

CHAPTER 8230,
SECRETARY OF STATE
OPTICAL SCAN VOTING SYSTEMS

8230 0050	APPLICABILITY	8230 1850	DEFECTIVE BALLOT
8230 0150	PROCEDURES	8230 3950	SUMMARY STATEMENTS
8230 0250	ARRANGEMENT OF VOTING STATIONS	8230 4050	DISTRIBUTION OF SUMMARY STATEMENTS
8230 0560	BALLOTS	8230 4360	DUPLICATION OF BALLOTS
8230 0570	BALLOT SECRECY COVERS	8230 4365	PRECINCT COUNT VOTING SYSTEM
8230 0580	SUPPLIES		EQUIPMENT AND PROCEDURES
8230 0650	VOTING PROCEDURE	8230 4390	CERTIFICATE OF ELECTION JUDGES

8230.0050 APPLICABILITY.

Chapters 8220 and 8230 apply to optical scan voting systems.

Statutory Authority: *MS s 206.57; 206.81*

History: 25 SR 616

8230.0150 PROCEDURES.

Unless otherwise provided for in chapters 8220 and 8230 or in Minnesota law, paper ballot procedures as provided in Minnesota election law must be followed to the extent possible.

Statutory Authority: *MS s 206.57; 206.81*

History: 25 SR 616

8230.0250 ARRANGEMENT OF VOTING STATIONS.

Election jurisdictions may provide self-contained voting stations for use by voters in casting their ballots. If a voter claims that the arrangement of the stations does not afford the opportunity to vote in secrecy, the judges shall rearrange the stations to provide for increased secrecy.

Statutory Authority: *MS's 206.57, 206.81*

History: 25 SR 616

8230.0560 BALLOTS.

Ballots must meet or exceed the specifications the equipment manufacturer has filed with the secretary of state. The election official responsible for preparing the ballots must supply to the ballot printer the equipment manufacturer's recommended standards and specifications for ballot printing.

Each ballot must have printed on it both the name of the precinct and an electronically readable precinct identifier or ballot style indicator. A ballot style used in more than one precinct may have the names of all precincts in which it is used printed on the ballot. Only an electronically readable precinct identifier or ballot style indicator is required on a presidential or federal absentee ballot.

Voting instructions must be printed at the top of each side of the ballot that contains one or more offices or questions to be voted on. The instructions must include an illustration of the proper mark to be used to indicate a vote. Lines for the initials of at least two election judges must be printed on one side of the ballot.

The vendor must deliver ballots in shrink-wrapped packages of 25, 50, or 100 ballots. The ballots must be stored in a manner to protect against moisture.

The local election official must certify to the county auditor the number of ballots received for each ballot style. The local election official or county auditor shall package the ballots for each precinct in groups of 25, 50, or 100 and seal or place the ballots into a package or transfer case. The package or transfer case must contain a certificate stating the number of ballots it contains. All ballots not issued to a precinct or assigned for absentee voting must be secured and accounted for by the official conducting the

election. The official conducting the election must maintain a record of the number of ballots issued to each precinct. The ballots must be delivered to the chief election judge of each precinct

Statutory Authority: *MS s 206 84*

History: *25 SR 616*

8230.0570 BALLOT SECRECY COVERS.

The ballot secrecy cover must be of sufficient size and construction so that when the ballot is inserted in it all portions indicating voting marks are hidden from view.

Statutory Authority: *MS s 206 84*

History: *25 SR 616*

8230.0580 SUPPLIES.

A ballot box must be provided to each precinct for the deposit of voted ballots.

The following items must be included in the precinct supplies

- A. the sample ballot for the precinct,
- B ballot secrecy covers,
- C envelopes marked "spoiled ballots," "write-in ballots," and "ballots for which duplicates were or are to be made",
- D a form to record write-in votes if needed, and
- E a set of instructions for operating the precinct on election day.

In election jurisdictions using central count voting systems, an envelope marked "defective ballots" also must be provided to each precinct.

Statutory Authority: *MS s 206.57, 206 84*

History: *25 SR 616.*

8230.0650 VOTING PROCEDURE.

Every voter at the polling place must be offered a demonstration of how to mark the ballot and use the voting system

The election judge shall not deliver a ballot to a voter until the judge has received a voter receipt. The voter receipt may contain an example of the target used on the ballot. The election judge must state or demonstrate how to complete the target as the ballot is handed to the voter. A writing instrument without an eraser that will produce marks that can be accurately read by the ballot counter must be provided to each voter.

Upon being issued a ballot and offered a ballot secrecy cover, the voter shall go to an unoccupied voting station and vote.

Upon leaving the voting station, the voter shall insert the ballot into the ballot counter or ballot box. The voter may choose to hand the ballot to an election judge who shall insert the ballot into the ballot counter or ballot box.

Statutory Authority: *MS s 206 57*

History: *25 SR 616*

8230.1850 DEFECTIVE BALLOT.

If a ballot has been damaged, the election judges may duplicate and count it. The damaged ballot must be placed in the duplicate ballot envelope. If it is clearly evident from examination of the ballot that the ballot has been damaged or marked for the purpose of distinguishing it, then the ballot is defective, and may not be counted. The ballot must be placed in the defective ballot envelope and returned to the official in charge of the election for the election jurisdiction.

Statutory Authority: *MS s 206 57; 206:84*

History: *25 SR 616*

8230.3950 SUMMARY STATEMENTS.

The election official in charge of the central counting center must prepare two or more summary statements. The summary statement must state the name of the county; the name of the municipality, school district, or special district, precinct name and code, offices, names of candidates; number of persons registered at 7:00 a.m. on election day; number of ballots counted, vote totals; and any other data required by the secretary of state. Authorized personnel in the central counting center shall enter this data into the election reporting system established by the secretary of state for the purpose of state reporting of election results. The summary statement may be a computer printout as well as any forms designated by the secretary of state.

Statutory Authority: *MS s 206.57, 206.81*

History: *25 SR 616*

8230.4050 DISTRIBUTION OF SUMMARY STATEMENTS.

The summary statements referred to in part 8230.3950 must be certified to the official conducting the election. The official conducting the election shall prepare one summary statement for each jurisdiction canvassing the results of the election. For state elections, the county auditor shall forward a summary statement to the secretary of state together with two copies of the county canvassing board report. The official conducting the election may authorize the printing of copies of the summary statement for public information purposes. The official conducting the election shall prepare copies of any additional forms required by the secretary of state.

Statutory Authority: *MS s 206.57, 206.81*

History: *25 SR 616*

8230.4360 DUPLICATION OF BALLOTS.

Any ballots requiring duplication at the polling place must be duplicated in the manner described in part 8230.3850.

Statutory Authority: *MS s 206.57; 206.81*

History: *25 SR 616*

8230.4365 PRECINCT COUNT VOTING SYSTEM EQUIPMENT AND PROCEDURES.

Subpart 1. **Number of ballot counters and memory units.** At least one precinct count voting system and at least one memory unit must be used in each precinct. One precinct count voting system and one memory unit may be used to count ballots for up to four precincts that are in the same county and that have a combined total of fewer than 2,500 registered voters as of June 1 of that election year. A separate summary statement must be produced for each precinct being counted by the precinct count voting system and the voted ballots must be separated and sealed by precinct.

[For text of subps 2 to 6, see MR]

Statutory Authority: *MS s 206.57, 206.81*

History: *25 SR 616*

8230.4390 CERTIFICATE OF ELECTION JUDGES.

The election judges shall sign a "certificate of election judges." The certificate must state:

[For text of items A to G, see MR]

That all ballots used in the election and all ballots that have been duplicated have been placed in the transfer case and the case was securely sealed with an official seal in such a manner as to render it impossible to open the case without breaking the seal; and

[For text of item I, see MR]

Statutory Authority: *MS s 206.57; 206.81*

History: *25 SR 616*