EXHIBIT O

Black, Bert (OSS)

From:

John McCullough < john.mccullough@revisor.mn.gov>

Sent:

Wednesday, May 9, 2018 9:06 AM

To: Subject: Black, Bert (OSS)

Subject:

RD4487

Attachments:

rd4487.pdf

Hi Bert - Attached is an e-copy of your rule. It is the same draft as the draft you published, as we made no changes. You should also now have the certified copies.

John

NOTICE: This e-mail and any files transmitted with it are confidential communications and intended solely for the use of the individual or entity to whom they are addressed. The message contents and any attachments may also be privileged or otherwise protected by work product immunity or other legal rules, including Minnesota Statutes, section 3C.05, subdivision 1https://www.revisor.mn.gov/statutes/?id=3C.05. If you are not the intended recipient or believe you have received this e-mail or any attachment in error, please delete both from your system without reading, copying, or disseminating, and immediately notify the sender via e-mail or calling 651-296-2868. Thank you.

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1.1	Secretary	of State
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- 1.2 Proposed Permanent Rules Relating to Elections Administration and the Presidential
- 1.3 **Nomination Primary**
 - 8200.1100 PRINTING SPECIFICATIONS.
- Subpart 1. Applications returned by mail. Voter registration applications printed for the purpose of distribution and mailing may be printed pursuant to items A to D.
- 1.7 [For text of items A to D, see M.R.]
- E. County auditors may consume the existing stock of voter registration
 applications on hand as of January 1, 2008, through the 2008 general election and on election
 days thereafter.
 - [For text of subp 2, see M.R.]
 - 8200.7200 COUNTY ATTORNEY REPORT.
- Subpart 1. Report. By October 1, county attorneys shall report the outcome of any 1.13 charging decision based on an investigation of alleged violations of voter registration or 1.14 voting laws from the previous calendar year to the secretary of state within ten days of the 1.15 determination. The report must contain either the name or initials of the individual under 1.16 investigation, a brief description of the allegation, the voting precinct if applicable, and the 1.17 outcome of the charging decision. If the county has not completed all investigations of 1.18 alleged violations of voter registration or voting laws by October 1, the county attorney 1.19 must provide a summary of any pending investigations of alleged violations of voter 1.20 registration or voting laws that have not reached a charging decision. 1.21
 - Subp. 2. Data classification. Pursuant to Minnesota Statutes, section 13.03, subdivision 4, the data provided to the secretary of state by a county attorney maintains the same data classification as the data maintained at the entity providing the data.

2.1 **8200.9939 FORM OF OATH, SPECIFIED BY PART 8200.5100.**

residence.	n only if you are registering to vote	e with a voucher as your proof of
I,	(Name of Voucher	e) swear or affirm that (Check one)
() I am pre-regist	ered to vote in this precinct	
Voter ID #		
(to be completed	by the election judge)	
() I registered in	this precinct today and did not have	another person vouch for me
() I am an employ	yee of a residential facility	*
	(Name of residential facility)	
Residential Addre	ess of Voucher or Address of Resider	ntial Facility
Street Address		City
Telephone numb	er	- :
E-mail address (c	optional)	- -
I personally know	v that	
	(Name of person registe	ering)
is a resident of thi	s precinct.	
	Signature of Voucher	
Election Judge Of	ficial Use Only:	å
	Subscribed and sworn to	before me
//		*
Date	Signature of Election Ju	dge
8200.9939	2	



3.1	The above oath shall be attached to the voter registration card and retained for at least
3.2	22 months.
3.3	8205.1050 VERIFYING PETITIONS.
3.4	Subpart 1. Applicability. This part does not apply to proposed recall and recall
3.5	petitions. The verification processes for proposed recall and recall petitions are located in
3.6	parts 8205.2010 and 8205.2120. This part does not apply to statewide Major Political Party
3.7	Recognition Petitions or statewide Minor Political Party Recognition Petitions. The
3.8	verification processes for Major Political Party Recognition Petitions and Minor Political
3.9	Party Recognition Petitions are located in parts 8205.3000, 8205.3100, and 8205.3200, and
3.10	8205.3300 .
3.11	[For text of subps 2 and 3, see M.R.]
3.12 3.13	8210.0710 FORMAT AND INSTRUCTIONS FOR ABSENTEE BALLOT RETURN ENVELOPES.
3.13	ENVELOPES.
3.13	ENVELOPES. Subpart 1. Sample envelope layout. The secretary of state shall provide samples of
3.13 3.14 3.15	ENVELOPES. Subpart 1. Sample envelope layout. The secretary of state shall provide samples of the layout of the front and the back of the envelope.
3.13 3.14 3.15 3.16	Subpart 1. Sample envelope layout. The secretary of state shall provide samples of the layout of the front and the back of the envelope. Subp. 2. Form. Absentee ballot return envelopes must be printed according to the
3.13 3.14 3.15 3.16 3.17	Subpart 1. Sample envelope layout. The secretary of state shall provide samples of the layout of the front and the back of the envelope. Subp. 2. Form. Absentee ballot return envelopes must be printed according to the following specifications:
3.13 3.14 3.15 3.16 3.17	Subpart 1. Sample envelope layout. The secretary of state shall provide samples of the layout of the front and the back of the envelope. Subp. 2. Form. Absentee ballot return envelopes must be printed according to the following specifications: A. The envelope must be no smaller than 10-3/8 inches by 4-1/2 inches.

C. B. The following must be printed at the bottom of the envelope on the same side as the voter's certificate:

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used for all printing.

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4.1	For Official Use Only
4.2	() Accepted () Rejected (reason:)
4.3	[For text of subps 3 to 8, see M.R.]
4.4 4.5	8210.2900 VOTING BY ABSENTEE BALLOT IN A HEALTH CARE FACILITY OR HOSPITAL.
4.6	A voter in a health care facility or hospital who receives an absentee ballot in person
4.7	from an election judge visiting the facility may request the assistance of two election judges
4.8	who are not affiliated with the same political party or another person eligible to provide
4.9	assistance, as provided in Minnesota Statutes, section 204C.15, subdivision 1. No person
4.10	shall assist a voter in a health care facility or hospital without the consent of the voter.
4.11	PRESIDENTIAL NOMINATION PRIMARY
4.12	8215.0100 SCOPE.
4.13	Except as provided in this chapter, the presidential nomination primary must be
4.14	conducted and the results canvassed and returned in the manner provided by law for the
4.15	state primary.
4.16	8215.0200 BALLOTS.
4.17	Subpart 1. Form. Except as provided in this part, presidential nomination primary
4.18	ballots must be printed in the same manner as state primary ballots as far as practicable.
4.19	There must be separate ballots for the names of the candidates of each major political party.
4.20	Subp. 2. Ballot heading. At the top of the ballot, the words "Presidential Nomination
4.21	Primary Ballot" followed directly below by "(party name) Party" must be printed.
4.22	Subp. 3. Candidates. The chair of each major political party must submit to the
4.23	secretary of state the names of the candidates to appear on that party's ballot. Any candidate
4.24	name submitted by a chair of a major political party must:

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A. be the candidate's true name or the name by which the candidate is commonly and generally known in the community; and

B. meet the requirements of Minnesota Statutes, section 204B.35.

Subp. 4. Order of candidates' names. If a party chair has requested that its party ballot contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted, the party must submit a phrase of no more than three words to be used on the ballot to represent this choice, and this choice must be rotated as a choice with candidate names.

8215.0300 POLLING PLACE VOTING.

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Subpart 1. Form of roster. At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote, and I understand that my choice of a party's ballot will be public information." This statement must appear separately from the statement certification included in part 8200.9115, subpart 1.

Subp. 2. Recording of political party. The election judge must instruct each voter to read the statement required by Minnesota Statutes, section 204C.10, paragraph (b), on the presidential nomination primary polling place roster. After the voter has read the statement, the election judge must ask the voter the name of the major political party whose ballot the voter is requesting. The polling place roster must include a place for the voter to indicate the voter's party choice. The election judge or voter must record in the polling place roster or electronic roster the name of the major political party whose ballot the voter requested. After the voter's major political party choice has been recorded, the election judge shall instruct the voter to sign the polling place roster. The county auditor must include the major political party choice recorded on the roster when posting voting history for every person who voted in the presidential nomination primary in the statewide registration system.

8215.0300 5



6.1	Subp. 3. Refusal to indicate a major political party. If a voter refuses to request the
6.2	ballot of a single major political party, the election judge may refer the voter to instruction
6.3	posters prepared for the presidential nomination primary by the secretary of state pursuant
6.4	to Minnesota Statutes, section 204B.27. A voter who refuses to indicate a major political
6.5	party must not be allowed to sign the polling place roster or cast a ballot.
6.6	Subp. 4. Voter receipts. A voter's receipt must identify the major political party
6.7	choice of the voter but may not distinguish the voter's major political party choice by color,
6.8	shape, or size.
6.9	8215.0400 ABSENTEE VOTING.
6.10	Subpart 1. Scope. Except as provided in this part, absentee voting for the presidential
6.11	nomination primary must be conducted in the manner provided by chapter 8210 and
6.12	Minnesota Statutes, chapter 203B, for the state primary.
6.13	Subp. 2. Application form.
6.14	A. The absentee application form prepared by the secretary of state for the
6.15	presidential nomination primary must:
6.16	(1) contain the following heading "For Presidential Nomination Primary Use
6.17	Only;"
6.18	(2) provide a place for the voter to indicate which major political party ballot
6.19	the voter is requesting; and
6.20	(3) contain the following instruction: "A presidential nomination primary
6.21	ballot cannot be sent to you unless you indicate on this application which major political
6.226.23	party ballot you wish to receive. You may receive the ballot of only one major political party."

B. The absentee ballot oath must also contain the following statement: "I am in general agreement with the principles of the party for whose candidate I intend to vote, and I understand that my choice of a party's ballot will be public information."

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Subp. 3. Receipt of application. Upon receipt of an absentee ballot application for the presidential nomination primary meeting the requirements of subpart 2, the county auditor or municipal clerk shall immediately verify that the voter has indicated the major political party whose ballot the voter is requesting. If the voter has not indicated a major political party choice, the application must be returned to the voter. A presidential nomination primary absentee ballot must not be transmitted to any voter who has not indicated which major political party's ballot the voter has requested to receive.

Subp. 4. Uniformed and overseas citizens. For voters with a current Federal Post Card Application or other absentee application pursuant to the Uniformed Overseas Citizens Absentee Voting Act, United States Code, title 52, sections 20301 to 20310, which does not contain the voter's major political party choice, the county auditor must contact the voter by electronic mail, United States mail, or phone between 63 and 48 days before the presidential nomination primary and attempt to collect the voter's political party choice for purposes of the presidential nomination primary. A voter must not be sent a presidential nomination primary ballot until the voter has communicated a party choice by electronic mail, United States mail, or phone.

Subp. 5. Receipt of Federal Write-in Absentee Ballots.

A. If a voter submits a Federal Write-in Absentee Ballot for which a Federal Post Card Application containing the voter's major political party choice was received, the county auditor must accept or reject the ballot in accordance with Minnesota Statutes, section 203B.24.

B. If a voter submits a Federal Write-in Absentee Ballot for which a Federal Post Card Application containing the voter's major political party choice was not received, and

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a major party candidate or major party write-in candidate can be ascertained, and the voter has not already voted, the county auditor must accept the Federal Write-in Absentee Ballot.

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C. If a voter submits a Federal Write-in Absentee Ballot for which a Federal Post Card Application containing the voter's major political party choice was not received, and a major party candidate or major party write-in candidate cannot be ascertained, or the voter has already voted, the county auditor must reject the ballot.

Subp. 6. Using the registration system. Upon accepting an application for the presidential nomination primary, the county auditor or municipal clerk shall record in the statewide voter registration system the voter's name, date of birth, address of residence in Minnesota, mailing address, Minnesota driver's license or state identification number, or the last four digits of the voter's Social Security number, if provided by the voter, and the voter's major political party choice. When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted in the statewide registration system.

Subp. 7. Change of major party choice. Until the close of business on the seventh day before the election, a voter may change the voter's choice of which major political party ballot the voter wishes to receive by spoiling the voter's ballot and submitting an application indicating the major political party ballot the voter is requesting. An absentee ballot cast under the alternative procedures provided in Minnesota Statutes, section 203B.081, subdivision 3, cannot be spoiled after it has been deposited in the ballot box.

Subp. 8. Notation on polling place roster. When marking rosters to indicate that a voter has already cast a presidential nomination primary ballot pursuant to Minnesota Statutes, section 203B.121, subdivision 3, paragraph (b), the voter's major political party choice must be recorded on the polling place roster at the same time.

Subp. 9. Instructions for voters. In addition to instructions provided in part 8210.0500, the following instruction must be included in instruction "1 Vote!": "The party ballot you

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9.1	received is based on the party yo	u selected on the applica	ation form. You may	receive the
9.2	ballot of only one major political	party. If you received the	he incorrect ballot, c	ontact your

8215.0500 MAIL BALLOTING.

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election office at (e-mail) or (phone number)."

Subpart 1. Scope. Except as provided in this part, a precinct authorized under Minnesota Statutes, section 204B.45, to provide balloting by mail must conduct the presidential nomination primary in the same manner as the state primary as provided in chapter 8210 and Minnesota Statutes, section 204B.45.

Subp. 2. Mailing ballots. The county auditor shall mail the ballots of each major political party to applicable registered voters. A voter may return only one major party ballot. The mail voter's certificate on the return envelope must provide a place for the voter to indicate the major political party whose ballot the voter has enclosed in the secrecy envelope.

Subp. 3. Form of instructions to mail voters. Notwithstanding part 8210.3000, subpart 4a, the form of instructions to mail voters to be used in a presidential nomination primary must substitute the following instructions:

How to vote by mail ballot

You will need:

- 9.19 **Ballot***
- 9.20 Tan ballot envelope*
- 9.21 White signature envelope*
- 9.22 Pen with black ink
- 9.23 Witness
- 9.24 Anyone registered to vote in Minnesota,
- 9.25 *including your spouse or relative*,

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10.1	or a notary public,
10.2	or a person with the authority to administer oaths
10.3	*If any of these items are missing, please contact your local election official.
10.4	1 Vote!
10.5	• Choose the ballot of the party that you are in general agreement with the principles
10.6	<u>of.</u>
10.7	• Show your witness that party's blank ballot, then mark your votes in private.
10.8	• Follow the instructions on the ballot.
10.9	• Do not write your name or ID number anywhere on your ballot.
10.10	• Do not vote for more than one candidate. If you do, your vote will not count.
10.11	• Do not vote the ballot of more than one party. Only return one ballot.
10.12	• Destroy and discard the extra blank ballot. You can destroy the ballot by shredding
10.13	or tearing the extra ballot in half. Do not return the extra ballot.
10.14	See the other side if you make a mistake on your ballot.
10.15	2 Seal only one voted ballot in the tan ballot envelope
	•
10.16	• Do not write on this envelope.
10.17	3 Put the tan ballot envelope into the white signature envelope
10.18	4 Fill out the white signature envelope completely
10.19	• If there is no label, print your name and Minnesota address.
10.20	• In the oath, print the name of the political party ballot that you chose. If you do not
10.21	print a party name, your vote will not count. If you return a different ballot than you
10.22	indicate in the oath, your vote will not count.
10.23	• Read and sign the oath.
10.24	• Ask your witness to print their name and Minnesota street address, including city
10.25	(not a PO Box), and sign their name.
10,26	If your witness is an official or notary, they must print their title instead of an
10.27	address.

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Notaries must also affix their stamp.
• Seal the envelope.
5 Return your ballot by Election Day to the address on the signature envelope
You have three options:
• Send it so it arrives by Election Day, using United States mail or a package delivery service,
• Deliver it in person by 8:00 p.m. on Election Day, or
• Ask someone to deliver it by 8:00 p.m. on Election Day.
This person cannot deliver more than 3 ballots.
If you have questions, please call ()
See other side for special instructions if you have a disability
Correcting a mistake
• If time allows, ask for a new ballot from your election office. Contact your election
office at [e-mail] or [phone number], or
• Completely cross out the name of the candidate you accidentally marked and then
mark your ballot for the candidate you prefer (do not initial your corrections).
If you have a disability:
If you have a disability or cannot mark your ballot, your witness may assist you by
marking your ballot at your direction, assembling the materials, and filling out the forms
for you.
When signing the envelope, Minnesota law says you may:
• Sign the return envelope yourself, or
• Make your mark, or
• Ask your witness to sign for you in your presence. (Have your witness sign their own name as well.)

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12.1 12.2	• If you have adopted the use of a signature stamp for all purposes of signature, you
12.3	may use your signature stamp or ask your witness to use your signature stamp in your presence.
12.4	Minnesota Statutes, section 645.44, subdivision 14
12.5	Please note: Voting is not covered by power of attorney. A person with power of
12.6	attorney may only sign for you in your presence as outlined above.
12.7	Subp. 4. Additional instructions for mail voters where an additional mailing
12.8	envelope is used. In those precincts where an additional white return envelope is used to
12.9	protect from view the information contained on the signature envelope, the list under "You
12.10	will need" in subpart 3 must also include:
12.11	• Large white return envelope*
12.12	A new instruction 5 must be inserted and subsequent instructions renumbered. The
12.13	new instruction 5 must read:
12.14	5 Put the signature envelope into the large white return envelope to protect your
12.15	information from view
12.16	The heading of renumbered instruction 6 must now read:
12.17	6 Return your ballot by Election Day to the address on the return envelope
12.18	Subp. 5. Form of mail voter's certificate. Notwithstanding part 8210.3000, subpart
12.19	4b, the form of the mail voter's signature certificate to be used in a presidential nomination
12.20	primary must be as follows:
12.21	Signature Envelope
12.22	Voter must complete this section please print clearly
12.23	Voter name
12.24	Voter MN Address
12.25	<u>MN</u>

13.1	I certify that on Election Day I will meet all the legal requirements to vote. I am in general
13.2	agreement with the principles of the Party, and I understand that my choice
13.3	of a party's ballot will be public information.
13.4	Voter Signature X
13.5	Witness must complete this section
13.6	Witness name
13.7	MN street address
13.8	(or title, if an official or notary)
13.9	
13.10	Street Address
13.11	———— MN
13.12	City
13.12	
13.13	I certify that:
10,10	<u> </u>
13.14	• the voter showed me the blank ballot before voting;
13.15	• the voter marked the ballot in secrecy or, if physically unable to mark the ballot, the
13.16	ballot was marked as directed by the voter;
13.17	• the voter enclosed and sealed the ballot in the ballot envelope; and
13.18	• I am or have been registered to vote in Minnesota, or I am a notary, or I am authorized
13.19	to give oaths.
13.20	Witness Signature X
13.21	If notary, must affix stamp
13.22	Subp. 6. Checklist for mail voters. Jurisdictions choosing to use an additional white
13.23	return envelope to protect from view the information contained on the signature envelope
13.24	must have the following words printed on the exterior of the white return envelope:
13.25	"Have you
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14.1	Included only your voted ballot and destroyed the ballot you did not vote?
14.2	☐ Sealed your ballot in the tan ballot envelope?
14.3	□ Put the ballot envelope in the white signature envelope?
14.4	□ Filled out the white signature envelope completely and signed it?
14.5	☐ Asked your witness to complete their section and sign their name?
14.6	□ Put the white signature envelope into this envelope?
14.7	Return your ballot so it is received by Election Day."
14.8	Subp. 7. Change of major party choice. Until the close of business on the seventh
14.9	day before the election, a voter may change the voter's choice of which major political party
14.10	ballot the voter requested by spoiling the voter's ballot and requesting that the county transmit
14.11	to the voter replacement ballots.
14.12	Subp. 8. Receiving and counting ballots. The ballot board must examine the mail
14.13	voter's certificate to verify the voter has indicated the major political party whose ballot
14.14	the voter has enclosed in the secrecy envelope, record that party in the statewide voter
14.15	registration system, and sort the ballots by political party. If a major political party was not
14.16	indicated, or more than one party was indicated, the ballot board must reject the ballot. If
14.17	a voter voted on and returned a major political party ballot different than the major political
14.18	party that the voter indicated on the voter's certificate, or if the voter voted on and returned
14.19	more than one major political party ballot, the ballot board must spoil and must not count
14.20	the ballot or ballots.
14.21	8215.0600 ELECTION JUDGE TRAINING.
14.22	Subpart 1. Election judge training. To serve as an election judge in a presidential
14.23	nomination primary, an individual must meet the requirements of part 8240.1300 and within
14.24	60 days of the presidential nomination primary successfully complete a one-hour training
14.25	course that includes content on presidential primary procedures.

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15.1	Subp. 2. Head election judge training. To serve as a head election judge in a				
15.2	presidential nomination primary, an individual must meet the requirements of part 8240.1350				
15.3	and within 60 days of the presidential nomination primary successfully complete a one-hour				
15.4	training course that includes content on presidential nomination primary procedures.				
15.5	Subp. 3. Health care facility absentee voting training. To serve as a health care				
15.6	facility election judge in a presidential nomination primary, an individual must meet the				
15.7	requirements of part 8240.1400 and within 60 days of the presidential nomination primary				
15.8	successfully complete a one-hour training course that includes content on presidential				
15.9	nomination primary procedures.				
15.10	8240.1655 QUALIFICATIONS FOR TRAINEE ELECTION JUDGES.				
15.11	Subpart 1. Requirement. Trainee election judges appointed under Minnesota Statutes,				
15,12	section 204B.19, must meet the requirements of this part.				
15.13	Subp. 2. Training. A trainee election judge must successfully complete the basic				
15.14	election judge training course as defined in part 8240.1650 8240.1600 before serving in a				
15.15	special, primary, or general election.				
15.16	[For text of subps 3 to 5, see M.R.]				
15.17	Subp. 6. Number of trainee election judges allowed per precinct. No more than				
15.18	one-third of the election judges at a precinct may be trainees. The appointment of trainee				
15.19	election judges may count toward meeting the minimum number of election judges required				
15.20	by Minnesota Statutes, section 204B.22.				
15.21	8240.2700 MUNICIPAL CLERK TRAINING REQUIREMENT.				
15.22	[For text of subps 1 to 4, see M.R.]				
15.23	Subp. 5. Training content. An election administration training course for municipal				
15.24	clerks must include training on:				

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16.1	A. candidate filings;					
16.2	B. campaign practices;					
16.3	C. campaign finance requirements;					
16.4	D. the election calendar;					
16.5	E. ballot preparation;					
16.6	F. election judge recruitment and duties;					
16.7	G. notice requirements;					
16.8	H. voting systems, if used in the municipality;					
16.9	I. mail elections;					
16.10	J. absentee voting; and					
16.11	K. security practices; and					
16.12	K. L. post-election duties.					
16.13	[For text of subps 6 to 10, see M.R.]					
16.14	8240.2800 SCHOOL DISTRICT CLERK TRAINING REQUIREMENT.					
16.15	[For text of subps 1 to 4, see M.R.]					
16.16	Subp. 5. Training content. An election administration training course for school					
16.17	district clerks must include training on:					
16.18	A. candidate filings;					
16.19	B. campaign practices;					
16.20	C. campaign finance requirements;					
16.21	D. the election calendar;					

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18.1	H. mail elections;						
18.2	I. absentee voting;						
18.3	J. the election night reporting system;						
18.4	K. security practices;						
18.5	K. L. post-election duties; and						
18.6	L. M. the duties performed by municipal and school district clerks.						
18.7	[For text of subps 5 to 9, see M.R.]						
18.8	8250.1810 FORMAT OF BALLOT	TS FOR OPTICA	L SCAN SYSTEMS.				
18.9	[For text o	f subps 1 to 15, see	e M.R.]				
18.10	Subp. 16. Order and form of sp	ecial election ball	ot. The names of candi	idates to fill			
18.11	vacancies at a special election for cou	nty and , municipal	, and school district of	fices must			
18.12	be listed under the heading "Special e	lection for (name of	of office)," followed by	"To fill			
18.13	vacancy in term expiring (date)" with	the name of the of	fice, the date of expira	tion of the			
18.14	term, and any other information neces	sary to distinguish	the office. For state of	ffices,			
18.15	immediately following the title of the o	office shall be printe	ed "To fill vacancy in te	rm expiring			
18.16	(date)." Vacant offices being filled by	special election m	ust be listed with other	offices of			
18.17	that type but after any offices for which	ch a candidate will	be elected for a full ter	rm, except			
18.18	as required by Minnesota Statutes, sec	ction 204D.25, sub	division 1.				
18.19	[For text of s	subps 17 and 18, s	ee M.R.I				

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