

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

RULE REVIEW CHECKLIST

File No. 1442
DATE RECEIVED 1/15/88
REVIEW DATE 1/24/88
DUE DATE 1/29/88

APPROVED 1/27/88
DISAPPROVED
WITHDRAWN

Docket No. 05.0009.0747
ADOPTED W/O HEARING X
EMERGENCY RULE

REVISOR APPROVED 1-19-88
REVISOR DISAPPROVED
FIELD W/SEC.STATE
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)

n/a Notice to Solicit Outside Information/Opinion
- Date published in State Register
- Comments

n/a Petition for Adoption of a Rule

n/a Board's Authorizing Resolution

✓ Proposed rule
- ✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule — no statement comment is encouraged
- 206.57 Statutory Authority
- ✓ Small Business Statement
- ✓ Expenditure of public money statement
- no Signature but is order of intent

✓ Statement of Need and Reasonableness skimpy
- ✓ Small Business Statement
- n/a Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
- 19 Nov 87 Date 30/25 days before adoption

✓ Publication in State Register
- 23 Nov 1987 Date 30/25 days before adoption

n/a Resolution Adopting

✓ Findings of Fact, Conclusions & Order Adopting
- 28 Dec 87 Date

none Written requests, submissions or comments

✓ Declaration of attorney
- Peter Acherberg Name of SAAG representing agency

? mailed to everyone on Dec 29 — not submitted until 1/15 — Notice of Submission to Attorney General

? Affidavit of Mailing Notice to Attorney General

not irrelevant as no one requested one

discretionary rule - but is in existing language.

ATTORNEY GENERAL

January 27, 1987

PETER M. ACKERBERG
Special Assistant
Attorney General

CHRISTIE B. ELLER
Assistant Attorney General

6-9421

Proposed Permanent Rules Relating to Approval of
Voting Machines or Systems

While the above-captioned rule has been approved, I wish to bring to your attention certain deficiencies in the procedures used to adopt rules. First, the Notice of Intent to Adopt Rule does not follow the format prescribed by Minn. Rule 2010.0300E. The Notice does not contain certain required statements such as the fact that comment is encouraged, nor is it signed by the person authorized to adopt the rule. The Statement of Need and Reasonableness at best, meets the bare minimum required by Minn. Rule pt. 2010.0700.

I noticed that a Notice of Submission to Attorney General and an Affidavit of Mailing Notice of Submission was filed. The Findngs state that no one requested the receipt of such notice, yet there is an affidavit indicating that everyone who requested such notice received it. Thus, the forms submitted to us contain inconsistencies. Based upon a telephone conversation with Jeff Sigurdson, it appears that no one did in fact request such notice. Accordingly, the Affidavit and Notice of Submission to the Attorney General are being disregarded.

Finally, I note that had anyone requested receiving notice of submission of the rule to the Attorney General, such notice must be given on the same day the rule is submitted to the Attorney General for review. See Minn. Rule pt. 2010.0300, subp. N. That reference means submission to the Administration/Finance attorneys, not to the attorney on our staff who represents the agency.

CBE:nah
cc: Jeff Sigurdson

ATTORNEY GENERAL

January 27, 1988

PETER ACKERBERG
Special Assistant
Attorney General

CHRISTIE B. ELLER
Assistant Attorney General

6-6839

In the Matter of the Adopted Rule Relating to
Approval of Voting Machines or Systems

The above-referenced rule has been approved as to its legality by the Attorney General on January 27, 1988.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must establish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

MJC:nah
Enclosures

cc: Maryanne Hruby
Duane Harves

Secretary of State

Adopted Permanent Rules Relating to Approval of Voting Machines or Systems

Rules as Adopted

8220.0650 APPROVAL OF MACHINES OR SYSTEMS.

Subpart 1. [Unchanged]

Subp. 2. **Decertification.** If a voting machine or system no longer meets the standards of Minnesota statutes or parts 8220.0050 to 8230.4250, the secretary of state may withdraw certification of the voting machine or system. The vendor must be given written notification of intent to withdraw certification and may within ten days of receipt of the notification submit a written request to the secretary of state for a contested case hearing under Minnesota Statutes, sections 14.57 to 14.62.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JAN 27 1988

Joan Anderson Growe
Secretary of State 9:49 A.M.

Secretary of State

Proposed Permanent Rules Relating to Approval of Voting Machines or Systems

Rules as Proposed

8220.0650 APPROVAL OF MACHINES OR SYSTEMS.

Subpart 1. [Unchanged]

Subp. 2. **Decertification.** If a voting machine or system no longer meets the standards of Minnesota statutes or parts 8220.0050 to 8230.4250, the secretary of state may withdraw ~~approval~~ certification of the voting machine or system ~~after a hearing~~. The vendor must be given written notification of intent to withdraw certification and may within ten days of receipt of the notification submit a written request to the secretary of state for a contested case hearing under Minnesota Statutes, sections 14.57 to 14.62.

Approved by Revisor CEL

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Approval of Voting Machines or Systems

AGENCY: Secretary of State

MINNESOTA RULES: Chapter 8220

The attached rules are approved for publication
in the State Register

CEL By Jodi Geller

Craig E. Lindeke
Senior Assistant Revisor

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Approval of Voting Machines or Systems

AGENCY: Secretary of State

MINNESOTA RULES: Chapter 8220

The attached rules are approved for publication
in the State Register

CEL By Jack Fuller

Craig E. Lindeke
Senior Assistant Revisor

Secretary of State

Proposed Permanent Rules Relating to Approval of Voting Machines or Systems

Rules as Proposed

8220.0650 APPROVAL OF MACHINES OR SYSTEMS.

Subpart 1. [Unchanged]

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Approved by Revisor CEL

Secretary of State

Election Division

Proposed Rules Relating to Approval of Machines or Systems

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Secretary of State proposes to adopt the above-entitled rules without a public hearing. The Secretary has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, sections 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Election Division and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the Secretary of State will proceed according to the provisions of Minnesota Statutes, sections 14.131 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Jeffrey Sigurdson

Election Procedures Assistant

180 State Office Building

St. Paul, MN 55155-1299

(612)296-6011

Authority for the adoption of this rule is contained in Minnesota Statutes, section 206.57. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Election Divison upon request.

The Elections Division has considered the effect on small businesses, as required by Minnesota Statutes 14.115 (1986) and has determined that the effect will be minimal and no more than required by statute. Also pursuant to Minnesota Statutes, section 14.11 "Special Notice of Rulemaking", the adoption of these rules will not have any impact upon agricultural land nor will the adoption of these rules result in additional spending by local public bodies in excess of $100,000 per year, for the first two years following the adoption of these rules.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written coments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to the Election Division.

The rules proposed for adoption are as follows:

C8801.07

Proposed Rules

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Secretary of State

Proposed Permanent Rules Relating to Approval of Voting Machines or Systems

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Secretary of State proposes to adopt the above-entitled rules without a public hearing. The Secretary has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes*, sections 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Election Division and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the Secretary of State will proceed according to the provisions of *Minnesota Statutes*, sections 14.13 to 14.18.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Jeffrey Sigurdson
Election Procedures Assistant
180 State Office Building
St. Paul, MN 55155-1299
(612) 296-2805

Authority for the adoption of this rule is contained in *Minnesota Statutes*, section 206.57. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Election Division upon request.

The Elections Division has considered the effect on small businesses, as required by *Minnesota Statutes* 14.115 (1986) and has determined that the effect will be minimal and no more than required by statute. Also pursuant to *Minnesota Statutes*, section 14.11 "Special Notice of Rulemaking", the adoption of these rules will not have any impact upon agricultural land nor will the adoption of these rules result in additional spending by local public bodies in excess of $100,000 per year, for the first two years following the adoption of these rules.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to the Election Division.

The rules proposed for adoption are as follows:

Rules as Proposed

8220.0650 APPROVAL OF MACHINES OR SYSTEMS.

Subpart 1. [Unchanged]

Subp. 2. **Decertification.** If a voting machine or system no longer meets the standards of Minnesota statutes or parts 8220.0050 to 8230.4250, the secretary of state may withdraw ~~approval~~ certification of the voting machine or system ~~after a hearing~~. The vendor must be given written notification of intent to withdraw certification and may within ten days of receipt of the notification submit a written request to the secretary of state for a contested case hearing under Minnesota Statutes, sections 14.57 to 14.62.

Department of Trade and Economic Development Minnesota Agricultural and Economic Development Board

Proposed Emergency Rules Relating to the Minnesota Development Program

Notice of Intent to Adopt an Emergency Rule

Notice is hereby given that the Minnesota Agricultural and Economic Development Board intends to adopt the above-entitled emergency rule. The statutory authority to adopt the emergency rule is contained in *Minnesota Statutes*, section 41A.04, subd. 4. The agency, in adopting the rule, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in *Minnesota Statutes*, sections 14.29 to 14.36.

All persons have 25 days after publication to submit data and views on the proposed emergency rule or any part or subpart of the rule in writing. Any comments must be submitted to:

John J. O'Brien
Office of Business Finance
Department of Trade and Economic Development
900 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101-1429
Telephone: 612-297-1944

A copy of the proposed rule is attached to this notice.

A free copy of the proposed emergency rule is available by contacting John J. O'Brien.

The proposed emergency rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed emergency rule as noticed.

Upon adoption of the emergency rule by the agency, the emergency rule as adopted and its supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or wish to receive a copy of the adopted rule, must submit the written request to John J. O'Brien.

The emergency rule will take effect five working days after approval by the Attorney General and be effective for 360 days. The emergency rule will be continued in effect for an additional 180 days if the agency gives notice of continuation in accordance with *Minnesota Statutes*, section 14.35.

Dated: 6 November 1987

Thomas Triplett, Chair, Minnesota
Agricultural and Economic Development Board

Rules as Proposed (all new material)

1580.2000 [Emergency] PURPOSE AND AUTHORITY.

Parts 1580.2000 to 1580.2120 [Emergency] are authorized by Minnesota Statutes, section 41A.04, subdivision 4, to carry out the purposes of Minnesota Statutes, chapter 41A, and to establish a process for application and approval of financial assistance for eligible projects. The Small Business Development Loan Program and the Hazardous Waste Processing Facility Loan Program are also authorized by Minnesota Statutes, chapter 41A, and have separate rules governing them. Eligible applicants may determine under which program they wish to apply for financial assistance for eligible projects.

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.

STATE OF MINNESOTA

Secretary of State

In the Matter of the Proposed Adoption of Rules of the Secretary of State Relating to Approval of Machines or Systems.

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 19th day of November, 1987 that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all person who have registered their names with the Secretary of State for that purpose and be published in the State Register.

STATE OF MINNESOTA

Joan Anderson Growe

Secretary of State

C8711.50

In the matter of the Proposed Rules of the Secretary of State Relating to the Approval of Voting Machines or Systems.

STATEMENT OF NEED AND REASONABLENESS

The need to amend part 8220.0650 arises from the Secretary of State's desire to streamline and simplify the decertification process. The amended 8220.0650 will provide the opportunity for a contested case hearing to those who desire it, without mandating it to those who do not. This is consistent with good government goals of saving time and money.

As required by Minnesota Statutes 14.115 the Election Division has considered the effect of this rule on small businesses. The impact is minimal for two reasons. First, decertification of machines and systems is already established under existing rules. This is a modification of existing rules, not the establishment of a new demand on small businesses. Secondly small businesses will benefit from reduced regulation as under this rule hearings will only be held when the vendor is interested in defending the machine or system. Previously machines or systems no longer of interest to the vendor also required a hearing.

Also pursuant to Minnesota Statutes, section 14.11 there is no impact on agricultural land nor will the adoption of these rules result in additional spending by local public bodies in excess of $100,000 per year for the first two years following the adoption of these rules.

C8801.12

In the Matter of the Proposed Adoption
of the Rules of the State Governing
Approval of Machines or Systems

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Sandra Olson, being first duly sworn deposes and says:

That on the 19th day of November, 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without Public Hearing by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Secretary of State for the purpose of receiving notice of the proposed adoption of rules by the Secretary of State.

JOSEPH MANSKY
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
MY COMMISSION EXPIRES JUNE 12, 1991

Joseph Mansky

C8711.68

In the Matter of the Proposed Adoption
of the Rules of the Secretary of State
Relating to the Approval of Voting
Machines or Systems.

AFFIDAVIT OF
MAILING

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

SANDRA OLSON, being first duly sworn deposes and says:

That on the 28th day of December, 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Submission to Attorney General by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have registered their names with the Secretary of State for that purpose.

Sandra Olson

C8712.108

JOSEPH MANSKY
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
MY COMMISSION EXPIRES JUNE 12, 1991

Joseph Mansky

STATE OF MINNESOTA

SECRETARY OF STATE

In the Matter of the Proposed Adoption
of the Rules of the Secretary of State
Governing Approval of Machines or
Systems

FINDINGS OF FACT, CONCLUSIONS, AND ORDER

ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Secretary's intent to adopt the above-entitled rule was published in the State Register on November 23, 1987 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on November 19th, 1987. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

No requests for notice of submission to the attorney general were received by the agency.

No submissions or comments on the rule were received by the agency.

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as 8220.0650, is adopted this 28th day of December 1987, pursuant to authority vested in me Minnesota Statutes, section 206.57.

Joan A. Growe

Secretary of State

C8801.13

In the Matter of the
Adoption of the Rule
of the Secretary of State
Relating to Approval of
Voting Machines or Systems

DECLARATION OF COUNSEL

I, Peter M. Ackerberg, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010, have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 20 0001 0747.

Peter M. Ackerberg

PETER M. ACKERBERG
Special Assistant
Attorney General

Dated: Jan. 15, 1988.

EXCEPTIONS

1. Some of the documents do not conform to the recommended forms in Minn. Rules ch. 2010. However, the substantive requirements are satisfied with the exception of the absence of the required signature on the Notice of Intent To Adopt Rules Without A Public Hearing as mailed. Minn. Rule pt. 2010.0300(E). A signature does appear on the Order For Notice of Intent To Adopt Rules Without

Public Hearing. Although this document is not required by the rules, the apparent purpose of the requirement for a signed notice of Intent to Adopt Rules Without A Public Hearing--to assure that rulemaking has been approved by a responsible agency official--is satisfied by the signed Order.

STATE OF MINNESOTA

SECRETARY OF STATE

In the Matter of the Proposed Adoption
of Rules of the Secretary of State
Relating to the Approval of Voting
Machines or Systems.

NOTICE OF SUBMISSION TO THE
ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.05 to 14.36:

PLEASE TAKE NOTICE that the above-captioned rules have been submitted to the Office of the Attorney General on this date, December 28, 1987, for review as to form and legality. Pursuant to part 2000.0700, subpart 2, the Attorney General will not approve the rules for eight calendar days after receipt to allow any person or association time to comment on the legality of the rules, after which that office will complete its review. If you desire to comment on the legality of the above-captioned rules, you should direct your comments to the Office of the Attorney General, 515 Transportation Bldg., St. Paul, MN 55155, telephone (612)296-8954. Please note that the above-cited rule of the Attorney General also provides that a copy of any written comments submitted to the Attorney General must be submitted simultaneously to this agency.

C8712.106

CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption of Rules of the Secretary of State Relating to the Approval of Voting Machines or Sytems.

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1a, that their names be placed on file with and maintained for the purpose of receiving notice of the submission of rules by the Secretary of State to the Attorney General is accurate and complete as of 9:00 A.M., this 28th day of December, 1987.

Election Procedures Assistant

C8712.107

JOSEPH MANSKY
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
MY COMMISSION EXPIRES JUNE 12, 1991

CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption of Rules of the Secretary of State

Proposed Rules Relating to Approval of Machines or Systems

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1a, that their names be placed on file with and maintained for the purpose of receiving notice of of the proposed adoption of rules by the Secretary of State is accurate and complete as of 8:00 A.M., this 19th day of November, 1987.

Jeff Ingvalson

Election Procedures Assistant

C8711.49

JOSEPH MANSKI
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
MY COMMISSION EXPIRES JUNE 12, 1991

Joseph Manski

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GE RAL

DATE : January 14, 1988

Rec'd
1-15-88
mae

TO : CHRISTIE ELLER
Special Assistant
Attorney General

FROM : PETER M. ACKERBERG
Special Assistant
Attorney General

PHONE :

SUBJECT : Proposed Permanent Rules Relating to Approval of Voting Machines or Systems

Submitted for your review pursuant to Minn. Stat. § 14.26 (Supp. 1987) is the above-referenced proposed rule and supporting material.

Please contact me if you have any questions.

PMA:pje
Attachment

Office of the Revisor of Statutes
Administrative Rules

Craig E. Lindeke
Senior Assistant Revisor
296-0946

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

November 25, 1987

RECEIVED
DEC -2 1987
SECRETARY OF STATE
ELECTION DIVISION

Mr. Jeff Sigurdson
Election Procedures Assistant
Secretary of State
180 State Office Building
Saint Paul, Minnesota 55155-1299

RE: AR1223 Approval of Voting Machines or Systems

Dear Mr. Sigurdson:

Enclosed is a stripped copy of your proposed rules as published in the State Register. The copy shows the text of the rules as you proposed them with the stricken text deleted and the underscoring removed.

If your proposed emergency rules or proposed rules adopted without public hearing are adopted without modification, please submit the required number of copies of this document to the Attorney General for final approval. If these rules are to be modified, please use this copy to indicate the modifications you wish to make. Our office will then input the changes, approve the document as to form, and provide you with copies to submit to the Attorney General.

If your proposed rules are adopted after public hearing without modification, please submit one copy of this document to our office for final approval as to form. If these rules are to be modified, please use this copy to indicate the modifications you wish to make. Our office will input the changes, approve the document as to form, and provide you with copies.

Very truly yours,

CEL/cs

Craig E. Lindeke

CEL/ms