

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

Our File No. 722

8/20 Doug Blomgren requests to provide Order Adopting Findings of Fact. rec'd 8/20

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 8/19
DATE FOR REVIEW
DATE DUE 8/26

Adopted w/a hearing
Adopted w/o a hearing
Temporary rule X

Approved 8/26 Disapproved Returned to Agency

Resubmitted Due
Approved Disapproved Returned to Agency

Date filed w/Secretary of State 8/26 REVISOR approved ✓

✓ Rule as Adopted

✓ Rule as Proposed see S.R.

✓ Order Adopting

N/A Notice of Intent to Solicit Outside Opinion

___ Order for rulemaking
~~Date of Hearing~~ does not exist

N/A Certificate of Board's Authorizing Resolution

N/A Notice of rulemaking
___ Sufficiency

N/A Affidavit of Mailing Notice or rulemaking
___ At least 30 days prior to hearing/adoption

N/A Mailing list Certificate

✓ Publication in State Register
7/20/81 At least ~~30~~/20 days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

N/A Chief Hearing Examiner's Report(s)
___ Approving H.E.'s Report
___ Approving agency action

✓ Agency's Findings of Fact combined with Order Adopting

N/A LCRAR Report or agency Affidavit

N/A Certificate of Board's Resolution Adopting Rules

✓ Order Approving Incorporation by Reference

N/A Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

NA Affidavit of Mailing Notice of Submission to Attorney General

N/A Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : JOAN ANDERSON GROWE
Secretary of State

DATE: August 26, 1981

ATTN : Douglas C. Blomgren
Special Assistant Attorney General

FROM : H. Theodore Grindal
Special Assistant Attorney General

PHONE: 296-1288

SUBJECT: In the Matter of the Proposed Adoption of Temporary Rules Governing Electronic or Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register; this must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State to the last page of the rules;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set

If you have any questions in this regard, please contact me.

HTG:rjg

Enc.

cc. Susan Robertson
Duane Harves

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

WARREN SPANNAUS
ATTORNEY GENERAL

August 18, 1981

ADDRESS REPLY TO:
515 TRANSPORTATION BLDG.
ST. PAUL, MN 55155
TELEPHONE: (612) 297-2040

Mr. Mike Miles
Deputy Attorney General
Administration Building

Mike:

Submitted for your review pursuant to Minn. Stat. § 15.0412 is the temporary rule of the Secretary of State pertaining to electronic and automatic data processing systems of maintaining duplicate voter registration records.

Please contact me if there are any questions.

Sincerely,

DOUGLAS C. BLOMGREN
Special Assistant
Attorney General

(612) 296-7013

Office of the Secretary of State

Adopted Temporary Rules Governing Electronic or Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

Temporary Rule as Adopted

1 MCAR S 2.001 (Temporary) Electronic or automatic data processing system of maintaining duplicate voter registration records.

A. Notification. The auditor of the county or clerk of a city electing to use an electronic or automatic data processing system in place of duplicate voter registration cards shall notify the Secretary of State of that election no later than 90 days before the first election at which the system will be used.

Notification may be made simultaneously with a request for approval, pursuant to 1 MCAR S 2.1001, of an electronic or automatic data processing system for maintaining voter registration records, but no system shall be used in place of duplicate voter registration cards unless the system has been approved for maintenance of voter registration records.

The notification shall be in writing and shall include:

1. A sample of no less than three pages of the form of the duplicate registration file to be used at the polling place;

2. A sample of no less than three pages of the duplicate registration list to be made available for examination or purchase;

3. A plan to be implemented for obtaining day and month of birth for previously registered voters;

4. A copy of an agreement providing for back-up records and emergency service; and

5. A certification that the system conforms to all requirements of Laws of 1981, ch. 92, and this rule.

The county auditor or city clerk shall file amendments with the Secretary of State whenever alterations to the original notification are made.

B. Back-up records and emergency service. A county or city using an electronic or automatic data processing system in place of duplicate voter registration cards shall execute an agreement with an agency having compatible equipment to provide back-up and emergency service. Prior to each election, the county or city shall deposit a duplicate program and all necessary data records with the emergency service agency. No election jurisdiction may serve as an emergency service agency if that service would prevent the jurisdiction from fulfilling its own election responsibilities.

C. Voting records. When a county or city elects to use an electronic or automatic data processing system in place of duplicate voter registration cards, information required to be kept on duplicate cards shall be retrievable from the equipment. The address of previous registration may be deleted from the duplicate file after proper notification of registration has been made to the county or city of previous registration. Each voter's voting history for all elections in the previous four years shall be retrievable and shall indicate whether the voter voted in person or by absentee ballot.

D. Duplicate registration file. The duplicate registration file to be used on election day in the polling place shall be in the form of a precinct election list. The list shall be arranged alphabetically by voter's last name or in order of

street address. Whichever arrangement is used shall be used consistently in all the precincts of the political subdivision.

Conspicuously at the top of each page of the precinct election list shall be printed precinct identifying information and the words:

*OATH

I certify that I am at least 18 years of age, and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person, have not been adjudicated insane, or been convicted of a felony without having my civil rights restored; and that I am registered and will be voting only in this precinct.

The precinct election list shall contain the following information for each registered voter:

1. Registrant's name as it appears on the original registration card;

2. Registrant's address;

3. Month and day of registrant's birth;

4. Notations about challenges, notices of guardianship, or other special information required to be affixed to the original or duplicate voter registration card.

Directly underneath or next to the voter's name shall be printed *OATH and a line indicating the place for the voter to sign the list. Sufficient space shall be provided so that the voter's signature will not obscure any voter's name. In no case shall the space be smaller than 1/2 by 3-1/2 inches.

If any computer identification numbers or other information not required by this rule is printed on the precinct election list, it shall not obscure required information or be printed in a manner to cause confusion for voters or election judges.

A separate precinct list in the same format shall be prepared for use by voters who register on election day. The newly registered voter shall print on the list the voter's name,

address, and month and day of birth and shall sign the precinct election list.

In a split precinct, separate lists shall be prepared for each part of the precinct with specific information differentiating the split printed at the top of each list.

The precinct election list shall be ready no later than three days prior to any election.

E. Voter registration cards. Any voter registration accepted by a county or municipality after the date of its notification to the Secretary of State of the election authorized by Laws of 1981, ch. 92, and this rule shall be defective if it does not contain the day and month of birth of the registrant. Voter registration cards shall conform to the specifications of 1 MCAR S 2.0301, except that the card and instructions shall be modified to indicate that the day and month of birth are not optional.

F. Notice of ineffective registration. The county or municipality may modify the notice of ineffective registration in 1 MCAR S 2.0506 by adding the following additional statement:

"~~5.~~ 4. Month and day of birth are required."

or

"~~5.~~ 4. Month and day of birth are required on all registrations accepted in (name of county or municipality) after (date of notification of election)."

G. Request for birthdate. Prior to the first election at which electronic or automatic data processing equipment is used in place of the duplicate registration file, and prior to each subsequent statewide general election, the county or municipality shall send a request for the voter's birthdate to each previously registered voter whose month and day of birth is not included in the duplicate registration file.

The request for a voter's birthdate shall be in the form of a nonforwardable mailed notice with a return form. The notice shall include the following information:

1. At the next election in (name of political

subdivision) the duplicate registration file for use at the polling place will be prepared by automatic data processing equipment. The month and day of each registered voter's birth will be used as an additional identifier and precaution against fraud.

2. Please fill in your month and day of birth on the enclosed return form, sign the form, and mail it ~~in the postage-paid envelope~~ to (name of political subdivision). Return postage has been prepaid. Only the month and day of your birth are requested; the year of your birth is not needed.

3. You will ~~not~~ NOT lose your registration if you do not provide this information or return this form, but your cooperation will be appreciated and helpful to election officials.

The return form shall include the following material:

The voter's name and address, pre-printed as they appear in the duplicate registration file.

..... / .....

month of birth day of birth

.....

voter's signature

The return form shall be printed as a postage-paid postcard or the auditor or clerk shall include with the return form a postage-paid return envelope printed with the complete return mailing address of the political subdivision.

H. Challenges and other notices. A record of any challenge to a voter registration shall be made part of the duplicate registration file and remain until removed according to law. The word "challenged" shall appear on the same line as or directly above the name of a challenged voter on the precinct election list. A record of any notice affixed to an original voter registration card pursuant to Minn. Stat. S 201.15 shall be made part of the duplicate registration file and remain part of the file until removed according to law. The word "guardianship" shall appear on the same line as or directly above the name of the voter on the precinct election list. If

any other special notice or information is affixed to a voter registration card, a record of that notice shall be part of the duplicate registration file and an indication of the notice shall be printed on the precinct election list.

I. Absentee voting. Upon verification, as required by Minn. Stat. S 207.03, subd. 3, that an applicant for an absentee ballot is a registered voter, the auditor or clerk shall verify the signature on the application by comparing it with the signature on the original voter registration card. When an absentee ballot envelope is marked "Accepted" pursuant to Laws of 1981, ch. 29, art. III, S 12, subd. 3, the election judge shall place the letters A.B. in the space for the voter's signature on the precinct election list followed by the judge's initials.

When a ballot envelope is accepted from a voter who registers on election day by including a registration card with the absentee ballot, the election judge shall print the voter's name, address, and month and day of birth in the appropriate places on the precinct election list.

J. Security. The auditor or clerk shall be responsible for maintaining the integrity of the duplicate registration file and for restricting access to the electronic or data processing equipment to properly authorized persons. The auditor or clerk may make available lists of registered voters in forms other than paper copies, but in whatever form, no list made available for examination or purchase shall include the birth dates of registered voters. The auditor or clerk shall provide for the transport and security of the precinct election lists in accordance with 1 MCAR S 2.0202.

APPROVED AS TO LEGALITY

Aug 26 19 81

WARREN SPANNAUS, ATTORNEY GENERAL

BY H. Theodore Arndal

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 26 1981

Joan Anderson Growe
Secretary of State

2:15 PM

AG copy

all new material

Office of the Secretary of State

Adopted Temporary Rules Governing Electronic or Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

Temporary Rule as Adopted

1 MCAR S 2.001 (Temporary) Electronic or automatic data processing system of maintaining duplicate voter registration records.

A. Notification. The auditor of the county or clerk of a city electing to use an electronic or automatic data processing system in place of duplicate voter registration cards shall notify the Secretary of State of that election no later than 90 days before the first election at which the system will be used.

Notification may be made simultaneously with a request for approval, pursuant to 1 MCAR S 2.1001, of an electronic or automatic data processing system for maintaining voter registration records, but no system shall be used in place of duplicate voter registration cards unless the system has been approved for maintenance of voter registration records.

The notification shall be in writing and shall include:

1. A sample of no less than three pages of the form of the duplicate registration file to be used at the polling place;

2. A sample of no less than three pages of the duplicate registration list to be made available for examination or purchase;

3. A plan to be implemented for obtaining day and month of birth for previously registered voters;

4. A copy of an agreement providing for back-up records and emergency service; and

5. A certification that the system conforms to all requirements of Laws of 1981, ch. 92, and this rule.

The county auditor or city clerk shall file amendments with the Secretary of State whenever alterations to the original notification are made.

B. Back-up records and emergency service. A county or city using an electronic or automatic data processing system in place of duplicate voter registration cards shall execute an agreement with an agency having compatible equipment to provide back-up and emergency service. Prior to each election, the county or city shall deposit a duplicate program and all necessary data records with the emergency service agency. No election jurisdiction may serve as an emergency service agency if that service would prevent the jurisdiction from fulfilling its own election responsibilities.

C. Voting records. When a county or city elects to use an electronic or automatic data processing system in place of duplicate voter registration cards, information required to be kept on duplicate cards shall be retrievable from the equipment. The address of previous registration may be deleted from the duplicate file after proper notification of registration has been made to the county or city of previous registration. Each voter's voting history for all elections in the previous four years shall be retrievable and shall indicate whether the voter voted in person or by absentee ballot.

D. Duplicate registration file. The duplicate registration file to be used on election day in the polling place shall be in the form of a precinct election list. The list shall be arranged alphabetically by voter's last name or in order of

street address. Whichever arrangement is used shall be used consistently in all the precincts of the political subdivision.

Conspicuously at the top of each page of the precinct election list shall be printed precinct identifying information and the words:

*OATH

I certify that I am at least 18 years of age, and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person, have not been adjudicated insane, or been convicted of a felony without having my civil rights restored; and that I am registered and will be voting only in this precinct.

The precinct election list shall contain the following information for each registered voter:

1. Registrant's name as it appears on the original registration card;

2. Registrant's address;

3. Month and day of registrant's birth;

4. Notations about challenges, notices of guardianship, or other special information required to be affixed to the original or duplicate voter registration card.

Directly underneath or next to the voter's name shall be printed *OATH and a line indicating the place for the voter to sign the list. Sufficient space shall be provided so that the voter's signature will not obscure any voter's name. In no case shall the space be smaller than 1/2 by 3-1/2 inches.

If any computer identification numbers or other information not required by this rule is printed on the precinct election list, it shall not obscure required information or be printed in a manner to cause confusion for voters or election judges.

A separate precinct list in the same format shall be prepared for use by voters who register on election day. The newly registered voter shall print on the list the voter's name,

address, and month and day of birth and shall sign the precinct election list.

In a split precinct, separate lists shall be prepared for each part of the precinct with specific information differentiating the split printed at the top of each list.

The precinct election list shall be ready no later than three days prior to any election.

E. Voter registration cards. Any voter registration accepted by a county or municipality after the date of its notification to the Secretary of State of the election authorized by Laws of 1981, ch. 92, and this rule shall be defective if it does not contain the day and month of birth of the registrant. Voter registration cards shall conform to the specifications of 1 MCAR S 2.0301, except that the card and instructions shall be modified to indicate that the day and month of birth are not optional.

F. Notice of ineffective registration. The county or municipality may modify the notice of ineffective registration in 1 MCAR S 2.0506 by adding the following additional statement:

"~~5.~~ -- 4. Month and day of birth are required."

or

"~~5.~~ -- 4. Month and day of birth are required on all registrations accepted in (name of county or municipality) after (date of notification of election)."

G. Request for birthdate. Prior to the first election at which electronic or automatic data processing equipment is used in place of the duplicate registration file, and prior to each subsequent statewide general election, the county or municipality shall send a request for the voter's birthdate to each previously registered voter whose month and day of birth is not included in the duplicate registration file.

The request for a voter's birthdate shall be in the form of a nonforwardable mailed notice with a return form. The notice shall include the following information:

1. At the next election in (name of political

subdivision) the duplicate registration file for use at the polling place will be prepared by automatic data processing equipment. The month and day of each registered voter's birth will be used as an additional identifier and precaution against fraud.

2. Please fill in your month and day of birth on the enclosed return form, sign the form, and mail it ~~in the postage-paid envelope~~ to (name of political subdivision). Return postage has been prepaid. Only the month and day of your birth are requested; the year of your birth is not needed.

3. You will ~~not~~ NOT lose your registration if you do not provide this information or return this form, but your cooperation will be appreciated and helpful to election officials.

The return form shall include the following material:

The voter's name and address, pre-printed as they appear in the duplicate registration file.

..... / .....

month of birth day of birth

.....

voter's signature

The return form shall be printed as a postage-paid postcard or the auditor or clerk shall include with the return form a postage-paid return envelope printed with the complete return mailing address of the political subdivision.

H. Challenges and other notices. A record of any challenge to a voter registration shall be made part of the duplicate registration file and remain until removed according to law. The word "challenged" shall appear on the same line as or directly above the name of a challenged voter on the precinct election list. A record of any notice affixed to an original voter registration card pursuant to Minn. Stat. S 201.15 shall be made part of the duplicate registration file and remain part of the file until removed according to law. The word "guardianship" shall appear on the same line as or directly above the name of the voter on the precinct election list. If

any other special notice or information is affixed to a voter registration card, a record of that notice shall be part of the duplicate registration file and an indication of the notice shall be printed on the precinct election list.

I. Absentee voting. Upon verification, as required by Minn. Stat. S 207.03, subd. 3, that an applicant for an absentee ballot is a registered voter, the auditor or clerk shall verify the signature on the application by comparing it with the signature on the original voter registration card. When an absentee ballot envelope is marked "Accepted" pursuant to Laws of 1981, ch. 29, art. III, S 12, subd. 3, the election judge shall place the letters A.B. in the space for the voter's signature on the precinct election list followed by the judge's initials.

When a ballot envelope is accepted from a voter who registers on election day by including a registration card with the absentee ballot, the election judge shall print the voter's name, address, and month and day of birth in the appropriate places on the precinct election list.

J. Security. The auditor or clerk shall be responsible for maintaining the integrity of the duplicate registration file and for restricting access to the electronic or data processing equipment to properly authorized persons. The auditor or clerk may make available lists of registered voters in forms other than paper copies, but in whatever form, no list made available for examination or purchase shall include the birth dates of registered voters. The auditor or clerk shall provide for the transport and security of the precinct election lists in accordance with 1 MCAR S 2.0202.

APPROVED AS TO LEGALITY

Aug 26 19 81

WARREN SPANNAUS, ATTORNEY GENERAL

BY H. Theodore Trendel

SPECIAL ASSISTANT ATTORNEY GENERAL

Office of the Secretary of State

Adopted Temporary Rule Governing Electronic or Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

The rule proposed and published at State Register, Volume 6, pp. 71-73, July 20, 1981 is adopted with the following amendments:

1 MCAR S 2.001 (Temporary.)

F. Notice of ineffective registration. The county or municipality may modify the notice of ineffective registration in 1 MCAR S 2.0506 by adding the following additional statement:

"5. 4. Month and day of birth are required."

or

"5. 4. Month and day of birth are required on all registrations accepted in (name of county or municipality) after (date of notification of election)."

G. Request for birthdate

2. Please fill in your month and day of birth on the enclosed return form, sign the form, and mail ~~it in the postage paid envelope~~ to (name of political subdivision). Return postage has been pre-paid.

Only the month and day of your birth are requested; the year of your birth is not needed.

3. You will ~~not~~ NOT lose your registration if you do not provide this information or return this form, but your cooperation will be appreciated and helpful to election officials.

The return form shall include the following material:

The voter's name and address, pre-printed as they appear in the duplicate registration file.

_____ / _____

month of birth day of birth

_____

voter's signature

The return form shall be printed as a postage-paid postcard or the auditor or clerk shall include with the return form a postage-paid return envelope printed with the complete return mailing address of the political subdivision.

OFFICE OF THE REVISOR OF STATUTES
Disapproval of Form of Rules

__X__ The form of the attached rules is not approved. The revisor requests the changes described below before the rules will be approved.

(1) You have not submitted to the revisor the entire rule as adopted.

(2) Page 1, third line from the bottom, the stricken "it" should be restored.

Steven C. Cross
Revisor of Statutes

Name: Craig E. Lindeke
Craig E. Lindeke

Title: Assistant Revisor

Phone: 296-0946

_____ The changes requested by the revisor are approved by the agency.

_____ The changes requested by the revisor are not approved by the agency

Agency's Representative

_____ The attorney general agrees that the changes requested by the revisor are form changes, not substantive changes.

Assistant Attorney General

SF-00006-02

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT AG

TO : Judith Wehrwein

DATE: Aug. 20, 1981

FROM : Doug Blomgren

PHONE: 6-7013

SUBJECT: Secretary of State rules

Enclosed is the order adopting the temporary rule we discussed today. Also enclosed is a copy of that order.

Thanks for your help .

RECEIVED
AUG 20 1981
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

ADOPTED TEMPORARY RULE GOVERNING ELECTRONIC AND AUTOMATIC DATA PROCESSING SYSTEM OF MAINTAINING DUPLICATE VOTER REGISTRATION RECORDS

CONTENTS

1. Revisor's draft, approval as to form
2. Publication in State Register
3. Comments from public
4. Adoption of amended temporary rule
5. Revisor's approval of amended rule
6. Attorney's certificate

1 MCAR § 2.001

August, 1981

REVISOR'S DRAFT

approval as to form

MINNESOTA LEGISLATURE

REVISOR OF STATUTES
STEVEN C. CROSS
DEPUTY REVISORS
ANN L. BATESON
WARD P. GRONFIELD
HARRY M. WALSH
SENIOR ASSISTANT REVISORS
ROBERT P. KITTEL
PAUL E. ROHDE
ASSISTANT REVISORS
LORNA M. BREITER
JOHN C. FULLER
THERESA M. LAUTERBACH
CRAIG E. LINDEKE
PAUL M. MARINAC
JANET C. RAHM
ELIZABETH V. RICE

OFFICE OF THE REVISOR OF STATUTES
STATE CAPITOL, ROOM 3
ST. PAUL MINNESOTA 55155
(612) 296-2868

ADMINISTRATIVE ASSISTANT
LEONA R. LEWIS
DATA SYSTEMS COORDINATOR
CLAYTON LARSON
SUPERVISORS
ELEONORE G. ANDERSON
MARJORIE E. JORGENSEN
MYRTLE L. KAUFENBERG
BARBARA C. MOEHRLE
MARCIA A. WALDRON

July 6, 1981

Ms. Grace Haukoos
Office of the Secretary of State
Election Division
Room 180
State Capitol Building

Dear Ms. Haukoos,

We are enclosing copies of a draft of your rule request relating to electronic or automatic data processing system of maintaining duplicate voter registration records.

If you would like any changes, please return a copy with your instructions for redrafting.

Very truly yours,

Craig E. Lindeke
Assistant Revisor

CEL/mp
Enclosure
RD36

Temporary Rule as Proposed (all new material)

1 MCAR S 2.001 (Temporary) Electronic or automatic data processing system of maintaining duplicate voter registration records.

A. Notification. The auditor of a county or clerk of a city electing to use an electronic or automatic data processing system in place of duplicate voter registration cards shall notify the Secretary of State of that election no later than 90 days before the first election at which the system will be used.

Notification may be made simultaneously with a request for approval, pursuant to 1 MCAR S 2.1001, of an electronic or automatic data processing system for maintaining voter registration records, but no system shall be used in place of duplicate voter registration cards unless the system has been approved for maintenance of voter registration records.

The notification shall be in writing and shall include:

1. A sample of no less than three pages of the form of the duplicate registration file to be used at the polling place;

2. A sample of no less than three pages of the duplicate registration list to be made available for examination or purchase;

3. A plan to be implemented for obtaining day and month of birth for previously registered voters;

4. A copy of an agreement providing for back-up records and emergency service; and

5. A certification that the system conforms to all requirements of Laws of 1981, ch. 92, and this rule.

The county auditor or city clerk shall file amendments with the Secretary of State whenever alterations to the original notification are made.

B. Back-up records and emergency service. A county or city using an electronic or automatic data processing system in place of duplicate voter registration cards shall execute an agreement with an agency having compatible equipment to provide back-up and emergency service. Prior to each election, the county or city shall deposit a duplicate program and all necessary data records with the emergency service agency. No election jurisdiction may serve as an emergency service agency if that service would prevent the jurisdiction from fulfilling its own election responsibilities.

C. Voting records. When a county or city elects to use an electronic or automatic data processing system in place of duplicate voter registration cards, information required to be kept on duplicate cards shall be retrievable from the equipment. The address of previous registration may be deleted from the duplicate file after proper notification of registration has been made to the county or city of previous registration. Each voter's voting history for all elections in the previous four years shall be retrievable and shall indicate whether the voter voted in person or by absentee ballot.

D. Duplicate registration file. The duplicate registration file to be used on election day in the polling place shall be in the form of a precinct election list. The list shall be arranged alphabetically by voter's last name or in order of street address. Whichever arrangement is used shall be used consistently in all the precincts of the political subdivision.

Conspicuously at the top of each page of the precinct election list shall be printed precinct identifying information and the words:

*OATH

I certify that I am at least 18 years of age, and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person, have not been adjudicated insane, or been convicted of a felony without having my civil rights restored; and that I am registered and will be voting only in this precinct.

The precinct election list shall contain the following information for each registered voter:

1. Registrant's name as it appears on the original registration card;

2. Registrant's address;

3. Month and day of registrant's birth;

4. Notations about challenges, notices of guardianship, or other special information required to be affixed to the original or duplicate voter registration card.

Directly underneath or next to the voter's name shall be printed *OATH and a line indicating the place for the voter to sign the list. Sufficient space shall be provided so that the voter's signature will not obscure any voter's name. In no case shall the space be smaller than 1/2 by 3-1/2 inches.

If any computer identification numbers or other information not required by this rule is printed on the precinct election list, it shall not obscure required information or be printed in a manner to cause confusion for voters or election judges.

A separate precinct list in the same format shall be prepared for use by voters who register on election day. The newly registered voter shall print on the list the voter's name, address, and month and day of birth and shall sign the precinct election list.

In a split precinct, separate lists shall be prepared for each part of the precinct with specific information differentiating the split printed at the top of each list.

The precinct election list shall be ready no later than three days prior to any election.

E. Voter registration cards. Any voter registration accepted by a county or municipality after the date of its notification to the Secretary of State of the election authorized by Laws of 1981, ch. 92, and this rule shall be defective if it does not contain the day and month of birth of the registrant. Voter registration cards shall conform to the specifications of 1 MCAR S 2.0301, except that the card and instructions shall be modified to indicate that the day and month of birth are not optional.

F. Notice of ineffective registration. The county or municipality may modify the notice of ineffective registration in 1 MCAR S 2.0506 by adding the following additional statement:

"5. Month and day of birth are required."

or

"5. Month and day of birth are required on all registrations accepted in (name of county or municipality) after (date of notification of election)."

G. Request for birthdate. Prior to the first election at which electronic or automatic data processing equipment is used in place of the duplicate registration file, and prior to each subsequent statewide general election, the county or municipality shall send a request for the voter's birthdate to each previously registered voter whose month and day of birth is not included in the duplicate registration file.

The request for a voter's birthdate shall be in the form of a nonforwardable mailed notice with a return form. The notice shall include the following information:

1. At the next election in (name of political subdivision) the duplicate registration file for use at the polling place will be prepared by automatic data processing equipment. The month and day of each registered voter's birth will be used as an additional identifier and precaution against fraud.

2. Please fill in your month and day of birth on the enclosed return form, sign the form, and mail it in the postage-paid envelope to (name of political subdivision). Only the month and day of your birth are requested; the year of your birth is not needed.

3. You will not lose your registration if you do not provide this information or return this form, but your cooperation will be appreciated and helpful to election officials.

The return form shall include the following material:

The voter's name and address, pre-printed as they appear in the duplicate registration file.

_____ / _____

month of birth day of birth

_____

voter's signature

The auditor or clerk shall include with the return form a postage-paid return envelope printed with the complete return mailing address of the political subdivision.

H. Challenges and other notices. A record of any challenge to a voter registration shall be made part of the duplicate registration file and remain until removed according to law. The word "challenged" shall appear on the same line as or directly above the name of a challenged voter on the precinct election list. A record of any notice affixed to an original voter registration card pursuant to Minn. Stat. S 201.15 shall be made part of the duplicate registration file and remain part of the file until removed according to law. The word "guardianship" shall appear on the same line as or directly above the name of the voter on the precinct election list. If any other special notice or information is affixed to a voter registration card, a record of that notice shall be part of the duplicate registration file and an indication of the notice shall be printed on the precinct election list.

I. Absentee voting. Upon verification, as required by Minn. Stat. S 207.03, subd. 3, that an applicant for an absentee

ballot is a registered voter, the auditor or clerk shall verify the signature on the application by comparing it with the signature on the original voter registration card. When an absentee ballot envelope is marked "Accepted" pursuant to Laws of 1981, ch. 29, art. III, S 12, subd. 3, the election judge shall place the letters A.B. in the space for the voter's signature on the precinct election list followed by the judge's initials.

When a ballot envelope is accepted from a voter who registers on election day by including a registration card with the absentee ballot, the election judge shall print the voter's name, address, and month and day of birth in the appropriate places on the precinct election list.

J. Security. The auditor or clerk shall be responsible for maintaining the integrity of the duplicate registration file and for restricting access to the electronic or data processing equipment to properly authorized persons. The auditor or clerk may make available lists of registered voters in forms other than paper copies, but in whatever form, no list made available for examination or purchase shall include the birth dates of registered voters. The auditor or clerk shall provide for the transport and security of the precinct election lists in accordance with 1 MCAR S 2.0202.

OFFICE OF THE REVISOR OF STATUTES
PROPOSED RULES

Agency Office of the Secretary of State

Division Election Division

Agency Contact Grace Haukoos Phone Number 6-9218

Title: Proposed Temporary Rule Governing an Electronic or Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

Type of Rules: Permanent_____ Temporary__x__

Incorporations by References:

Rule Number	Material Incorporated	1 MCAR SS 2.0301, 2.0202
	Author	
	Title	
	Place	
	Publisher	
	Date	
	Cost	
	Places Available	

See Additional references on back Yes____ No____

Duplication of Statutory Language

Rule Number	Statutory Section Duplicated

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Name: Craig E. Lindeke
Craig E. Lindeke
Title: Assistant Revisor

Phone: 296-0946

PUBLICATION IN STATE REGISTER

Office of the Secretary of State

Proposed Temporary Rule Governing Electronic or Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

Request for Public Comment

Notice is hereby given that the Office of the Secretary of State has proposed the following temporary rule pursuant to Laws of 1981, ch. 92.

All interested persons are afforded the opportunity to submit their comments on the proposed rule for 20 days immediately following publication of this material in the *State Register* by writing to Election Division, Office of the Secretary of State, 180 State Office Building, Saint Paul, Minnesota 55155. The temporary rule may be revised on the basis of comments received. Any written material received shall become part of the record in the final adoption of the temporary rule.

July 20, 1981.

Joan Anderson Growe
Secretary of State

Temporary Rule as Proposed (all new material)

1 MCAR § 2.001 (Temporary) Electronic or automatic data processing system of maintaining duplicate voter registration records.

A. Notification. The auditor of the county or clerk of a city electing to use an electronic or automatic data processing system in place of duplicate voter registration cards shall notify the Secretary of State of that election no later than 90 days before the first election at which the system will be used.

Notification may be made simultaneously with a request for approval, pursuant to 1 MCAR § 2.1001, of an electronic or automatic data processing system for maintaining voter registration records, but no system shall be used in place of duplicate voter registration cards unless the system has been approved for maintenance of voter registration records.

The notification shall be in writing and shall include:

1. A sample of no less than three pages of the form of the duplicate registration file to be used at the polling place;
2. A sample of no less than three pages of the duplicate registration list to be made available for examination or purchase;
3. A plan to be implemented for obtaining day and month of birth for previously registered voters;
4. A copy of an agreement providing for back-up records and emergency service; and
5. A certification that the system conforms to all requirements of Laws of 1981, ch. 92, and this rule.

The county auditor or city clerk shall file amendments with the Secretary of State whenever alterations to the original notification are made.

B. Back-up records and emergency service. A county or city using an electronic or automatic data processing system in place of duplicate voter registration cards shall execute an agreement with an agency having compatible equipment to provide back-up and emergency service. Prior to each election, the county or city shall deposit a duplicate program and all necessary data records with the emergency service agency. No election jurisdiction may serve as an emergency service agency if that service would prevent the jurisdiction from fulfilling its own election responsibilities.

C. Voting records. When a county or city elects to use an electronic or automatic data processing system in place of duplicate voter registration cards, information required to be kept on duplicate cards shall be retrievable from the equipment. The address of previous registration may be deleted from the duplicate file after proper notification of registration has been made to the county or city of previous registration. Each voter's voting history for all elections in the previous four years shall be retrievable and shall indicate whether the voter voted in person or by absentee ballot.

D. Duplicate registration file. The duplicate registration file to be used on election day in the polling place shall be in the form of a precinct election list. The list shall be arranged alphabetically by voter's last name or in order of street address. Whichever arrangement is used shall be used consistently in all the precincts of the political subdivision.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Conspicuously at the top of each page of the precinct election list shall be printed precinct identifying information and the words:

* OATH

I certify that I am at least 18 years of age, and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person, have not been adjudicated insane, or been convicted of a felony without having my civil rights restored; and that I am registered and will be voting only in this precinct.

The precinct election list shall contain the following information for each registered voter:

1. Registrant's name as it appears on the original registration card;

2. Registrant's address;

3. Month and day of registrant's birth;

4. Notations about challenges, notices of guardianship, or other special information required to be affixed to the original or duplicate voter registration card.

Directly underneath or next to the voter's name shall be printed * OATH and a line indicating the place for the voter to sign the list. Sufficient space shall be provided so that the voter's signature will not obscure any voter's name. In no case shall the space be smaller than 1/2 by 3-1/2 inches.

If any computer identification numbers or other information not required by this rule is printed on the precinct election list, it shall not obscure required information or be printed in a manner to cause confusion for voters or election judges.

A separate precinct list in the same format shall be prepared for use by voters who register on election day. The newly registered voter shall print on the list the voter's name, address, and month and day of birth and shall sign the precinct election list.

In a split precinct, separate lists shall be prepared for each part of the precinct with specific information differentiating the split printed at the top of each list.

The precinct election list shall be ready no later than three days prior to any election.

E. Voter registration cards. Any voter registration accepted by a county or municipality after the date of its notification to the Secretary of State of the election authorized by Laws of 1981, ch. 92, and this rule shall be defective if it does not contain the day and month of birth of the registrant. Voter registration cards shall conform to the specifications of 1 MCAR § 2.0301, except that the card and instructions shall be modified to indicate that the day and month of birth are not optional.

F. Notice of ineffective registration. The county or municipality may modify the notice of ineffective registration in 1 MCAR § 2.0506 by adding the following additional statement:

"5. Month and day of birth are required."

or

"5. Month and day of birth are required on all registrations accepted in (name of county or municipality) after (date of notification of election)."

G. Request for birthdate. Prior to the first election at which electronic or automatic data processing equipment is used in place of the duplicate registration file, and prior to each subsequent statewide general election, the county or municipality shall send a request for the voter's birthdate to each previously registered voter whose month and day of birth is not included in the duplicate registration file.

The request for a voter's birthdate shall be in the form of a nonforwardable mailed notice with a return form. The notice shall include the following information:

1. At the next election in (name of political subdivision) the duplicate registration file for use at the polling place will be prepared by automatic data processing equipment. The month and day of each registered voter's birth will be used as an additional identifier and precaution against fraud.

2. Please fill in your month and day of birth on the enclosed return form, sign the form, and mail it in the postage-paid envelope to (name of political subdivision). Only the month and day of your birth are requested; the year of your birth is not needed.

3. You will not lose your registration if you do not provide this information or return this form, but your cooperation will be appreciated and helpful to election officials.

The return form shall include the following material:

The voter's name and address, pre-printed as they appear in the duplicate registration file.

_____ / _____

month of birth day of birth

voter's signature

The auditor or clerk shall include with the return form a postage-paid return envelope printed with the complete return mailing address of the political subdivision.

H. Challenges and other notices. A record of any challenge to a voter registration shall be made part of the duplicate registration file and remain until removed according to law. The word "challenged" shall appear on the same line as or directly above the name of a challenged voter on the precinct election list. A record of any notice affixed to an original voter registration card pursuant to Minn. Stat. § 201.15 shall be made part of the duplicate registration file and remain part of the file until removed according to law. The word "guardianship" shall appear on the same line as or directly above the name of the voter on the precinct election list. If any other special notice or information is affixed to a voter registration card, a record of that notice shall be part of the duplicate registration file and an indication of the notice shall be printed on the precinct election list.

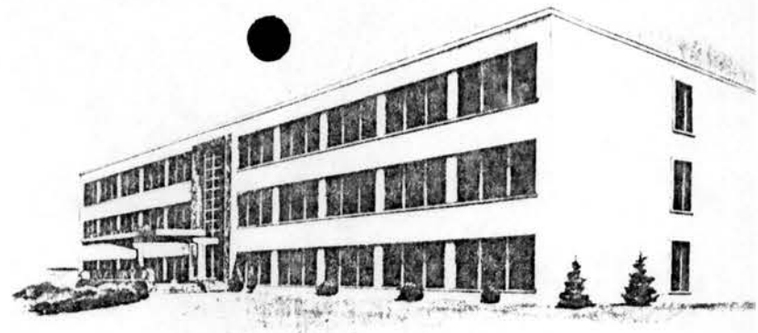
I. Absentee voting. Upon verification, as required by Minn. Stat. § 207.03, subd. 3, that an applicant for an absentee ballot is a registered voter, the auditor or clerk shall verify the signature on the application by comparing it with the signature on the original voter registration card. When an absentee ballot envelope is marked "Accepted" pursuant to Laws of 1981, ch. 29, art. III, § 12, subd. 3, the election judge shall place the letters A.B. in the space for the voter's signature on the precinct election list followed by the judge's initials.

When a ballot envelope is accepted from a voter who registers on election day by including a registration card with the absentee ballot, the election judge shall print the voter's name, address, and month and day of birth in the appropriate places on the precinct election list.

J. Security. The auditor or clerk shall be responsible for maintaining the integrity of the duplicate registration file and for restricting access to the electronic or data processing equipment to properly authorized persons. The auditor or clerk may make available lists of registered voters in forms other than paper copies, but in whatever form, no list made available for examination or purchase shall include the birth dates of registered voters. The auditor or clerk shall provide for the transport and security of the precinct election lists in accordance with 1 MCAR § 2.0202.

PUBLIC COMMENT

Robert Loscheider
ITASCA COUNTY AUDITOR
326-9628
GRAND RAPIDS, MINNESOTA 55744



Joan Growe, Secretary of State
Election Division
180 State Office Building
St. Paul, Minnesota 55155

RECEIVED
AUG 10 1981
SECRETARY OF STATE
ELECTION DIVISION

August 6, 1981

RE: Proposed temporary rules governing
the use of EDP for registration cards

Dear Joan:

Your proposed temporary rules appear to be okay to me with the exception of Section B on page 2. I believe this section, relating to back-up records and emergency service, is too restrictive. Pre-registration by new voters is cut off 20 days prior to any election. Scheduling computer time for voter registration lists is done between 20 and 10 days before an election. Computers are seldom down more than a few hours and does not noticeably affect our schedule. Your rules would cause us to maintain two sets of programs. We are better off with one program while concentrating on keeping one computer operating. It is bad enough changing programs for changes in hardware in our own location without worrying about changes of hardware at backup facilities.

If these reports had to be printed on a specific date then I would agree that you need backup equipment. But since we have about 10 days to get the report out, I feel Section B is unnecessary.

Sincerely,

ROBERT LOSCHEIDER
Itasca County Auditor

RL/mg

Equal Opportunity Employer

St. Louis County
OFFICE OF THE COUNTY AUDITOR

AUDITOR
RUSSELL PETERSEN

Court House • Duluth, Minn. 55802

August 5, 1981

Secretary of State
Election Division
180 State Office Building
St. Paul, Minnesota 55155

Attention: Grace Haukoos

Dear Ms. Haukoos:

This is in regards to the temporary rules for Automatic Data Processing System of Maintaining Duplicate Voter Registration Records.

We would like to comment on item "B" Back-up Records and Emergency Service. We do not feel this should necessarily be a mandatory item. Voter registration ceases 20 days prior to the election and the precinct election lists must be ready no later than 3 days prior to the election, according to your Temporary Rule "D". This leaves approximately 3 work weeks to accomplish final up-dating and printing of the precinct lists.

With proper planning there is ample time, even if there is equipment breakdown, in that through experience we find our computer can be repaired within a day. Therefore, why the necessity for a mandatory back-up system!

Yours very truly,

RUSSELL PETERSEN, COUNTY AUDITOR

BY: Karen Erickson
Deputy

KME:cg

OFFICE OF DEPUTY REGISTRAR
LYALL A. SCHWARZKOPF, CITY CLERK AND DEPUTY REGISTRAR
ALAN E. SANTO, DEPUTY REGISTRAR
ROOM 1 CITY HALL 348-2070
MINNEAPOLIS, MINNESOTA 55415

minneapolis
city of lakes

June 22, 1981

RECEIVED
JUN 23 1981
SECRETARY OF STATE
ELECTION DIVISION

Ms. Grace Haukoos
Director, Elections Division
Secretary of State Department
180 State Office Building
Saint Paul, Minnesota 55155

Dear Grace:

Lyall Schwarzkopf and I have reviewed the proposed temporary rules relating to chapter 92 and generally agree with them. We do have some recommendations for minor changes as follows:

a. Section 1. Notification, paragraph 3, item 4: Recommend that the word "agreement" be used in place of the word "contract". The word "agreement" would require less administrative procedures from various other departments for the City of Minneapolis.

b. Section 2. Backup records and emergency service, paragraph 2: We agree with keeping everything on the system that was previously kept on the duplicate card except for the information of "Address of Your Last Registration if any". This information is currently kept on the automated system until the previous registration office has been notified and after that it is deleted from the automated file. The last previous registration address is not used again after the notification. If any question did arise on this information it would still be available on the original registration. To permanently keep the previous registration information would be very costly and space consumming on the automated system and serve no useful purpose. A printout of notifications sent to other registration offices could be maintained to satisfy the duplicate retention of this information if it was necessary.

c. Section 5. Request for birthdate, paragraph 2, item 2: Request that either a postage paid card or envelope be allowed for the return of the month and day of birth.



d. Section 6. Challenges and other notices: Request that "or line directly above the name of the voter" be added following wherever it reads "same line as".

e. Also, as per our telephone conversation, Minneapolis will not be able to meet the 90 day notification requirement this year.

Thank you for your timeliness and thoroughness on the rules drafting. Also I appreciate the opportunity to be heard regarding the rules. Please call either Lyall or me if you have any questions on our recommendations.

Sincerely,

Alan E. Santo
Deputy Registrar

AMENDED TEMPORARY RULE

Office of the Secretary of State

Adopted Temporary Rule Governing Electronic or Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

The rule proposed and published at State Register, Volume 6, pp. 71-73, July 20, 1981 is adopted with the following amendments:

1 MCAR S 2.001 (Temporary)

F. Notice of ineffective registration. The county or municipality may modify the notice of ineffective registration in 1 MCAR S 2.0506 by adding the following additional statement:

"~~5.~~ 4. Month and day of birth are required."

or

"~~5.~~ 4. Month and day of birth are required on all registrations accepted in (name of county or municipality) after (date of notification of election)."

G. Request for birthdate

2. Please fill in your month and day of birth on the enclosed return form, sign the form, and mail ~~it in the postage paid envelope~~ to (name of political subdivision). Return postage has been prepaid.

Only the month and day of your birth are requested; the year of your birth is not needed.

3. You will ~~not~~ NOT lose your registration if you do not provide this information or return this form, but your cooperation will be appreciated and helpful to election officials.

The return form shall include the following material:

The voter's name and address, pre-printed as they appear in the duplicate registration file.

_____ / _____

month of birth day of birth

_____

voter's signature

The return form shall be printed as a postage-paid postcard or the auditor or clerk shall include with the return form a postage-paid return envelope printed with the complete return mailing address of the political subdivision.

1. Notification

The auditor of a county or clerk of a city electing to use an electronic or automatic data processing system in place of duplicate voter registration cards shall notify the secretary of state of such election no later than 90 days before the first election at which the system will be used.

Notification may be made simultaneously with a request for approval, pursuant to 1MCAR 2.1001 - 2.1002, of an electronic or automatic data processing system for maintaining voter registration records, but no system shall be used in place of duplicate registration cards that has not been approved for maintenance of voter registration records.

The notification shall be in writing and shall include: 1) a sample of no less than 3 pages of the form of the duplicate registration file to be used at the polling place; 2) a sample of no less than 3 pages of the duplicate registration list to be made available for examination or purchase; 3) a plan to be implemented for obtaining day and month of birth for previously registered voters; 4) a copy of a contract providing for back-up records and emergency service. The county auditor or city clerk shall file amendments with the secretary whenever alterations to the original notification are made.

2. Back-up records and emergency service

A county or city using an electronic or automatic data processing system in place of duplicate registration cards shall execute an agreement with an agency having compatible equipment to provide back-up and emergency service. Prior to each election, the county or city shall deposit a duplicate program and all necessary data records with the emergency service agency. No election jurisdiction may serve as an emergency service agency if such service would prevent the jurisdiction from fulfilling its own election responsibilities.

Voting records

When a county or city elects to use an electronic or automatic data processing system in place of duplicate voter registration cards, information previously kept on duplicate cards shall be retrievable from the equipment. Each voter's voting history for all elections in the previous four years shall be retrievable and shall indicate whether the voter voted in person or by absentee ballot.

3. Duplicate registration file

The duplicate registration file to be used on election day in the polling place shall be in the form of a precinct election list. The list shall be arranged alphabetically by voter's last name or in order of street address. Whichever arrangement is used shall be used consistently in all the precincts of the political subdivision.

Conspicuously at the top of each page of the precinct election list shall be printed precinct identifying information and the words:

*OATH

I certify that I am at least 18 years of age, and a citizen of the United States; that I reside at the address shown, and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person, have not been adjudicated insane, or been convicted of a felony without having my civil rights restored.

The precinct election list shall contain the following information for each registered voter: 1)registrant's name as it appears on the original registration card; 2)registrant's address; 3)month and day of registrant's birth; 4)notations about challenges, notices of guardianship or other special information required to be affixed to the original voter registration card.

Directly underneath or next to the voter's name shall be printed *OATH and a line indicating the place for the voter to sign the list. Sufficient space shall be provided so that the voter's signature will not obscure any voter's name. In no case shall the space be smaller than 1/2 inch x 3-1/2 inches.

If any computer identification numbers or other information not required by these rules is printed on the precinct election list such material shall not obscure required information or be printed in a manner to cause confusion for voters or election judges.

A separate precinct list in the same format shall be prepared for use by voters who register on election day. The newly registered voter shall print on the list the voter's name, address, and month and day of birth and shall sign the precinct election list.

In a split precinct, separate lists shall be prepared for each part of the precinct with specific information differentiating the split printed at the top of each list.

The precinct election list shall be ready no later than three days prior to any election.

4. Voter registration cards

Any registration accepted by a county or municipality after the date of its notification to the secretary of state of the election authorized by Chapter 92, Laws of 1981 and these rules shall be defective if it does not contain the day and month of birth of the registrant. Voter registration cards shall conform to the specifications of 1MCAR 2.0301 except that the cards shall indicate that the day and month of birth are not optional by striking the word (optional) and placing a red X to the left of the request for that information.

5. Notice of Ineffective Registration

The county or municipality may modify the notice of ineffective registration 1MCAR 2.0506 by adding an additional statement:

4. Month and day of birth are required

or

4. Month and day of birth are required on all registrations accepted in (name of county or municipality) after (date of notification of election).

5. Request for birthdate

Prior to the first election at which electronic or automatic data processing equipment is used in place of the duplicate registration file, and prior to each subsequent statewide general election, the county or municipality shall send a Request for Birthdate to each previously registered voter whose month and day of birth is not included in the duplicate registration file.

The Request for Birthdate shall be in the form of a non-forwardable mailed notice with a return form. The notice shall include the following information:

1. At the next election in (name of political subdivision) the duplicate registration file for use at the polling place will be prepared by automatic data processing equipment. The month and day of each registered voter's birthdate will be used as an additional identifier and precaution against fraud.
2. Please fill in your month and day of birth on the enclosed return form, sign the form, and mail it in the postage-paid envelope to (name of political subdivision). Only the month and day of your birth are needed; the year of your birth is not needed.
3. You will NOT lose your registration if you do not provide this information or return this form, but your cooperation will be appreciated, and helpful to election officials.

The return form shall include the following material:

1. The voter's name and address, pre-printed as they appear in the duplicate registration file.

2. _____ / _____
   month of birth day of birth

3. _____
   voter's signature

The auditor or clerk shall include with the return form a postage paid return envelope printed with the complete return mailing address of the political subdivision.

6. Challenges and other notices

A record of any challenge to a voter registration shall be made part of the duplicate registration file and remain until removed according to law. The word "challenged" shall appear on the same line as the name of a challenged voter on the precinct election list. A record of any notice affixed to an original voter registration card pursuant to M.S. 201.15 shall be made part of the duplicate registration file and remain part of the file until removed according to law. The word "guardianship" shall appear on the same line as the name of the voter on the precinct election list. If any other special notice of infomation is affixed to a voter registration card, a record of such action shall be part of the duplicate registration file and an indication of the notice shall be printed on the precinct election list.

7. Absentee voting

When an absentee ballot envelope is marked "Accepted" pursuant to M.S. 203B.12 subd. 3, the election judge shall place the letters A.B. in the space for the voter's signature on the precinct election list followed by the judge's initials.

When a ballot envelope is accepted from a voter who registers on election day by including a registration card with the absentee ballot, the election judge shall print the voter's name, address, and month and day of birth in the appropriate places on the precinct election list.

8. Security

The auditor or clerk shall be responsible for maintaining the integrity of the duplicate registration file and for restricting access to the electronic or data processing equipment to properly authorized persons. The auditor or clerk may make available lists of registered voters in forms other than paper copies, but in whatever form, no such list made available for examination or purchase shall include the birth dates of registered voters. The auditor or clerk shall provide for the transport and security of the precinct election lists in accordance with 1MCAR 2.0202.

REVISOR'S APPROVAL OF AMENDED TEMPORARY RULE

ATTORNEY'S CERTIFICATE

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

WARREN SPANNAUS
ATTORNEY GENERAL

August 17, 1981

ADDRESS REPLY TO:
515 TRANSPORTATION BLDG.
ST. PAUL, MN 55155
TELEPHONE: (612) 297-2040

I certify that the attached temporary rule has been adopted in compliance with Minn. Stat. §15.0412 (1980).

Douglas C. Blomgren
Special Assistant
Attorney General

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF MINNESOTA

SECRETARY OF STATE

In the Matter of the Proposed Adoption of Temporary Rules Governing Electronic and Automatic Data Processing System of Maintaining Duplicate Voter Registration Records

ORDER ADOPTING TEMPORARY RULES

The above-entitledmatter was published in the State Register on July 20, 1981, as a proposed temporary rule pursuant to Minnesota Statutes section 15.0412, subd. 5. After affording interested and affected persons an opportunity to submit written data and views within 20 days of the publication date, reviewing and considering the data and views, and determining that the above-captioned rules are needed and reasonable as amended in light of those data and views,

NOW THEREFORE, IT IS FOUND

1. That proposed rule 1 MCAR § 2.001 F. should be altered to refer to subparagraph 4 rather than subparagraph 5;

2. That proposed rule 1 MCAR § 2.001 G. 2. should be altered to exclude reference to a postage paid envelope, thus permitting the use of a postage-paid postcard for return of voter birthdate information;

3. That proposed rule 1 MCAR § 2.001 G. 3. should be altered by printing the word "not" in upper case letters, thus emphasizing the fact that failure to provide birthdate information will not affect the voter status of currently registered voters;

4. That proposed rule 1 MCAR §2.001 G. 3. be further altered to provide for return of voter birthdate information by postage-paid postcard or other postage-paid method;

NOW THEREFORE, IT IS ORDERED

That these rules identified as Rules Governing Electronic and Automatic Data Processing System of Maintaining Duplicate Voter Registration Records are adopted as amended above this twentieth day of August, 1981, pursuant to authority vested in the Secretary of State by Minnesota Laws 1981, chapter 92.

Carolyn Peabody

Secretary of State, Deputy
STATE OF MINNESOTA

August 20, 1981