

EXHIBIT M

RULEMAKING

About Rulemaking

The legislature often directs state offices to propose rules to implement the statutes they are responsible for. Rules provide clarity and uniformity to fill in details that were not necessary to put directly in the statutes.

For example, elections statutes say that the Secretary of State must provide absentee ballot materials, but do not give details on everything that needs to go on those materials. Creating a rule provides clarity and uniformity so that all voters receive the same absentee ballot materials and information when they apply.

Rules must be proposed and approved through a specific process:

- The office must give notice that they are considering adopting rules and request public comment on what rules should be proposed.
- The office may propose rules any time after the end of the 60 day comment period but no later than 18 months after the date of the law authorizing the creation of rules.
- The office must give public notice of what rules they are proposing, and why the office is proposing the rules.
- The public must be given an opportunity to provide comments to the proposed rules.
- The office carefully considers all comments when proposing rules.
- A public hearing may be held on the proposed rules.
- An Administrative Law Judge will review proposed rules and all public comments to make a final determination on whether the proposed rules are needed and reasonable.

Rulemaking is an important part of the lawmaking process. The office welcomes feedback and participation whenever new rules are proposed. [Signup to receive email notifications](#) when rules are being proposed.

[View more detailed information](#) about the rule making process.

Proposed Rules Governing Presidential Nominating Primary and Amendment of Rules Governing Election Administration, Voter Registration, Petitions, Absentee Ballots, Election Judge Training Program, and Ballot Preparation, Minnesota Rules, 8200, 8205, 8210, 8240, and 8250; OAH Docket Number: 71-9019-34528, Revisor ID R-04487

The Office of the Secretary of State intends to adopt rules related to the Presidential Nomination Primary and adopt proposed amendments relating to election administration.

In 2016, the Minnesota Legislature passed a law creating a presidential nomination primary system in Minnesota beginning in 2020. As part of that legislation, the Office of Secretary of State was granted rulemaking authority in order to provide the procedures to implement the presidential nomination primary. The rulemaking authority went into effect July 1, 2017. Although this rulemaking primarily governs the administration of the presidential nomination primary, the Office is also proposing a few small changes to other administrative rules governing elections.

The Dual Notice and supporting materials are as follows:

- [Text of the Proposed Rules](#)
- [Text of the Proposed Rules \(html\)](#)
- [The Statement of Need and Reasonableness](#) (SONAR) contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules.
- [Dual Notice](#)

COMMENTS RECEIVED BY THE OFFICE OF THE MINNESOTA SECRETARY OF STATE

[View comments](#)

- You have until 4:30 p.m. on Wednesday, June 6, 2018, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.
- Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Bert Black at the Office of the Minnesota Secretary of State, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, MN 55155; Phone 651-201-1326; Email bert.black@state.mn.us. TTY users may call the Office of Secretary of State at 711.

All material related to these proposed amendments are available to request and can also be made available in an alternative format, such as large print, Braille, or audio.

To make a request, contact:

Office of the Secretary of State
Bert Black, Legal Advisor
180 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Boulevard
Saint Paul, MN 55155



Phone: 651-201-1326

Fax: 651-215-0682

Email: bert.black@state.mn.us

TTY users may call the Office through the Minnesota Relay Service at 711.

Presidential Primary and Election Administration Rulemaking 2017

Promulgation of Rules Governing Presidential Primary Election Administration and the Possible Amendment of Rules Governing Election Administration, Voter Registration, Petitions, Absentee Ballots, Voting System Testing, Optical Scan Voting Systems, Recounts, Election Judge Training Program, Ballot Preparation and Redistricting, *Minnesota Rules*, 8200, 8205, 8210, 8220, 8230, 8235, 8240, 8250 and 8255; Revisor's ID Number R-04487

INITIAL REQUEST FOR COMMENTS

The Office of the Secretary of State is requesting comments on possible rules governing the administration of the [presidential primary election](#) as well as soliciting input as to whether changes should be made to other administrative rules governing election administration. The Request for Comments was published in the July 24, 2017 [State Register](#). Please see the full Request for Comments for details about the [rulemaking and rulemaking process: Request for Comments \[PDF\]](#)

Please submit any suggestions you or your organization may have on or before September 25, 2017 at 4:30 p.m. While not part of the official rulemaking record, comments and suggestions will be considered by the Office as the Office decides what to include in any proposed rules or amendments to the rules.

Written comments, questions, and requests for more information on these possible rules should be directed to: Julie Strother, Government Relations Director at the Office of the Secretary of State, 180 State Office Building, 100 Rev. Dr. Martin Luther King, Jr. Boulevard, Saint Paul MN 55155, 651-296-9073 (FAX), 651-201-1342 (Office) or julie.strother@state.mn.us. TTY users may call the Office at 711.

RELATED RULEMAKING CONTENT

[Sign up to receive emails](#) to be notified of impending rulemaking action

© 2018 Office of the Minnesota Secretary of State - [Terms & Conditions](#)