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State of Minnesota

OFFICE OF THE SECRETARY OF STATE

Saint Paul 55155

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May 11, 1994

Maryanne Hruby
Legislative Commission to Review Admin. Rules
55 State Office Building
St. Paul, MN 55155

Dear Ms. Hruby:

The Secretary of State has started the process to adopt rules relating to administration of the statewide voter registration system, processing of National Voter Registration Act Applications, absentee voting, mail voting, recounts, ballot form, and correction of precinct boundaries.

As required by Minnesota Statutes the Secretary of State has prepared a Statement of Need and Reasonableness for use by the public. A copy of that statement, along with a copy of the proposed rules are enclosed for you records.

If you have any questions on this matter, please feel free to contact me directly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeff Sigurdson".

Jeff Sigurdson
Election Procedure Assistant
296-6011

"AN EQUAL OPPORTUNITY EMPLOYER"

STATEMENT OF NEED AND REASONABLENESS

The need arises to adopt Parts 8200.3900, 8200.9115, 8200.9305, 8200.9310, 8200.9315, 8200.9320, 8200.9325, 8200.9953, 8210.0700, 8210.3000, 8210.9945, 8235.0300, 8250.0365, 8250.0370, 8250.0375, and 8255.0025 from the requirements of Minnesota Statutes 201.022, 201.221, 203B.09, 204B.14, 204C.361, and 204D.11. The rationale for each individual rule is as follows.

1. Part 8200.3900 is needed to provide standards for county auditors to use when they receive a voter registration form created by the Federal Election Commission. The National Voter Registration Act of 1993 instructs the Federal Election Commission to develop a national voter registration card that can be used to register to vote in any state of the union. Each state may still adopt guidelines to be used in accepting or rejecting the card. The requirement that the application contain the voters name, Minnesota address, date of birth, signature and date of registration is reasonable to insure the registrant is placed in the correct precinct in Minnesota, that the registrant is not a duplicate of an existing registration, and that the Minnesota registration system is protected from fraud. It is reasonable to require county auditor's to process and store the card in the same way as a Minnesota voter registration card in order to prevent unfair or inconsistent treatment of registrants based on the form used to apply for registration.
2. Part 8200.9115 is needed to define the role of the Secretary of State in producing polling place rosters of registered voters for use at all elections. It is reasonable to provide rosters in several types of medium in order to provide for efficient roster production and to provide for future technological advances in the area of large scale computer printing.

Parts 8200.9305 to 8200.9325 are needed to provide operating procedures for the statewide voter registration system. As an overview the statewide voter registration system is used to enter and store all voter registrations in Minnesota. All county auditors carry out their duty as chief registrar of voter registration for their county by using the statewide registration system. The system itself is an on line interactive computer communication network and mainframe computer that is owned and operated by the Secretary of State.

3. Part 8200.9305 is needed to define the statewide registration system, to provide the responsibilities of the Secretary of State and the county auditors relative to the system, and to provide for potential users of the system. It is reasonable to have the county auditors exercise their duty as chief registrar of voters on the statewide system in order to provide a single data base of registrants and eliminate the duplication of work required to maintain separate data bases in each county.

Providing access to the voter registration system to certain cities is reasonable in order to meet the needs of those counties which have delegated registration duties to municipal clerks.

4. Part 8200.9310 is needed to provide the procedure for processing voter registration cards. This is reasonable to insure that through out the state registrations are processed in a standard, unbiased manner.

It is reasonable to provide for the return of voter registration cards from state agencies to county auditors or the Secretary of State in order to provide the quickest processing of the registrations possible. Because preregistration closes 21 days prior to a given election there is a limited window of opportunity to enter new registrations prior to the production of rosters. In order to meet this last moment crush it is beneficial to allow the Secretary of State to enter registrations for a county, or transmit the information on the registrations faster than is possible with standard mail delivery.

Finally it is reasonable to provide alternate methods to store the original voter registration card in order to best use tax dollars by eliminating unnecessary shipping costs.

5. Part 8200.9315 is needed to provide consistent step by step procedure for use in entering voter registrations onto the statewide system. This is reasonable to insure that the data entry practices of one county do not compromise the security of the system as a whole. The subparts of the rule are needed to:

A.) Prevent duplicate registrations and the storage cost they represent. This is reasonable to reduce costs of the registration system.

B.) Insure that the registrant is associated with the correct election precinct so that accurate polling place rosters are produced. This is reasonable to insure an orderly election process.

C.) Associate all appropriate election districts with the registrant so that voters are provided ballots appropriate for their residence, and so that candidate lists generated from the system contain all eligible voters for a given district. This is reasonable to insure accurate and fair elections.

D.) Provide an efficient method to notify county auditors when a registrant with a previous registration in Minnesota moves out of their county. This is reasonable to insure that the paper record files of a county can be kept up to date and identical to the statewide registration system.

E.) Provide integrity to the data base by identifying each registration with a unique identifier, and capturing the date of registration. This is reasonable to insure that registration records can be identified, maintained, and if appropriate purged as provided by Minnesota Statutes.

F.) Protect against voter fraud by recording in which elections a registrant has participated. This is reasonable to insure that a registrant will be identified if they vote more than once at any given election.

G.) Provide an effective method to notify other states when a registrant with a previous registration in their state moves to Minnesota. This is reasonable to meet our national obligation to update other states of registrant changes in a centralized, standardized manner.

To accomplish these subparts most effectively it is necessary to establish a precinct finder which can identify precinct and election districts for any address in the state. It is reasonable for the Secretary of State to develop the programming for the precinct finder, but because local knowledge of annexations, street addresses, and new construction is vital to an accurate precinct finder the maintenance of the system must be left to the county.

The possible inclusion of census data into the precinct finder is needed to develop a redistricting process for the next census. This is reasonable to reduce the amount of time needed to carry out the redistricting process.

6. Part 8200.9320 is needed to more fully integrate registering to vote and applying for a Minnesota driver's license or state identification card, as provided in Minnesota Statutes 201.161. This process will eliminate duplicate information and reduce the amount and cost of data entry needed to add registrants to the statewide registration system. It is reasonable to include the county auditor as the officer responsible for reviewing the registrant prior to adding it to the system so that all registrants are treated in the same way, regardless of where they registered to vote.
7. Part 8200.9325 is needed to insure that the integrity of the statewide registration data base is maintained, and that information from the data base is used in a manner consistent with Minnesota Statutes 201.091. In particular access to the system will be at the approval of the Secretary of State. This is a reasonable limitation given that not all information on the system is public and that the Secretary of State is charged with maintaining the statewide registration system.

The need to provide display only access to other public officials is because information in the statewide registration system can be used for law enforcement and election administration purposes. Display only access is reasonable because public officials using the statewide registration system for law enforcement and election administration purposes may not be the county auditor or a municipal clerk delegated the authority to enter new registrations, and therefor has no need for any functions other than display.

Verification records are needed to insure that public sector lists of registrants are used only for the purposes provided in Minnesota Statutes 201.091, and in particular are not used for commercial purposes. The Secretary of State will maintain records

on the statewide registration system that will generate mailings to the Secretary of State. These mailings will be monitored for their appropriateness. This is a reasonable safeguard on the use of information of the statewide registration system in that the verification records will not appear on any document that would affect the administration of elections.

8. Part 8200.9953 is needed to insure that individuals and organizations who acquire public information lists from the statewide registration system are aware that the statutory limitations to the use of that list still apply when the information is resold. It is reasonable that persons or organizations that acquire the information second hand certify their use of the information to the Secretary of State so that a comprehensive record may be kept of persons and organizations using this information.
9. Part 8210.0700 is needed to remove unnecessary information from the absentee ballot envelope. The elimination of the date of the election is reasonable because it is provided on the ballot itself and it is redundant to have election administrators manually write it in on every outgoing envelope.
10. Part 8210.3000 is needed in order to update the rule with the requirements of a statutory change, and to provide additional information to voters receiving mail ballots. In particular subpart four is needed because the starting time frame for sending mail ballots provided in Minnesota Statutes 204B.46 has been changed from 21 to 20 days prior to the election. The other changes in subpart four are needed to clarify the language of the rule, but do not in fact change any procedure. This is reasonable in order to provide easily understood procedures to election officials conducting a mail election.

Subpart 13 is needed to provide a means for governing bodies which are conducting a ballot question by mail to inform the voters of the purpose and effect of the question. This is reasonable because ballot questions are often on complicated issues which are not self explanatory from the wording on the ballot. The provisions of the subpart dealing with neutrality is reasonable given that the inclosure cannot be campaign material designed to influence voting, but rather designed to clarify the purpose of the election.

11. Part 8210.9945 is needed to illustrate the changes made in part 8210.0700. This is reasonable because the illustration of the absentee ballot envelope is provided in rule as a easy to use guide for election administrators. Failing to update the illustration would lead to errors in the preparation and printing of absentee ballot envelopes.
12. Part 8235.0300 is needed to insure that the county auditor is aware of all recounts conducted for offices or questions affecting his or her county. This is reasonable because the county auditor is the head election official for his or her county and may be called upon to clarify or comment on a recount conducted by a municipality, school district or special district within the county.

13. Part 8250.0365 is needed to define the printing requirements for paper ballots containing amendments to the state constitution. Subpart 1 is needed to make the pink ballot as similar to white partisan candidate ballot as possible. This is reasonable so that the general layout of all ballot types is the same. This makes the ballot format more familiar to the voter, and therefore easier to cast the ballot in the manner they wish.

Subpart 2 is needed to provide the title and general statement on the manner in which constitutional ballots are counted. This is reasonable in order to meet statutory guidelines and to provide a uniform appearance to the constitutional ballot statewide. The constitutional amendment ballot should be the same for all voters, regardless of which county is printing the ballot.

Subpart 3 is needed to provide consistent, clear instructions on casting a vote for or against a constitutional amendment. This is reasonable to insure that all voters understand the method for properly casting a vote.

14. Part 8250.0370 is needed to define the printing requirements for paper ballots containing nonpartisan offices. Subpart 1 is needed to make the canary ballot as similar to the white partisan candidate ballot as possible. This is reasonable so that the general layout of all ballot types is the same. This makes the ballot format more familiar to the voter, and therefore easier to cast in the manner they wish.

Subpart 2 is needed to provide the order in which offices are listed on the nonpartisan ballot. This is reasonable to protect local election officials responsible for printing the canary ballot from lobbying from office holders wishing their office to appear at the top of the ballot. It is also reasonable to provide a consistent office order for voters through out the state.

Subpart 3 is needed to specify the statutory maximum size of the canary ballot. It is reasonable to include this in the rule so that an official preparing ballots will have a listing of all pertinent information in one location.

15. Part 8250.0375 is needed to define the printing requirements for paper ballots containing nonpartisan offices that will not fit on the canary ballot. Subpart 1 is needed to explain when a gray ballot is needed, and to make the gray ballot as similar to the white partisan candidate ballot as possible. This is reasonable so that the general layout of all ballot types is the same. This makes the ballot format more familiar to the voter, and therefore easier to cast in the manner they wish.

Subpart 2 is needed to continue the office order provided on the canary ballot. This is reasonable because the gray ballot is in fact a continuation of the canary ballot.

16. Part 8255.0025 is needed to provide a method for changing precinct boundaries that do not meet the standards set in Minnesota Statutes 204B.14. It is reasonable to allow local officials responsible for establishing election precincts an opportunity to

correct deficient boundaries because they have knowledge of local conditions and population densities. However if the local authorities do not correct the error it is reasonable for the Secretary of State to establish a new boundary so that elections held within the precinct are not in violation of Minnesota election law.

17. The repealer is needed by the revisors office to accurately reflect the proposed changes to the absentee ballot envelope shown in part 8210.9945. The revisors office finds it easier to repeal a rule containing a graphic item and establish a new rule, than to modify the rule.

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Permanent Rules Relating to Ballot Form

AGENCY: Secretary of State

MINNESOTA RULES: Chapters 8200; 8210; 8235; 8250; and 8255

The attached rules are approved for
publication in the State Register

A handwritten signature in cursive script, reading "Craig E. Lindeke".

Craig E. Lindeke
Senior Assistant Revisor

1 Secretary of State

2

3 Proposed Permanent Rules Relating to Ballot Form

4

5 Rules as Proposed

6 8200.3900 PROCESSING OF NATIONAL VOTER REGISTRATION ACT

7 APPLICATIONS.

8 All county auditors shall accept voter registration
9 applications on forms prescribed by the Federal Election
10 Commission as provided by the National Voter Registration Act if
11 the application is from a person eligible to vote in Minnesota,
12 and includes the registrant's name, address in Minnesota, date
13 of birth, registrant's signature, and the date of registration.
14 The application must be processed and stored by the county
15 auditor in the same manner as a Minnesota voter registration
16 card.

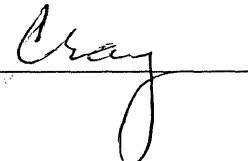
17 8200.9115 FORM OF POLLING PLACE ROSTERS.

18 [For text of subps 1 and 2, see M.R.]

19 Subp. 3. Production of rosters. The Secretary of State
20 shall identify and develop methods of producing polling place
21 rosters. The Secretary of State shall provide polling place
22 rosters for each election in the state. The roster may be
23 provided to the county auditor on paper or computer tape or
24 other electronic medium.

25 8200.9305 ADMINISTRATION OF STATEWIDE REGISTRATION SYSTEM.

26 The Secretary of State shall develop and operate a
27 centralized database of all registered voters in the state of
28 Minnesota. The database must be available to each county in the
29 state through a statewide registration system provided by the
30 Secretary of State. The registration system must allow the
31 county auditors to add, change, and delete information from the
32 system in order to maintain an accurate database of
33 registrants. The system must provide all county auditors and
34 the Secretary of State with a method to view and search



1 registration information.

2 At the discretion of the Secretary of State access to the
3 statewide registration system may be extended to municipal
4 clerks who have been delegated the responsibility of maintaining
5 voter registration records by the county auditor.

6 A county auditor must use the statewide registration system
7 to execute the duties of chief registrar of voters and chief
8 custodian of registration records in the auditor's county.

9 8200.9310 PROCESSING OF COMPLETED VOTER REGISTRATION CARDS.

10 A completed voter registration card may be returned to any
11 state agency or county auditor. The Secretary of State shall
12 provide training to state agencies on the proper forwarding of
13 completed voter registration cards. Completed registration
14 cards received by the Secretary of State may be forwarded to the
15 appropriate county auditor for entry into the statewide
16 registration system, or may be entered into the system by the
17 Secretary of State.

18 The Secretary of State may electronically transmit the
19 information on the voter registration cards to the appropriate
20 county auditor. The county auditor shall promptly enter the
21 information into the statewide registration system. The
22 original registration cards submitted to the Secretary of State
23 may be maintained either by the Secretary of State or by the
24 appropriate county auditor. Voter registration cards may be
25 stored in either paper or electronic format.

26 The Secretary of State shall have full access to all
27 functions of the statewide registration system and may, with the
28 authorization of the county, add, change, or delete registration
29 records or other information in the system.

30 8200.9315 PROCEDURE FOR ENTERING DATA INTO STATEWIDE
31 REGISTRATION SYSTEM.

32 When entering information from a voter registration card
33 into the statewide registration system, the Secretary of State
34 or county auditor shall:

35 A. conduct a statewide search of the registration

- 1 database to determine if the registrant has previously
2 registered in Minnesota;
- 3 B. assign the registrant to the proper voting
4 precinct for the address provided on the registration card;
- 5 C. determine all election districts in which the
6 registrant will be eligible to vote;
- 7 D. notify the appropriate county auditor if the
8 registrant has moved from another county in the state in which
9 the registrant was previously registered;
- 10 E. assign the registration record a unique
11 identification number, and date the record as to when the
12 registration was entered into the registration database;
- 13 F. maintain a record of voting history of the
14 registrant for at least the previous six calendar years and a
15 record of other transactions as determined by the Secretary of
16 State for at least two years; and
- 17 G. provide information on prior registrations in
18 other states. At periodic intervals, the Secretary of State
19 shall notify the chief election officials of other states of
20 individuals who have registered to vote in Minnesota and who
21 indicated a prior registration in their state.

22 The Secretary of State shall establish a precinct finder
23 that must be maintained by each county auditor. The precinct
24 finder must identify the voting precinct that will be assigned
25 to the registrant. At the discretion of the Secretary of State,
26 the precinct finder may also include geographical data from the
27 United States Census Bureau.

28 8200.9320 INTERACTION WITH DEPARTMENT OF PUBLIC SAFETY.

29 The Secretary of State, in cooperation with the
30 commissioner of public safety, may develop a single unified
31 application to permit eligible voters who have indicated they
32 wish to register to vote to simultaneously register to vote and
33 apply for a driver's license or state identification card. The
34 Secretary of State and the commissioner of public safety may
35 access a common database of information entered from this

1 application.

2 The information from the unified application for voter
 3 registration and a driver's license or state identification card
 4 may be transferred electronically from the commissioner of
 5 public safety to the Secretary of State. The Secretary of State
 6 shall make available to each county auditor the data necessary
 7 to add or update a voter record on the statewide registration
 8 system. The county auditor shall process the data in manner
 9 provided in part 8200.9315.

10 8200.9325 SECURITY FOR STATEWIDE REGISTRATION SYSTEM.

11 All authorized users of the statewide registration system
 12 must be identified uniquely in the manner provided by the
 13 Secretary of State. No access to the statewide registration
 14 system will be allowed to any person not identified as an
 15 authorized user of the system.

16 The Secretary of State may provide "display only" access to
 17 the statewide registration system to other public officials
 18 subject to the provisions of Minnesota Statutes, section
 19 201.091, and any data security provisions deemed necessary by
 20 the Secretary of State.

21 To ensure that information obtained from the statewide
 22 registration system is being used in the manner provided by law,
 23 the Secretary of State may insert verification records into the
 24 statewide registration system. The verification records must
 25 not be included on any master list, public information list, or
 26 polling place roster. If the Secretary of State has reason to
 27 believe that information obtained from the statewide
 28 registration system was used in a manner inconsistent with
 29 Minnesota Statutes, section 201.091, a report must be
 30 immediately transmitted to the appropriate county attorney.

31 8200.9953 REQUEST FOR COPIES OF VOTER-REGISTRATION PUBLIC
 32 INFORMATION LISTS, SPECIFIED BY PART 8200.6100.

33 To the Auditor of _____ County
 34 County Courthouse
 35 _____ (County Seat), Minnesota
 36

37 I hereby request copies of the lists of registered voters

1 for the following precincts: _____
2 _____
3 _____

4 (attach additional sheets if necessary).

5 My name is _____.

6 I reside at _____ (Street
7 address) _____ (City or Township).

8 I certify that I am a registered voter in ~~this county~~
9 Minnesota. I am aware that using the public information lists
10 of voters for purposes not related to elections, political
11 activities, or law enforcement is a violation of the law. I am
12 also aware that any individual who subsequently acquires the
13 public list of registered voters from me may only use that
14 information for the purposes listed above. Any individual who
15 acquires the public information lists of registered voters from
16 me must first certify to the Secretary of State that the
17 information in those lists will only be used for the purposes
18 allowed in Minnesota election law.

19
20 / /
21 (Date) _____ (Signature)

22 8210.0700 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY
23 MINNESOTA STATUTES, SECTIONS 203B.04 TO 203B.15.

24 Subpart 1. **Form.** The absentee ballot return envelope must
25 be printed in the form shown in part ~~8210.9940~~ 8210.9945.

26 [For text of subps 2 to 6, see M.R.]

27 Subp. 7. **Ward and precinct number.** The official mailing
28 or delivering absentee ballots to an absent voter shall, before
29 doing so, fill in the absent voter's ward and precinct number
30 ~~and-the-date-of-the-election~~ in the spaces provided on the
31 left-hand end of the return envelope.

32 [For text of subp 8, see M.R.]

33 8210.3000 MAIL BALLOTING.

34 [For text of subps 1 to 3, see M.R.]

35 Subp. 4. **Mailing ballots.** The county auditor, municipal
36 clerk, or school district clerk shall mail ballots to the voters

1 registered in the municipality or unorganized territory. A
2 ballot mailing must be sent to each registered voter whose name
3 is included in the registration file on the 21st day before the
4 election, except that no earlier than 20 or later than 14 days
5 prior to the election. No ballot may be mailed to a challenged
6 voter.

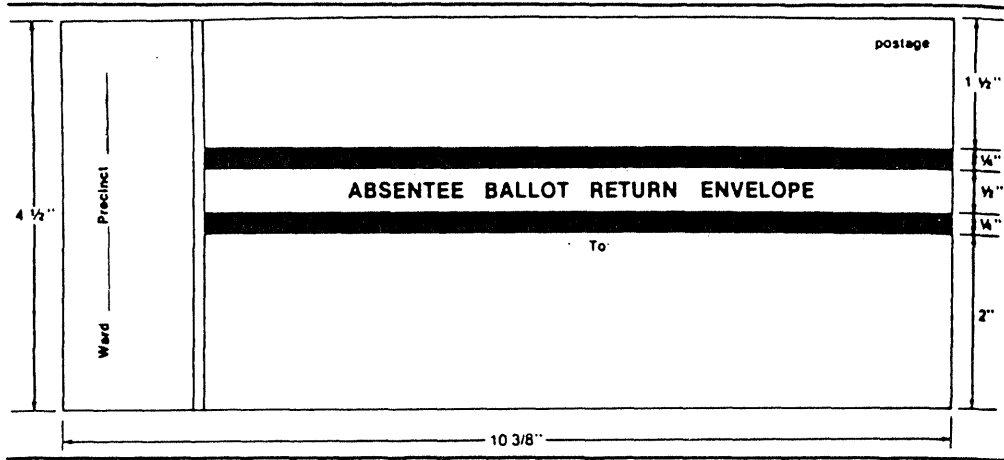
7 Ballots must be sent by nonforwardable mail. Ballots for
8 eligible voters who reside in health care facilities may be
9 delivered as provided in Minnesota Statutes, section 203B.11.
10 The ballot mailing must be addressed to the voter at the voter's
11 residence address as shown on the registration file unless the
12 voter requests, in writing, that the ballot be mailed to the
13 voter at a different address completes an absentee ballot
14 request as provided in Minnesota Statutes, section 203B.04.

15 A return envelope, a ballot secrecy envelope, and
16 instructions for marking and returning mail ballots must be
17 included with the ballots. At the request of the secretary of
18 state, a survey card that the voter can return to the secretary
19 of state must also be included. The ballot return envelope must
20 be printed with the mail voter's certificate. The ballot return
21 envelope must be addressed for return to the county auditor as
22 specified in part 8210.0700, subpart 4. First class postage
23 must be affixed to the return envelope.

24 [For text of subps 4a to 12, see M.R.]

25 Subp. 13. Purpose and effect statement. The governing
26 body authorizing a mail election as provided in Minnesota
27 Statutes, section 204B.46, may include a statement of the
28 purpose and effect of the ballot question with the ballot. Any
29 information provided in the purpose and effect statement must be
30 factual, impartial, and designed only to clarify or summarize
31 the wording of the question, or to explain statutory or charter
32 provisions under which the election is held. The enclosure must
33 not be designed to influence the outcome of the election. The
34 text of the purpose and effect statement must be prepared by the
35 legal advisor of the governing body placing the questions before
36 the voters.

- 1 8210.9945 ABSENTEE BALLOT RETURN ENVELOPE, SPECIFIED BY PART
- 2 8210.0700.



1 8235.0300 NOTICE.

2 Within 24 hours after determining that an automatic recount
3 is required or within 48 hours of receipt of a written request
4 for a recount and filing of a security deposit if one is
5 required, the official in charge of the recount shall send
6 notice to the candidates for the office to be recounted and the
7 county auditor of each county wholly or partially within the
8 election district. The notice must include the date, starting
9 time, and location of the recount, the office to be recounted,
10 and the name of the official performing the recount. The notice
11 must state that the recount is open to the public, and in case
12 of an automatic recount, that the losing candidate may waive the
13 recount.

14 8250.0365 FORM OF PINK BALLOT.

15 Subpart 1. General form. The ballot for constitutional
16 amendments must be prepared in the same manner as the white
17 ballot, except as provided in this part. Ballot pages and
18 ballot cards for electronic voting systems must be prepared in
19 the manner provided for paper ballots to the extent practicable.

20 Subp. 2. Ballot heading. The words "CONSTITUTIONAL
21 AMENDMENT BALLOT" must be printed at the top of the ballot.
22 Directly below the heading will be a bold dividing line running
23 the width of the ballot. The following statement shall be
24 beneath the dividing line and printed in upper and lower case:
25 "Failure to vote on a constitutional amendment, will have the
26 same effect as voting no for the amendment." A bold dividing
27 line running the width of the ballot shall be immediately below
28 the statement.

29 Subp. 3. Instructions to voters. The following
30 instructions must be printed directly below the statement
31 required in subpart 2. "To vote for a proposed constitutional
32 amendment, put an (X) in the square before the word "YES" at the
33 left of the proposition. To vote against a proposed
34 constitutional amendment, put an (X) in the square before the
35 word "NO." A bold dividing line running the width of the

1 ballot must appear immediately below the instructions.

2 8250.0370 FORM OF CANARY BALLOT.

3 Subpart 1. General form. The canary ballot must be
4 prepared in the same manner as the white ballot, except as
5 provided in this part. Ballot pages and ballot cards for
6 electronic voting systems must be prepared in the manner
7 provided for paper ballots to the extent practicable.

8 Subp. 2. Ballot order. County offices must be listed
9 first on the canary ballot in the following order: county
10 commissioner, county auditor, county treasurer, county recorder,
11 county sheriff, county attorney, county coroner, and county
12 surveyor. Special district offices must follow the last county
13 office. Judicial offices must follow special district offices
14 and appear in the following order: chief justice - supreme
15 court, associate justice - supreme court, judge - court of
16 appeals, and judge - district court. Where judicial seats are
17 designated by number, the offices must be listed in numerical
18 order. Optical scan ballots must be prepared in the order
19 provided in Minnesota Statutes, chapter 206. County and
20 judicial offices for which there is only one candidate will
21 appear in the manner provided in Minnesota Statutes, section
22 204D.14.

23 Subp. 3. Ballot size. The canary ballot must be 5-1/4
24 inches wide and no more than 30 inches long.

25 8250.0375 FORM OF GRAY BALLOT.

26 Subpart 1. General form. The judicial nonpartisan office
27 ballot must only be used if the canary ballot exceeds 30 inches
28 in length. The ballot for judicial nonpartisan offices must be
29 prepared in the same manner as the white ballot, except as
30 provided in this part. Ballot pages and ballot cards for
31 electronic voting systems must be prepared in the manner
32 provided for paper ballots to the extent practicable.

33 Subp. 2. Ballot order. Offices appearing on the gray
34 ballot must be listed in the order provided by part 8250.0370,
35 subpart 2.

1 8255.0025 CORRECTION OF PRECINCT BOUNDARIES NOT BASED ON
2 RECOGNIZABLE PHYSICAL FEATURES.

3 The Secretary of State shall monitor precinct boundaries
4 within the state. If a precinct boundary is not in compliance
5 with the requirements of Minnesota Statutes, section 204B.14,
6 the Secretary of State shall notify the county auditor or
7 municipal clerk who established the boundary of the error and
8 provide a map showing a suggested boundary that meets all
9 statutory requirements. The governing body responsible for the
10 precinct has 60 days from the time of notice to adopt the
11 precinct boundary suggested by the Secretary of State, or create
12 another boundary that meets all statutory requirements. If the
13 governing body fails to act within 60 days, the precinct
14 boundary is, by default, the boundary suggested by the Secretary
15 of State.

16 REPEALER. Minnesota Rules, part 8210.9940, is repealed.