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# Office of the Secretary of State State of Minnesota

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January 3, 1996

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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 a series of housekeeping rules relating to election administration and voter registration. 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 your 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  
215-1439

STATEMENT OF NEED AND REASONABLENESS  
DECEMBER 11, 1996

The need arises to adopt Parts 8200.1100; 8200.1200; 8200.1700; 8200.2100; 8200.2200; 8200.3800; 8200.5100; 8200.6100; 8200.6200; 8200.6300; 8200.9300; 8200.9939; 8210.0200; 8210.0700; 8210.3000; 8220.0050 ; 8220.0150; 8220.0250; 8220.0850; 8220.1450; 8220.1550; 8230.0250; 8230.2250; 8230.3250; 8230.4350; 8240.0100; 8240.0200; 8240.1300; 8240.2400; 8250.0370; 8250.1200; 8250.1600; and 8250.1800 and repeal Parts 8200.0400; 8200.0700; 8200.1400; 8200.1500; 8200.3200; 8200.3300; 8200.3400; 8200.9100; 8200.9200; 8200.9300 subparts 1,2,3,4,5, and 6; 8200.9910; 8200.9919; 8200.9953; 8210.0700 subparts 4,5, and 6; 8220.1950; 8220.2750; 8240.1000; 8240.2600; and 8250.1500 from the requirements of Minnesota Statutes 201.022, 201.071, 201.221, 203B.08, 203B.09, 203B.125, 204B.25, 204B.45, 204D.11 and 206.57. These statutes require the Secretary of State to adopt and maintain rules for the administration of the subject of the statute. The rationale for each individual rule is as follows.

1. The repeal of Part 8200.0400 is needed because the secretary of state no longer believes it necessary to monitor the delegation of voter registration duties by the county auditors. The county auditors have gained experience at delegating these duties, and the secretary of state no longer feels it can contribute to the process by having copies of voter registration rules filed with the office. This is a reasonable deletion because Minnesota Statutes and Rules provide the guidelines for administering voter registration. It serves no purpose for local officials to develop their own version of those rules to file with the state.
2. The repeal of Part 8200.0700 is needed because the state wide voter registration system has replaced all local or county based voter registration systems. The rule required a filing method for local registration systems. As these systems no longer exist it is reasonable to delete the rule.
3. The modification to Part 8200.1100 is needed to reflect the changes necessary to the voter registration card due to the implementation of the statewide voter registration system, to improve legibility of the form, and to reduce the cost in producing the voter registration card.

Eliminating the requirement to print the card in red and blue ink is reasonable because it will result in a significant cost reduction in producing the voter registration card. Additionally red ink is harder to read than a dark ink, and it is reasonable for the secretary of state to increase legibility of the card by printing all of the card in a dark ink.

Eliminating the requirement to have two equal sized parts is reasonable because the attached duplicate card used at the polling location has been replaced by polling place rosters produced from the voter registration system. The part was equal sized so that the duplicate would fit easily into a manual filing system. As the duplicate is no longer needed it is reasonable to eliminate all references to it in the printing specifications.

4. The modification to Part 8200.1200 is needed to provide consistent standards for the secretary of state to use when designing future voter registration cards. The reasonableness of the points of the rule is as follows:

- A. It is reasonable to provide the data elements and certification provided by Minnesota Statutes as required data on the registration card.

- B. It is reasonable to design the card in a manner that is useful to the county personnel entering the registrations into the statewide voter registration database. By having the data elements in the same order on the card as they are on the data entry screen accuracy and efficiency are increased.

- C. It is reasonable to design a card that can be used by a persons with a wide range of reading and comprehension skills. This will make the registration card an entry point into election participation, rather than an obstacle to individuals with lower reading abilities.

- D. It is reasonable to insure that the completed voter registration card can be returned by mail by designing the card so that it can be deposited directly into the mail.

- E. It is reasonable to provide instructions with the voter registration card to aid the registrant in completing the card, and to reduce the number of cards rejected because they were completed incorrectly.

- F. It is reasonable to include a statement offering assistance to individuals with physical limitations in order to prevent the exclusion of qualified voters from the election process.

The change to subpart 2 is reasonable in that the office use only box is important to administrators of voter registration , but its location on the registration card should be flexible for use in design improvements to the card.

5. The repeal of Part 8200.1400 is needed because a separate instruction card is no longer produced. The instructions are now integrated into the card as provided in Part 8200.1200.

6. The repeal of Part 8200.1500 is needed because the instructions for printing the voter registration card are being consolidated into Part 8200.1200. It would be redundant to include this instruction as a separate rule.
7. The modification to Part 8200.1700 is needed to eliminate an obsolete reference in the rules. The change is reasonable because all areas of the state now have preregistration as per Minnesota election law.
8. The modification to Part 8200.2100 is needed to update the rule to reflect current statutory requirements. It is reasonable to require public buildings serving as a location for voter registration to send the actual voter registration card directly to the county auditor. This will prevent private information on the voter registration card from being misplaced or misused and will speed up the data entry process. Minnesota Statutes now provide that the county auditor is the official responsible for entering the voter registration cards for that county into the statewide registration system. Therefore it is reasonable that redundant references to the county auditor maintaining the registration files are eliminated.
9. The modification to Part 8200.2200 is needed to remove redundant language from the rule in order to make it more understandable to county officials.
10. The repeal of Part 8200.3200 is needed because of the establishment of the statewide voter registration system. The statewide system automatically notifies counties of changes made to registrations of their county, including the movement of a registrant from one county to another. Deleting this rule is reasonable because the same product is now being achieved through automated means.
11. The repeal of Part 8200.3300 is needed because of the establishment of the statewide voter registration system and the repeal of Part 8200.3200. The advent of the statewide voter registration system eliminated the need for a manual notification of a registration in another county. Therefore it is reasonable to delete a rule that is no longer used.
12. The repeal of Part 8200.3400 is needed because the establishment of the statewide voter registration system has automated the notification needed to other states. The statewide system automatically produces a report of new registrants who list a previous state of registration. This report replaces the need for individual counties to produce their own listing of registrants from outside Minnesota. This is a reasonable repeal because the same goal is being met by an automated process.
13. The modification to Part 8200.3800 is needed to update the rule to reflect statutory changes. Precincts are now supplied with polling place rosters on election day, not duplicate card files. It is reasonable to have the rule accurately reflect the documents in place at the polling place on election day.

14. The modification to Part 8200.5100 is needed to update the rule to reflect current statutory requirements and to eliminate unnecessary state requirements on local government.. The rule was originally drafted prior to the establishment of preregistration statewide. It is reasonable to eliminate references to a system of voter registration that no longer exists in Minnesota .

It is also reasonable to eliminate the size requirement for the vouchers oath. The original 4 inch by 6 inch requirement was put in place because the voter registration card at the time was that size. The voter registration card is no longer that size, and may change in size in the future, making a specific size requirement a hindrance.

15. The modification to Part 8200.6100 is needed to help insure that the information in the voter registration data base is used only for the purposes provided by Minnesota election law. It is reasonable for the Secretary of State to provide a form for requesting voter registration information to insure that the access to the registration information is consistent throughout the system.
16. Part 8200.6200 is needed to update the rules to reflect the establishment of the statewide voter registration system. Prior to the establishment of the voter registration system each county was responsible for producing lists of registered voters for public use and inspection. With the establishment of the statewide voter registration system it is reasonable to require that all counties provide the public information list as generated by the statewide system. It is also reasonable that the secretary of state provide good customer service by providing the information on media other than paper.
17. The modification to Part 8200.6300 is needed to reflect the establishment of the statewide voter registration system. Prior to the implementation of the statewide system public sector lists were produced by the individual counties. Costs associated with producing the lists were billed by the county. With the creation of the statewide registration system the sale of public sector lists became the responsibility of the secretary of state. It is reasonable therefore that the method of determining public sector list costs be modified to include the secretary of state.
18. The repeal of Part 8200.9100 is needed because of the establishment of the statewide voter registration system. County based voter registration systems no longer exist, eliminating the need for the secretary of state to review or approve of their organization.
19. The repeal of Part 8200.9200 is needed because of the establishment of the statewide voter registration system. County based voter registration systems no

longer exist, eliminating the need to specify a layout for county registration records.

20. Part 8200.9300 is modified because of the implementation of the statewide voter registration system and the need to update the rules to reflect that fact. By subpart the following changes are needed:

Subpart 1. It is reasonable to repeal the notification requirement of a county using its own electronic voter registration system because the advent of the statewide voter registration system replaced all county based systems. No county systems, no need for a notification.

Subpart 2. It is reasonable to repeal the requirement that counties have in place a backup emergency plan for their county based voter registration systems because the county based systems no longer exist.

Subpart 3. It is reasonable to repeal the voting record requirements for county based voter registration systems because the county based systems no longer exist.

Subpart 4. It is reasonable to repeal the format of the precinct election list produced by a county based registration system because county based systems no longer exist.

Subpart 5. It is reasonable to repeal the format of the oath on precinct election lists produced by county based voter registration systems because county based systems no longer exist.

Subpart 6. It is reasonable to repeal the authority to ask for birthdates prior to the first use of an electronic voter registration system because all counties have used an electronic system of some sort since 1988. Therefore the subpart no longer has any purpose.

Subpart 7. It is reasonable to amend this subpart because the “duplicate” voter registration card and file system was eliminated by the statewide voter registration system. Replacing “precinct election list” with “polling place roster” is reasonable because the term polling place roster is in common usage among election administrators, and will make the rule more easily understandable to those administrators.

Subpart 9. It is reasonable to update provisions on the security of the duplicate registration file because the duplicate registration file has been replaced by the polling place roster. It is reasonable to delete references to the availability of public sector lists from this subpart because regulations on this subject are now found in Part 8200.6200.

Subpart 10. It is reasonable to change “precinct election list” to “polling place roster” for the sake of consistency through out the rules of the secretary of state. (See subpart 7)

Subpart 11. It is reasonable to delete obsolete cross references to rules which have been repealed.

21. The repeal of Part 8200.9910 is needed because the format of the Minnesota voter registration card is now provided in Part 8200.1200, and an actual facsimile of the card in the rule is no longer needed. Part 8200.1200 provides the required data elements needed for a registration to be valid. Providing a rule that attempts to position those elements as they would appear on an actual card does not make the card more useful, and makes changes to the card administratively more difficult. This is a reasonable repeal in that the validity of the card is not affected by the placement of the data elements, and the registration card will continue to be printed in a way that is easy for the public to use.
22. The repeal of Part 8200.9919 is needed because Part 8200.1400 is being repealed, eliminating the need to provide a simulated copy of the instructions in the rules.
23. The modification to Part 8200.9939 is needed to make the form of the oath acceptable to all religious beliefs and traditions. This is a reasonable modification because the purpose of the oath is not compromised by the change.
24. The repeal of Part 8200.9953 is needed because of the modification to Part 8200.6100. That modification was done because of the establishment of the statewide voter registration system. (See point 8 in this need and reasonableness statement.) With requests for voter lists now directed to the secretary of state it is no longer necessary to provide an example request for use by the counties.
25. The modification to Part 8210.0200 is needed to eliminate a printing requirement that makes the administration of elections more difficult without adding a discernible benefit. The change from specific printing requirements to a general requirement that it be acceptable to the US Postal system is reasonable in that it insures that the postcard application is usable to the voter without unduly burdening the election administrator.
26. The modification to Part 8210.0700 is needed to simplify the wording of the rule to make it more understandable to local election officials. The following is a listing of the modifications by subpart:

Subpart 3. The language change to this subpart is needed to consolidate the instructions for the absentee ballot return envelope mailing address into one

subpart. This is a reasonable change in order to provide a more user friendly, condensed instruction on the preparation of the mailing address.

Subpart 4. Subpart 4 can be repealed because the relevant instructions have now been consolidated into subpart 3. This is a reasonable change to eliminate redundant language in the rule.

Subpart 5. Subpart 5 can be repealed because the relevant instructions have now been consolidated into subpart 3. This is a reasonable change to eliminate redundant language in the rule.

Subpart 6. Subpart 6 can be repealed because the relevant instructions have now been consolidated into subpart 3. This is a reasonable change to eliminate redundant language in the rule.

Subpart 8. Subpart 8 is modified to make the subpart easier to read.

27. The modification to Part 8210.3000 is needed to make mail balloting a more viable option to local units of government who must conduct special elections. Subpart 1 is modified because the previous 60 day requirement for passing a resolution authorizing the use of mail elections added 15 days onto the statutory 45 day election notice to the county auditor, (Minnesota Statutes 205.16 and 205A.07). This additional requirement has caused difficulties and delays to local government wishing to use the mail ballot procedure. The change is reasonable given that all other elections require a 45 day notice, the revocation of mail balloting requires a 45 day lead time, and that no particular goal is met by requiring an additional 15 day waiting period prior to using the mail balloting process.

Subpart 3. This subpart is modified because the secretary of state no longer needs to monitor local mail elections. When mail balloting was a new process the secretary of state wished to be notified of each use of mail balloting in order to observe the elections and accumulate information on their administration. The body of information on mail elections is now large enough that the secretary of state no longer monitors each use of mail balloting. The change is reasonable because the notification is not needed if no action is taken in response to the notification.

Subpart 4. This subpart is modified because the direct involvement of the county auditor in administering mail elections is no longer considered necessary. When mail balloting was first established the secretary of state believed it would be good policy to have the county auditor, as head election official of the county, involved with the election. As Minnesota has gained experience with mail balloting it has become clear that the municipalities and school districts conducting mail elections are quite capable of administering the election without

direct county involvement. The change is reasonable in order to have the ballot delivered directly to the election official conducting the election.

Subpart 7. This subpart needs modification to clarify the mail election process when used by a school district and when mailed ballots are returned to the election official as undeliverable. In particular school district clerk is added as an election official who can receive undeliverable mail ballots. The change is needed because school districts also conduct mail elections. The change is reasonable because it allows the school district clerk to process undeliverable ballots in the same manner as other election officials and eliminates the need for a special procedure for school districts.

The second change to the subpart is needed to insure that mail ballots are provided to as many qualified voters as possible in order to promote high participation and to prevent disenfranchising voters. Making the provision that an absentee ballot is sent to voters who reside within the government unit conducting the election, but who have moved since they registered to vote, allows these individuals to participate in the election. It is reasonable to send an absentee ballot rather than another mail ballot because the voter will need to return a completed voter registration card with the ballot in order for the ballot to be accepted. Fundamentally this is the same process used in absentee voting at a regular election when a nonregistered voter requests an absentee ballot. Election administrators and election judges are experienced in processing this type of ballot and certification and can use that experience in processing absentee ballots that contain voter registration cards.

Subpart 8. The additional references in this subpart are needed to extend the full authority to conduct a mail election to local election officials. This change is reasonable because local election officials are responsible for mail elections held by their government unit.

Subpart 9. This subpart needs modification in order to clarify the role of local election officials in conducting a mail election, and to provide a guideline for appointing election judges. Defining the office of the local election official conducting the election as the polling place for the election is needed to extend full authority to conduct mail elections to local governmental units. This is a reasonable change given the confusion that could result from a municipality or school district conducting a mail election but the polling place being miles away at the county courthouse.

The need to define the number of judges serving at a mail election is necessary in order to insure that the vote tallies at mail elections are accurate and that voters are properly served if they come in person to vote. The three judge minimum requirement is reasonable because it is the same requirement used per polling place at regular elections, and has proved successful at those elections. It is

reasonable to allow the appointment of additional judges as needed so that the counting of the ballots is conducted quickly and efficiently. Appointing an additional judge per 150 persons who cast a paper ballot is reasonable because that is the standard used at regular elections, (Minnesota Statutes 204B.22 subp. 2). This brings mail elections into conformity with regular elections and uses a measure for appointing election judges that has proven effective over the years.

Subpart 10. This subpart needs modification in order to clarify the role of the municipal and school district clerk in administering mail elections. The changes are reasonable because they provide the local election officer responsible for the election the authority to receive and count the ballots. The requirement to have the county auditor receive and count the mail ballots reflected the desire of the secretary of state to have the auditor involved in local mail elections. Now that Minnesota has a higher level of experience with mail elections there is no longer a need to have the auditor supervising the election.

Subpart 13. This part is needed to allow the secretary of state to use and evaluate new forms and printing processes. The use of experimental forms is reasonable to find ways to reduce the cost of holding mail elections, and to find ways to simplify the mail election process for the voter.

28. The modification to Part 8220.0050 is needed to correct an error in the reference to other administrative rules. The current language on the conduct of elections when using voting machines does not reference 8230.4350, an important rule on the use of optical scan voting machines. Optical scan voting machines are a type of voting machine and should of been included in the reference. It is reasonable to correct this oversight in order to provide a complete reference to rules that apply to voting systems.
29. The modification to Part 8220.0150 is needed to correct an error in the reference to other administrative rules. The current language on minimum standards for using voting systems does not reference 8230.4350, an important rule on the use of optical scan voting machines. Optical scan voting machines are a type of voting machine and should of been included in the reference. It is reasonable to correct this oversight in order to provide a complete reference to rules that apply to voting systems.
30. The modification to Part 8220.0250 is needed to correct an error in the reference to other administrative rules. The current language on the definitions for voting systems does not reference 8230.4350, an important rule on the use of optical scan voting machines. Optical scan voting machines are a type of voting machine and should of been included in the reference. It is reasonable to correct this oversight in order to provide a complete reference to rules that apply to voting systems.

31. The modification to Part 8220.0850 is needed to simplify the programming of voting systems, and to reduce the amount of duplication of effort in completing those programs. The “second duplicate” is a triplicate of the original program. The secretary of state does not have copies of the various voting machines available to use or test the triplicate copy of the program. The only possible use the secretary of state would have for the third copy of the program would be for use at an election recount or ballot inspection. It is reasonable to delete the requirement for a third copy of the program because the election jurisdictions have a sealed duplicate of the program which can be used by the secretary of state at a recount or ballot inspection. This will provide a cost savings to both the local election jurisdiction who had to produce an additional copy of the program, and to the state by eliminating the time and space needed to maintain the filings.

32. The modification to Part 8220.1450 is needed to provide a secure environment for keeping the computer programming without creating unnecessary costs to the local election jurisdictions. The security to the program comes from the integrity of the container and the use of individually numbered seals to assure no unauthorized access to the programs. The requirement that the seals and containers be made of metal do not provide any additional security to the program, but do cause a significant increase in costs to the local election jurisdictions. The change is reasonable because the security of the program is not compromised while administration costs are lowered.

The deletion of “ballot image” in subsection b is needed because the testing of the accuracy of the program is assured if actual ballots are used in the test. Ballot images are not the final ballot, and changes may occur to the image prior to the printing of the ballot that make testing done with the ballot image pointless. It is reasonable to require testing of the voting equipment using actual election day material when ever possible.

33. The modification to Part 8220.1550 is needed to provide election administrators a more realistic time period to verify the accuracy of their voting systems. The five day period for conducting a public accuracy test has proved to be too short a period of time for jurisdictions using precinct counting machines. Each precinct counter must be tested. In municipalities with dozens of precincts 5 days is too short a period of time to complete the testing. The two week period was selected as a reasonable period of time after monitoring the experiences of communities that use precinct optical scan voting systems.

The change in the rules referenced, from 8220.1950 to 8220.1850, is needed because 8220.1950 is repealed.

34. The repeal of Part 8220.1950 is appropriate because of the availability of a duplicate program at the local level. The secretary of state does not maintain

examples of the voting machines that use the programming. Therefore no testing of the programs can be done at the secretary of state. The only possible use of the duplicate program is to provide an emergency copy of the programming in case the original programming is damaged. However the counties are required to maintain a backup copy of the program for that purpose. It is reasonable to reduce the cost of conducting an election to local election jurisdictions if there is no compromise to the security of the election. The repeal of this rule meets that test.

35. The repeal of Part 8220.2750 is appropriate because there are no longer any certified voting systems that use mainframe computers for counting purposes. Without the use of mainframe computers there is no need to maintain a rule on their use.
36. The modification to Part 8230.0250 is need to improve the readability of the rule. The permission to use voting devices in booths or self contained stations is a duplication of the permission to use voting booths or self-contained stations in precincts using punch card or optical scan systems. In practice this has lead to confusion on the part of local election administrators as to why the duplicate language exists. This is a reasonable change because it does not effect the purpose of rule, but does make it more comprehensible to election administrators.
37. The modification to Part 8230.2250 is needed to remove an outdated requirement. The requirement that the secretary of state must approve the type of plastic envelope used to contain the transfer case certificate is a waste of time for both the secretary of state and the local election authority. The deletion of this requirement is reasonable because local government is quit capable of buying clear plastic envelopes without state supervision.
38. The modification to Part 8230.3250 is needed to clarify the requirements of the rule. The demonstrator for absentee voting may be either the municipal clerk or an election judge. Only the election judge needs to be trained under parts 8240.0100 to 8240.2600. The current wording of the rule lead to the misconception that the municipal clerk had to be certified as an election judge. To clarify the rule by deleting the reference to Minnesota rules 8240.0100 to 8240.2600 is reasonable because to be an election judge in Minnesota you must be trained as provided by those sections. Therefore listing the rules under which election judges are trained is a unnecessary , redundant description.
39. The modification to Part 8230.4350 is needed to provide a procedure that will allow central count units to be used to their full capacity. The rule is being changed in order to reflect the advantages of having the ballots counted in one location, rather than at the precinct level. The past six years of experience with central count voting systems has given election officials insight on how to increase the productivity of the machine while not compromising the integrity of the ballot counting process. Election jurisdictions will be provided the option of

using the precinct election judges to count the ballots for their precinct at the counting center, or to use a team of election judges at the counting center to count the ballots from all of the precincts. By subpoint the need and reasonableness of the rule follows:

A. Precinct election judges need to verify the number of ballots and identify possible problem ballots before turning them over to the counting center in order to remove any possibility that additional ballots may accidentally or intentionally be added to a precinct total. This is a reasonable precaution to insure that the outcome of the election is above question.

B. To insure that the ballots are safe from accidental or intentional alterations the ballots need to be secure and inaccessible during transfer to the counting center. A seal is a time proven and reasonable means of providing that security without unduly burdening the election judges.

C. This subpart is needed to provide a paper trail of the balloting process that can be referred to when verifying the correct number of ballots from the precinct at the counting center and at any subsequent recount. This is reasonable in order to provide a ready reference to the activity at the polling place on election day.

D. This part is needed in order to provide a secure method of transporting the ballots to the counting center. It is reasonable to require election judges of two different parties to escort the ballots to the counting center in order to prevent the appearance that a party had the opportunity to alter the ballots.

E. This subpart is needed to provide the transfer of the ballots from the precinct election judges to the counting center judges. Comparison of the seal number with the summary statement is a reasonable device to insure that the ballots are in the same condition they were when they left the precinct.

F. This subpart is needed to clarify that the election judges are responsible for operating the ballot counter. This is reasonable to insure that only individuals trained in conducting an election have access to the ballots.

G. This subpart is needed to clarify that the election judges are responsible for duplicating problem ballots and other duties involved in counting the ballots. It is reasonable to have the election judges count duplicate the ballots because part of the training all election judges receive is duplicating problem ballots.

H. This part is needed to insure that after counting the ballots are secured in a manner that will preserve them for possible use at an election recount or election contest. This is reasonable because a recount or election contest will require that the ballots be in exactly the same condition they were when they were counted on election night.

I. This part is needed to provide a paper trail as to who actually counted the ballots and what were the results produced. This is reasonable in that the canvassing board needs a certification of the election results by precinct in order to certify the official results of the election.

40. Part 8240.0100 needs modification because of the repeal of part 8240.2600. The change is reasonable to provide an accurate listing of the rules associated with the training of the election judges.
41. Part 8240.0200 needs modification because of the repeal of part 8240.2600. The change is reasonable to provide an accurate listing of the rules associated with the training of the election judges.
42. The repeal of Part 8240.1000 is needed because the secretary of state no longer believes there is a need to track the delegation of training duties. The filings were initially needed to develop training schedules and locations. With this goal completed, and with the delegation process mature, there is no longer a purpose to the filing. This is a reasonable change because the purpose of the rule has been met and eliminating the filing will not compromise the quality of elections in Minnesota.
43. The two modifications to Part 8240.1300 is needed to provide clarity to the process and courses needed in training election judges. In particular the requirement that election judges attend a refresher course every two years is needed to insure that the election judges are updated on new election procedures and are accurate in their use of established election procedures. The two year period is reasonable because it allows for a course prior to each state election, provides a period to review new election laws after every legislative session, but is not overly burdensome to the training authority and to the election judges themselves.

The second change to Part 8240.1300 is needed to accurately reflect the rules associated with the training of election judges. It is reasonable to provide as accurate a listing as possible of the pertinent rules on this subject.

44. The modification to Part 8240.2400 is needed to reduce the administrative overhead associated with training election judges. Preparing a training plan remains a good activity for local election administrators in order to assure that election judges are presented with a well thought out training program. However as the rules lists the required elements of the plan it is not necessary for the secretary of state to receive a copy of plan to review what elements have been included. It is reasonable to remove the filing requirement in order to reduce the overhead of paperwork required in training election judges, and because the plan is available for public inspection if questions on the completeness of the plan should arise.

45. The repeal to Part 8240.2600 is needed because the original purpose of the rule has been met and the secretary of state believes that no further advantage will occur from keeping the requirement. The purpose of the training evaluation was to determine what materials provided by the secretary of state are effective and useful to the training authorities. The secretary of state has used that feedback to tailor the training material to the needs of the local authorities. The deletion of this requirement is reasonable because the purpose of the rule has been met, and the cost and time needed to continue using the rule is greater than any possible benefit that may arise from that use.
46. The modification to Part 8250.0370 is needed to alter the ballot order for coroner and surveyor. It is reasonable to switch the order so that the offices are on the county ballot in the same order as the legislature created the offices in Minnesota Statutes Chapters 384 to 390. The elimination of the word county from the description of the office is to eliminate a redundant term.
47. The modification to Part 8250.1200 is needed to provide ballot printing guidelines that are useable to election officials responsible for printing ballots. The current language handcuffs printers preparing the ballot in that the specific fonts listed are no longer in common use and are not available to all printers. In order to remove this obstacle the font size is now specified, but the font type is left open. This is reasonable because the size of the font, not the font type, is critical to insure that the ballot is readable to the voter.
48. The repeal of Part 8250.1500 is needed because of a statutory change that is the basis for the rule. Minnesota Statutes 204D.11 was amended by Laws of 1992, Chapter 513, Section 44 to delete the reimbursement to the counties from the state for the printing of the white ballot. With no reimbursement available it is reasonable to repeal the rule that administered the reimbursement.
49. Part 8250.1600 needs modification because of the repeal of part 8250.1500. The change is reasonable to provide an accurate listing of the rules associated with the training of the election judges.
50. The modification to Part 8250.1800 is needed to create a ballot that is easier for the voter to read and accurately vote. To accomplish this the following subparts are modified:
  - B. Some voters find that the offices visually run together, making the identification of a particular office difficult. By shading the office title with a light screen the office titles stand out and are easier to see. This is a reasonable change because it does not impact ballot production cost or effect the ability of a voting machine to accurately count the ballot.

C. The need to align the candidate name as close as possible to the target area arises from the difficulty of some voters to accurately mark the ballot. If the target area is separated by several inches from the candidate name some voters have a difficult time following the name over to the correct target area. By aligning the name by the target area this problem is reduced. This is a reasonable change in that it does not impact ballot production cost or effect the ability of a voting machine to accurately count the ballot.

D. The need to provide ballot questions in both upper and lower case arises from the difficulty some voters have in reading text that is in all upper case. This is a reasonable change in that it does not impact ballot production cost or effect the ability of a voting machine to accurately count the ballot.

E. The need to modify the write in line with the words "Write-In If Any" arises from the impression that some voters have that the write-in line is not optional, and from confusion over the purpose of the write-in line. By aligning the "Write-In If Any" text next to the vote target directly on the write-in line the voter should be able to identify the purpose of the write-in line. This is a reasonable change in that it does not impact ballot production cost or effect the ability of a voting machine to accurately count the ballot.