
- ☐ Prior Registration
- ☐ Ineffective Notice
- ☐ Student Identification

_____
Number (if applicable)

BE SURE TO CHECK INSTRUCTIONS TO DETERMINE WHETHER YOU ARE QUALIFIED TO REGISTER

I certify that I will be at least 18 years old on election day and the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than 5 years imprisonment and a fine of not more than $5,000, or both.

__/__/_____ X _____

Date — Legal Signature of Voter
Be sure to sign the blue card

In the upper right hand corner of the card there shall be a box marked for "office use only". In the box there shall be: "W _____", "P _____" and "S.D. No. _____". (These initials stand for "ward", "precinct" and "school district".) Other information may also be included.

C. The duplicate voter registration card shall be in the following form:

DUPLICATE VOTER REGISTRATION CARD

Sign this card -- DO NOT COMPLETE

The information will be typed by the voter registration office.

Name _____
Last First Middle

Legal Residence _____
Street or Route No.
(Do not use P.O. Box)

_____
Apt. No. and Rural Box No.

_____
☐ City or ☐ Township County Zip
(check whichever is applicable)

W _____ P _____

S.D. No. _____

OFFICE USE ONLY

Election day voter registration proof:

- ☐ Driver's License
- ☐ Minn. Ident. Card
- ☐ Witness
- ☐ Prior Registration
- ☐ Ineffective Notice
- ☐ Student Identification

_____
Number (if applicable)

Mailing Address (if different from above) _____

Street or Route No.

Apt. No. and Rural Box No. City or Township County Zip

Telephone Number [(optional)] _____

[Month and Day] Date of Birth (optional) _____

[Mo.] [Day]

Previous Name _____

(if changed since last registration)

[Most Recent Prior Residence _____

Street or Route No. Apt. No.

City or Township County State Zip]

Your Address at Your Most Recent Prior Registration _____

Street or Route No. Apt. No.

City or Township County State Zip

BE SURE TO CHECK INSTRUCTIONS TO DETERMINE WHETHER YOU ARE QUALIFIED TO REGISTER

__/__/__ X _____

Date Legal Signature of Voter (for identification only)

In the upper right hand corner of the card there shall be a box marked for "office use only". In the box there shall be: "W _____", "P _____" and "S.D. No. _____". (These initials stand for "ward", "precinct" and "school district".) Other information may also be included.

D. The instruction card shall be in the following form:

INSTRUCTIONS FOR VOTER REGISTRATION

READ CAREFULLY BEFORE REGISTERING

Lines indicated by an (X) must be completed by the registrant before his or her registration may be accepted.

1. Print in ink or type all information requested on white card.

2. Print or type your legal name - Do not use nicknames.

3. Your residence should be that place where you actually live . [- Post Office Boxes cannot be accepted as legal residence.] Check the appropriate box indicating whether you live in a city or township.

4. Print or type your mailing address if it is different from your residence address.

5. Place your telephone number (optional) on the appropriate line.

6. Place your date of birth (optional) on the appropriate line.

[4] 7. If your name has been changed through marriage, divorce or decree or order of court since your last voter registration, print or type your former name on the appropriate line.

[5. Print or type your most recent prior residence. If you have not had a previous residence, print or type "none".]

[6] 8. Address of last previous registration -- Print or type the address from which you were last registered to vote. [If same as last previous address, print or type "same".] If you have never been registered to vote before, print or type "none".

[7] 9. After the white card is completed, sign your full name in ink [on the appropriate line on both the white card and the blue card] and fill in the date on the white card.

10. SIGN THE BLUE CARD.

[8] 11. The blue card must be signed in ink on the line where it is required, but do not fill in the blue card. It will be typed in by the voter registration office.

[9] 12. After the white card is completed and both cards are signed, seal using sealing tab attached.

[10] 13. Complete the address on the reverse of the white registration card by filling in the name of the county where you reside and the name of the city which is the county seat. Mail or deliver to the office of the county auditor.

An eligible voter is a person who at the time of any election[:]

(a) is 18 years of age or older,

(b) is a citizen of the United States and

(c) has resided in Minnesota for 20 days.

The following persons are not eligible voters:

(a) any person who has been convicted of a felony or treason, who has not been restored to his civil rights;

(b) any person who is under guardianship over his person;

(c) any person who is adjudicated to be not mentally competent ; and

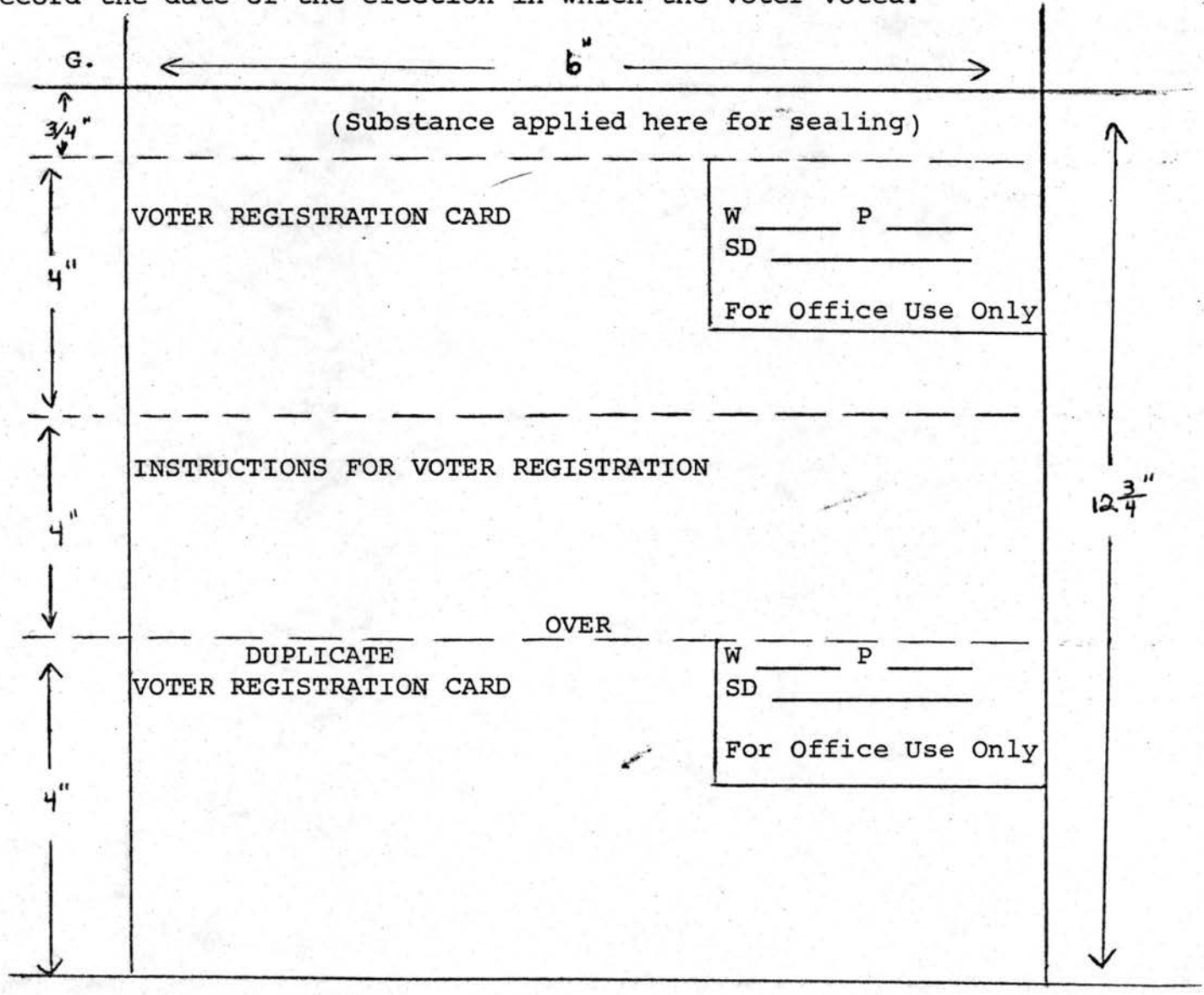
(d) any person who is not properly registered, in areas that provide for voter registration.

E. The reverse side of the original (white) registration card shall be in the following form:

first
class
postage

RETURN TO:
(here the county auditor shall
supply the address)

F. The reverse side of the duplicate (blue) registration card shall be lined horizontally to create spaces 1/4" wide and divided vertically into four sections to allow the judges of election to record the date of the election in which the voter voted.



H.

PLACE
STAMP
HERE

RETURN: TO:

INSTRUCTIONS FOR VOTER REGISTRATION - Continued

ELECTION DATE	ELECTION DATE	ELECTION DATE	ELECTION DATE

For office use only

Record of Voting

SecStat [505] 506 Ineffective registration

Upon receipt of a voter registration card that is faulty or defective, filed with the wrong office or filed during a period when pre-election day voter registrations cannot by law be accepted, the following notice of ineffective registration shall be mailed to the person requesting to become registered.

NOTICE OF INEFFECTIVE REGISTRATION

IMPORTANT INFORMATION
ABOUT YOUR VOTER REGISTRATION

To: _____

Your Voter Registration cannot be accepted by this office for the following reason(s):

1. ☐ Wrong County. Your registration has been forwarded to _____ County.

2. ☐ Incomplete: _____

_____

3. ☐ Your registration was received fewer than 20 days before the upcoming election. It will be effective on __/__/__ (day after next election).

4. ☐ Minnesota law provides that pre-election day registration for the upcoming __/__/__ election be received in this office by __/__/__. You may register to vote at the polling place on election day by [using] presenting either a valid Minnesota Driver's License or receipt thereof, [or] a [non-qualification certificate] Minnesota Identification Card or receipt thereof, [or] a student identification

card that contains the student's valid address, a student fee statement that contains the student's valid address or a copy of a student registration card that contains the student's valid address; by having a registered voter in your precinct witness your registration [,] [or] ; by having a valid registration in the same precinct under a different address ; or by presenting this mailed [[card]] notice [to the election judges on election day] .

Your Polling Place is _____

_____ County Auditor __/__/__
(signature) (date)

SecStat 604 Notation

When a voter uses either a Minnesota Driver's License or Minnesota Identification Card to prove residence when registering on election day, the election judge who is registering voters shall write the number on the card [[and the letters D.L. (Driver's License) or M.I. (Minnesota Identification)]] in the "office use only" area of original card.

ADMIN 1000 (Rev. 1/78)

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : LEE SHEEHY
Special Assistant
Attorney General

DATE: Aug. 21, 1978

FROM : ROBERT C. HENTGES RCH
Special Assistant
Attorney General

PHONE: 2652

SUBJECT: SECRETARY OF STATE RULES

Enclosed is the remaining documentation for the proposed amendments to the rules of the Secretary of State.

A couple of comments:

First, Mike Miller reviewed the Notice of Hearing before the hearing was held.

Second, there were no exhibits beyond the usual documents. However, the Hearing Examiner had before him all writings submitted to him or the Secretary of State.

Thank you.

RCH:jf
Enclosures

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED)
AMENDMENTS TO THE RULES OF THE)
SECRETARY OF STATE GOVERNING) NOTICE OF HEARING
VOTER REGISTRATION AND)
PREPARATION OF THE WHITE BALLOT)

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minn. Stat. § 15.0412 subd. 4 (1976), as amended by Minn. Laws 1977 ch. 443 § 2, in the Auditorium of the State Office Building, Wabasha Street between Aurora and Fuller Avenues, St. Paul, Minnesota 55155, on Tuesday, November 22, 1977, commencing at 10:00 a.m. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have the opportunity to participate. Statements may be made orally, and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail, whether or not an appearance is made at the hearing, to Peter C. Erickson, Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, telephone (612) 296-8118, either before, during or within five working days after the close of the hearing.

Copies of the proposed amendments are now available, and one free copy may be obtained by writing to Secretary of State Joan Anderson Growe, Elections Division, 180 State Office Building, St. Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing.

All persons have the right to be notified of the date on which the report of the Hearing Examiner will be available, after which date the agency may not take any final action on the rules for a period of five working days. All persons have the right to be informed of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may do so by so indicating at the hearing or by written request sent to the Hearing Examiner prior to the close of the record.

At least 25 days prior to the hearing, a Statement of Need, which will explain why the Secretary of State feels the proposed

amendments are necessary and reasonable, and a Summary of Evidence, which will outline the testimony that the Secretary of State will introduce, will be filed with and available for review at the Office of Hearing Examiners. Copies of the statement and summary also may be obtained from the Office of Hearing Examiners at a small charge.

Statutory authority to adopt the proposed amendments is contained in Minn. Stat. §§ 201.221 subds. 1-4 (1976) and 203A.31 subd. 3a (1976).

The proposed amendments to the rules of the Secretary of State governing voter registration, if adopted, would clarify existing rules that have led to confusion, conform the rules to legislative changes, renumber existing rules, alter the instructions to voter registrants and the form of voter registration cards in order to make the process of registration easier to understand and to assist election officials in obtaining accurate registration information, require a mailing address on registration cards in order to facilitate communication between election officials and registrants, require notation on voter registration cards of the method used to prove residence when registering on election day as a safeguard against fraudulent registration and voting, require random checks of election day registrants as a safeguard against fraud, provide additional methods to prove residence when registering on election day, require the date of new registration in a county auditor's notification to the auditor of a former county of residence in order to improve the capability of election officials to discover fraud, make certain election officials are aware of the statutory requirement of training for election judges who register voters on election day, require notation of Minnesota driver's license or identification card number on election day voter registrations in order to facilitate checks of registrants and prevention of fraud, permit election officials to contact registrants and request the registrants contact the officials to resolve a registration problem, require election officials to report to the Secretary of State on the training of election day registration judges in order to insure that training occurs and require county attorneys to report to the Secretary of State the outcomes of investigations of any alleged violations of voter registration laws in order to assist efforts of the Secretary of State to monitor and improve the effectiveness of voter registration laws.

The proposed amendments to the rules of the Secretary of State governing preparation of the white ballot, if adopted, would clarify existing rules that have led to confusion, conform the rules to legislative changes, improve clarity of the white ballot and specify the costs of preparation of the white ballot for which the Secretary of State will reimburse local units of government.

Please be advised that Minn. Stat. ch. 10A (1976), as amended, requires each lobbyist to register with the Ethical Practices Board within five days after he or she commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 a year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than $250 a year or five hours a month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Dated: October 5, 1977

MARK W. WINKLER
Deputy Secretary of State

STATE OF MINNESOTA

SECRETARY OF STATE

IN THE MATTER OF PROPOSED AMENDMENTS TO THE RULES OF THE SECRETARY OF STATE GOVERNING VOTER REGISTRATION AND PREPARATION OF THE WHITE BALLOT)	STATEMENT OF NEED AND SUMMARY OF EVIDENCE

The above-captioned rules are proposed amendments to existing rules previously adopted by the Secretary of State. The rules governing voter registration were adopted October 25, 1973; amended November 5, 1974; and last amended September 12, 1976. The rules governing preparation of the white ballot were adopted November 5, 1974, and have not been amended.

I

Authority of Secretary of State to Adopt Rules

Statutory authority to adopt rules governing voter registration arises from Minn. Stat. § 201.221 subds. 1-4 (1976), which provide as follows:

> Subdivision 1. The commissioner shall adopt rules and regulations to implement the provisions of chapter 201 by October 1, 1973.
>
> Subd. 2. He shall make rules consistent with the federal and state election laws to facilitate the execution of their provisions in an orderly manner and to that end shall assist local election officers by devising uniform forms and procedures. He shall provide uniform regulations governing the maintenance of voter registration records on electronic or automatic data processing systems so that the records of counties using the systems are compatible with a uniform system of electronic data maintenance. He shall supervise the development and use of the system to insure that it conforms to applicable provisions of law and regulations.

Subd. 3. He shall prescribe the method and manner of transporting and delivering the original and duplicate registration files from the office where now located to the locations required by Laws 1973, Chapter 676.

Subd. 4. He shall prescribe the form of the duplicate registration file so that a duplicate card will contain the voter's name, address, and telephone number, space to indicate whether the voter has voted in a given election and the voter's signature. He shall prescribe procedures for transporting the duplicate registration files to the election judges for use on election day so the signatures of voters may be compared with the signatures on the duplicate registration file.

Statutory authority to adopt rules governing preparation of the white ballot arises from Minn. Stat. § 203A.31 subd. 3a (1976), which provides as follows:

> The white ballot shall be prepared under the direction of the county auditors, subject to the rules of the secretary of state and a sufficient number thereof shall be forwarded by the auditors to enable the clerks to comply with the provisions of section 203A.11, subdivision 2. The secretary of state shall provide by rule for the preparation and time of delivery of the white ballot and reimbursement of the counties' costs. The state shall reimburse the counties for the cost of the preparation of the white ballot.

II

Need for Amendments

As chief elections officer in Minnesota, the Secretary of State has had thousands of contacts with voter registration and the white ballot since the applicable rules were adopted and amended.

She has conducted 23 regional training meetings with election officials throughout the state in 1977 and several similar meetings in 1975 and 1976. She attends meetings of the organizations of

county officials. She meets with election officials in local communities upon request. She prescribes the form of summary statements used in state primary and general elections and receives county canvassing reports. She prepares printed materials concerning election laws, regulations and other information for the 87 county auditors, 855 city clerks, 1805 town clerks and 30,000 election judges in Minnesota. She works with printers on white ballots and voter registration cards. She receives telephone calls and letters from election officials, candidates, campaign workers and citizens seeking or giving election information. She maintains relations with the Federal Elections Commission and other election agencies and officials throughout the United States.

A Notice of Intent to Solicit input into these amendments was published in the State Register August 22, 1977, at 2 S.R. 297. Input was received.

Information developed through these contacts and inputs concerning voter registration and the white ballot, coupled with statutory changes enacted by the Minnesota Legislature, have led the Secretary of State to the conclusion that amendments to rules governing voter registration and preparation of the white ballot, some merely technical and others substantive, are necessary to carry out the mandates of subdivisions 1 to 4 of section 201.221 and subdivision 3a of section 203A.31

A

Amendments to Rules
Governing Voter Registration

SecStat 301. Red Xs would be required next to the blanks that must be completed on voter registration cards in order for a registration to be valid. Voter registration cards confuse some citizens. The red Xs will help citizens recognize which information must or need not be supplied in order to register to vote. The amendment will reduce the number of invalid registrations.

Minn. Laws 1977 ch. 395 § 3 removed the words "do not use P.O. box" from Minn. Stat. § 201.071 subd. 1 (1976) and necessitated removal of the words from voter registration cards.

In many cases cities and townships have the same name. The addition of boxes and an instruction to "check whichever is applicable" will make it clear to election officials the municipality in which a registration applicant lives.

A legal residence address may be different from a mailing address. Addition of mailing addresses to the information provided on voter registration cards will assist election officials, and ultimately registration applicants, by making it easier to contact applicants in order to confirm and resolve problems with registrations.

Addition of the form of proof of residence used for an election day registration and an identifying number to the "Office Use Only" box on voter registration cards will make it easier for election officials to investigate possibly fraudulent election day registrations. The proposed amendment reflects the requirement of new SecStat 604.

Minn. Laws 1977 ch. 395 § 3 removed the word "optional" from Minn. Stat. § 201.071 subd. 1 (1976) and necessitates its removal from voter registration cards.

Minn. Laws 1977 ch. 395 § 3 adds the words "date of birth (optional)" to Minn. Stat. § 201.071 subd. 1 (1976) and necessitates its appearance on voter registration cards. The month and date of registration applicants' birthdays has been sought on registration cards in the past in order to help election officials distinguish among registrants with identical names and addresses.

Minn. Laws 1977 ch. 395 § 3 deletes "Most Recent Prior Residence" from Minn. Stat. § 201.071 subd. 1 (1976) and necessitates removal of the question from voter registration cards.

Amendments to the duplicate voter registration card are identical to those proposed to the original card.

Amendments to the instructions for voter registration reflect amendments proposed to registration cards.

In addition, an instruction is added to make certain registration applicants understand that telephone numbers are optional. Further, an instruction to fill in the date on the original registration is added to reduce the number of instances in which the date is not supplied. A date can aid investigations of fraudulent registrations by documenting multiple registrations.

Addition of a second instruction to "SIGN THE BLUE CARD" will reduce the number of instances in which the duplicate voter registration cards are not signed. Signatures on duplicate cards are used to confirm the identities of voters at the polls.

Several instructions are renumbered.

SecStat 502. Minn. Stat. § 201.121 subd. 2 (1976) requires county auditors to mail notices within a reasonable time to all new registrants in order to confirm residences. Sometimes notices are not sent or are sent too late to serve as an effective safeguard against fraudulent registrations. A requirement that the mandated notices be sent to three percent of election day registrants within 10 days after an election would insure reasonably timely notice to registrants in order to guard against fraud.

SecStats 502 to 504 are renumbered.

SecStat 505. In addition to renumbering, proposed amendments reflect proposed amendments to SecStat 601 that would permit the use of additional forms of proof of residence when registering to vote on election day and that would recognize the fact that the "Minnesota Non-Qualification Certificate" is now known as the "Minnesota Identification Card." The proposed amendment to SecStat 505 also would eliminate the surplus language "to the election judges on election day."

SecStat 506. In addition to renumbering, a proposed amendment is necessitated as a result of deletion of "Most Recent Prior Residence" from Minn. Stat. § 201.071 subd. 1 (1976) by Minn. Laws 1977 ch. 395 § 3.

SecStat 507. In addition to renumbering, a proposed amendment would provide that a notification must include a voter registrant's former address only if he or she was registered to vote at that address. The amendment is necessitated as a result of deletion of "Most Recent Prior Residence" from Minn. Stat. § 201.071 subd. 1 (1976) by Minn. Laws 1977 ch. 395 § 3.

Addition of the date of a new registration will assist investigations of fraudulent registrations by documenting multiple registrations.

SecStat 508. In addition to renumbering, Minn. Laws 1977 ch. 395 § 3 deletes "Most Recent Prior Residence" from Minn. Stat. § 201.071 subd. 1 (1976) and necessitates removal of the words "or residence."

SecStats 509 to the end of chapter 3 are renumbered.

SecStat 601. Minn. Stat. § 201.061 subd. 3 (1976), as amended, authorizes the Secretary of State to approve documents for use as proof of residence when registering on election day. The presently approved methods for proof of residence often render registration difficult or impossible for students; the addresses on their driver's

licenses are the addresses of the homes of their parents, and they cannot find voters registered in the precinct who know that the students live in the precinct.

The proposed amendments would add student identification cards, student fee statements and student registration cards as approved documents for proof of residence when registering on election day if valid addresses are included on the documents. This amendment will ease the proof problem for students and do it with documents that are reliable as proof of residence.

In addition, the change of the name of the Minnesota Non-Qualification Certificate to the Minnesota Identification Card is reflected.

Minn. Laws 1977 ch. 395 § 1 amends Minn. Stat. § 201.061 subd. 3 (1976) to require that if a registered voter signs an oath on election day that he personally knows a registration applicant lives in the precinct, the oath must be attached to the new registration card until the county auditor verifies the address of the new registrant. The statutory change necessitates the addition of language to SecStat 601 reflecting the change.

SecStat 604. A requirement that the Minnesota Driver's License or Minnesota Identification Card number be entered on voter registration cards will assist election officials in investigating possibly fraudulent election day registrations.

SecStat 604 is renumbered.

SecStat 606. Minn. Laws 1977 ch. 308 § 4 added section 204A.175 to Minn. Stat. ch. 204A (1976). The new section requires county auditors or municipal clerks to train election judges. A proposed amendment to the rules of the Secretary of State insures that the training will include training in the election day voter registration duties of the judges.

SecStat 607. Some election officials are concerned that the rules of the Secretary of State do not make it clear that election officials may request voter registration applicants to contact election officials to resolve registration problems. It is often difficult or impossible for election officials to contact voter registration applicants. A proposed amendment will make it clear that election officials may request registration applicants to contact the officials.

The remainder of Chapter 6 is renumbered.

SecStats 902 and 903. Minn. Laws 1977 ch. 308 § 2 adds subdivision 6 to Minn. Stat. § 204A.13 (1976). The new subdivision authorizes the Secretary of State to formulate a training program for election judges throughout the state. In order to carry out this responsibility, the Secretary of State must be able to communicate with the officials charged with training election judges and observe the training. Proposed amendments to SecStats 902 and 903 will provide the Secretary of State with that information.

SecStat 1002. Deletion of the words "and be limited to" will remove confusion as to whether the Secretary of State is trying to limit the data that local officials may make available to the public with regard to registered voters. The Secretary of State has no authority to limit data available to the public, only to provide for uniformity in the presentation of some data.

SecStat 1101. Many members of the public as well as the Minnesota Legislature seek information from the Secretary of State with regard to the effectiveness, efficiency and integrity of voter registration procedures. The Secretary of State also must be aware of the effectiveness, efficiency and integrity of these procedures in order to carry out her responsibility pursuant to Minn. Stat. § 201.221 subds. 1-4 (1976) to adopt rules governing voter registration. As commissioner of voter registration in Minnesota, the Secretary of State is expected to recommend improvements in voter registration statutes to the Legislature.

A requirement that county attorneys report the outcomes of investigations into alleged violations of voter registration laws will provide the Secretary of State some of the information she needs to respond to inquiries concerning voter registration procedures, evaluate the procedures, adopt adequate rules and recommend improvements in voter registration statutes.

Corresponding changes are proposed in the table of contents.

B

Amendments to Rules Governing
Preparation of White Ballots

SecStats 2101 to 2106, 2108, 2110, 2111 and 2113. Minn. Stat. § 203A.31 subd. 3a (1976) identifies the ballot that is the subject of the rules of the Secretary of State as the "white ballot." To avoid confusion, proposed amendments would conform the rules of the Secretary of State governing the white ballot to the statutes.

SecStat 2101. The words "the ballot" are added to aid clarity.

SecStat 2102. A statutory reference is changed to Minn. Stat. § 203A.11 subd. 2 (1976) from section 203.27 subd. 2. Recodification by Minn. Laws 1975 ch. 5 §§ 42 and 135 necessitate the amendment.

SecStat 2106. Minn. Laws 1976 ch. 33 § 1 added subdivision 5 to Minn. Stat. § 203A.33 (1975 Supp.). The subdivision requires uncontested nonpartisan offices to appear at the bottom of general election ballots. The change necessitates a proposed amendment.

Another proposed amendment would permit flexibility in descriptions of congressional and legislative districts. The clearest may be selected.

SecStats 2109 and 2110. Minn. Laws 1976 ch. 224 § 2 amended Minn. Stat. § 203A.12 subd. 2 (1975 Supp.) to require that the party or principle of a candidate or the words "nominated without party designation" appear above or below, rather than after, the name of the candidate. The words "nominated by petition" now appear alone after the name of the candidate. Proposed amendments to SecStat 2109 are necessitated by the change.

The American Party of Minnesota now meets the definition of "political party" in Minn. Stat. § 200.02 subd. 7 (1976). In order to avoid the need to amend the rules of the Secretary of State governing preparation of the white ballot every time a "political party" appears or disappears, proposed amendments to SecStats 2109 and 2110 would substitute a general description of words that may not be used on the ballot.

SecStat 2115. Minn. Stat. § 203A.31 subd. 3a (1976) requires the state to reimburse counties for the cost of the preparation of the white ballot. Sample ballots and summary statements are reasonably related to preparation of the white ballot. Proposed amendments make it clear that the state will reimburse counties for the costs of sample ballots and summary statements.

A proposed amendment would delete as unnecessarily burdensome the requirement that bills be submitted in triplicate and that a copy of the printer's invoice accompany the bill.

III

Testimony

Steven Lindroth, election procedure advisor for the Secretary of State, will testify as to the above-mentioned facts in support of the need for and reasonableness of the proposed amendments.

Otto Johannes, an employee of Miller-Davis Company in Minneapolis, will testify as to the cost of printing voter registration cards with and without red Xs.

MARK W. WINKLER
Deputy Secretary of State

RESPONSE OF THE SECRETARY OF STATE
H.E. Docket No. SOS-78-001-PE

This is a response to proposals and statements before you with regard to amendments proposed to the rules of the Secretary of State on voter registration and preparation and delivery of the white ballot.

Please let me make a couple of preliminary comments.

First, the Statement of Need and Summary of Evidence contain support of the need and reasonableness of the amendments. It should be noted that the Statement and Summary contain all statutory support for the amendments. However, additional factual support is found in submissions to you by individuals and organizations other than the Secretary of State and I provided additional factual support at the hearing concerning the use of red ink on voter registration cards (T. 14) and proof of residence when registering on election day (T. 21-23).

Second, not all support for the proposed amendments appears in its chronological order in the transcript.

The weight of voter registration cards (SecStat 301) is dealt with at page 11, use of red ink (SecStat 301) at pages 4 and 103, checks of a random sample (SecStat 502) pages 21 and 29 to 30, election judge training (SecStat 606) page 31 and annual reports

(SecStats 902 and 903) pages 27 and 30 to 31

Now, to the specific suggestions. There are six groups.

First, the Secretary of State agrees with some suggestions that others have made.

1. The language "Your Address at Your Most Recent Prior Registration" on the original and duplicate voter registration cards should be changed to "Address of Your Last Registration If Any" (T. 36) to aid understanding of the requirement. Minn. Laws 1977 ch. 395 § 3 also requires the new language. The requirement and meaning of SecStat 301 would be unchanged.

2. The language at the end of Section B of SecStat 301 that describes the "office use only" box on original voter registration cards should include words mandating that the type of residence proof used on election day and its number, if any, be entered in the box (T. 37). The change would merely reflect an amendment proposed in the diagram of the card at the beginning of Section B and would be housekeeping.

3. The types of residence proof that may be used on election day should be listed separately and numbered on notices of ineffective registration (T. 41-42) to highlight the information and aid understanding of election day registration procedures. The change would not change the content of the notices in SecStat 506.

4. Election judges should be able to use an imprinter device rather than writing driver's license numbers on election day registrations

(T. 49-50, 68, 76, Minneapolis Recommendation III.C.) to save time and money. The change would simply permit another means to meet the requirement of SecStats 301 and 604.

5. Ineffective registration notices should be returned if undeliverable at the address a registration applicant gives (T. 70, 75) to reduce the possibility that an applicant for election day registration can prove a false residence with a notice of ineffective registration. The change would require only the addition of a few words to the form required by SecStat 506.

6. The type of residence proof used on election day and its number, if any, is needed only on original voter registration cards (T. 74). Removal of the information from duplicate registration cards in Section C of SecStat 301 would reduce confusion among registration applicants.

7. Ineffective registration notices should be listed first in the list of types of residence proof usable on election day that appears on ineffective registration notices (T. 97). Most of the citizens who receive a notice of ineffective registration will use it to register on election day, so its propriety should be pointed out first in the list. The change would not alter the requirements or information of SecStat 506.

8. The format for voter registration information maintained

in data processing systems should be more flexible than SecStat 1002 now provides (T. 98-100, 102-103) to permit election officials to make the data available in a variety of useful forms. The format of the data does not necessarily relate to compatability of systems. The change would eliminate a burden on election officials.

Second, several suggestions for rules changes cannot be accepted by the Secretary of State because they would require legislative action.

1. Make birthdate on voter registration cards mandatory (suggested by several individuals and organizations). SecStat 301. Minn. Laws 1977 ch. 395 § 3 makes the birthdate optional.

2. Keep "Most Recent Prior Residence" on voter registration cards (T. 36). SecStat 301. Minn. Laws 1977 ch. 395 § 3 deleted the requirement.

3. Make completion of all lines on voter registration cards mandatory if applicable (T. 38). Minn. Stat. § 201.071 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 3, sets out the only mandatory information on voter registration cards.

4. Replace or supplement mail checks of new voter registrations (T. 38-40). Minn. Stat. § 201.121 subd. 2 (1976) provides for mailed notice.

5. Require the state to pay for training of election judges and for election judges to process registrations (T. 50-51, 101).

Only the Minnesota Legislature can approve expenditures of state funds.

6. Require the state to pay the costs of investigations into possible double voting (T. 52). Again, only the Legislature can approve expenditures.

7. Change the criminal penalties for voter registration penalties (T. 54-55, 78, Minneapolis Recommendations IV.E.). Minn. Stat. § 201.27 (1976) provides the penalties.

8. Do not delete the language "Do not use P.O. box" from voter registration cards. (T. 63-64, 91, Minneapolis Amendments 2). SecStat 301. Minn. Laws 1977 ch. 395 § 3 mandates deletion.

9. Permit officials to accept voter registration cards that do not include addresses of most recent prior registration and to obtain that information later (T. 71-72, Minneapolis Recommendation IV.A.). SecStat 301. Minn. Stat. § 201.071 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 3, makes registration cards defective if they do not include addresses of most recent prior registration.

10. Make the date mandatory on duplicate registration cards (T. 74). SecStat 301. Minn. Stat. § 201.071 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 3, mandates certain information on voter registration cards.

11. Require the state to pay the costs of processing the three percent random sample proposed to be required by SecStat 502 (T. 74-75).

12. Do not permit election day registration (T. 77-78, Lucille Erie statement). Minn. Stat. § 201.061 subd. 3 (1976), as amended by Minn. Laws ch. 395 § 1, permits it.

13. Require voters to register at a single location (T. 77-78). Minn. Stat. § 201.061 subd. 1 (1976) permits registration by mail from any location.

14. Remove signature of election judge from voucher card used in election day registrations (T. 80-84). SecStat 601. Minn. Stat. § 201.061 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 1, requires an oath on the voucher card.

15. Do not require attachment of voucher cards to registration cards after primary elections (T. 84-85). SecStat 601. Minn. Stat. § 201.061 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 1, requires attachment.

16. Require maintenance of a countywide alphabetical list of registered voters (T. 100-101). Minn. Laws 1976 ch. 223 § 5 deleted that requirement.

17. Require Social Security number on voter registration cards (Hennepin County p. 3). SecStat 301. Minn. Stat. § 201.071 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 3, mandates certain information on voter registration cards.

18. Permit officials to remove voter registrations from the files when mailed notices are returned as undeliverable (Minneapolis Amendments). Minn. Stat. § 201.121 subd. 2 (1976) requires

a challenge instead of removal.

19. Permit cities of the first class to pick election judges in a manner other than from civil service lists (Minneapolis Recommendation 11.C.5.). Minn. Stat. § 204A.17 subd. 2 (1976) requires use of the list.

20. Require sex of applicant for voter registration (Barbara Elrod statement). Minn. Stat. § 201.071 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 3, does not require the information.

21. Require students to vote at residence of parents (Lucille Erie statement). Minn. Const. art. VII § 1 and Minn. Stat. § 200.02 subd. 25 (1976) permit citizens to vote in the precinct they consider their residence.

22. Require state to furnish all voter registration cards (Byram letter). Only the Minnesota Legislature can approve expenditures of state funds.

23. Permit patients of health care facilities outside their precinct of residence cast absentee ballots on election day (Byram statement). Minn. Laws 1977 ch. 395 §§ 10-14 provide that patients of health care facilities can cast absentee ballots on election day only if the facilities are in the precinct in which the patients live.

24. Require election judges to attend training sessions (Kankel statement). SecStat 606. Minn. Laws 1977 ch. 308 § 4

mandates that county and local officials provide training for election judges, but it does not require judges to attend.

Third, some suggestions are outside the scope of the authority of the Secretary of State to adopt rules on voter registration and the white ballot.

1. The length of election judge training sessions and the rate of pay (Minneapolis Recommendation 11.A.8.) are determined locally.

2. Content of the Minneapolis civil service exam (Minneapolis Recommendation 11.C.2.). The content is determined locally.

3. Media of civil service advertisements (Minneapolis Recommendation 11.C.3.). Advertising is determined locally.

4. Form of information that the Secretary of State provides on election laws (Evelyn Harmeyer statement). The suggestion does not relate to voter registration or the white ballot.

5. Permit punch card voter certificates (Hennepin County 8). Minn. Stat. §§ 204A.29, 207.08 and 207.20 (1976) regulate voter certificates, which are not related to voter registration or white ballots.

Fourth, some suggestions are unnecessary, because they already are implemented.

1. Applicants should enter the word "none" on the line for address of prior registration on voter registration cards if the applicants do not have prior registrations (T. 36). Instruction 8 in Section D of SecStat 301 would require entry of "none."

2. Applicants should indicate no change on the line for

address of prior registration on voter registration cards if the applicants are renewing registrations that have lapsed because of nonvoting (T. 36-37). SecStat 301 requires renewing applicants to enter the present address on the line for address of prior registration.

3. Mailed notices should contain the words "do not forward" (T. 38-40). SecStat 501 states the notices must require return if not deliverable.

4. Quantity and size of posters for use at the polls listing types of residence proof for election day registrations (T. 40). The Secretary of State provides large posters for every polling place.

5. Statement that some ineffective registrations will be in effect for the subsequent elections (T. 41). SecStat 511 requires voters to re-register if they move.

6. Election officials should report to the Secretary of State the number of election day registrations (T. 52). SecStat 902 requires the information be reported.

7. Permit election judges to fill in date on voter registration cards (T. 72, Minneapolis Recommendation IV.C.). No law prohibits it.

8. Precinct finders should be placed in each precinct (T. 101). Minn. Laws 1977 ch. 395 § 2 requires that aids to finding addresses be placed in each precinct.

9. Shade duplicate registration cards and indicate they are to be completed by registration officials (Hennepin County 3). SecStat 301 requires both.

10. Place bold black arrows next to mandatory information

on voter registration cards (Hennepin County). The Secretary of State proposes red Xs to indicate mandatory information. SecStat 301.

11. Clarify whether an election day voucher must know the voter registration applicant (Minneapolis Recommendation IV.B.). Minn. Stat. § 201.061 subd. 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 1, and SecStat 601 require that the voucher swear only that he or she knows the registration applicant lives in the precinct.

12. Add "state" to address that voter registration applicant must provide (Kathleen Nelson statement). SecStat 301. Minn. Const. art. VII § 1 and Minn. Stat. § 200.02 subd. 25 (1976) require that all legal addresses be in Minnesota. There is no eveidence many, if any, mailing addresses are outside Minnesota and therefore justify the loss of space and possible confusion that "state" would cause.

Fifth, the Secretary of State feels she should not adopt some suggestions at this time, because the suggestions plow new ground.

Minn. Stat. § 15.0415 (1976) provides that persons wishing to propose rules shall make the proposal in a petition. Minn. Stat. § 15.0412 subd. 6 (1976) provides that persons also may respond to notice by an agency of its intention to solicit information before proposing rules, and a notice of intention dated August 15, 1977, is Exhibit 1 before you.

Minn. Stat. § 15.0412 subd. 4 (1976), as amended by Minn. Laws 1977 ch. 395 § 2, provides for notice and a public hearing whenever a rule is proposed or amended in order to give all affected persons ample opportunity to evaluate and react to possible changes. The opportunity would not be provided if these suggestions for new or altered rules were adopted at this time. The suggestions would create burdens as well as vary procedures for tools and supplies for voter registration officials throughout Minnesota.

The Secretary of State continually reviews her rules and proposes modifications to improve voter registration and white ballots. She will study the suggestions that plow new ground, and she will propose any that she feels would contribute to improvement.

The Secretary of State does not have the opportunity to determine the facts with regard to the need for and effects of suggestions for new or altered rules in the short time the record remains open after a hearing.

Suggestions that plow new ground are:

1. Replace three-part voter registration cards with two-part cards (suggested by several individuals and organizations).

2. Require voter registration cards used before election day to be different from cards used on election day (suggested by several individuals and organizations).

3. Permit use of only a yellow driver's license receipt, not a white receipt, as proof of residence in election day registrations (T. 42-43). SecStat 601. White receipts are used when drivers lose licenses, while yellow receipts are used when drivers move or apply for licenses the first time. Drivers without licenses because of loss could not use a receipt to register to vote on election day, while drivers without licenses for other reasons could register with the help of a receipt. Both receipts contain the name and address of the holder.

4. Number driver's license receipts (T. 43). This also would require the cooperation of the Minnesota Department of Public Safety.

5. Require distribution of voter registration cards to all students entering colleges and universities (T. 44). This also would require the cooperation of the colleges and universities.

6. Require that if an election official receives notice that a voter registered in the official's jurisdiction has registered elsewhere, the official must check to see whether the individual voted in the official's jurisdiction in the most recent election and, if so, report the possible case of double voting to the county attorney and to the Secretary of State (T. 46-49, 52). The Secretary of State's proposed amendments

to SecStat 508 would require that the date of new registration be entered on the notice to the officials at the place of most recent prior registration; this would facilitate the suggested checks if election officials wish to make them.

7. Require that an imprinter be available in each polling place to help election judges enter driver's license numbers on voter registration cards (T. 49-50, 68).

8. Require election officials to investigate and report to the Secretary of State the number of individuals voting in the wrong precinct (T. 52).

9. Require establishment and use of a form on which election judges can report apparent errors in voter registration files to city clerks and county auditors (T. 59-60). Minn. Stat. ch. 201 (1976), as amended provides several methods to purge registration files.

10. Require use of paper heavier than 100 pounds for voter registration cards (T. 73-74).

11. Set a length of time beyond which election officials need not maintain voucher cards affixed to voter registration cards pending verification of the address of the voter (T. 76).

12. Require signatures to be at the top, rather than bottom, of duplicate registration cards (T. 95, Hennepin County 3). Placement of signatures at the top of the card also would force election judges to attempt to read signatures instead of printed

or typed names when working with duplicate registration files at the polls. The only way to eliminate the difficulty of checking duplicate registration files and, at the same time, require signatures at the top of the cards would be to turn the other contents of duplicate registration cards upside down. That change, in turn, would affect procedures for typing information on original registration cards onto duplicate cards in registration offices.

13. Eliminate the words "or type" from voter registration cards (T. 95-96).

14. Require election judges to initial voter registration cards (T. 102, Hennepin County 2, Minneapolis Recommendation 11.A.6.). Officials now can require initials pursuant to the language at the end of Sections A and C of SecStat 301, and some do.

15. Provide standards for compatability of computers (Hennepin County 1).

16. Redesign voter registration cards to place instructions at the top, redraft instructions, eliminate lines on duplicate registration cards, set spacing for typewriter use on duplicate cards and move gummed sealing tab on voter registration cards (Hennepin County 1-2, 4).

17. Require a standard student identification card (Hennepin County 6).

18. Approve U.S. Bureau of Indian Affairs identification card as proof of residence on election day (Hennepin County 7).

19. Remove non-mandatory information, except telephone number, from voter registration cards (Minneapolis Recommendation III.A.2.).

20. Do not require registration officials to obtain information for defective voter registration cards submitted within 20 days of an election (Janoweic statement). SecStat 504.

21. Do not require notices of ineffective registration to be mailed to individuals who attempt to register within five days of an election (Janoweic statement). SecStat 506.

22. Require voter registration applicants, not officials, to complete the box in the upper right corner of voter registration cards (Kankel statement). Citizens also are unlikely to know the information.

Sixth, the Secretary of State feels she should not accept some suggestions made with regard to her proposed amendments.

1. One person suggests the Secretary of State wait until after the Minnesota Legislature acts on voter registration proposals in 1978 and then adopt rules (T. 32-34). Adoption of rules takes approximately five months, and the Minnesota Legislature can meet, although it probably will not, until next May 22. That means, even assuming rules could be drafted the day the Legislature adjourned, that rules would not go into effect until

October 22. The primary election in 1978 is September 12. In 1976 the Legislature passed an election bill that went into effect on April 14; rules could not have gone into effect until September 14. Mr. Mel Hansen, who suggested the delay at the rules hearing, said new rules should be in effect in May for the 1978 elections (T. 58).

2. One person suggests that the Secretary of State not require mandatory information on voter registration cards to be indicated with red ink (T. 34). SecStat 301. Mr. Mel Hansen argues that the rule would discourage voter registration applicants from filling in other blanks on the cards. Several individuals and groups have testified in support of the proposal. Voter registration cards submitted without mandatory information are a major problem. Sixty-three percent of cards submitted at the recent Minneapolis city election were defective for lack of information (T. 62), and incomplete cards take almost twice as long to process as completed cards (T. 63).

3. Some individuals and organizations have expressed concern about the proposed addition of a mailing address, if different from an applicant's legal address, to voter registration cards. SecStat 301. Mr. Mel Hansen fears it might encourage citizens to register to vote in places other than where they live (T. 34-35). Others feel the proposed addition would make voter registration cards more confusing and, therefore, should not be required in large cities and

other places where mailing addresses are not different from legal addresses (T. 66-67, Minneapolis Amendment 6).

Many election officials and others, in statements before you and elsewhere, have cited problems caused by existing voter registration cards when registration applicants have mailing addresses different from their legal addresses. It is difficult to determine who the applicant is. Mailed notices are returned as undeliverable, and the statutes require election officials to challenge the registration applicant when he or she attempts to vote. Election officials cannot even find some applicants to inform them of problems with their attempted registrations. Note Mr. Art Jensen's plea on behalf of election officials even in generally urban Hennepin County (T. 93).

It is unlikely that individuals would try to register to vote in precincts where they do not reside, because the legal addresses of all applicants would still be required; in fact, the Secretary of State proposes to highlight the legal addresses on voter registration cards with red Xs.

It is infeasible to make the mailing address optional with local officials. Any citizen can obtain voter registration cards in any community in Minnesota and use them to register citizens to vote in any other community in the state. In some instances, for example the Minnesota State Fair (T. 94), voter registration cards are distributed to citizens who might register in hundreds

of different communities around the state. As a result, use of two different voter registration cards would result in election officials who need mailing addresses not getting them.

4. One person has wondered whether the type of proof of residence used on election day and its number, if any, should be obtained (T. 97-98). SecStat 301; some have suggested that the information should be on the back, not front, of voter registration cards.

Many persons, before you and elsewhere, have supported obtaining the type of residence proof and number, if any, as a means to evaluate the integrity of the various types of residence proof and to assist in investigations of possible fraud in registration and voting.

Placement of the information on the back of voter registration cards is infeasible. The back of original cards is a mailer for use in submitting a completed voter registration card, the back of duplicate registration cards is a record of voting and the back of instructions cards is more instructions.

Requiring a card with residence proof on the back for election day registrations and another card with a mailer on the back for pre-election day registrations has merit. However, it would cause election officials to print two different cards, and costs would increase. Election officials should receive notice of such a change before it is adopted, and they should have an

opportunity to react to it at a public hearing.

It is unlikely that the proposed addition of the type of residence proof and number, if any, would confuse voter registration applicants if placed on the front of the card. The information would be placed in a box that applicants are instructed not to worry about; the box is "for office use only."

5. Several individuals and organizations have expressed concern over the proposal of the Secretary of State to permit proof of residence in election day registrations by student identification cards, student fee statements and student registration cards as long as the documents contain the address of the student in the precinct. SecStat 601. The concerns are generally that the new proofs would be difficult for election judges to recognize and that the new proofs would be unreliable.

Many persons, in statements before you and elsewhere, have indicated that the presently approved residence proofs are inadequate for college and university student registrants. Many students cannot register to vote in their school precincts on election day, because they do not drive or possess drivers' licenses with their parents' addresses on them; many do not know registered voters in the school precincts who can vouch for the students. Students who do use vouchers cause delays in polling places, and improprieties and abuses frequently occur in connection with vouchers in school precincts.

Election judges should have no difficulty with the new residence proofs, because by August 1 of each election year the Secretary of State intends to provide election officials with copies of all approved student residence proofs in use in Minnesota.

All of the proposed new proofs must have addresses on the documents. This makes them comparable to notices of ineffective registration, which are existing approved proofs of residence. The Secretary of State has received no indication that notices of ineffective registration have been unreliable.

The Secretary of State has discussed the proposed new proofs of residence with administrators at eight Minnesota colleges and universities. No administrator indicated serious problems of unreliability would result. In fact, one administrator volunteered that the new proofs would be more reliable than vouchers.

The persons who have expressed concern over the reliability of the proposed new proofs have communicated fears but no facts to support the fears.

Some persons have urged a requirement of a uniform student identification card, perhaps containing a picture.

It should be noted that several existing approved residence proofs do not contain pictures, and the Secretary of State has received no evidence of unreliability. The requirement of a

uniform student identification has significant cost and other ramifications that argue for notice and a hearing before adoption.

Minn. Const. art. VII § 1 and Minn. Stat. § 201.061 subds. 1 and 3 (1976), as amended by Minn. Laws 1977 ch. 395 § 1, prohibits a requirement that students must vote in the precincts of their parents.

6. Some individuals and groups have urged shorter instructions on voter registration cards (T. 56, 96, Hennepin County 2). SecStat 301. The Secretary of State has proposed the addition of instructions concerning telephone number, date of birth and the date on original voter registration cards.

A serious problem exists with regard to incomplete voter registration cards; Minneapolis, for example, reports that 63 percent of cards received in a recent city election did not even contain mandatory information (T. 62).

The Secretary of State's proposal will result in an instruction for every blank on voter registration cards. She hopes that complete instructions will result in completed registration cards.

Many election officials agree with her.

7. One person expressed concern over the use of boxes for voter registration applicants to indicate whether their legal residence is in a city or township (T. 69). SecStat 301.

Mr. Lyall Schwarzkopf is concerned that the information would not be useful in Minneapolis, election judges would have to spend time checking whether the information was on registration cards and the additional language would confuse registration applicants.

Many election officials have pointed out that in many areas of the state, cities and townships with the same names exist side by side. Present voter registration cards do not inform officials whether a voter registration applicant lives in the city or the town. This leads to inability to contact applicants and to challenges of valid registrations when notices are returned as undeliverable because officials send them to the wrong community.

It is infeasible to require city/township boxes on voter registration cards used in rural areas and not to require the boxes on cards used in urban areas. Registration cards can be obtained in any community in Minnesota and used in any other community, so election officials would receive completed cards with either too much or too little information on them.

Having dealt with specific proposals and statements, I have one other matter to address.

Attached is a Minneapolis Tribune article of August 29, 1977, which in the bracketed paragraphs cites findings that

support the proposal of the Secretary of State for a random check of three percent of election day registrations within 10 days after the election.

Thank you.

STEVEN E. LINDROTH
Election Procedure Advisor

Study warns of registration fraud at polls

By Steven Dornfeld
Staff Writer

Minnesota and Wisconsin laws that permit citizens to register at the polls on election day have produced only a marginal increase in voting, according to a new study.

And if these laws are not changed, it warns, "the potential for vote fraud is great and the probability of detection is extremely small."

The study was done by Richard G. Smolka, professor of political science at American University in Washington, D.C., for the American Enterprise Institute, a conservative-oriented think tank.

Secretary of State Joan Growe, Minnesota's chief election officer and an outspoken proponent of election-day registration, said recently that she is in no position to doubt Smolka's statistics and agreed that the potential for fraud does exist.

But she quickly added that Minnesota has a tradition of clean elections and that she has no fear that this will change.

Minnesota's election-day registration law was one of a number of new election statutes enacted in 1973 over Republican objections after DFLers gained control of the state Senate and House.

The law established a system of permanent, statewide voter registration that permits citizens to register by sending in a postcard before the election or by appearing at the polls on election day. Wisconsin is the only other state that has such a law.

Earlier this year, President Carter included election-day registration as a major element in his campaign reform package. However, the proposal faltered after encountering opposition from most Republicans, some Democrats and a number of good-government groups — principally because of fears that it would lead to widespread election fraud.

In his study, Smolka reports that Minnesota experienced an increase in turnout by residents of voting age from 68.4 percent in the 1972 presidential election to 71.7 percent in 1976, or 3.3 percentage points. Wisconsin experienced a

Register continued on page 7A

8-29-77 Tribune

Register Continued from page 1A

slightly larger increase, 3.5 percentage points.

Meanwhile, the remainder of the nation experienced a decrease in turnout of 1.1 percentage points.

According to Smolka's figures, 454,147 Minnesotans registered at the polls. This constituted 22.9 percent of all those who voted.

Smolka said it is impossible to determine precisely how many of these citizens would not have voted if election-day registration had not been in effect. One reason, he said, is that a growing number of voters simply are not registering in advance because they know they can do so at the polls.

But he estimated that no more than half of the 3.3 percentage-point increase in Minnesota's turnout was the product of election-day registration.

Smolka's major concern is the lack of adequate safeguards in the Minnesota and Wisconsin laws to prevent fraud.

In Minnesota, the law requires a citizen who wishes to register on election day to submit any one of four types of identification to establish that he resides within the precinct or to appear at the polls with a registered voter who is willing to vouch for him.

Sometime afterward, a nonforwardable card is supposed to be mailed to each registrant to verify that the address he gave is correct.

"The success of the election-day safeguard," Smolka said, "is entirely dependent upon the registration official at the polling place." And last year, he said, the great number of citizens who registered

Hansen, IR-Minneapolis, who has spent considerable time trying to document cases in which the law has been abused. During last year's election, Hansen said, he found 35 cases in which citizens voted in precincts in which they did not live.

Hennepin County Attorney Gary Flakne, like Hansen an Independent-Republican, said his office investigated these and other complaints, but did attempt any prosecutions. The problem, he said, is "proving intent — that someone knowingly voted in the wrong precinct."

During the last session, the Legislature enacted a law requiring, for the first time, that a precinct map or precinct finder be made available to election judges at every polling place in the state to help them prevent citizens from registering and voting in the wrong location.

S-78-001-PE

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE SECRETARY OF STATE

In the Matter of Proposed Amendments to the Rules of the Secretary of State Governing Voter Registration and Preparation of the White Ballot.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 10:00 a.m. on Tuesday, November 22, 1977 in Room 83 of the State Office Building, St. Paul, Minnesota.

Robert Hentges, Special Assistant Attorney General, appeared as counsel on behalf of the Secretary of State. Secretary of State Joan Growe and Steven Lindroth, election procedure advisor, testified in support of the proposed rules. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

The Secretary of State shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall also clearly indicate any changes made to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his report to the Secretary of State on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Secretary of State shall be responsible for filing the rules with the Attorney General.

Based upon all the records and proceedings herein, the

RECEIVED
JAN 16 1978
ATTORNEY GENERAL
102 STATE CAPITOL
ST. PAUL, MINN. 55155

Examiner makes the following:

FINDINGS OF FACT

1. On November 22, 1977 the Secretary of State filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the estimated length and number of people attending the hearing.

2. On October 17, 1977 a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 784.

3. On October 21, 1977 the Secretary of State mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On November 22, 1977 the Secretary of State filed the following documents:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's List;
(d) The Affidavit of Mailing;
(e) The Secretary of State's Certificate and list;
(f) The Statement of Evidence, including the names of witnesses to be called;
(h) The names of office personnel who will represent the agency.

Although the documents were not filed until the date of the hearing, no requests were made to the Examiner to inspect the documents prior to hearing.

5. The record remained open through December 12, 1977 for the receipt of written comments and statements.

6. Statutory authority to promulgate the proposed rules is contained in Minn. Stat. §§ 201.221 subds. 1-4 (1976) and 203A.31 subd. 3a (1976).

7. A Notice of Intent to Solicit Outside Information regarding the proposed rules was published in the State Register on August 22, 1977 at 2 S.R. 297.

8. SecStat 301 is proposed to be amended as follows:

> Red Xs would be required next to the blanks that must be completed on voter registration cards in order for a registration to be valid. Voter registration cards confuse some citizens. The red Xs will help citizens recognize which infor-

mation must or need not be supplied in order to register to vote. The amendment will reduce the number of invalid registrations.

Minn. Laws 1977 ch. 395 § 3 removed the words "do not use P.O. box" from Minn. Stat. § 201.071 subd. 1 (1976) and necessitated removal of the words from voter registration cards.

In many cases cities and townships have the same name. The addition of boxes and an instruction to "check whichever is applicable" will make it clear to election officials the municipality in which a registration applicant lives.

A legal residence address may be different from a mailing address. Addition of mailing addresses to the information provided on voter registration cards will assist election officials, and ultimately registration applicants, by making it easier to contact applicants in order to confirm and resolve problems with registrations.

Addition of the form of proof of residence used for an election day registration and an identifying number to the "Office Use Only" box on voter registration cards will make it easier for election officials to investigate possibly fraudulent election day registrations. The proposed amendment reflects the requirement of new SecStat 604.

Minn. Laws 1977 ch. 395 § 3 removed the word "optional" from Minn. Stat. § 201.071 subd. 1 (1976) and necessitates its removal from voter registration cards.

Minn. Laws 1977 ch. 395 § 3 adds the words "date of birth (optional)" to Minn. Stat. § 201.071 subd. 1 (1976) and necessitates its appearance on voter registration cards. The month and date of registration applicants' birthdays has been sought on registration cards in the past in order to help election officials distinguish among registrants with identical names and addresses.

Minn. Laws 1977 ch. 395 § 3 deletes "Most Recent Prior Residence" from Minn. Stat. § 201.071 subd. 1 (1976) and necessitates removal of the question from voter registration cards.

Amendments to the duplicate voter registration card are identical to those proposed to the original card.

Amendments to the instructions for voter registration reflect amendments proposed to registration cards.

In addition, an instruction is added to make certain registration applicants understand that telephone numbers are optional. Further, an instruction to fill in the date on the original registration is added to reduce the

number of instances in which the date is not supplied. A date can aid investigations of fraudulent registrations by documenting multiple registrations.

Addition of a second instruction to "SIGN THE BLUE CARD" will reduce the number of instances in which the duplicate voter registration cards are not signed. Signatures on duplicate cards are used to confirm the identities of voters at the polls.

Several instructions are renumbered.

9. At hearing, the Secretary of State proposed to further amend SecStat 301 as follows:

a. To strike the word "approximately" in A.2 and replace it with at least to insure that the paper is heavy enough to go through the U.S. mail; and

b. To add the sentence, The certification also shall be printed in red ink on the original voter registration card, at the end of A.3 to insure that it is seen and understood.

10. The Secretary of State concurs with the following proposals for changes in 301 made at the hearing:

a. To change the language, "Your Address at Your Most Recent Prior Registration" to, Address of Your Last Registration, If Any, for the purpose of clarity;

b. To add a sentence to the last paragraph in B mandating that the type of residence proof used on election day and its number, if any, be entered in the "office use only" box; and

c. Removal of the type of residence proof used on election day and its number from the duplicate registration card in C because the information is only needed on the original card.

11. Mel Hansen suggested that the following sentence be added to 301 D to insure that the registration card is complete:

"...may be accepted. Other lines should be filled in where applicable."

12. SecStat 502 has been proposed because:

Minn. Stat. § 201.121 subd. 2 (1976) requires county auditors to mail notices within a reasonable time to all new registrants in order to confirm residences. Sometimes notices are not sent or are sent too late to serve as an effective safeguard against fraudulent

registrations. A requirement that the mandated notices be sent to three percent of election day registrants within 10 days after an election would insure reasonably timely notice to registrants in order to guard against fraud.

SecStat 502 through 504 have been renumbered.

13. Mr. Hansen proposed to add the language, providing the applicant still resides at the same address, to SecStat 504, paragraph two, for the purpose of clarity.

14. The proposed amendments to SecStat 506 allow the use of additional forms of proof of residence when registering on election day and eliminate surplus language.

15. At hearing, the Secretary of State proposed to further amend 506 by replacing the word "card" with notice to correctly identify what was being referred to.

16. The Secretary of State concurred with Mr. Hansen's proposal to amend 506 by listing the types of residence proof separately on the ineffective registration notices. This amendment would more clearly identify the items of proof available for use. Also, that the ineffective registration notice be listed first in the list of types of proof available as most persons who receive it, use it.

17. Lyle Schwartzkopf suggested that language be added to 506 stating that the ineffective registration notice should be returned if undeliverable so that it is not forwarded to a new address. The Secretary of State concurs in this amendment.

18. Renumbering and minor clarifying amendments, pursuant to Minn. Stat. § 201.071, have been made to SecStat 507 through 513.

19. SecStat 601 has been amended because:

Minn. Stat. § 201.061 subd. 3 (1976), as amended, authorizes the Secretary of State to approve documents for use as proof of residence when registering on election day. The presently approved methods for proof of residence often render registration difficult or impossible for students; the addresses on their driver's licenses are the addresses of the homes of their parents, and they cannot find voters registered in the precinct who know that the students live in the precinct.

The proposed amendments would add student identification cards, student fee statements and student registration cards as approved documents for proof of residence when registering on election day if valid addresses are included on the documents. This amendment will ease the proof problem for students and do it with documents that are reliable as proof of residence.

In addition, the change of the name of the Minnesota Non-Qualification Certificate to the Minnesota Identification Card is reflected.

Minn. Laws 1977 ch. 395 § 1 amends Minn. Stat. § 201.061 subd. 3 (1976) to require that if a registered voter signs an oath on election day that he personally knows a registration applicant lives in the precinct, the oath must be attached to the new registration card until the county auditor verifies the address of the new registrant. The statutory change necessitates the addition of language to SecStat 601 reflecting the change.

20. Proposed new SecStat 604 requires that drivers license numbers or identification card numbers be entered on registration cards to assist election officials in the investigation of fraudulent election day registrations. Present SecStat 604 is renumbered.

21. Arthur Jensen suggested that 604 be amended by adding language which would allow election judges to use imprinter devices to transfer I.D. card numbers onto the registration card. The Secretary of State concurs in this amendment for the sake of efficiency and speed.

22. Proposed new SecStat 606 mandates that election day voter registration training be given at the same time training is provided pursuant to Minn. Stat. § 204A.175 (1977). This will insure knowledge of the correct procedures by the election judges.

23. Proposed new SecStat 607 provides that election officials may request registration applicants to contact the registration office to resolve registration problems.

24. The proposed amendments to SecStat 902 and 903 provide the Secretary of State with information regarding local governmental units so that a training program for election judges can be formulated pursuant to Minn. Stat. § 204A.13 subd. 6 (1977).

25. The proposed amendment to SecStat 1002 strikes language which was inappropriately inserted into the rule when originally adopted.

26. Several comments were made, and later concurred with by the Secretary of State, that the data entry standards for registration records set-out in 1002 are so inflexible as to result in "incompatibility" between computer systems. The Secretary of State suggested that language changes be made to loosen-up the data format requirement, although no specific amendment was proposed.

27. Proposed new SecStat 1101 provides a necessary reporting mechanism so that the Secretary of State will be informed of investigations of alleged violations of voter registration laws.

28. The proposed amendements to SecStat 2101 through 2106, 2108, 2110, 2111 and 2113 are necessary to clarify the rules and to comply with recent statutory changes in Chapter 203A.

29. The record contains additional suggestions for changes in the proposed rules which have not been discussed in this report.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate legal notice of the hearing was properly served and filed by the Secretary of State.

2. Although the documentation required in HE 103 was not filed until the day of the hearing, the Examiner concludes that this defect is not fatal to the proceeding. As was stated in Finding 4, no requests were made to the Examiner regarding inspection of those documents. The record remained open for 20 days after the hearing.

3. Pursuant to Minn. Stat. § 15.052, subd. 3 (1976), it is the duty of the Hearing Examiner to: "...(4) make a report on each proposed agency action...taking notice of the degree to which the agency has (i) documented its statutory authority to take the proposed action, (ii) fulfilled all relevant, substantive and procedural requirements of law or rule, and (iii) demon-

strated the need for and reasonableness of its proposed action with an affirmative presentation of facts."

4. The Examiner concludes that the proposed rules be amended as set-out in Findings 9, 10, 11, 13, 15, 16, 17 and 21 for the reasons stated therein.

5. Because of the lack of a specific proposal regarding the "inflexibility" of SecStat 1002, the Examiner cannot recommend that a change be made. However, that does not preclude amendment of the rule providing that no substantial change is made. See HE 108.

6. The Examiner concludes that the Secretary of State has documented its statutory authority to promulgate the proposed rules and that the need for and reasonableness of the proposed rules, as recommended to be amended herein, has been demonstrated by an affirmative presentation of facts.

7. The fact that several additional suggestions for changes were not discussed in this report does not lead to the conclusion that they lacked merit or that the Secretary of State should not consider them before final adoption, but rather, that the proposed rules were found to be needed and reasonable in compliance with Chapter 15.

8. The Examiner concludes that none of the amendments he is suggesting herein constitute a substantial change in the rules.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

That the Secretary of State adopt the proposed rules as recommended to be amended in this report.

Dated this 12th day of January, 1978.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

following the upcoming election.

SecStat [504] 505 Wrong county

When a county auditor receives a registration card from a person who he has reason to believe is a resident of another county, he shall within two working days forward the registration card to the auditor of the proper county if it can be ascertained. The auditor shall notify the applicant of the action.

SecStat [505] 506 Ineffective registration

Upon receipt of a voter registration card that is faulty or defective, filed with the wrong office or filed during a period when pre-election day voter registrations cannot by law be accepted, the following notice of ineffective registration shall be mailed to the person requesting to become registered. The notice shall require that it be returned if not deliverable.

NOTICE OF INEFFECTIVE REGISTRATION

IMPORTANT INFORMATION
ABOUT YOUR VOTER REGISTRATION

To: _____

Your Voter Registration cannot be accepted by this office for the following reason(s):

1. ☐ Wrong County. Your registration has been forwarded to _____ County.

2. ☐ Incomplete: _____

_____

3. ☐ Your registration was received fewer than 20 days before the upcoming election. It will be effective on __/__/__ (day after next election).

4. ☐ Minnesota law provides that pre-election day registration for the upcoming __/__/__ election be received in this office by __/__/__. You may register to vote at the polling place on election day by [using] presenting either (a) this mailed notice; (b) a valid Minnesota Driver's License or receipt thereof; (c) [or] a [non-qualification certificate] Minnesota Identification Card or receipt thereof; (d) [or] a student identification card that contains the student's valid address; (e) a student fee statement that contains the student's valid address ~~or~~, (f) a copy of a student registration card that contains the student's valid address; (g) ~~by having~~ a registered voter in your precinct who can attest to your address ~~witness your registration~~[.] [or] (h) ; ~~by having~~ a valid registration in the same precinct under a different address ~~, or by presenting this mailed card~~ [to the election judges on election day].

Your Polling Place is _____

_____ County Auditor ___/___/___
(signature) (date)

SecStat [506] 507 Notification of registration

When a county auditor receives a registration card listing a prior registration in another county [or] a prior residence in another county], the auditor shall notify the auditor of the other county. [If] the former registration and the former residence are in

different counties, the auditor shall notify the auditors of both counties.

SecStat 507 508 Auditor's notification form

When a registration is received by a county auditor and the person requesting to register indicates he was previously registered to vote, the county auditor shall notify the county auditor in the county of previous residence that the voter has changed residency. The form for notification shall be as follows:

To the Auditor of _____ County

County Courthouse

_____, Minnesota
(county seat)

The following person has registered to vote in _____ County. You are hereby requested to check your registration files and remove the person's name if it should appear in your file.

Voter's name _____

Voter's former Address of voter's former registration _____

_____

Date of voter's new registration ____/____/____

Auditor of _____ County

Copy of original voter registration card enclosed _____

The county auditor who sends the form may attach a reproduction of the original registration card rather than fill in "Voter's name" and "Voter's former address."

SecStat [508] 509 Prior residence outside Minnesota

When a county auditor receives a registration card which lists a former registration [or residence] in a state other than Minnesota, the auditor shall notify the secretary of state of the state of former registration [or residence] that the person has registered to vote in Minnesota.

SecStat [509] 510 Acknowledgement of ineligible applications

Ineligible applicants shall be notified of the reasons for their ineligibility and their cards maintained separately by the auditor for one year.

SecStat [510] 511 Change of residence

Any person previously registered to vote in Minnesota who changes his residence shall be permitted to vote only after re-registering using his new residence.

SecStat [511] 512 Removal of cards

Whenever a registration card is to be removed from the registration files, except that of a deceased person, the county auditor shall notify the person whose card is to be removed of such action and the reason for such action in writing. The cards removed shall be maintained in separate files for one year.

SecStat [512] 513 Name omitted, emergency voting

When any voter who has registered prior to an election day

is challenged because his name does not appear in the duplicate registration file of the precinct in which he desires to vote, he may register on that election day by following the election day registration procedures provided by Chapter Six of these rules; or if it appears upon examination that such name was erroneously omitted from the file, he shall be permitted to vote in the precinct, and an emergency voting card shall be signed by the applicant and the judges, containing the following information:

EMERGENCY VOTING CARD

Ward _____ Precinct _____

Voter's name _____

Residence _____

_____

The undersigned judges hereby certify that the above named voter was permitted to vote in this precinct at the election held on _____ _____, 19 ____ pursuant to instructions from the office of the county auditor.

_____ (Signature of Voter)

_____ (Judge of Election)

_____ (Signature of judge calling auditor's office)

_____ (Judge of Election)

_____ (Judges of Election)

_____ (Authorized by)

SecStat [513] 514-599 Reserved for future use

Any person otherwise qualified but not registered to vote in the precinct in which he resides may register to vote on election day at the polling place of the precinct in which he resides in areas with voter registration. To register on election day a person must complete and sign the original card, sign the duplicate card and provide proof of his residence. A person may prove his residence on election day only by presenting a valid Minnesota Driver's License or a receipt thereof, [or] a valid [non-qualification certificate] Minnesota Identification Card issued by the Minnesota Department of Public Safety or a receipt thereof, a student identification card that contains the student's valid address, a student fee statement that contains the student's valid address or a copy of a student registration card that contains the student's valid address; by having a valid registration in the same precinct under a different address ; [or] by presenting an "ineffective registration notice" mailed by the county auditor ; or by having a person who is registered to vote in the precinct and knows the applicant is a resident of the precinct sign the following oath:

I, _____ swear that I am a registered voter in _____
County City or Township Ward

_____ and that I personally know that _____
Precinct Name of person

_____ is a resident of this precinct.
registering

Signature of Registered Voter

Subscribed and sworn to before me

____/____/____ Signature of Election Judge

Date

The above oath shall be attached to the voter registration card until the address of the applicant is verified by the county auditor.

The above oaths shall be printed on a 4" X 6" card by the county auditor. After every election day the county auditor shall file the oaths and maintain them for one year.

SecStat 604 Notation

When a voter uses either a Minnesota Driver's License or Minnesota Identification Card to prove residence when registering on election day, the election judge who is registering voters shall ~~write~~ record the number on the card ~~and the letters D.L. (Driver's License) or M.I. (Minnesota Identification)~~ in the "office use only" area of original card.

SecStat ~~604~~ 605 Registration cards received on election day

Registrations received at polling places on election day, whether in governmental units having pre-election day registration or in governmental units having only election day registration, shall be filed in the same file and in the same manner as registrations received prior to that election day.

SecStat 606 Training

Election judges who will be registering voters on election day shall receive training on election day voter registration procedures from the county auditor or designated municipal clerk at the same time training is provided as provided by Minnesota Statutes Section 204A.175.

SecStat 607 Notices

A voter registration office may send notices to election day registrants whose cards are found to be faulty or defective and request that the voters contact the registration office.

SecStat [605] 608-699 Reserved for future use

SecStat 902 Information on the report

In general election years the following information shall be contained on the annual report for the state primary and the state general elections:

A.1. The number of registered voters.

2. An itemized account of the cost of registering voters.

3. The name of each governmental unit having pre-election day registration.

a. the number of persons registered in each.

b. the number of persons registered on the days of the state primary and general elections.

4. The name of each governmental unit having only election day registration.

a. the number of persons registered in each.

b. the number of persons registered on the days of the state primary and general elections.

5. a. the name of each governmental unit in which the county auditor has delegated the duty of training election day voter registration judges to the municipal clerk.

b. the name of each governmental unit in which the county auditor trains the election day voter registration judges.

B.1. The number of persons voting in the state primary and general elections.

2. An itemized account of the cost of elections.

3. The number of persons voting in each governmental unit having pre-election day registration on the day of the state primary and general elections.

4. The number of persons voting in each governmental unit having only election day registration on the days of the state primary and general elections.

C.1. The number of requests for copies of lists of registered voters. The cost charged to each person making the request.

2. The number of requests for voter registration cards for the purpose of general distribution. The number given for each request. The total number of cards given out for general distribution.

D.1. The number of persons eligible to register, whether or not registered in each governmental unit (estimated).

2. A narrative description of any registration drives conducted in the county.

SecStat 903 Information on the report compiled during years when there is no state primary or general election.

A. The total number of registered voters in the county.

B. The total cost of registering voters in the county.

C.1. The name of each governmental unit in which the county auditor has delegated the duty of training election day voter registration judges to the municipal clerk.

2. The name of each governmental unit in which the county auditor trains the election day voter registration judges.

SecStat 1002 Compatibility

Any voter registration records maintained on electronic or automatic data processing systems and provided to registered voters within the county shall include[, and be limited to] ~~in this order, horizontally across form:~~ registrant name, address (including street or route number, city or township and zip code) and telephone number when provided by the registrant. ~~Each entry in a precinct shall be arranged in alphabetical order by last name of registrant.~~ Each precinct shall be entered in the municipality listing in numerical order by precinct number. Each municipality shall be

entered in alphabetical order by municipality name within the county. Standards for data entry shall be compatible with secretary of state standards.

Chapter Eleven: Violations

SecStat 1101 County attorneys to report

County attorneys shall report the outcome of any investigation of alleged violations of voter registration laws to the ~~commissioner~~ Secretary of State within 10 days of the determination.

~~SecStat 1102-1199 Reserved for future use~~

PROPOSED AMENDMENTS

TO THE

SECRETARY OF STATE RULES

ON

VOTER REGISTRATION

TABLE OF CONTENTS

Chapter Three: Voter Registration Cards

SecStat 301 — Specifications

A. Printing requirements

B. Original card

C. Duplicate card

D. Instruction card

E. Reverse of original card

F. Reverse of duplicate card

G. Front of form

H. Reverse of form

SecStat 502 — Auditor's random notification

SecStat [502] 503 — Registration received fewer than twenty days before an election

SecStat [503] 504 — Faulty or deficient registrations

SecStat [504] 505 — Wrong county

SecStat [505] 506 — Ineffective registration

SecStat [506] 507 — Notification of registration

SecStat [507] 508 — Auditor's notification form

SecStat [508] 509 — Prior residence outside Minnesota

SecStat [509] 510 — Acknowledgement of ineligible applications

SecStat [510] 511 — Change of residence

SecStat [511] 512 — Removal of cards

SecStat [512] 513 — Name omitted, emergency voting

SecStat [513] 514-599 — Reserved for future use

Chapter Six: Election Day Registration

SecStat 601	Residence
SecStat 604	Notation
SecStat [604] 605	Registration cards received on election day
SecStat 606	Training
SecStat 607	Notices
SecStat [605] 608-699	Reserved for future use
SecStat 902	Information on the report
SecStat 903	Information on the report compiled during years when there is no state primary or general election

Chapter Eleven: Violations

SecStat 1101	County attorneys to report
SecStat 1102-1199	Reserved for future use

SecStat 301 Specifications

A. Voter registration cards printed for the purpose of distribution and mailing shall be printed in the following manner:

1. The size shall be 6" X 12-3/4" (including 3/4" stub).

2. The paper shall be ~~approximately~~ at least white 100 lb. offset.

3. The ink shall be blue with red X's next to the line indicating the voter's name, address, last previous registration address (if any) and signature. The certification also shall be printed in red ink on the original voter registration card.

4. The duplicate card shall have a very light blue screen.

5. The card shall have three 1/16" perforations that result in the three equal size cards 6" X 4".

6. The top stub shall have a substance applied to it so that the card can be sealed when it is folded together for mailing.

B. The original voter registration cards shall be in the following form:

VOTER REGISTRATION CARD

Please type or print in ink

Read instructions before completing

X Name _____
Last First Middle

X Legal Residence _____
Street or Route No.
(Do not use P.O. Box)

_____
Apt. No. and Rural Box No.

_____
☐ City or ☐ Township County Zip
(check whichever is applicable)

Mailing Address (if different from above)

_____
Street or Route No. Apt. No. and
Rural Box No. City or Township County Zip

W _____ P _____

S.D. No. _____

OFFICE USE ONLY

Election day voter registration proof:
- ☐ Driver's License
- ☐ Minn. Ident. Card
- ☐ Witness
- ☐ Prior Registration
- ☐ Ineffective Notice
- ☐ Student Identification

_____
Number (if applicable)

Telephone Number (optional) _____

Month and Day Date of Birth (optional) _____
Mo. Day

Previous Name _____
(if changed since last registration)

Most Recent Prior Residence _____
Street or Route No. Apt. No.

_____
City or Township County State Zip

Address of Your Last Registration If Any

X ~~Your Address at Your Most Recent Prior Registration~~ _____
Street or Route No. Apt. No.

_____
City or Township County State Zip

BE SURE TO CHECK INSTRUCTIONS TO DETERMINE WHETHER YOU ARE QUALIFIED TO REGISTER

I certify that I will be at least 18 years old on election day and the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than 5 years imprisonment and a fine of not more than $5,000, or both.

__/__/_____ X _____
Date Legal Signature of Voter
Be sure to sign the blue card

In the upper right hand corner of the card there shall be a box marked for "office use only". In the box there shall be: "W _____", "P _____" and "S.D. No. _____". (These initials stand for "ward", "precinct" and "school district".) Other information may also be included. Judges of election shall record the type of election day registration proof and its number, if any, in the "office use only" box.

C. The duplicate voter registration card shall be in the following form:

DUPLICATE VOTER REGISTRATION CARD

Sign this card -- DO NOT COMPLETE

The information will be typed by the voter registration office.

~~*~~ Name _____
Last First Middle

~~*~~ Legal Residence _____
Street or Route No.
(Do not use P.O. Box)

_____
Apt. No. and Rural Box No.

_____
☐ City or ☐ Township County Zip
(check whichever is applicable)

W _____ P _____

S.D. No. _____

OFFICE USE ONLY

~~Election day voter registration proof:~~
~~☐ Driver's license~~
~~☐ Minn. Ident. Card~~
~~☐ Witness~~
~~☐ Prior Registration~~
~~☐ Ineffective Notice~~
~~☐ Student Identification~~

~~Number (if applicable)~~

Mailing Address (if different from above) _____

Street or Route No.

Apt. No. and Rural Box No. City or Township County Zip

Telephone Number (optional) _____

Month and Day Date of Birth (optional) _____

Mo. Day

Previous Name _____

(if changed since last registration)

Most Recent Prior Residence _____

Street or Route No. Apt. No.

City or Township County State Zip

* ~~Your Address at Your Most Recent Prior Registration~~ Address of Your last Registration If Any

_____

Street or Route No. Apt. No.

City or Township County State Zip

BE SURE TO CHECK INSTRUCTIONS TO DETERMINE WHETHER YOU ARE QUALIFIED TO REGISTER

__/__/____ X _____

Date Legal Signature of Voter (for identification only)

In the upper right hand corner of the card there shall be a box marked for "office use only". In the box there shall be: "W _____", "P _____" and "S.D. No. _____". (These initials stand for "ward", "precinct" and "school district".) Other information may also be included.

D. The instruction card shall be in the following form:

INSTRUCTIONS FOR VOTER REGISTRATION

READ CAREFULLY BEFORE REGISTERING

Lines indicated by an (X) must be completed by the registrant before his or her registration may be accepted.

1. Print in ink or type all information requested on white card.

2. Print or type your legal name - Do not use nicknames.

3. Your residence should be that place where you actually live . [- Post Office Boxes cannot be accepted as legal residence.] Check the appropriate box indicating whether you live in a city or township.

4. Print or type your mailing address if it is different from your residence address.

5. Place your telephone number (optional) on the appropriate line.

6. Place your date of birth (optional) on the appropriate line.

[4] 7. If your name has been changed through marriage, divorce or decree or order of court since your last voter registration, print or type your former name on the appropriate line.

[5. Print or type your most recent prior residence. If you have not had a previous residence, print or type "none".]

[6] 8. Address of last previous registration -- Print or type the address from which you were last registered to vote. [If same as last previous address, print or type "same".] If you have never been registered to vote before, print or type "none".

[7] 9. After the white card is completed, sign your full name in ink [on the appropriate line on both the white card and the blue card] and fill in the date on the white card.

10. SIGN THE BLUE CARD.

[8] 11. The blue card must be signed in ink on the line where it is required, but do not fill in the blue card. It will be typed in by the voter registration office.

[9] 12. After the white card is completed and both cards are signed, seal using sealing tab attached.

[10] 13. Complete the address on the reverse of the white registration card by filling in the name of the county where you reside and the name of the city which is the county seat. Mail or deliver to the office of the county auditor.

An eligible voter is a person who at the time of any election[:]

(a) is 18 years of age or older,

(b) is a citizen of the United States and

(c) has resided in Minnesota for 20 days.

The following persons are not eligible voters:

(a) any person who has been convicted of a felony or treason, who has not been restored to his civil rights;

(b) any person who is under guardianship over his person;

(c) any person who is adjudicated to be not mentally competent ; and

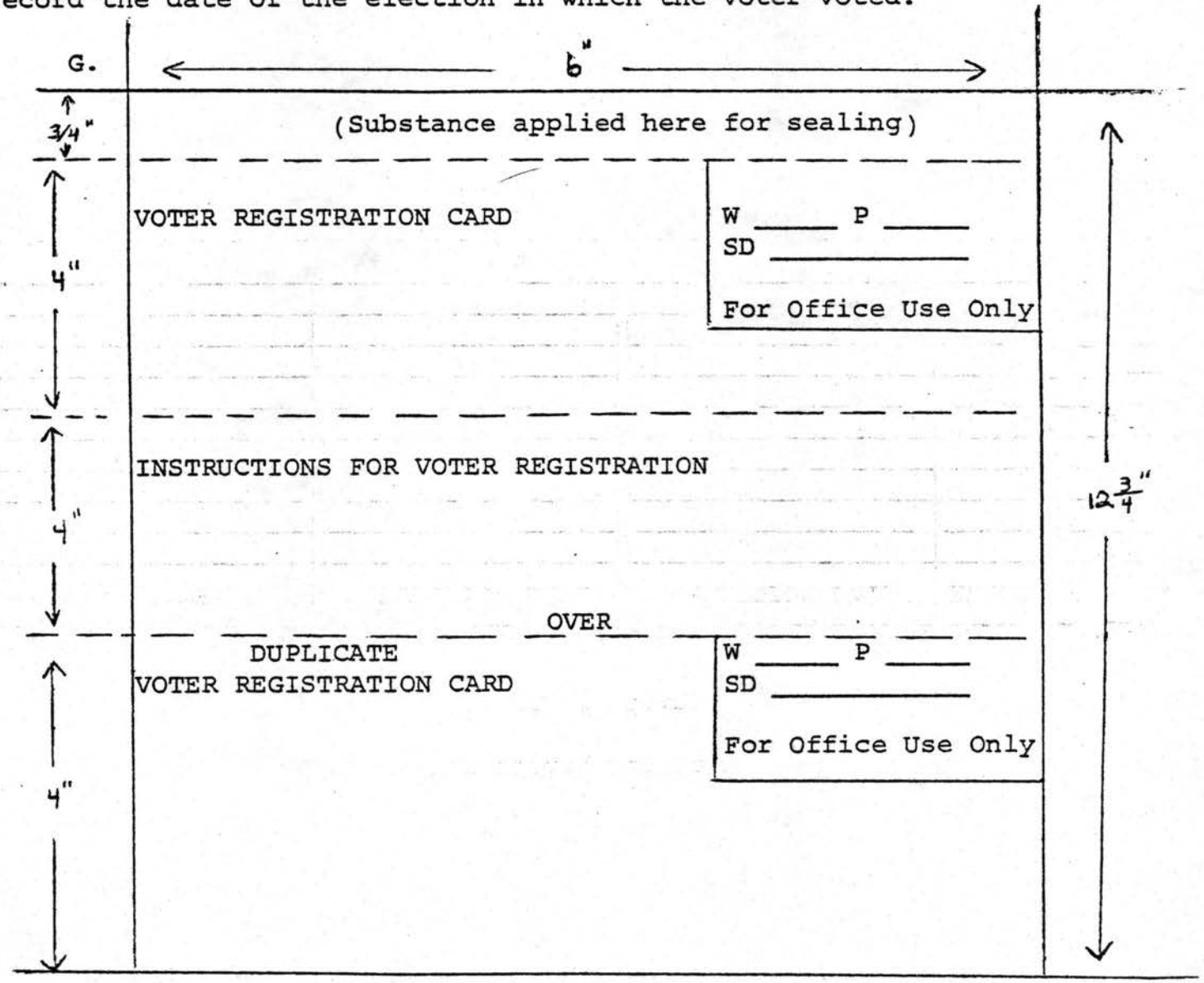
(d) any person who is not properly registered, in areas that provide for voter registration.

E. The reverse side of the original (white) registration card shall be in the following form:

first
class
postage

RETURN TO:
(here the county auditor shall
supply the address)

F. The reverse side of the duplicate (blue) registration card shall be lined horizontally to create spaces 1/4" wide and divided vertically into four sections to allow the judges of election to record the date of the election in which the voter voted.



H.

PLACE
STAMP
HERE

RETURN: TO:

INSTRUCTIONS FOR VOTER REGISTRATION - Continued

ELECTION DATE	ELECTION DATE	ELECTION DATE	ELECTION DATE

For Office Use Only

Record of Voting

SecStat 502 Auditor's random notification

Following each election in which voters register on election day, the county auditor shall send a mailed notice of registration to a random sample of 3 percent of the election day registrants within 10 days of the election. This rule shall not relieve the county auditor of the responsibility to send a mailed notice to all registrants.

SecStat [502] 503 Registrations received fewer than twenty days before an election

When an auditor receives correctly completed registrations during the period when registrations cannot be accepted for an election, the auditor shall notify the applicant that he must register on election day to vote at the upcoming election. Included in this notification shall be information to the voters concerning the manner in which they may register to vote on election day at the polls. In the notice to the applicant the auditor shall explain that the registration card received by the auditor makes the applicant an eligible voter at the next election following the upcoming election.

SecStat [503] 504 Faulty or deficient registrations

When a person attempts to register prior to election day and the county auditor determines that the registration is faulty or defective, the auditor shall notify the person attempting to register that his registration was not correctly completed. The auditor

shall attempt to obtain the needed information by mail or telephone. If a registration card is faulty or defective and the address or the telephone number cannot be determined, the registration card shall be removed from the files and maintained separately for one year. The applicant shall be allowed to vote only after correctly completing a registration card.

When the auditor notifies a person of an incorrectly completed registration, the auditor shall also notify the applicant of the dates on which registrations cannot be accepted for an election and of the procedures for election day registration. In the notice to the applicant the auditor shall explain that a correctly completed registration received by the auditor during the period when registrations cannot be accepted for the upcoming election will make the applicant an eligible voter at the next election following the upcoming election.

When an auditor receives a faulty or deficient registration during the period when registrations cannot be accepted for an election, the auditor shall notify the applicant that he must register at the polling place of the precinct in which he resides on election day to vote at the election. The auditor shall also notify the applicant of the procedures for election day registration. In the notice to the applicant the auditor shall explain that a correctly completed registration received by the auditor during the period when registrations cannot be accepted for the upcoming election will make the applicant an eligible voter at the next election

PROPOSED AMENDMENTS

TO THE

SECRETARY OF STATE RULES

ON

THE WHITE BALLOT

TABLE OF CONTENTS

Regulation	
SecStat 2101	Definition
SecStat 2102	Auditor's Duties
SecStat 2103	Form of Ballots; Size, Weight and Color
SecStat 2104	Top of Ballot
SecStat 2105	Ballot Heading
SecStat 2106	Offices
SecStat 2108	Names of Candidates
SecStat 2109	Designation of Candidates
SecStat 2110	Order of Candidates
SecStat 2111	Back of Ballot
SecStat 2113	Binding of Ballots
SecStat 2115	Reimbursement of Costs

SecStat 2101 Definition

The "[state] white ballot" is the ballot used at general elections and is the paper ballot on which are printed the names of the candidates nominated for the offices of senator and representative in Congress, senator and representative in the Legislature, governor and lieutenant governor, secretary of state, state auditor, state treasurer, attorney general and chief justice and associate justice of the Supreme Court.

SecStat 2102 Auditor's Duties

The [state] white ballot shall be prepared under the direction of the county auditors and a sufficient number thereof to enable the clerks to comply with the provisions of Minnesota Statutes Section [203.27] 203A.11, Subdivision 2. It shall be the duty of the county auditors to prepare and print the [state] white ballot as soon as practicable, but in no event less than 15 days before the election. Two weeks before the general election the auditor shall file sample copies of the [state] white ballot in his office for public inspection. Two weeks before the general election the auditor shall give one week's published notice of the contents of the [state] white ballot.

SecStat 2103 Form of Ballots; Size, Weight and Color

The [state] white ballot shall be printed with black ink on white newsprint paper as close as practicable to 30#. The ballot shall be 5 1/4" wide and printed so as to be easily legible, with suitable lines

for divisions between candidates, offices, instructions and other matter proper to be printed on the ballot. The auditor shall prepare the ballots in such a manner as to enable the voter to understand what candidates have been nominated and how many are to be elected to each office and to designate his choice easily and accurately.

SecStat 2104 Top of Ballot

At the top of the [state] white ballot shall be printed in upper and lower case letters the words "Put an (X) opposite the name of each candidate you wish to vote for in the square indicated by the arrow." On the left side of the words and directly above the squares in which a voter marks his choices shall be printed a small arrow or point pointing downward.

SecStat 2105 Ballot Heading

Below the marking instructions on the [state] white ballot shall be printed the words "STATE BALLOT" in upper case letters.

SecStat 2106 Offices

The offices shall appear on the [state] white ballot in the following order and shall be identified as follows in upper case letters:

"UNITED STATES SENATOR IN CONGRESS"

"UNITED STATES REPRESENTATIVE IN CONGRESS"

"SENATOR IN THE LEGISLATURE"

"REPRESENTATIVE IN THE LEGISLATURE"

"GOVERNOR AND LIEUTENANT GOVERNOR"

"SECRETARY OF STATE"

"STATE AUDITOR"

"STATE TREASURER"

"ATTORNEY GENERAL"

"CHIEF JUSTICE OF THE SUPREME COURT"

"ASSOCIATE JUSTICE OF THE SUPREME COURT"

Any nonpartisan office for which there is no opposition shall appear after any nonpartisan office for which there is opposition. If an office is not to be filled at a general election, the office shall not appear on the ballot. Directly underneath the titles of the offices of representative in Congress and senator and representative in the Legislature shall be printed in upper case letters and/or numbers the district (e.g. "SIXTH DISTRICT," "DISTRICT SIX" or "DISTRICT 6") that the person elected will represent. A single vote shall be cast for governor and lieutenant governor. Each justice of the Supreme Court is deemed to hold a separate office. Directly beneath the titles of the offices of justice of the Supreme Court, each office shall be identified in upper case letters as follows:

"FOR THE OFFICE OF ASSOCIATE JUSTICE (or CHIEF JUSTICE) OF THE SUPREME COURT TO WHICH (name of justice) WAS ELECTED FOR THE REGULAR TERM (or WAS APPOINTED)"

The appropriate designation shall be printed on the ballot with the name of the justice whose successor is to be elected printed in the appropriate place. At least 32 days before the general election, the secretary of state shall certify to the county auditors the order in

which the offices of associate justice shall appear.

SecStat 2108 Names of Candidates

The full name of each candidate shall be printed in upper case letters and at right angles to the length of the [state] white ballot. At least 32 days before a general election, the secretary of state shall certify to each county auditor the nominations that are required by law to be certified by the secretary and that are required by law to appear on the ballot in the county. Below the name of the last candidate for each office shall be placed as many blank lines as there are offices of that kind to be filled, and on the blank lines the voter may write the names of persons not printed on the ballot for whom he desires to vote. When no person has filed for an office to be filled, the title and identification of the office shall be printed on the ballot with as many blank lines below as there are offices to be filled; the voter's choice may be written in the blanks. On the left side of the ballot and on a line with the names of the candidates and the blank lines, there shall be placed squares, each square to be of the same size, in which the voter may designate his choice by a mark (X). The name of a candidate may not appear on a ballot in any way which gives the candidate an advantage over an opponent except as provided by law.

SecStat 2109 Designation of Candidates

Above or below the name of each candidate for a partisan office shall [be followed on the same line] appear in upper and lower case

letters by the designation in not more than three words of the party or principle the candidate represents. The word "Democratic," "Farmer," "Labor" or "Republican" may not be used in the designation of a candidate representing a party other than the Democratic-Farmer-Labor or Republican. Words used in the name of a political party as defined in Minnesota Statutes Section 200.02, Subdivision 7, may not be used to identify the party of a candidate of any other party. The word "nonpartisan" may not be used in the designation of any candidate. The name of each candidate for a nonpartisan office shall be followed on the same line in upper and lower case letters by The words "Nominated Without Party Designation" in upper and lower case letters shall appear above or below the name of each candidate for a nonpartisan office. If a justice of the Supreme Court is a candidate to succeed himself, the word "Incumbent" shall be printed in upper and lower case letters on the same line and following the candidate's name; in this situation only, the words "Nominated Without Party Designation" shall be printed in upper and lower case letters directly beneath the word "Incumbent". The words "Nominated by Petition" shall be printed in upper and lower case letters directly underneath on the same line and to the right of the designation of party or principle name of the candidate.

SecStat 2110 Order of Candidates

At least 32 days before a general election, the secretary of state shall certify to the county auditors the order in which the names of the candidates representing the "Republican" and "Democratic-Farmer-Labor" political parties as defined in Minnesota Statutes Section 200.02,

Subdivision 7, shall appear for every partisan office on the [state] white ballot. Candidates nominated by petition shall appear on the ballot beneath the names of the candidates of the ["Republican" and] ["Democratic-Farmer-Labor"] political parties as defined in Minnesota Statutes Section 200.02, Subdivision 7, and in the order in which the petitions were filed with the filing officer. The names of the candidates for nonpartisan offices shall be rotated on the [state] white ballot so that each name appears substantially an equal number of times at the top, at the bottom and at each intermediate place in the group of candidates for an office.

SecStat 2111 Back of Ballot

On the back of the [state] white ballot shall be printed the words "OFFICIAL BALLOT," the date of the election, a facsimile of the official signature of the county auditor under whose direction the ballot is printed and lines for the initials of two judges. The printing shall be so placed as to be visible when the ballot is properly folded for deposit.

SecStat 2113 Binding of Ballots

The [state] white ballots shall be bound in blocks of 50, and there shall be a band around each block of 50 ballots. The band around the block of ballots shall contain a facsimile of the state seal, the words "50 State Ballots," the official signature of the county auditor preparing the ballots and the date of the election. The band shall also contain the following instructions to the election judges:

"Instructions to Judges of Election

The Judge of Election receiving the ballots for delivery to the Election Board must not remove this slip or withdraw a ballot from the package, but must deliver it as he receives it to the Election Board.

Before the voting begins, or as soon thereafter as possible, two judges shall place their initials on the backs of all the ballots they have, directly under or opposite the facsimile of the signature of the officer under whose direction the ballots were printed, and shall not otherwise mark the same.

No official ballot shall be distributed except in the voting room to voters about to vote, and no ballot which is not officially endorsed in the handwriting of such judges shall be placed in the box.

Having withdrawn from the voting booth with his ballots, the voter shall hand them to the judge in charge of the ballot boxes. The judge immediately shall deposit each ballot in the proper box."

SecStat 2115 Reimbursement of Costs

The secretary of state shall reimburse counties for the cost of printing the white ballot, the white sample ballot and the summary statement for white ballot offices and constitutional amendments. On or before December 31 of every general election year and within 45 days

of a special election, the county auditor shall submit to the secretary of state a statement of the costs of preparation of [the] state white ballot [these supplies]. [The statement shall be submitted in triplicate and shall be accompanied by one copy of the printer's invoice.] The statement shall contain the name and address of the printer, the number of white ballots printed, the cost to the county of printing and an itemization of [any other] costs.