



STATE OF MINNESOTA
Office of the Minnesota Secretary of State
Mark Ritchie

Friday, January 3, 2014

The Honorable Eric L. Lipman
Administrative Law Judge
600 North Robert Street
St. Paul, MN 55164

Dear Judge Lipman:

In preparation for the January 3, 2014 hearing on proposed rule amendments, the Office of Secretary of State has reviewed the draft amendments and proposes minor clarifying, grammatical or stylistic changes to the proposed rule amendments. This letter outlines those limited changes that the Office of Secretary of State is proposing at this time. The additional changes the Office is now proposing are shown in italics below, but would not be italicized in the rules as promulgated.

First, with respect to **Rule 8200.5100, Rule Draft line 5.25**. The Office proposes changing the text of that line to:

The due date on the bill must be within 30 days before or after election day or, for bills without a due date, dated within 30 days before election day.

This change is needed and reasonable because the proposed definition of bill as originally promulgated includes items such as start-of-service notifications, documents that would not have a due date. It is reasonable to modify this language to ensure that documents, even without due dates, are dated within thirty days before the election. For the same reason, the language in **Rule 8210.0500, Rule Draft lines 23.15 to 23.21**, needs to be changed. In addition, it is necessary and reasonable to make the word "notification" plural for agreement, to insert a colon before the list of bills as well as to specifically mention that cell phone bills are allowed, so that there is no confusion about this point. The proposed amended rule part would now read:

- Eligible documents with your current address: ~~a current student fee statement, or an original utility bill or an original bill, including account statements and start-of-service notifications, dated within 30 days before or~~ with a due date 30 days before or after the election, ~~or a rent statement showing utility expenses;~~ a current student fee statement; or a residential lease if valid through election day. Eligible ~~utility~~ bills are: gas, electric, solid waste, water, sewer, phone, cell phone.

television, or Internet provider, credit card, or banking services; or bills for rent or mortgage payments.

Next, it is reasonable to change the listed order of the identification numbers that the Uniformed and Overseas Voters can use for verification on their absentee balloting materials. The online UOCAVA absentee ballot application does not allow a user to apply with a passport number, which means that voters will opt to use this identification number less frequently. As such, it is reasonable to move passport number from the first position in the list of documents UOCAVA voters can use. For this reason, it is reasonable and necessary to change the text of proposed amended **Rule 8210.0500, Rule Draft lines 26.3 to 26.4 and 30.16 to 30.17**, to:

~~U.S. passport number~~, Minnesota driver's license number, Minnesota ID card number, U.S. passport number, or the last four digits of your Social Security Number.

For the same reasons, it is further reasonable and necessary to change the text of proposed amended **Rule 8210.0500, Rule Draft lines 26.20 to 26.21 and 31.11 to 31.12**, to:

Print your ~~passport number~~, Minnesota driver's license number, Minnesota ID card number, passport number, or the last four digits of your Social Security Number.

In order to be consistent with other forms, it is reasonable and necessary in **Rule 8210.0600, Rule Draft lines 34.7 to 34.9, line 35.13 to 35.15, and lines 43.15 to 43.17** to change text to remove the parenthesis around the words "Street Address" and "City."

For the same reasons of consistency as above, it is necessary and reasonable to change the listed order of the identification numbers that the Uniformed and Overseas Voters can use for verification on their absentee balloting materials in section 8210.0800, by inserting after Rule Draft line 36.22 a new section as follows:

8210.0800 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY MINNESOTA STATUTES, SECTIONS 203B.16 AND 203B.17.

Subp. 3a. Form of certificate of eligibility.

Signature Envelope

Voter must complete this section please print clearly

Voter name _____

Voter MN address (present or last) _____

MN

ID number

~~(U.S. passport #,~~

(MN driver's license #,

MN ID card #,

U.S. passport #,
or last four digits of SSN) _____
Email _____
Phone (optional) _____

I swear or affirm, under penalty of perjury, that I am (**check one**):

- a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member;
- a United States citizen temporarily residing outside the United States;
- other United States citizen residing outside the United States;

and

- I am a United States citizen,
- at least 18 years of age (or will be by the date of the election), and
- I am eligible to vote in the requested jurisdiction;
- I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form.
- In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury.

Voter Signature X _____

Finally, in order to ensure orderly administration of any special elections, the Rules should contain the following effective date after Rule Draft line 58.23:

These rules apply to voting at elections conducted on the date of the state primary in 2014 and thereafter.

Thank you.

Sincerely,



Beth Fraser
Deputy Secretary of State

Example of Statement of Absentee Voter
Envelopes and Forms Provided by 8210.0800,
Subp.3a

Put the **Ballot Envelope**
in here, then seal flap



Signature Envelope

Voter must complete this section please print clearly

Voter name

Voter MN address (present or last) MN

ID Number (MN driver's license #, MN ID card #, U.S. passport #, or last four digits of SSN)

Email

Phone (optional)

I swear or affirm, under penalty of perjury, that I am (**check one**):

- a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member;
- a United States citizen temporarily residing outside the United States;
- other United States citizen residing outside the United States, and
 - I am a United States citizen,
 - at least 18 years of age (or will be by the date of the election), and
 - I am eligible to vote in the requested jurisdiction;
 - I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated;
 - I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form.
 - In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

The information on this form is true, accurate and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury.

Voter Signature X

For Official Use Only

Accepted Rejected (reason:)