

MINNESOTA RULES 2008

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CHAPTER 8200 SECRETARY OF STATE VOTER REGISTRATION

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8200.1100 PRINTING SPECIFICATIONS.

Subpart 1 **Applications returned by mail.** Voter registration applications printed for the purpose of distribution and mailing must be printed pursuant to items A to D

- A The size must be 8-1/2 inches by .11 inches, including a 9/16-inch stub
- B The paper must be at least 80-pound white offset

C The secretary of state may approve alternate forms of voter registration applications to be attached to or included in tax booklets and forms used by state agencies, and other forms deemed appropriate by the secretary of state if the forms have spaces for the information required in Minnesota Statutes, section 201 071 The secretary of state may approve the county use of an application with dimensions other than those prescribed in item A

D The stub must have an adhesive applied to it so that the application can be sealed when it is folded together for mailing

E County auditors may consume the existing stock of voter registration applications on hand as of January 1, 2008, through the 2008 general election and on election days thereafter

Subp 2. **Other applications.** Voter registration applications for use at county auditor offices or at polling places on election day may be printed pursuant to items A to D

- A The size must be 8-1/2 by 11 inches
- B The paper must be at least 40-pound white offset
- C The secretary of state may approve the county use of an application with dimensions other than those prescribed in item A

D The voucher oath prescribed by part 8200 9939 may be printed on the reverse side of the voter registration application produced under this subpart

Statutory Authority: *MS s 201 061; 201 221, 203B.09*

History: *32 SR 2055*

8200.1200 REGISTRATION APPLICATION; FORMAT.

Subpart 1 **Form.** Any voter registration application must

- A meet the requirements of Minnesota Statutes, section 201 071;
- B be consistent in layout with the data entry screens used by the statewide voter registration system,
- C take into consideration readability and ease of understanding,
- D if produced under part 8200.1100, subpart 1, provide room for including a mailing address for returning the completed registration,
- E have printed on or with the application a set of instructions for the application,

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F have printed on or with the application a statement that assistance for registration and voting is available for elderly and disabled persons and residents of health care facilities,

G have printed on the application a reference to where a privacy information statement may be found, if produced under part 8200.1100, subpart 1; and

H have printed on or with the application a privacy information statement, if produced under part 8200.1100, subpart 2

Subp 1a. [Repealed, 31 SR 350]

Subp. 1b. **Design specifications.** The secretary of state shall provide examples of the voter registration application to all county auditors

Subp 2 **Box for office use only.** Voter registration applications must contain a box marked for "election judge official use only" which contains "W __", "P __", and "SD ". These abbreviations stand for "ward," "precinct," and "school district ". Other information may also be included. Judges of election shall record the type of election day voter registration proof and its number, if any, in the "election judge official use only" box

Subp 3 **Identifying mark.** Voter registration applications may include a mark identifying where the applicant obtained the application or how the application was delivered to the county auditor or secretary of state

Statutory Authority: *MS s 201 061; 201 221, 203B 09*

History: *32 SR 2055*

8200.4000 PROCESSING OF FEDERAL POST CARD APPLICATION.

Any federal post card application received from a member of the armed forces of the United States or from a person currently residing in Minnesota but temporarily living in another country must be processed as a voter registration application and, if the application is properly completed, the information on that application must be entered into the statewide voter registration system

Statutory Authority: *MS s 201 061, 201 221, 203B 09*

History: *32 SR 2055*

8200.5100 REGISTRATION AT PRECINCT ONLY.

Subpart 1 **Procedure; proof.** Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides. To register on election day, a person must complete and sign the registration application and provide proof of residence. A person may prove residence on election day only

A. by presenting

(1) a valid Minnesota driver's license, learner's permit, or a receipt for either that contains the voter's valid address in the precinct,

(2) a valid Minnesota identification card issued by the Minnesota Department of Public Safety or a receipt for the identification card that contains the voter's valid address in the precinct, or

(3) a tribal identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual,

B. by having a valid registration in the same precinct,

C. by presenting a notice of late registration mailed by the county auditor or municipal clerk;

D. by having a person who is registered to vote in the precinct and knows the applicant is a resident of the precinct sign the oath in part 8200.9939, or

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E by having an employee employed by and working in a residential facility located in the precinct, who knows that the applicant is a resident of that residential facility, vouch for that facility resident, and sign the oath in part 8200.9939, in the presence of the election judge.

"Residential facility" means transitional housing as defined in Minnesota Statutes, section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under Minnesota Statutes, section 144.50, subdivision 6, a nursing home as defined in Minnesota Statutes, section 144A.01, subdivision 5, a residence registered with the commissioner of health as a housing with services establishment as defined in Minnesota Statutes, section 144D.01, subdivision 4, a veterans home operated by the board of directors of the Minnesota Veterans Homes under Minnesota Statutes, chapter 198, a residence licensed by the commissioner of human services to provide a residential program as defined in Minnesota Statutes, section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under Minnesota Statutes, section 252.28, group residential housing as defined in Minnesota Statutes, section 256I.03, subdivision 3, a shelter for battered women as defined in Minnesota Statutes, section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.

To be eligible to sign the oath, the employee must

(1) have his or her name appear on a list of employees provided by the general manager or equivalent officer of the residential facility to the county auditor at least 20 days before the election; or

(2) provide a statement on the facility's letterhead that the individual is an employee of the facility that is signed and dated by a manager or equivalent officer of the facility. The statement must be in substantially the following form:

To the Election Judges

I am a [insert title of manager or equivalent officer here] at [insert residential facility name here]

Let it be known and recorded that [insert employee name here] is an employee of [insert residential facility name here], a residential facility as defined in Minnesota Statutes, section 201.061, subdivision 3, paragraph (c), and by my signature I certify that this is true as of the date signed

[signature]

[date]

Printed Name of Residential Facility Manager or
Equivalent Officer

If the letterhead on which the document submitted under subitem (1) or (2) does not include the address of the residential facility in the precinct, the document must also include this address

The oaths in items D and E must be attached to the voter registration application and retained for at least 22 months.

Subp. 2 **Additional proof of residence allowed.** An eligible voter may prove residence under this subpart by presenting one of the photo identification cards listed in item A and one of the additional proofs of residence listed in item B

A The following documents are acceptable photo identification cards under this subpart if they contain the voter's name and photograph.

- (1) a Minnesota driver's license or identification card,
- (2) a United States passport,
- (3) a United States military identification card,
- (4) a student identification card issued by a Minnesota postsecondary educational institution, or
- (5) a tribal identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the individual's signature

B An original bill for

- (1) telephone, television, or Internet provider services, regardless of how those telephone, television, or Internet provider services are delivered; or
- (2) gas, electric, solid waste, water, or sewer services,

is acceptable as an additional proof of residence under this subpart if.

- (a) the bill shows the voter's name and current address in the precinct, and
- (b) the due date on the bill is within 30 days before or after election day

A rent statement from a landlord that itemizes utility expenses and meets the requirements of this paragraph is a utility bill for purposes of providing proof of residence

(3) A current student fee statement that contains the student's valid address in the precinct is also acceptable as proof of residence.

If the photo identification presented by the voter establishes the voter's identity and the additional proof of residence presented by the voter establishes the voter's current address in the precinct, the voter shall have proven residence under this subpart

C The secretary of state shall provide samples of utility bills acceptable as additional proof of residence under item B to local election officials for use in election judge training and in the polling place on election day.

Subp. 3. **Additional proof of residence allowed for students.** An eligible voter may prove residence by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name, student identification number (if available), and address within the precinct appear on a current list of persons residing in the postsecondary educational institution's housing certified to the county auditor by the postsecondary educational institution

This additional proof of residence for students must not be allowed unless the postsecondary educational institution submits to the county auditor no later than 60 days prior to the election a written agreement that the postsecondary educational institution will certify for use at the election accurate updated lists of persons residing in housing owned, operated, leased, or otherwise controlled by the postsecondary educational institution. A written agreement is effective for the election and all subsequent elections held in that calendar year, including the November general election which is instead governed by subpart 4.

The additional proof of residence for students must be allowed on an equal basis for voters resident in housing of any postsecondary education institution within the county,

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if lists certified by the postsecondary educational institution meet the requirements of this part

An updated list must be certified to the county auditor no earlier than 20 days prior to each election. The certification must be dated and signed by the chief officer or designee of the postsecondary educational institution and must state that the list is current and accurate and includes only the names of persons residing as of the date of the certification in housing controlled by the postsecondary educational institution.

The auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall supply a list to the election judges with the election supplies for the precinct.

The auditor shall notify all postsecondary educational institutions in the county of the provisions of this subpart and subpart 4.

Subp. 4. Additional proof of residence allowed for students at November general elections. An eligible voter may prove residence at the general election held in November of each year by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name, student identification number (if available), and address within the precinct appear on a list of students certified to the secretary of state by the postsecondary educational institution.

This additional proof of residence for students must not be allowed unless the postsecondary educational institution submits to the secretary of state no later than 60 days prior to the November general election an agreement that the postsecondary educational institution will certify for use at the November general election an accurate updated list of persons residing in housing owned, operated, leased, or otherwise controlled by the postsecondary educational institution.

The agreement may also include a provision that the postsecondary educational institution will certify for use at the November general election an accurate updated list of currently enrolled students who are recorded with the postsecondary educational institution as residing in Minnesota.

The additional proof of residence must be allowed on an equal basis if lists certified by the postsecondary educational institution meet the requirements of this part.

An updated list must be certified to the secretary of state no earlier than 30 and no later than 25 days prior to the November general election, in an electronic format specified by the secretary of state. The certification must be dated and signed by the chief officer or designee of the postsecondary educational institution and must state that the list is current and accurate and includes only the names of persons residing in housing controlled by the postsecondary educational institution or, if the postsecondary educational institution agreed, currently enrolled students residing in Minnesota as of the date of certification.

The secretary of state must combine the data received from each postsecondary educational institution under this subpart and must process the data through the automated precinct-finder to determine the precinct in which the address provided for each student is located. If the data submitted by the postsecondary educational institution is insufficient for the secretary of state to determine the proper precinct, the associated student name must not appear in any list forwarded to a county auditor under this subpart. At least 14 days prior to the November general election, the secretary of state must forward to the appropriate county auditor lists of students containing the students' names and addresses for which precinct determinations have been made along with their postsecondary educational institutions. The lists provided by the secretary of state must be sorted by precinct and student last name and must be forwarded to the county auditors in an electronic format specified by the secretary of state. Alternatively, the list provided to the county auditors may be provided in another medium, if a written agreement specifying the medium is signed by the secretary

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of state and the county auditor at least 90 days before the November general election. A written agreement is effective for all elections until rescinded by either party.

The auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall forward to the election judges the portion of the list provided by the secretary of state corresponding to the precinct with the election supplies for that precinct.

Statutory Authority: *MS s 201 061, 201 221, 203B 09*

History: *32 SR 2055*

NOTE. Subparts 1, item E, and 4 have been vetoed by the governor, at 32 SR 2060

8200.5400 NOTATION OF IDENTIFICATION ON REGISTRATION APPLICATION.

When a voter uses a Minnesota driver's license, learner's permit, Minnesota identification card, United States passport, United States military identification card, tribal identification card, or Minnesota postsecondary educational institution student identification card to prove residence or identity when registering on election day, the election judge who is registering voters shall record the number, if any, on the voter registration application in the "election judge official use only" area of the application. When a voter uses one of the documents listed in part 8200 5100, subpart 2, item B, to prove residence for election day registration, the election judge who is registering voters shall record the type of document on the voter registration application in the "election judge official use only" area of the application.

Statutory Authority: *MS s 201 061, 201 221; 203B 09*

History: *32 SR 2055*

8200.6200 PUBLIC INFORMATION LIST AVAILABLE FOR INSPECTION.

The public information list must be available for public inspection for authorized purposes at all times in the county auditor's office. The secretary of state may make available for purchase public information lists in electronic or other media.

Statutory Authority: *MS s 201 061, 201 221, 203B.09*

History: *32 SR 2055*

8200.9115 FORM OF POLLING PLACE ROSTERS.

Subpart 1. **General form of roster.** The polling place rosters must contain the following items from the statewide registration system: voter's name, voter's address, voter's date of birth, voter's school district number, and a line on which the voter's signature can be written. When a voter's registration has been challenged pursuant to Minnesota Statutes, section 201 121, subdivision 2, an indicator noting the voter's challenged status must be printed on the line provided for the voter's signature. A similar indicator must be printed on the line provided for the voter's signature to note a voter's guardianship or felony status, if any.

The following certification must be printed at the top of each page of the polling place roster. "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 in which the court order revokes my right to vote, have not been found by a court to be legally incompetent to vote, and that I have the right to vote because, if convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence, and that I am registered and will be voting only in this precinct. I understand that giving false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

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One or more pages in the polling place roster must be provided for use by voters who register to vote in the polling place on election day. An election day registrant shall fill in the registrant's name, address, and date of birth and shall sign the roster on the line provided.

Each page in the polling place roster must also contain the name of the precinct and a page number. In addition, each line provided for a voter's signature must be consecutively numbered on each page.

The roster may also include additional material as permitted under Minnesota Statutes, section 201.221, subdivision 3.

Subp. 2 [Repealed, 25 SR 616]

Subp. 3 Production of rosters. The Secretary of State shall identify and develop methods of producing polling place rosters. The Secretary of State shall provide polling place rosters for each election in the state. The rosters provided by the secretary of state must be forwarded to the county auditors in an electronic format specified by the secretary of state. Alternatively, the list provided to the county auditors may be provided in another medium, if a written agreement specifying the medium is signed by the secretary of state and the county auditor at least 90 days before the November general election. A written agreement is effective for all elections until rescinded by either party.

Statutory Authority: *MS s 201 061, 201 221, 203B 09*

History: *32 SR 2055*

8200.9315 PROCEDURE FOR ENTERING DATA INTO STATEWIDE VOTER REGISTRATION SYSTEM.

When entering information from a voter registration application into the statewide registration system, the secretary of state or county auditor shall

A. conduct a statewide search of the registration database to determine if the applicant has previously registered in Minnesota,

B. assign the applicant to the proper voting precinct for the address provided on the application;

C. determine all election districts in which the applicant will be eligible to vote,

D. assign the registration record a unique identification number, and date the record as to when the registration was entered into the registration database,

E. maintain a record of voting history of the registrant for at least the previous six calendar years and a record of previous registrations and changes to voter status in the state for at least two years, and

F. provide information on prior registrations in other states. At periodic intervals, the secretary of state shall notify the chief election officials of other states of persons who have registered to vote in Minnesota and who indicated a prior registration in their state.

The secretary of state shall establish a precinct finder that must be maintained by each county auditor. The precinct finder must identify the voting precinct that will be assigned to the applicant. For the purposes of redistricting, the secretary of state shall include geographical data from the United States Census Bureau in the precinct finder.

Statutory Authority: *MS s 201 061, 201 221; 203B 09*

History: *32 SR 2055*

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8200.9939 FORM OF OATH, SPECIFIED BY PART 8200.5100.

I swear or affirm that (Check one)

I am pre-registered to vote in this precinct

Voter ID # _____

I registered in this precinct today and did not have another person vouch for me

I am an employee of a residential facility

(Name of residential facility)

Residential Address of Voucher or Address of Residential Facility

Street Address

City

Telephone number _____

E-mail address (optional) _____

I personally know that _____

(Name of person registering)

is a resident of this precinct

Signature of Voucher

Subscribed and sworn to before me

____/____/____

Date

Signature of Election Judge

The above oath shall be attached to the voter registration card and retained for at least 22 months

Statutory Authority: *MS s 201 061; 201.221, 203B 09*

History: *32 SR 2055*

NOTE. The following portion of this part was vetoed by the governor at 32 SR 2060

" I am an employee of a residential facility

(Name of residential facility)

Residential Address of Voucher or Address of Residential Facility

Street Address

City

Telephone number _____

E-mail address (optional) _____ "

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8200.9940 PRECINCT LIST OF PERSONS VOUCHING FOR VOTER RESIDENCE ON ELECTION DAY AND NUMBER OF PERSONS VOUCHERED FOR.

Precinct List of Persons Vouching

City/Town _____ Ward _____ Precinct _____

For election judges' use in recording the number of individuals for whom a voter signs proof-of-residence oaths (vouches for) on Election Day Cross out a number for every individual for whom a voter registered in that precinct vouches Unless vouching for residential facility residents pursuant to part 8200 5100, subpart 1, item E, a voter who is registered to vote in the precinct may sign no more than 15 proof-of-residence oaths (Minnesota Statutes, section 201 061)

Voucher's Name	Voucher's Voter ID No	Number Vouched for on Election Day
Example John Doe	1234567	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
1		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
2		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
3		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
4		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
5		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
6		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
7		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
8		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
9		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
10		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
12		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
13		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
14		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
15		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
16		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
17		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
18		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
19		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
20		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
21		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
22		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
23		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
24		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

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25	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
26	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
27	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
29	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
30	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

Certified by the Head Election Judge of the Precinct.

Printed Name	Signature	Date
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Statutory Authority: *MS s 201 061, 201 221, 203B 09*

History: *32 SR 2055*

8200.9960 CHALLENGES TO VOTER REGISTRATION, FORM TO BE USED UNDER MINNESOTA STATUTES, SECTION 204C.12, SUBDIVISION 2.

I, _____, do hereby state under oath,

Name of person making challenge

I am.

- an election judge
- a challenger authorized by Minnesota Statutes, section 204C.07.
- a Minnesota voter.

I reside at _____,

Street Address	City or Township
----------------	------------------

Telephone number _____

E-mail address (optional) _____

I challenge the registration of _____

Name of challenged voter

whose registration lists his or her residence as

Street Address	City or Township
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This challenge is based on my personal knowledge The grounds for my challenge are: _

(attach additional sheets of signed statement if necessary)

I swear or affirm that the information stated here is truthful

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____/____/____
Date Signature of Challenger

Signed and sworn to or affirmed before me

____/____/____
Date Signature of Election Judge

For Election Judge Use Only

Challenge was administered by Election Judge: _____

Time _____

- Voter refused to take challenge oath
- Challenge was dismissed Voter passed challenge and voted
- Challenge was sustained Voter failed challenge and did not vote

Additional Comments

Statutory Authority: *MS s 201 061, 201 221, 203B 09*

History: *32 SR 2055*