

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

22

PARTICIPANTS

1

TOPICS

48

ANSWERS

1

REPLIES

37

VOTES

SUMMARY OF TOPICS

SUBMIT A COMMENT

 48 Answers · 1 Replies

Important: All comments will be made available to the public. Please only submit information that you wish to make available publicly. The Court of Administrative Hearings does not edit or delete submissions that include personal information. We reserve the right to remove any comments we deem offensive, intimidating, belligerent, harassing, or bullying, or that contain any other inappropriate or aggressive behavior without prior notification.

Jerry Ewing · Citizen · (Postal Code: unknown) · Oct 10, 2025 3:37 pm

 2 Votes

I object to one major change-- the elimination of a witness address on the absentee ballot. The change in the law did NOT permit the elimination of this requirement, but the rule can be easily corrected. See the attached.

John Billo · Citizen · (Postal Code: unknown) · Oct 10, 2025 10:45 pm

 4 Votes

Regarding proposed amendments to Minnesota rules 8210.2400, Safeguarding Procedures and 8200.9115, Form of Polling Place Rosters:

On November 5th, 2024 when I voted at Precinct ST CLOUD W4 P5 0350, I was not provided a voter privacy folder, which made me uncomfortable as I normally rely on this protection to ensure my ballot choices remain private.

I believe these proposed rules are insufficient to prevent voter privacy violations and will be difficult to enforce based on documented failures in current practice. Minnesota has experienced documented instances of election-related violations including; Two Nevada residents charged in 2025 with conspiracy to commit voter registration fraud, submitting fraudulent applications in 2021-2022. A 2024 case where a woman was charged with felony voter fraud for voting using her deceased mother's absentee ballot. A 2022 case involving an individual who voted twice in the 2020 election. There were a few cases documented by KARE 11 showing 123 election-related charges statewide over four years, with the most common being "ineligible voter knowingly votes".

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

The proposed rules lack sufficient enforcement mechanisms, lack specific procedures for local election officials to investigate and correct violations without fear or retaliation from county administrators or otherwise.

They contain inadequate training requirements, without clear escalation procedures. Our election officials may continue to receive discouragement when attempting to enforce election law requirements.

These expand ballot vulnerability periods. Any new rules should not provide longer period during which ballots remain unprotected, this creates additional opportunities for tampering or procedural violations.

Any new rules introduced must include robust enforcement mechanisms to maintain public confidence in election integrity and protect our fundamental voting rights for American, Minnesotan citizens.

Please reference case number 70-CV-24-17210, Aaron Paul v. Brad Tabke, 21 missing absentee ballots affecting election outcome.

Federal case against Ronnie Williams and Lorraine Combs (U.S. District Court, Minnesota, June-July 2025 guilty pleas)

State case against Danielle Miller (Itasca County District Court, charged October 2024, trial scheduled October 2025)

KARE 11 analysis documenting 123 election-related charges statewide (2020-2024)

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 11, 2025 3:14 pm

 2 Votes

I also object to the elimination of a witness address on the absentee ballot. i also object to the deletion of the identification and listing of the specific categories of residential facilities (see lined-out lines 2.3 thru 2.16) By deleting this information, it is much more challenging for election administrators to properly administer the election due to the imposition of the lack of knowledge under the "Proposed Permanent Rules Relating to Election Administration" of what constitutes a "Residential facility". If Minnesota Statute 201.061 has been affected by law enacted during the 2025 Regular Session which affect the accuracy of any portion of lined-out lines 2.3 thru 2.16, then the solution is NOT to simply line-out lines 2.3 thru 2.16; Rather, update the practical and helpful information contained in lines 2.3 thru 2.16, which serves as a tool to more effectively manage the administration of elections, so that lines 2.3 thru 2.16 are fully aligned with law enacted during the 2025 Regular Session.

Sal Jane · Citizen · (Postal Code: unknown) · Oct 12, 2025 6:07 pm

 1 Votes

I write this not only as a concerned citizen, but also from personal observation: while serving as a voting judge in Minnesota, I have witnessed election irregularities that

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

reinforce my view that the proposed rules are inadequate.

I believe the proposed rules are insufficient to prevent voter privacy violations and will be difficult to enforce, especially given documented failures under current practice in Minnesota. Examples include:

* The case **Aaron Paul v. Brad Tabke**, Case No. 70-CV-24-17210, in which **21 absentee ballots** were discovered missing in the House District 54A election. Twenty of those were from a single Shakopee precinct, and they appear to have been discarded while still sealed in their secrecy envelopes. The margin of victory was only **14 votes**, meaning these missing ballots could have changed the outcome. ([Democracy Docket] [1])

* In 2025, two Nevada residents, Ronnie Williams and Lorraine Lee Combs, were charged with conspiracy to commit voter registration fraud for submitting fraudulent voter registration forms in 2021-2022. ([AP News][2])

* A 2024 case in Itasca County in which a woman was charged with felony voter fraud for attempting to vote using her deceased mother's absentee ballot. ([AP News][3])

* A 2024 case in Hubbard County, where a head election judge is charged with allowing **11 unregistered individuals** to vote, neglect of duty, and related offenses. ([CBS News][4])

Additionally, a KARE-11 analysis documented **123 election-related charges statewide** from 2020 to 2024, with "ineligible voter knowingly votes" being among the most common offenses. (You may wish to reference this statistic in your published materials.)

Concerns with the Proposed Rules

* **Lack of robust enforcement mechanisms.** The proposals do not clearly define how violations will be detected, investigated, or penalized. Without these, even serious infractions may go unchallenged.

* **Insufficient protection for local officials.** There are no explicit safeguards to protect election administrators or judges from retaliation (political, professional, or administrative) when they seek to enforce rules or report irregularities.

* **Training and escalation gaps.** The current proposal lacks detailed, mandatory training and escalation procedures for when election workers observe or suspect violations. Without clear protocols, inconsistencies will persist, and officials may be discouraged from acting.

* **Extended ballot vulnerability periods.** Any rule that prolongs the time during which absentee or other ballots are unprotected (e.g. before they are secured, counted, or sealed) increases risk of tampering, loss, or procedural error.

My Personal Observation

While serving as a voting judge, I witnessed irregularities—such as unclear handling of absentee ballots, ambiguous instructions in polling stations, and situations where chain of custody seemed weak. These experiences underscore that despite good intentions,

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

policies without strong enforcement, transparency, and accountability are easily circumvented or rendered ineffective.

****Recommendations****

Any new rules introduced should include:

1. ****Clear, enforceable mechanisms**** with meaningful penalties for violations.
2. ****Specific protocols**** for investigation, correction, and documentation when irregularities are raised.
3. ****Protection**** for election officials who act to enforce the law, including whistleblower-type safeguards.
4. ****Mandatory, ongoing training****, with escalation steps when issues arise.
5. ****Minimization of periods**** during which ballots are vulnerable to loss or misuse.

These safeguards are essential not only to maintain public confidence in our democratic process but to protect the voting rights of every Minnesota citizen.

Thank you for considering these points.

[1]: https://www.democracydocket.com/wp-content/uploads/2024/12/2025-01-14-Findings-of-fact-and-conclusions-of-law.pdf?utm_source=chatgpt.com "70-CV-24-17210"
[2]: https://apnews.com/article/4a5a862e20369a73d80dad052ba9f015?utm_source=chatgpt.com "Minnesota's election safeguards stopped a voter fraud scheme in its tracks, secretary of state says"
[3]: https://apnews.com/article/07728368892dad330e1c5b058289c4f2?utm_source=chatgpt.com "A Minnesota woman is accused of turning in a ballot for her dead mother. A routine check caught it"
[4]: https://www.cbsnews.com/minnesota/news/hubbard-county-election-judge-unregistered-votes-charges/?utm_source=chatgpt.com "Hubbard County election judge accepted unregistered votes, charges say - CBS Minnesota"

Phillip Parrish · Citizen · (Postal Code: unknown) · Oct 13, 2025 10:34 am

 4 Votes

Testimony Statement for Phillip C. Parrish
Office of Administrative Hearings Public Hearing on Proposed Permanent Rules Relating to Elections Administration
Docket No. 8-9019-39440 (Revisor's ID R-4824)

Administrative Law Judge Lipman, members of the Office of the Secretary of State, and fellow Minnesotans. My name is Phillip C. Parrish. I am a retired Lieutenant Commander in the U.S. Navy with 21 years of service in counterterrorism and foreign policy, a farmer, and an educator. Today, I testify in strong opposition to the proposed rules under Revisor's ID R-4824, which amend Minnesota Rules Chapters 8200-8250. These rules, framed as mere "technical clarifications," are a dangerous evasion of our sacred duty to secure elections. They not only fail to comply with state and federal law—they actively

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

violate it, perpetuating fraud risks that threaten our democracy.

Let me be clear: Minnesota's voter rolls are a ticking bomb—3.6 million registered voters against a 4.2 million voting-age population, riddled with deceased entries, duplicates, post-election ghost additions (over 1,130 in 2024), and non-citizen vulnerabilities. The U.S. Department of Justice's lawsuit against Secretary of State Steve Simon, filed September 25, 2025, demands full access to these rolls precisely because of NVRA and HAVA violations. Yet these rules do nothing to fix it. Instead, they lock in the status quo, defying the law and inviting exploitation.

First, on voter roll maintenance: The National Voter Registration Act (NVRA, 52 U.S.C. § 20507) mandates "reasonable efforts" to remove ineligible voters through regular cross-checks against sources like SSA death records and Census data. The Help America Vote Act (HAVA, 52 U.S.C. § 21083) requires "current and accurate" statewide lists with proactive audits. Minnesota Statutes § 201.071 echoes this, demanding prompt removals upon reliable evidence. But R-4824's tweaks to § 201.071—merely clarifying forwarding of misrouted applications—omit any automatic, monthly purges. This breaks NVRA § 8(a)(4) by failing to maintain clean lists, as ruled in *U.S. v. Virginia* (DOJ NVRA suit, 2020), where courts ordered automated removals to prevent inflation. Without compliance, we're complicit in the 100.88% "turnout" farce of 2024.

Second, citizenship verification: HAVA § 303(a) requires documentary proof of U.S. citizenship for registrants, reinforced by President Trump's Executive Order 14,248 and the SAVE Act. Minnesota Statutes § 201.061, subd. 3, governs same-day registration, yet the rules expand unlimited vouching in facilities without verification—opening doors to non-citizen voting amid our 20% foreign-born surge. This violates NVRA § 4's safeguards against ineligible registration, contravening Supreme Court precedent in *Crawford v. Marion County Election Board* (553 U.S. 181, 2008), which upheld strict ID to deter fraud. Lax vouching isn't access—it's abuse, as seen in July 2025's guilty pleas for fake forms.

Third, data security and testing: HAVA § 202 demands "adequate safeguards" for computerized lists, including encryption and independent audits. NVRA § 7(d) prohibits foreign interference. But R-4824's changes to § 206.82 extend public testing notices to five days without banning overseas software like Konnech—exposed in Nevada indictments for CCP ties. This breaches federal law, ignoring GAO reports (2019) on six states' failures in basic security, and risks hacks like the July 2025 St. Paul ransomware attack that leaked 43 GB of data.

Fourth, training and transparency: Minnesota Statutes § 206.57 expands judge training but skips fraud detection (e.g., multi-state duplicates, ActBlue schemes), violating HAVA's integrity mandates. § 201.091 "clarifies" notices but blocks public/DOJ access, defying NVRA § 8(c)(2)'s disclosure requirements—as in *U.S. v. Louisiana* (2020), where courts compelled transparency.

These violations aren't oversights—they erode trust, disenfranchise citizens, and siphon billions in federal funds via padded headcounts. For 2026, they could rig races, mocking the 14th Amendment and Article IV's republican form guarantee.

To comply and secure our elections, the rules must be amended as follows:

1. Real-Time Audits: Require monthly cross-checks against SSA, Census, and USCIS databases, with 30-day purges (amend § 201.071)—NVRA/HAVA compliant.
2. Citizenship Proof: Mandate birth certificates, passports, or REAL ID for all registrations; limit vouching to verified citizens (amend § 201.061, subd. 3)—align with

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

SAVE Act and HAVA § 303(a).

3. Secure Systems: Ban foreign software; require U.S.-based encryption and public blockchain logging for changes (update § 206.82)—fulfill HAVA § 202 safeguards.

4. Post-Election Controls: Freeze rolls 30 days pre-election; publish daily change logs (amend § 203B.125)—prevent ghost additions.

5. Enhanced Training: Add modules on fraud detection, whistleblower protections, and penalties for non-reporting (revise § 206.57)—meet HAVA integrity standards.

6. Funding Accountability: Deduct grants for >1% roll inflation; redirect to audits (new under § 201.221)—end grift.

7. Transparency Mandates: Grant anonymized DOJ/public access; issue quarterly accuracy reports (amend § 201.091)—NVRA § 8(c)(2) compliant.

Judge Lipman, reject these rules as proposed. Demand amendments or withdrawal. As a concerned citizen, I urge enforcement of these fixes to protect Minnesota's elections. I encourage the legislators to complete the respective documents to pull this back into their arena and full bring the rules into State and Federal compliance.

Respectfully

Phillip C. Parrish

507-838-6514

Phillip Parrish · Citizen · (Postal Code: unknown) · Oct 13, 2025 10:39 am

 4 Votes

Docket No. 8-9019-39440 (Revisor's ID R-4824)

Regarding comment and link from SOS council. The link they provided during the hearing exposed further violations or procedural errors:

Procedural Errors in Minnesota Elections Rulemaking 2025-2026 (R-4824, OAH Docket 8-9019-39440)

The Minnesota Secretary of State's (SOS) proposed amendments to election rules (Minn. Rules Chapters 8200-8250) violate the Minnesota Administrative Procedure Act (Minn. Stat. §§ 14.001-14.70). Below are key procedural errors and compliance failures, based on the provided document, the SOS webpage, and related sources.

1. No Quarterly Docket Updates (Violation of Minn. Stat. § 14.366)

- Issue: The public rulemaking docket, required to be updated quarterly, was dormant from October 2023 (initial comment period) to August 2025 (Dual Notice), a 21-month gap.

- Impact: Violates transparency mandates, limiting public tracking of rule progress.

2. Outdated Webpage Information (Non-Compliance with § 14.366)

- Issue: The SOS webpage inaccurately states the Dual Notice "will be" published on August 25, 2025, despite its actual publication (State Register Vol. 50, No. 08). Links reference outdated "2023-24" rulemaking.

- Impact: Misleads public, undermining notice requirements (§§ 14.14, 14.22).

3. Faulty Hearing Access (Violation of §§ 14.14-14.15)

- Issue: The October 10, 2025, WebEx hearing link (<https://tinyurl.com/Oct10Hearing>) was non-functional, with reported connectivity issues and exclusion of speakers. No in-person option was offered despite cybersecurity concerns.

- Impact: Denies public participation, violating due process.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

4. Inadequate Documentation of Comments/Requests (§§ 14.22, 14.366)

- Issue: No clear list of hearing requests or comment summaries is provided on the docket. Access to 2023 and 2025 comments is cumbersome, requiring agency contact or OAH navigation.
- Impact: Obscures accountability and public input tracking.

Substantive Concerns (Brief): Critics note potential conflicts with federal laws (e.g., NVRA, HAVA) on voter roll maintenance and audits, risking invalidation (see *Crawford v. Marion County*, 2008). A 2023 SOS rulemaking was struck down for similar issues.

Respectfully

Phillip C. Parrish

507-838-6514

Phillip Parrish · Citizen · (Postal Code: unknown) · Oct 13, 2025 10:46 am

 3 Votes

I submit this letter I sent to Rep Quam for the record.

Dear Rep Quam,

As the Republican chair of the House Elections Finance and Government Operations Committee, you have the authority to address critical flaws in the Secretary of State's proposed elections rules (OAH Docket 8-9019-39440; Revisor's ID R-4824, amending Minnesota Rules Chapters 8200-8250). As you witnessed, I testified against these rules at the October 10, 2025, public hearing, citing their failure to comply with state and federal law.

The rules violate the National Voter Registration Act (52 U.S.C. § 20507) and Help America Vote Act (52 U.S.C. § 21083) by lacking automated voter roll purges, robust citizenship verification, secure data systems, and transparent access. Minnesota Statutes (§§ 201.071, 201.061, 206.82) are similarly undermined, risking fraud and eroding public trust, as highlighted by the DOJ's September 25, 2025, lawsuit against Secretary Simon.

Under House Rule 10.01 and Minn. Stat. § 3.193, you can take the following actions to bring the rules into compliance:

1. Convene a Special Hearing: Schedule an informational hearing to question SOS officials on procedural failures (e.g., outdated docket, violating § 14.366) and substantive gaps, such as no monthly SSA/Census cross-checks for voter rolls.
2. Demand Agency Reports: Use oversight authority (§ 14.116) to require SOS audits on roll accuracy and compliance with NVRA/HAVA mandates, building on your July 29, 2025, letter to Simon.
3. Submit Formal Comments: File committee comments (§ 14.26) on the Statement of Need and Reasonableness, rejecting non-compliant rules and proposing amendments for real-time audits, citizenship proofs (per SAVE Act), U.S.-based encryption, and public data access.
4. Propose Legislation: Lead the committee in drafting bills to amend statutes (e.g., § 201.071 for 30-day purges, § 203B.125 for pre-election roll freezes) to enforce federal and state requirements.
5. Issue a Resolution: Work with Co-Chair Rep. Mike Freiberg to pass a resolution urging the SOS to revise or withdraw the rules, ensuring alignment with legal standards.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

These steps leverage the committee's recent work on secure elections funding (\$3.86M in the September 30, 2025, omnibus bill). As a friend and fellow Republican, I urge you to act swiftly to protect Minnesota's elections.

Respectfully,
Phillip C. Parrish
507-838-6514

Phillip Parrish · Citizen · (Postal Code: unknown) · Oct 13, 2025 11:39 am

 3 Votes

Post-Hearing Comments on Testimony by Hana Abdelhamid (OAH Docket No. 8-9019-39440)

Submitted by: Phillip C. Parrish

Date: October 13, 2025

Re: Proposed Amendments to Minnesota Rules Chapters 8200-8250 (Revisor's ID R-4824)

Administrative Law Judge Lipman:

I submit these post-hearing comments pursuant to Minn. Stat. § 14.15, subd. 1, which allows for additional written material within five business days following the October 10, 2025, public hearing. These comments address the testimony provided by Hana Abdelhamid, a registered lobbyist and Legislative and Policy Associate at O'Connell Consulting LLC, during the hearing. Her statements in support of the proposed rules are problematic because they advocate for adoption of changes that fail to comply with state and federal law, potentially misleading the record. Furthermore, as a lobbyist, her participation may violate disclosure and ethical requirements under Minnesota Statutes Chapter 10A.

Background on Ms. Abdelhamid's Testimony

During the hearing, Ms. Abdelhamid spoke in favor of the Secretary of State's (SOS) proposed rule changes, emphasizing the need to "keep the progress" on voter access. She argued for maintaining or expanding provisions related to voter registration, absentee balloting, and ballot instructions without addressing documented compliance issues. This included no acknowledgment of the rules' failure to incorporate mandatory voter roll maintenance (e.g., monthly purges for deceased or ineligible voters) or citizenship verification safeguards. Her testimony ignored ongoing concerns raised in the U.S. Department of Justice's September 25, 2025, lawsuit against SOS Steve Simon for NVRA violations (52 U.S.C. § 20507) and aligned with advocacy for broader access at the expense of integrity measures required by HAVA (52 U.S.C. § 21083) and Minnesota Statutes §§ 201.071 and 201.061.

Why the Testimony is Problematic

1. Promotion of Non-Compliant Rules: Ms. Abdelhamid's endorsement of the rules as "technical clarifications" that advance access overlooks their substantive deficiencies. For instance, the proposed amendments to voter registration (§ 8200) and absentee

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

ballot procedures (§ 8230) do not mandate real-time audits or automated cross-checks against SSA death records and USCIS data, violating NVRA § 8(a)(4)'s requirement for "reasonable efforts" to maintain accurate lists. Courts have invalidated similar lax rules (e.g., *U.S. v. Virginia*, 2020). By urging adoption without amendments, her testimony supports provisions that perpetuate inflated rolls (e.g., Minnesota's 3.6 million registered voters vs. 4.2 million voting-age population) and risks fraud, as evidenced by 2024 post-election additions and non-citizen vulnerabilities. This creates an unbalanced record, downplaying legal risks and potentially influencing the ALJ's findings under § 14.15.

2. Bias and Omission of Legal Obligations: As an advocate for clients focused on health care, human services, and democracy issues (e.g., via O'Connell Consulting's work with nonprofits like TakeAction Minnesota), her testimony appears to prioritize policy goals over legal compliance. She omitted discussion of federal mandates like HAVA's audit requirements or Supreme Court precedents (e.g., *Crawford v. Marion County Election Board*, 2008) upholding strict verification to deter fraud. Such selective advocacy misrepresents the rules' alignment with law, undermining the rulemaking's purpose to conform to statutes (§ 14.131 Statement of Need and Reasonableness).

Potential Violations of Lobbyist Rules

Ms. Abdelhamid is a registered lobbyist in Minnesota, as confirmed by public records from the Campaign Finance and Public Disclosure Board (CFB). Under Minn. Stat. § 10A.01, subd. 21, lobbying includes efforts to influence administrative action, such as rulemaking under Chapter 14. Her testimony constitutes lobbying activity, as it sought to influence the SOS's adoption of rules. While registration satisfies § 10A.03, the following aspects may violate Chapter 10A:

1. Failure to Disclose Representation (§ 10A.08, subd. 1): If Ms. Abdelhamid testified on behalf of a client or principal (e.g., an association spending >\$3,000/year on lobbying per § 10A.01, subd. 33), she must disclose this to the CFB within 14 days of her appearance. The hearing record does not indicate such disclosure during her remarks. Non-disclosure incurs late fees (\$25/day up to \$1,000) and potential civil penalties (\$1,000). If undisclosed, this violates transparency requirements for hearings with rulemaking authority.

2. Potential Misleading or False Statements (§ 10A.025, subd. 2): Lobbyist reports must be certified as true, and knowingly providing false information is punishable by up to \$3,000 civil penalty (gross misdemeanor). While testimony itself is not a "report," advocating for rules known to conflict with law (e.g., ignoring NVRA/HAVA) could be seen as misleading the ALJ. If her subsequent reports (due January 15 per § 10A.04, subd. 2) omit or misrepresent the subjects lobbied (e.g., administrative actions without detailing rule numbers), it compounds the issue.

3. Ethical Prohibitions on Advocating Illegal Actions: Chapter 10A prohibits contingent fees tied to outcomes (§ 10A.06, gross misdemeanor) and requires accurate reporting of specific subjects of interest (§ 10A.04, subd. 4). More broadly, lobbyists must avoid actions that undermine public trust. Advocating for non-compliant rules may breach implied ethics, as the CFB can investigate staff-reported violations (§ 10A.022) and impose penalties for non-cooperation (§ 10A.025, subd. 5). If her testimony encourages adoption of rules that violate federal law, it risks board scrutiny, especially amid the DOJ lawsuit.

Recommendations

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

- Exclude or Discount Testimony: Under § 14.15, subd. 2, the ALJ should weigh evidence for relevance and reliability. Ms. Abdelhamid's statements should be discounted due to bias and omissions.
- Require Disclosure and Investigation: Direct the SOS or CFB to verify her compliance with § 10A.08 disclosure. If violations are found, refer to the board for enforcement.
- Amend Rules for Compliance: As detailed in my hearing testimony, incorporate NVRA/HAVA fixes (e.g., monthly purges, citizenship proofs) to address these gaps.

These issues highlight the need for a balanced record. I request rebuttal opportunity per § 14.15, subd. 1, once other comments are available.

Sincerely,
Phillip C. Parrish
507-838-6514

Jerry Ewing · Citizen · (Postal Code: unknown) · Oct 15, 2025 9:59 am

👍 2 Votes

I see that my attachment did not get included in my comment above. Again, complete removal of the witness ID is in error and unnecessary. I will try again.

miriam arnold · Citizen · (Postal Code: unknown) · Oct 18, 2025 4:11 pm

👍 1 Votes

I object to the entire set of proposed voting rules changes. Mr Simon and his office had in the past make subtle language changes which deviated from the MN State Statue to influence in how the election process will carry out. In 7-2024 Logic and Public Accuracy Test, Stillwater Township failed to perform on the test deck with no under votes sencerio in the US senate race of both GOP & DFL parties. I pointed it out to Amy Stenftenagel, the Washington County Auditor, and discovered she was using the MN Rules 8220.1050. I then informed her the MN State Statue 206.83 supersedes the Rules and the Public Accuracy Test would need to be redone. Amy doubled down on it and we filed an affidavit. Sebsequently the 2024 Primary election was conducted on a failed test desk. How can the public trust our election when there is no transparency and fairness? A trusted transparent election is the constitutional right of every American citizen.

Thanks!

Respectfully submitted,
Miriam Arnold
14535 118th St N, Stillwater, MN 55082
mimarnold53@hotmail.com
6512954886

miriam arnold · Citizen · (Postal Code: unknown) · Oct 21, 2025 4:12 pm

👍 1 Votes

In this video: <https://www.youtube.com/live/d4YiUA2Uib0?si=naescZtnmfNG53yl>

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Go to timeline 1:44:00 Steve Simon said under oath if an affidavit is filed then an investigation must take place according to MN law. I submitted an affidavit to Amy Stenftenagel and there was no investigation on this and she didn't redo the test deck for the 2024 Primary election.

Respectfully submitted, Miriam Arnold 14535 118th St N, Stillwater, MN 55082
mimarnold53@hotmail.com 6512954886

Erik van Mechelen · Citizen · (Postal Code: unknown) · Oct 22, 2025 4:44 pm

 2 Votes

The Secretary of State has been quoted in the Star Tribune and in Minnpost (attached) as saying anyone who questions elections is coating themselves in shame that will never wash off, ever. By proposing rule changes that stray from state statutes, is the Secretary himself questioning elections and therefore worthy of the same shame he has wished upon so many others?

Having made this factual statement and asked a pertinent question, I now too object to the premise of the proposed rules conceptually. It is interesting that Steve Simon, as the current Minnesota Secretary of State (although in his last year now), gets to appoint a legislative liaison as a director-type role. Is Simon, by proposing these rules, indicating that this person was unsuccessful in lobbying the legislature appropriately to his publicly stated agenda of finding an intersection between security and accessibility? Why do the proposed rules contain little in regard to the most pressing issues currently in the news?

For example, the Office of the Secretary of State failed to identify 500-600 fake registrations while simultaneously refuses to give basic data to the DOJ from the statewide voter registration system; meanwhile, the Office also may be failing to identify non-citizen registrations, as evidenced by comments in the Fraud hearing on Oct 14 where the Elections Director, Paul Linnell, stated that reports could potentially be run to discover these—but made little indication they had actually been run—and the Secretary also dodged the question, referring to his immigrant mother. I too have an immigrant parent, and the personal story only served to eloquently evade the question.

Maybe it would be too burdensome to address these concerns with the proposed rules. However, for an office with an annual budget of more than \$20 million, the public, I think, is eager to know whether the proposed rules are fully compliant with federal laws and state election codes, as well as not subtly undermining basic integrity through carve-outs similar to the 80,000-line tax code. The more rules, the more ways to subvert a simple, clear, process.

All of these changes should have been addressed through a press-conference-type event, multiple hours if needed, to in detail explain the reasoning. Again, the Office has plentiful resources to do this, all public dollars—the public should not have to log in to discussions on Granicus Ideas to first become fully informed and then decipher where the proposed rules are out of sync with federal and state standards or laws.

Thank you for considering this comment from a 2022 candidate for SOS who received 37% (110,000 votes) in a primary election which was not adequately audited but for which one cast vote record file was received from one county, a cast vote record file which the current Secretary of State used to say did not exist in Minnesota, but is a national and state standard through the NIST and the EAC's VVSG guidelines (which are adopted and therefore law in Minnesota) since 2005.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

And what about proposed rules that are missing? What about making it clear that using electronic poll pads is optional (paper rosters can be used)? What about making a rule that allows for optional use of electronic tabulation equipment and reporting software, since hand counting is clearly a good method as it is the prescribed method for the post-election reviews statewide? What about making ballot images available to public viewing again? That way citizens could cross reference the work the county and state have done (as well as the tabulation and reporting software) in tally votes? The list goes on of welcome additions to find the intersection between security and accessibility that the Secretary purports to want.

I will be monitoring carefully to note whether this comment is removed. It is far less inflammatory than the Secretary's own statement that anyone questioning elections will be coating themselves in a shame that will never wash off, ever (attached). The Secretary is an advocate of free speech, and I really don't mind him expressing himself that way publicly, even though I think he may regret doing so.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:50 pm

 1 Votes

I submit the following comments to the Proposed Permanent Rules Relating to Election Administration.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:54 pm

 1 Votes

8200.3000 Registration in Wrong County.

The proposed revisions to the rule should be rejected. The county auditor should forward the voter's application to the correct county auditor for acceptance and processing as is stated in the original rule.

The need identified for changing the current language in the SONAR is not correct as there is nothing in the original language saying that the county auditor has to accept or can reject the voter registration application from someone outside of their county. The original language requires the county auditor to forward the application to the correct county auditor. If the county auditor is not forwarding applications, then they are not following the rules and this particular issue must be dealt with independent of whether or not the county auditor accepts the application from someone in the wrong county.

The new language requires a county auditor to accept a voter registration application. This new language does not give the county auditor the ability to reject an application. The county auditor needs to have the ability to reject an application that is incomplete, not correctly filled out or for other justifiable reasons. However, the acceptance of an application should be handled by the county auditor of the correct county.

Proposed language:

When a county auditor receives a voter registration application from a person whose with a residential address is in another county, the auditor shall within two working days forward the application to the auditor of the proper county, if the county can be ascertained.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:56 pm

 1 Votes

8200.5100 Registration at Precinct Only

Subp. 5. Update (lines 2.24 through 3.4) – This rule change should be rejected as it is incomplete and does not properly deal with updating a voter’s information at the polling place. The proposed language has the voter submit a voter registration application as if they are a new voter. The existing voter registration that needed to be updated is not updated through this process. The incorrect voter registration remains on the roles as well as the new voter.

A rule needs to be proposed and the existing process at the polling place changed to allow the election judge to update the voter’s information with the correct information subject to the voter providing the necessary supporting documentation. As an election judge we have experienced this problem at the polling place and the current system does not allow us to update the voter registration with the correct information.

Proposed language:

A registered voter may update the information on record on election day at the polling place of the precinct in which the voter now resides. The registered voter must provide proof of residence as described in subparts 1 or 2 and any other supporting documentation to show the changes necessary to their voter registration information. Upon approval of the Head Election Judge, the election judge shall make the appropriate change(s) to the voters registration and noted for the county auditor to verify. The registered voter shall verify the changes and their agreement by signing the voter certification.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:56 pm

 1 Votes

8200.9320 Interaction with Department of Public Safety

MN SOS provided a SONAR for this part, but there are no proposed rule changes in the Rule Draft document. No rule change tied to this should be approved since the proposed change was not properly vetted.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:56 pm

 1 Votes

8215.0200 – Ballots

MN Statute 207A.13 deals with presidential primary ballots. The new proposed rules is not written for presidential primary ballots but is written for general ballots.

The phrase “below the name of the last candidate for each office” (lines 38.22 and 38.23) does not align with the statute. The phrase “for each office” (line 38.22) should be removed as the presidential primary is a single office.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:57 pm

 1 Votes

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Part 8215.0400 – Absentee Voting

Subp. 7 Change of major party choice.

The deletions and additions in lines 39.20, 39.21 and 39.22 should not be made and the language should remain unchanged. MN Statute 203B.081 specifically deals with absentee voting and thus absentee in line 39.20 should remain (203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON). A vote prior to election day is consider an absentee ballot and is noted in the voter database as an “AB” (absentee ballot). Both mail in ballots and early voting ballots are deemed an absentee ballot. The removal of subdivision 3 in line 39.22 is not justified as subdivision 3 of MN Statute 203B.081 specifically deals with alternative procedures which the rule call out in line 39.21.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:58 pm

 1 Votes

8220.1150 Test Ballots

Line 44.14 – using “TEST” on all ballots provided an easily recognizable marking that was consistently used. The proposed change leaves it up to different parties (vendors) to use any means they wish and potentially eliminates the marking being an easily recognizable marking. Either “TEST” should remain or the vendor should be required to mark all of their test ballots the same and the marking to be used must be preapproved by the official government entity performing the test.

Line 45.8 – This change needs additional information on how the folded ballot is treated. Additional language to be added: “The folded ballot should be unfolded right before the start of the test and be part of the test and following the unfolding, it should be inserted into the test ballots.”

Line 45.9 – This change needs more clarity as what is referred to as a different pen. Is this referring to only a different pen manufacturer, is this a different color, or this a different style of pen (e.g. ball point vs felt tip)? Also, ballots are allowed to be marked by pencil and this needs to be part of the test.

The language should be changed to read “At least one test ballot marked by (1) a different color pen, (2) a different type of pen, and (3) pencil.”

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:59 pm

 1 Votes

8230.2040 Recording Valid Write-In Votes

MN Statute 206.90 Optical Scan Voting Systems subdivision 10 limits the requirement to mark the oval or other target shape opposite the blank when a voter writes in an individual to those precincts using optical scanners. The proposed rule does not limit this requirement to precincts using optical scanners. The new rule would allow jurisdictions that don’t use optical scanners to reject a write-in vote that didn’t have the oval or other target shape marked which goes beyond the statute. The rule needs to be either rejected or modified to limit this to precincts using optical scanners to align the statute.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 3:59 pm

 1 Votes

8230.3850 Duplication of Ballots

The proposed rule is not needed and should be rejected as a ballot created pursuant to MN Statute section 206.80, paragraph (b), clause (2), item (ii) does not need duplication. Clause (2) requires that the electronic voting system creates a ballot that can be tabulated. Item (ii) only identifies the ballot requirements.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 4:00 pm

 1 Votes

8235.0700 General Procedures

The proposed rule language addition is not justified and should be rejected. There is no requirement in MN Statute section 206.80 specifying procedures to be used in a recount. This section specifically deals with electronic voting systems and does not include any requirements on recounts. The justification provided in the SONAR is not in alignment with the wording of Statute 206.80.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 4:00 pm

 1 Votes

8240.1600 Election Judge Basic Training Course

While the addition of electronic pollbook training (if used in the jurisdiction) is reasonable, there should be training for using paper rosters, which are required to be at the precinct using electronic pollbooks in case the electronic pollbooks fail. There is no training provided to election judges on how to use the paper pollbooks as a back-up to electronic pollbooks. Add paper pollbook training to Subp 4 item C.

Joe Richardson · Citizen · (Postal Code: unknown) · Oct 26, 2025 4:01 pm

 1 Votes

8250.1810 Format of Ballots for Optical Scan Systems

The rule change proposed for subpart 9 dealing with the order of candidates for president and vice president in general election fails to address the majority of MN Statute 204D.13 subd 2. The proposed rule only addresses the order for candidates nominated by petition determined by lot.

Subd. 2 states the order of the president and vice president on the state general election ballot of the candidate of the major political parties:

The first name printed for president and vice president of the United States on the state general election ballot shall be that of the candidate of the major political party that received the smallest average number of votes at the last state general election. The succeeding names shall be those of the candidates of the other major political parties that received a succeeding higher average number of votes respectively. For the purposes of this subdivision, the average number of votes of a major political party shall be computed by dividing the total number of votes counted for all of the party's

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

candidates for statewide office at the state general election by the number of those candidates at the election.

The names of candidates nominated by petition are to be placed after the names of the candidates who were nominated by the major political parties.

The new rule should be rejected as written.

Tom Tschida · Citizen · (Postal Code: unknown) · Oct 27, 2025 1:00 pm

 1 Votes

Please see the attached letter submitted on behalf of Senators Mark Koran, Cal Bahr, Warren Limmer, Eric Lucero, and Andrew Mathews, members of the Senate Elections Committee.

Linda Nara · Citizen · (Postal Code: unknown) · Oct 28, 2025 2:14 pm

 2 Votes

4.17-4.22 do not delete any wording

9.13-9.26 this paragraph should be deleted - there should not be permanent absentee voters- person needs to reapply each election and explain as to why they have to file absentee plus this can lead to election fraud as a ballot can be sent to someone who moved but did not update their registration

12.13-12.17 do not delete any wording

14.21 Any person that is registered to vote in Minnesota who is at least 18 etc

16.1-16.5 do not delete any wording

18.4 do not delete the word return

26.25-27.7 do not cross out any wording

28.8-28.24 do not cross out any wording

29.9 I am registered to vite in the State of Minnesota etc

29.16 do not cross out

35.6 any person registered to vote in Minnesota who is at least 18 years etc

37.7 do not delete

37.27-38.4 do not delete

38.12 I am registered to vote in Minnesota etc

40.13 Any person registered to vote in Minnesota and is at least 18 years etc

41.14 do not delete

42.12 do not delete the word r"return"

43.16 - 43.21 do not delete

44.14 do not delete the word Test

45.00 my own number- the tabulator receipt must not have any candidate with a zero

45.19 change 3 to 14

48.12 leave in all crossed out

48.23-48.25 leave in do not cross out

It came to our attention during the hearing that one of the participants who got on the call was a lobbyist and did not offer that and she was from "We Choose Us"

I agree with all submissions by Phillip Parrish and the letter dated September 25, 2025

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

sent by Duane Quam co chair Election Finance and Government Operations and signed by 5 other State Representatives regarding this Revisir ID Number R-4824; CAH Docket No 8-9019-394440; Minnesota Rules Chapter 8200-8250

I also believe that our election process needs a lot of work to get the public to believe in fair elections - we needs voter ID - one day elections - paper ballots - hand counting - no poll pads

I also believe that we shouldn't do any revisions to any of our voting process unless the federal or our Minnesota legislators have voted on it until after the 2026 elections

Thank you for your time.

Sumukha Terakanambi · Citizen · (Postal Code: unknown) · Oct 29, 2025 11:45 am
👍 1 Votes

Please see the attached letter from the Minnesota Council on Disability.

Response:

Gene Martinez · Citizen · (Postal Code: unknown) · Oct 30, 2025 1:37 pm
The Arc Minnesota and REV UP MN supports the position of the Minnesota Disability Council. "We wanted to respond to the point raised by the Secretary of State's Office that "assisted living" will replace "group home" since it is more consistent with statute. According to statute, assisted living and community residential settings (commonly known as group homes) are not the same thing. Assisted living falls under Chapter 144G and is regulated by the Minnesota Department of Health while community residential settings fall under Chapter 245D and is regulated by the Minnesota Department of Human Services. In fact, Chapter 144G Section 144G.08 subdivision 7 clearly states that 245D residential settings are not included in the definition of assisted living. Therefore, we believe that the change is in fact not consistent with statute based on the nuances mentioned."
Recognizing that Assisted Living and Group Homes are different, we strongly encourage including both terms. Thanks so much for being able to provide input.

Kathleen Hagen · Citizen · (Postal Code: unknown) · Oct 30, 2025 1:44 am
👍 0 Votes

Kathleen Hagen Submission for 39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period
INITIAL POST-HEARING COMMENT PERIOD
In the Matter of the Proposed Permanent Rules Relating to Elections Administration;
Revisor's ID Number R-4824
CAH Docket No. 8-9019-39440

Page 1, 1.4-1.6 County Administrators must accept registration applications outside their counties

This change should not be accepted because county clerks and administrators have access to records needed to confirm property ownership and residence within their own county and if needed have access to assessment resources who might be able to make visits and confirmation in the local area. It would severely degrade administrators' ability to verify or confirm information if they had to try to do this verification across the entire

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

state. It is an unreasonable demand for the Secretary of State to put on county clerks and administrators to require them to accept registration applications outside of their own counties.

Page 3, 3.14-3.18; also on Page 16, 16.1-16.5 Removing the requirement for the citizen registering to vote to show their residential address and replacing it with a much lesser (inadequate) requirement that voter need only show that they have maintained residence in Minnesota

This change is far too broad and is not required by any changes in laws and statutes. Not providing an address for residence makes it impossible to verify residential address during registration and undermines the election security requirement that voters are registered to vote where they live. The voter's address cannot be deleted

Page 4, 4.18-4.19 Return envelopes for mail-in ballots

Election workers and administrators need to keep return envelopes and ensure that the number of return envelopes match the number of mail-in ballots and the number of valid voter receipts for mail-in voters' ballots. What law change allows for this change?

Page 5, 5.15-5.16 Allowance for vouching records to be electronic instead of a paper record

Paper records are necessary for robust record of authenticity and chain of custody. Electronic records can be fabricated, duplicated, altered, or lost too easily.

Page 9, 9.13-9.21 Making the Absentee Voter application permanent rather than an as necessary only process (e.g., due to travel or other special need)

The absentee voter process is by exception due to special circumstances only. It is susceptible to misuse, abuse, or fraud; so expanding its use without good reason or cause only decreases election security and increases the likelihood and occurrence of election fraud and/or stolen votes.

Page 11, 11.12-15; also Page 14, 14.21-14.22; also Page 27, 27.13-27.14; also Page 29, 29.9; also Page 35, 35.6-35.7; also Page 38, 38.12; also Page 40, 40.13-40.14; also Page 44, 44.2-44.3 Removing requirement for vouchers and/or witnesses to be registered Minnesota voters

What law change allowed for this rule change? This change severely compromises the security of our elections. Witnesses must be qualified, verified registered Minnesota voters and must be U.S. citizens. Voters, vouchers, and witnesses all need to be registered voters. There is no change in the law or good reason to reduce the security of our elections by removing the requirement for vouchers or witnesses to be U.S. Citizens and registered Minnesota voters.

Page 12, 12.13-12.16; also Pages 26-27, 26.24-27.6; also Page 28, 28.7-28.15; also Page 32, 32.9-32.14; also Page 36, 36.1-36.3; also Pages 37-38, 37.26-38.6; also Page 41, 41.14-41.16; also Page 43, 43.16-43.22 Removing requirement for witness to provide their address.

The witness' address is needed to verify that they are a valid and qualified witness. The requirement for this information cannot be removed.

Pages 12-13, 12.26-13.1; also Page 16, 16.15-16.16; also Page 31, 31.11-15 Extending the time to deliver ballots to the polling place

What law change allowed for accepting drop off ballots at the polling place or extending the time for dropping off ballots?

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Page 13, 13.14; also Page 18, 18.4; also Page 20, 20.4; also Page 29, 29.16; also Pages 31-32, 31.22-32.3; also Page 42, 42.12 Removal of the requirements for return envelope and signature envelope

Return envelopes and signatures on return envelopes are needed for accounting of number of valid mail-in absentee envelopes (signed by witnesses), matching the number of valid mail-in absentee voters, and the number of valid mail-in absentee ballots. This is necessary for security and ballot chain of custody.

Page 13, 13.22-13.27; also Page 18, 18.12; also Page 21, 21.2-21.7; also Pages 25-26, 25.26-26.3; also Page 37, 37.9-37.14; also Page 42, 42.20-42.25 Converting an electronic ballot to a print ballot

What law allows for this conversion? Conversion or copying of any ballot from an electronic format to a printed ballot must involve balanced ballot board involvement. The resulting printed ballot must be reviewed and confirmed to be converted correctly. Both forms must be retained together to allow for post-election audit and confirmation to show that the conversion was done correctly.

Page 32, 32.18-32.20; also Page 39, 39.17-39.22; also Page 44, 44.8-44.9 Extending the number of days for absentee voting from 7 days to 19 days before election day

We have already experienced “glitches” in ERIC and electronic voter registration and KnowInk Poll Pad with voters who had already voted by absentee ballot not having the required AB designation next to their names on the polling place poll pads. This systemic problem makes it impossible for election judges and workers to know if a voter has already voted by absentee ballot already or not. Extending the amount of time for absentee voting makes this election security issue much worse. There was no law change and supports this change.

Page 33, 33.2 Removed “before 4pm”

What law change required this change?

Page 38, 38.20-38.25 Restrictions on Write In votes

What law change allowed the Secretary of State to impose restrictions on write-in votes? Balanced Ballot Boards can usually determine voter intent.

Page 39, 39.2-39.36; also Page 43, 43.11-43.12 Requiring public records to be provided through the Party Chair of each major party

What law change allowed this change in the rules? Party Chairs and officials are not appropriate, suitable, or reliable sources of public records. Public records must be provided to the public upon request.

Page 44-45, 44.13-45.13 Unresolved issues with inadequate Logic and Accuracy Tests for the vote tabulation machines

There are long-standing and well-known inadequacies in the test decks being developed and used for conducting tabulation machine logic and accuracy tests. For example, if the number of votes cast in the test deck is exactly the same for two candidates in a race, it is not possible to test whether the computer has been programmed to assign votes to the correct candidate or not. Programming errors have occurred many times in Minnesota and in other states. This problem must be corrected.

Page 45-46, 45.14-46.23 Reducing the number of days before an election that the Public Accuracy Tests are conducted from 14 days to 3 days

What law change allowed for this significant shortening of the time to conduct public accuracy tests before elections? This change cannot be allowed because it does not

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

allow for enough time to fully investigate problems that occur, determine root causes, and to plan and implement corrections and corrective actions. It also does not allow for time to litigate any observed issues in situations where the public or candidates in races on the ballot have unresolved disagreements with the Election Administrators and/or the SOS in the courts.

Page 46, 46.15-46.16 Equipment tested during Logic and Accuracy and Public Accuracy Tests

Every piece of equipment and every ballot style must be thoroughly tested, not just a single machine of each type or a single ballot style. All ballots must be tested using an appropriate test deck on every machine.

Page 46, 46.22-46.23 Ballot marking device errors

Ballot marking device errors have occurred and have been reported in multiple precincts in Minnesota resulting in known vote tabulation errors.

PLEASE TAKE NOTE: When the issues were observed and reported, the Election Administrators would not allow the Election Judges to work together as a balanced ballot board understand and correct the marking and tabulation errors. Voters were knowingly disenfranchised due to this systemic ballot marking error. The issue was hidden from the Election Certification Board and from the public. Election Judges and workers were strongly retaliated against and continue to face retaliation by the Election Administrator. We have seen Election Workers face retaliation for reporting problems with many other Minnesota Election Process and Systems issues. This must be addressed. Election Workers must not be punished for simply reporting problems encountered as they work and serve the public in following their sacred oath to protect our votes.

Page 47, 47.1-47.4 Balanced Ballot Boards

Ballot boards handling absentee ballots, mail-in ballots, and polling place ballots must be balanced across the two major parties. Balanced Ballot Boards should be used to try to understand voter intent when ballot marking devices or vote tabulation devices make errors. When tabulation machines are used in Minnesota, election judges in the polling places are only allowed to count the number of ballots that were run through the tabulators to make sure that the number of ballots match the number of voters. Election judges are NOT allowed to review the votes on the ballots as a balance ballot board to ensure that the vote tabulation results from the machine match what is actually voted on the ballots, to ensure that there has not been a programming error or other tampering with the operation of the computer based system. The election judges are required to certify the vote counts from the tabulation machines without being allowed to confirm for themselves that the vote count is accurate or correct.

Page 48, 48.1-48.7 Duplicate Ballots

Balanced Ballot Boards may sometimes need to reproduce or duplicate a ballot if it is damaged in the mail or if the tabulation machine malfunctions and damages the ballot. Duplication of ballots must be done in public view by a balance ballot board and should be recorded on camera to provide a durable record or evidence that the duplicate ballot was filled in correctly.

Page 48, 48.8-48.15 Ballot Boxes and Ballot Drop Boxes

Ballot Boxes in polling places must be observed at all times. Ballot Drop Boxes in outdoor, unsupervised locations are not allowed since they are not effective at ensuring that this type of ballot box is not being “stuffed” with invalid, illegal, or fraudulent ballots. Ballot boxes for Absentee Ballots must be supervised/observed continuously while the polling place or election office is open for voting to ensure that chain of

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

custody is maintained and extra ballots are not inserted.

Page 48, 48.22-48.25 Opening the ballot box during voting hours

Why is this rule being changed? What law change allows this change?

Page 49, 49.5 and 49.21-24 Recount procedures and rules

During recounts, ballots being counted must NOT be blended from multiple sources. In some cases, ballots from different sources (e.g., polling place ballots vs. mail-in ballots vs. early voting absentee ballots) were blended together. This must not be allowed because once the ballots from different sources have been combined, they cannot be separated again. They are all mixed together. If there is a problem with chain of custody, for example, with one type of ballot, the whole blended group will be contaminated. During recounts, each type of ballot must be kept separate and votes must be counted separately.

Page 51, 51.1 Assistance to voters

Observers have witnessed and reported serious violations of voter privacy and security in some polling places and in group homes. For some voters who did not speak English, voters were set up around a table and a single interpreter stood over them and instructed them how to complete their ballots all at the same time. In eldercare group homes there have been reports of care providers collecting residents mail-in ballots and then completing them for the residents, violating their right to vote. I also saw an interview with a group of migrant workers who told the reporter that their employer registered them for mail-in ballots, collected the ballots from them, and then voted the ballots for them. Mail-in ballots enable these sorts of abuses and violations of voter rights and election laws.

Page 51 Election Judge Training

Election judges' training must include instructions for problem reporting, investigation, root cause analysis, correction, and corrective/preventive actions. Election judges are critical workers in the election process and they will have the best ideas and inputs for improving the election processes and systems. Election workers must not be retaliated against for reporting problems and for engaging to solve and prevent problems. It is not enough to just write problems down in a log book and then lock them away, hidden and never corrected or resolved.

Page 52 Municipal Clerk Training

Municipal Clerks' training must include instructions for problem reporting, investigation, root cause analysis, correction, and corrective/preventive actions. Municipal Clerks are critical workers in the election process and they will also have good ideas and inputs for improving the election processes and systems. Election clerks must not retaliate against other election workers for reporting problems and for engaging to solve and prevent problems. It is not enough to just write problems down in a log book and then lock them away, hidden and never corrected or resolved. Problems must NOT be hidden from the Election Certification Board or from the public. Our Election Processes and Systems are Critical Infrastructure. Neglecting problems, enabling problems, and causing problems in these systems is a National Security threat and violation.

Page 54, 54.5 Optical Scanner, order of candidates

Why change? What law change allowed this change? Why eleven weeks before State general election?

Page 55 Alternate Ballot

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Why are alternative ballots being allowed? What law change allowed this change? This is a very significant threat to the security of the election and opens up opportunities for ballot box stuffing and election fraud.

Kathleen Hagen · Citizen · (Postal Code: unknown) · Oct 30, 2025 1:55 am

 0 Votes

PREVIOUS Pre-Hearing Request and Comments:
Request for Public Hearing on Proposed Voting Rules Changes

Date: September 22nd, 2025

To: Court of Administrative Hearings
600 North Robert Street
P.O. Box 64620
St. Paul, MN 55164-0620
Via: U.S. Mail and eComments Website
(<https://minnesotaoah.granicusideas.com/discussions>)

Subject: Request for Public Hearing on Proposed Voting Rules Changes by Secretary of State Steve Simon

Dear Administrative Hearings Office,

I am writing to formally request a public hearing on the Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; OAH Docket Number B-9019-39440; Minnesota Rules Chapter 8200-8250. This request is submitted in full compliance with the requirements specified in the DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Requests for Hearing Are Received. Please accept this request as it is submitted in accordance with the requirements outlined in the document, which specifies that requests for a public hearing must be made in writing by 4:30 p.m. on Friday, September 26, 2025.

I object to the entire set of proposed rules changes relating to Elections Administration. I am opposed to the proposed rules changes due to errors, lack of clarity and consistency, lack of alignment with Minnesota State and Federal Election Laws and Standards, and for the deleterious impact that these changes would have on the security, integrity, transparency, and accountability of our election processes and systems. The issues identified so far undermine the voters' confidence in election results and inhibit our Election Administrators, Workers, and Certification Board Members in their abilities to fulfill their sacred, formal, and official oaths to secure and protect our legal voters' ballots and accurately count their legally cast votes. Some of the issues and concerns that have been identified so far are included as Attachment 1. This list is limited by the short amount of time that has been provided for public response to the proposed changes. Also, I have undergone two eye surgeries recently, which has significantly impacted my ability to review all of the proposed changes and related documents in time to meet the deadline for the submission of this request for a public hearing. Additional issues and concerns will be identified and shared during the public hearing.

I respectfully request a public hearing to allow for a more thorough examination and review of the proposed rules, including their intent, scope, compliance with State and

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Federal statutes, laws, requirements, rules, standards, and best practices. Our review must also consider the risks and consequences of each proposed change. The hearing should include opportunities for participants to provide testimony and evidence regarding the proposed changes and their adequacy and legality.

Thank you for accepting and considering this request. I look forward to participating in the public hearing as it is an important part of the process that must be provided to analyze and improve the proposed changes. Trust in our election processes and systems has been significantly eroded in our State and across our country. The Secretary of State, election workers, and other key stakeholders (including concerned citizens) must be allowed to do this important work carefully, thoughtfully, transparently, and accurately in order for our Secretary of State and our Election Administrators and Workers to start rebuilding trust in their processes, systems, and results.

Sincerely,
Kathleen Hagen

Attachment 1: Initial Issues and Concerns with the Proposed Changes to Permanent Rules Relating to Elections Administration
Following are inaccuracies within the document "Proposed Permanent Rules Relating to Election Administration" ID: R-4824.

Line item:

3.16 that I reside at the address shown and have resided have maintained residence in Minnesota

Comment: address is critical in identifying residency. Cannot delete.

Line item:

9.23 receive an absentee ballot application. At least 60 days before each election, the county 9.24 auditor or municipal clerk shall send an absentee ballot application to each person on the 9.25 list who is eligible to vote in the election.

Comment: What law allows for this deletion?

Line item:

10.2 A voter registration application must be sent with the ballot to any challenged voter 10.3 and to each voter whose voter registration application is incomplete under Minnesota Statutes,

10.4 section 201.061, subdivision 1a, or 201.121, who applies for an absentee ballot. The absentee

10.5 ballot process must be administered as if the voter was not registered to vote.

Comment: Why send a ballot if the ballot process must be administered as if the voter was not registered to vote? At the polling place, you cannot give a ballot to an individual who is not registered to vote. What law allows the deletion of an incomplete voter registration?

Line item:

11.13 Anyone registered to vote in Minnesota Any person who is at least 18 years of age 11.14 on or before the day of the election and who is a citizen of the United States,

Comment: Witness needs to be a registered voter. What law changed this?

Line item:

12.13 • Ask your witness to print their name and Minnesota street address, including city

12.14 (not a P. O. Box), in the box at the top of the witness section and sign their name

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

in

12.15 the box at the bottom of the witness section.

Comment: For witness verification of registration, address is need.

Line item:

13.22 • If you have a print disability, you may request that ballots, instructions, and a
13.23 certificate of voter eligibility be transmitted electronically in an accessible format
13.24 by contacting your county auditor. If you request a ballot be transmitted
electronically 13.25 in an accessible format, you may then complete your ballot
electronically but must

13.26 print your voted ballot and return this ballot and completed certificate of voter

13.27 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

14.21 Anyone registered to vote in Minnesota Any person who is at least 18 years of age

14.22 on or before the day of the election and who is a citizen of the United States,

Comment: Witness needs to be a registered voter. What law changed this?

Line item:

18.12 • If you have a print disability, you may request that ballots, instructions, and a
18.13 certificate of voter eligibility be transmitted electronically in an accessible format
18.14 by contacting your county auditor. If you request a ballot be transmitted
electronically 18.15 in an accessible format, you may then complete your ballot
electronically but must

18.16 print your voted ballot and return this ballot and completed certificate of voter

18.17 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

21.2 • If you have a print disability, you may request that ballots, instructions, and a
21.3 certificate of voter eligibility be transmitted electronically in an accessible format
21.4 by contacting your county auditor. If you request a ballot be transmitted
electronically

21.5 in an accessible format, you may then complete your ballot electronically but must

21.6 print your voted ballot and return this ballot and completed certificate of voter

21.7 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

25.26 • If you have a print disability, you may request that ballots, instructions, and a
25.27 certificate of voter eligibility be transmitted electronically in an accessible format
25.28 by contacting your county auditor. If you request a ballot be transmitted
electronically

26.1 in an accessible format, you may then complete your ballot electronically but must

26.2 print your voted ballot and return this ballot and completed certificate of voter

26.3 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

27.13 • I am or have been registered to vote in Minnesota at least 18 years of age on or
before 27.14 the day of the election and a citizen of the United States, or am a notary, or
am

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

27.15 authorized to give oaths.

Comment: What law changed this?

Line item:

29.9 • I am or have been registered to vote in Minnesota at least 18 years of age on or before 29.10 the day of the election and a citizen of the United States, or am a notary, or am

29.11 authorized to give oaths.

Comment: What law changed this?

Line item:

31.23 Statutes, section 203B.121, subdivision 4, all absentee ballot return envelopes retained by 31.24 the county auditor or municipal clerk shall be removed from the place of safekeeping and 31.25 compared with the record required by this rule to ensure that all envelopes are accounted

32.1 for. Any discrepancy shall be reported to the secretary of state promptly they must comply 32.2 with the provisions of that subdivision and report any discrepancy to the secretary of state 32.3 promptly.

Comment: See no reason for change.

Line item:

32.10 A. has provided a Minnesota address as part of the witness's certification on the 32.11 return envelope;

Comment: What law made this change?

Line item:

32.18 seventh 19th day before the election, any ballot that has been previously received from that

32.20 received after the close of business on the seventh 19th day before the election and another

Comment: What law made this change?

Line item:

33.16 ballot mailing must be sent to each registered voter no earlier than 46 or later than 14 28

Comment: What law made this change?

Line item:

35.6 Anyone registered to vote in Minnesota Any person who is at least 18 years of age

35.7 on or before the day of the election and who is a citizen of the United States,

Comment: What law made this change?

Line item:

36.1 • Ask your witness to print their name and Minnesota street address, including city

36.2 (not a P. O. Box), in the box at the top of the witness section and sign their name in

36.3 the box at the bottom of the witness section.

Comment: For witness verification of registration, address is need.

Line item:

36.11 • Deliver it in person by 8:00 p.m. on Election Day, or

36.12 • Ask someone to deliver it by 8:00 p.m. on Election Day.

Comment: Shouldn't this be 5 PM?

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Line item:

37.9 • If you have a print disability, you may request that ballots, instructions, and a
37.10 certificate of voter eligibility be transmitted electronically in an accessible format
37.11 by contacting your county auditor. If you request a ballot be transmitted
electronically
37.12 in an accessible format, you may then complete your ballot electronically but
must
37.13 print your voted ballot and return this ballot and completed certificate of voter
37.14 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

38.12 Anyone registered to vote in Minnesota Any person who is at least 18 years of age
38.13 on or before the day of the election and who is a citizen of the United States,
Comment: What law made this change?

Line item:

39.17 Subp. 7. Change of major party choice. Until the close of business on the seventh
39.18 19th day before the election, a voter may change the voter's choice of which
major political
Comment: What law made this change?

Line item:

40.13 Anyone registered to vote in Minnesota Any person who is at least 18 years of age
41.14 on or before the day of the election and who is a citizen of the United States,
Comment: What law made this change?

Line item:

41.14 • Ask your witness to print their name and Minnesota street address, including city
41.15 (not a P. O. Box), in the box at the top of the witness section and sign their name
in
41.16 the box at the bottom of the witness section.
Comment: For witness verification of registration, address is need.

Line item:

41.25 • Deliver it in person by 8:00 p.m. on Election Day, or
41.26 • Ask someone to deliver it by 8:00 p.m. on Election Day.
Comment: Shouldn't this be 5 PM?

Line item:

42.20 • If you have a print disability, you may request that ballots, instructions, and a
42.21 certificate of voter eligibility be transmitted electronically in an accessible format
42.22 by contacting your county auditor. If you request a ballot be transmitted
electronically
41.23 in an accessible format, you may then complete your ballot electronically but
must
41.24 print your voted ballot and return this ballot and completed certificate of voter
41.25 eligibility to your local election office.
Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

43.16 MN street address

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

43.17 (or title, if an official or notary)

43.18 _____ 43.19

Street Address

43.20 _____ MN 43.21 City

Comment: What law made this change?

Line item:

44.2 • I am or have been registered to vote in Minnesota at least 18 years of age on or before 44.3 the day of the election and a citizen of the United States, or I am a notary, or I am

Comment: What law made this change?

Line item:

44.8 Subp. 7. Change of major party choice. Until the close of business on the seventh 44.9 19th day before the election, a voter may change the voter's choice of which major political

Comment: What law made this change?

Line item:

45.15 The election jurisdiction must hold a public accuracy test within 14 days prior to the

45.16 election for the purpose of demonstrating the accuracy of the computer programs and voting

45.17 systems to be used at the election. In order to demonstrate the accuracy of the computer 45.18 programs and voting systems to be used at an election, the election jurisdiction must hold 45.19 a public accuracy test at least three days prior to the voting equipment being used. A 45.20 ballot-marking device used for absentee voting must be tested according to part 8220.1350.

Comment: What law made this change in days?

Line item:

46.22 This rule does not apply to ballot marking devices used for absentee voting. Those 46.23 devices must be tested under part 8220.1350.

Comment: What law allows this change? All should be tested to the same rule.

Line item:

49.21 recount official must be in the room at all times. If the recount includes ballot format as 49.22 provided in Minnesota Statutes, section 206.80, paragraph (b), clause (2), item (ii), and the

49.23 ballots were used by ten or fewer voters in the precinct, the election judges from that precinct

49.24 are not eligible to participate in conducting a recount or postelection review in that precinct.

Comment: What law allows this change?

Line item:

54.6 general election. At the same time that the secretary of state certifies the names of nominees

54.7 under Minnesota Statutes, section 204C.32, subdivision 2, the secretary of state shall certify

54.8 to the county auditors the order in which the names of the candidates representing the 54.9 political parties as defined in Minnesota Statutes, section 200.02, subdivision 7, must appear

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

54.10 for every partisan office on the ballot. Candidates nominated by petition must appear on 54.11 the ballot beneath the names of the candidates of the political parties as defined in Minnesota

54.12 Statutes, section 200.02, subdivision 7, and in the order determined by lot by the secretary

54.13 of state. At least 11 weeks before the state general election, the secretary of state shall draw

54.20 the order of those candidates. The order of political parties or principles determined by the

54.21 drawing of lots applies to all partisan offices on the ballot.

Comment: What law allows this change?

Line item:

55.5 Subp. 19. Alternative ballot. The requirements in this part do not apply to the printed

55.6 and marked paper ballots that use the alternative ballot format permitted by Minnesota 55.7 Statutes, section 206.80, paragraph (b), clause (2), item (ii). For precincts using alternative 55.8 ballots, the marked paper ballot must indicate, at a minimum, the date of the election; the 55.9 name of the precinct; an electronically readable precinct identifier or ballot style indicator; 55.10 and the voter's votes for each office or question, generated from the voter's use of a touch

55.11 screen or other electronic device on which a complete ballot meeting the information 55.12 requirements of all applicable laws was displayed electronically. The ballot must also include

55.13 lines for initials of at least two election judges.

Comment: What law allows for this, for the ballot generators appears to not be controlled or validated. Having 2 lines for election judges doesn't make these ballots official. This opens the door for voter fraud and ballot stuffing of drop boxes.

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 30, 2025 12:55 pm

 1 Votes

I am addressing part 8200.3000. I oppose the proposed change to the rule language because it removes a control feature of the existing language. The proposed change to the rule language strikes out the four words, "from a person whose". The next words in that sentence continue as follows, "with a residential address", then the word "is" is struck out. I suggest the legislators review this part of the rule in order to arrive at the most judicious wording. Perhaps consider the sentence in question on line 1.6 to line 1.7 to read as follows: "When a county auditor receives a voter registration application from a person whose residential address is in another county"...

The reasons i am concerned about the proposed change to the rule language are because voter registration applications should only be received from a person - not from an AI generated voter registration application or a bot, not signed by an auto-pen, and not from any other artificially created means. Therefore, the word, "person" should be retained. Within that same sentence, the word, "whose" should be retained, while the word "with" should be deleted, which immediately follows the word "whose". The reason for my suggested change to the proposed wording is because the word "whose" makes it more clear that the person identifies their residential address for voting purposes as being in another county. The existing language, "with a residential address" is more ambiguous in so far as people can have multiple residential addresses. It is my further opinion the MN State Legislature should significantly reign in the scope of the changes to

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

rules relating to election administration that the SOS is authorized to make. Specifically, the scope should be identified and clearly limited using positive language that specifically identifies what the SOS is authorized to change - if anything at all. It appears that every change being proposed by the SOS lessens controls, weakens management structures, and lessens or removes compliance controls. The MN State Legislature exists to represent the interests of the lawful citizens of the State of Minnesota. The SOS should not be able to abrogate or usurp that existent responsibility.

Sue Holman-Sutich · Citizen · (Postal Code: unknown) · Oct 30, 2025 2:04 pm

 1 Votes

Please see attached comments

Sue Holman-Sutich · Citizen · (Postal Code: unknown) · Oct 30, 2025 2:07 pm

 1 Votes

RE: Comments on Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; CAH Docket No. 8-9019-39440
Following are inaccuracies within the document "Proposed Permanent Rules Relating to Election Administration" ID: R-4824.

Line item:

3.16 that I reside at the address shown and have resided have maintained residence in Minnesota

Comment: address is critical in identifying residency. Cannot delete.

Line item:

9.23 receive an absentee ballot application. At least 60 days before each election, the county 9.24 auditor or municipal clerk shall send an absentee ballot application to each person on the 9.25 list who is eligible to vote in the election.

Comment: What law allows for this deletion?

Line item:

10.2 A voter registration application must be sent with the ballot to any challenged voter 10.3 and to each voter whose voter registration application is incomplete under

Minnesota Statutes,

10.4 section 201.061, subdivision 1a, or 201.121, who applies for an absentee ballot.

The absentee

10.5 ballot process must be administered as if the voter was not registered to vote.

Comment: Why send a ballot if the ballot process must be administered as if the voter was not registered to vote? At the polling place, you cannot give a ballot to an individual who is not registered to vote. What law allows the deletion of an incomplete voter registration?

Line item:

11.13 Anyone registered to vote in Minnesota Any person who is at least 18 years of age

11.14 on or before the day of the election and who is a citizen of the United States,

Comment: Witness needs to be a registered voter. What law changed this?

Line item:

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

12.13 • Ask your witness to print their name and Minnesota street address, including city
12.14 (not a P. O. Box), in the box at the top of the witness section and sign their name
in
12.15 the box at the bottom of the witness section.
Comment: For witness verification of registration, address is need.

Line item:

13.22 • If you have a print disability, you may request that ballots, instructions, and a
13.23 certificate of voter eligibility be transmitted electronically in an accessible format
13.24 by contacting your county auditor. If you request a ballot be transmitted
electronically 13.25 in an accessible format, you may then complete your ballot
electronically but must
13.26 print your voted ballot and return this ballot and completed certificate of voter
13.27 eligibility to your local election office.
Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

14.21 Anyone registered to vote in Minnesota Any person who is at least 18 years of age
14.22 on or before the day of the election and who is a citizen of the United States,
Comment: Witness needs to be a registered voter. What law changed this?

Line item:

18.12 • If you have a print disability, you may request that ballots, instructions, and a
18.13 certificate of voter eligibility be transmitted electronically in an accessible format
18.14 by contacting your county auditor. If you request a ballot be transmitted
electronically 18.15 in an accessible format, you may then complete your ballot
electronically but must
18.16 print your voted ballot and return this ballot and completed certificate of voter
18.17 eligibility to your local election office.
Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

21.2 • If you have a print disability, you may request that ballots, instructions, and a
21.3 certificate of voter eligibility be transmitted electronically in an accessible format
21.4 by contacting your county auditor. If you request a ballot be transmitted
electronically
21.5 in an accessible format, you may then complete your ballot electronically but must
21.6 print your voted ballot and return this ballot and completed certificate of voter
21.7 eligibility to your local election office.
Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

25.26 • If you have a print disability, you may request that ballots, instructions, and a
25.27 certificate of voter eligibility be transmitted electronically in an accessible format
25.28 by contacting your county auditor. If you request a ballot be transmitted
electronically
26.1 in an accessible format, you may then complete your ballot electronically but must
26.2 print your voted ballot and return this ballot and completed certificate of voter
26.3 eligibility to your local election office.
Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

27.13 • I am or have been registered to vote in Minnesota at least 18 years of age on or

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

before 27.14 the day of the election and a citizen of the United States, or am a notary, or am

27.15 authorized to give oaths.

Comment: What law changed this?

Line item:

29.9 • I am or have been registered to vote in Minnesota at least 18 years of age on or before 29.10 the day of the election and a citizen of the United States, or am a notary, or am

29.11 authorized to give oaths.

Comment: What law changed this?

Line item:

31.23 Statutes, section 203B.121, subdivision 4, all absentee ballot return envelopes retained by 31.24 the county auditor or municipal clerk shall be removed from the place of safekeeping and 31.25 compared with the record required by this rule to ensure that all envelopes are accounted

32.1 for. Any discrepancy shall be reported to the secretary of state promptly they must comply 32.2 with the provisions of that subdivision and report any discrepancy to the secretary of state 32.3 promptly.

Comment: See no reason for change and envelopes must be retained to verify the number of envelopes received match the number of absentee ballots received

Line item:

32.10 A. has provided a Minnesota address as part of the witness's certification on the 32.11 return envelope;

Comment: What law made this change?

Line item:

32.18 seventh 19th day before the election, any ballot that has been previously received from that

32.20 received after the close of business on the seventh 19th day before the election and another

Comment: What law made this change?

Line item:

33.16 ballot mailing must be sent to each registered voter no earlier than 46 or later than 14 28

Comment: What law made this change?

Line item:

35.6 Anyone registered to vote in Minnesota Any person who is at least 18 years of age 35.7 on or before the day of the election and who is a citizen of the United States,

Comment: What law made this change?

Line item:

36.1 • Ask your witness to print their name and Minnesota street address, including city

36.2 (not a P. O. Box), in the box at the top of the witness section and sign their name in

36.3 the box at the bottom of the witness section.

Comment: For witness verification of registration, address is need.

Line item:

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

36.11 • Deliver it in person by 8:00 p.m. on Election Day, or
36.12 • Ask someone to deliver it by 8:00 p.m. on Election Day.
Comment: Shouldn't this be 5 PM?

Line item:

37.9 • If you have a print disability, you may request that ballots, instructions, and a
37.10 certificate of voter eligibility be transmitted electronically in an accessible format
37.11 by contacting your county auditor. If you request a ballot be transmitted
electronically
37.12 in an accessible format, you may then complete your ballot electronically but
must
37.13 print your voted ballot and return this ballot and completed certificate of voter
37.14 eligibility to your local election office.
Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

38.12 Anyone registered to vote in Minnesota Any person who is at least 18 years of age
38.13 on or before the day of the election and who is a citizen of the United States,
Comment: What law made this change?

Line item:

39.17 Subp. 7. Change of major party choice. Until the close of business on the seventh
39.18 19th day before the election, a voter may change the voter's choice of which
major political
Comment: What law made this change?

Line item:

40.13 Anyone registered to vote in Minnesota Any person who is at least 18 years of age
41.14 on or before the day of the election and who is a citizen of the United States,
Comment: What law made this change?

Line item:

41.14 • Ask your witness to print their name and Minnesota street address, including city
41.15 (not a P. O. Box), in the box at the top of the witness section and sign their name
in
41.16 the box at the bottom of the witness section.
Comment: For witness verification of registration, address is need.

Line item:

41.25 • Deliver it in person by 8:00 p.m. on Election Day, or
41.26 • Ask someone to deliver it by 8:00 p.m. on Election Day.
Comment: Shouldn't this be 5 PM?

Line item:

42.20 • If you have a print disability, you may request that ballots, instructions, and a
42.21 certificate of voter eligibility be transmitted electronically in an accessible format
42.22 by contacting your county auditor. If you request a ballot be transmitted
electronically
41.23 in an accessible format, you may then complete your ballot electronically but
must
41.24 print your voted ballot and return this ballot and completed certificate of voter
41.25 eligibility to your local election office.
Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Line item:

43.16 MN street address

43.17 (or title, if an official or notary)

43.18 _____ 43.19

Street Address

43.20 _____ MN 43.21 City

Comment: What law made this change?

Line item:

44.2 • I am or have been registered to vote in Minnesota at least 18 years of age on or before 44.3 the day of the election and a citizen of the United States, or I am a notary, or I am

Comment: What law made this change?

Line item:

44.8 Subp. 7. Change of major party choice. Until the close of business on the seventh 44.9 19th day before the election, a voter may change the voter's choice of which major political

Comment: What law made this change?

Line item:

45.15 The election jurisdiction must hold a public accuracy test within 14 days prior to the

45.16 election for the purpose of demonstrating the accuracy of the computer programs and voting

45.17 systems to be used at the election. In order to demonstrate the accuracy of the computer 45.18 programs and voting systems to be used at an election, the election jurisdiction must hold 45.19 a public accuracy test at least three days prior to the voting equipment being used. A 45.20 ballot-marking device used for absentee voting must be tested according to part 8220.1350.

Comment: What law made this change in days?

Line item:

46.22 This rule does not apply to ballot marking devices used for absentee voting. Those 46.23 devices must be tested under part 8220.1350.

Comment: What law allows this change? All should be tested to the same rule.

Line item:

49.21 recount official must be in the room at all times. If the recount includes ballot format as 49.22 provided in Minnesota Statutes, section 206.80, paragraph (b), clause (2), item (ii), and the

49.23 ballots were used by ten or fewer voters in the precinct, the election judges from that precinct

49.24 are not eligible to participate in conducting a recount or postelection review in that precinct.

Comment: What law allows this change?

Line item:

54.6 general election. At the same time that the secretary of state certifies the names of nominees

54.7 under Minnesota Statutes, section 204C.32, subdivision 2, the secretary of state shall certify

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

54.8 to the county auditors the order in which the names of the candidates representing the 54.9 political parties as defined in Minnesota Statutes, section 200.02, subdivision 7, must appear

54.10 for every partisan office on the ballot. Candidates nominated by petition must appear on 54.11 the ballot beneath the names of the candidates of the political parties as defined in Minnesota

54.12 Statutes, section 200.02, subdivision 7, and in the order determined by lot by the secretary

54.13 of state. At least 11 weeks before the state general election, the secretary of state shall draw

54.20 the order of those candidates. The order of political parties or principles determined by the

54.21 drawing of lots applies to all partisan offices on the ballot.

Comment: What law allows this change?

Line item:

55.5 Subp. 19. Alternative ballot. The requirements in this part do not apply to the printed

55.6 and marked paper ballots that use the alternative ballot format permitted by Minnesota 55.7 Statutes, section 206.80, paragraph (b), clause (2), item (ii). For precincts using alternative 55.8 ballots, the marked paper ballot must indicate, at a minimum, the date of the election; the 55.9 name of the precinct; an electronically readable precinct identifier or ballot style indicator; 55.10 and the voter's votes for each office or question, generated from the voter's use of a touch

55.11 screen or other electronic device on which a complete ballot meeting the information 55.12 requirements of all applicable laws was displayed electronically. The ballot must also include

55.13 lines for initials of at least two election judges.

Comment: What law allows for this, for the ballot generators appears to not be controlled or validated. Having 2 lines for election judges doesn't make these ballots official. This opens the door for voter fraud and ballot stuffing of drop boxes.

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 30, 2025 2:17 pm

 1 Votes

I am addressing part 8210.2400 SAFEGUARDING PROCEDURES. I oppose the proposed change to the rule language because it weakens the safeguarding procedure by deleting language designed to safeguard absentee ballot return envelopes received prior to election day. I suggest the legislators review this part of the rule in order to arrive at the most judicious wording. Surely, a postmark date, or a date of receipt, as well as a time stamp on the last eligible date of receipt - by an independent source - should be applied, be present and be clearly readable on all absentee ballot return envelopes. All of the language proposed to be deleted beginning on line 31.23 through line 32.1 should not be deleted at all because it is helpful language to retain in the Rules Relating to Election administration for the purpose of managing and safeguarding the absentee ballot return envelopes as proof of not only the fact that they were received in a timely manner but also as proof that they served their purpose in their capacity to deliver the absentee ballot that was contained therein. This is a necessary control because it helps to limit the submission and counting of ineligible absentee ballots and it is helpful for this language to be retained in the Rules for easy access by Election Judges.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 30, 2025 2:41 pm

👍 1 Votes

I am further elaborating on my previous comment relating to part 8210.2400 SAFEGUARDING PROCEDURES. I suggest the MN State Legislators consider the inclusion in the Rules, for the practical purposes of accurately following the procedures detailed in Minnesota Statutes, section 203B. 121, a "copy and paste" of all pertinent parts of section 203B.121 for the purpose of serving as a reference tool to help assist the ballot board to follow the proper procedures for accepting and retaining return envelopes.

Brenda Miller · Citizen · (Postal Code: unknown) · Oct 30, 2025 2:43 pm

👍 0 Votes

Attached are my comments regarding the Proposed Permanent Rules Relating to Election Administration

sandy klocker · Citizen · (Postal Code: unknown) · Oct 30, 2025 2:48 pm

👍 0 Votes

Honorable Judge Eric Lipman, I was a participant in your October 10, 2025 zoom hearing on the Proposed Rules Relating to Elections Administration; Revisor's ID Number R-4824 CAH Docket No. 8-9019-39440 and wish to make my post review comments that are of my opinion only. I have documentation for much if not all for what I am stating.

As stated in the zoom hearing since 2020 I have been documenting idiosyncrasies, irregularities, statute violations and false public information related to elections particularly in my county of Stearns and the surrounding counties. After being an election judge since 2008, I have come to see that elections no longer belong to the people but to those who run the elections at both a state and local level. Responsibility for any actions are just passed from one department to another, from one talking point to another. All I am stating in writing to you today may be of no consequences to any changes of giving the elections back to the people. Making our elections convenient is the rhetoric that is often stated by many but there is the saying that 'Convenience may be the end of freedom.' Elections have become expensive, complicated, convoluted, difficult for the mentally challenged and non-transparent to the public. The process only begs for an open door to manipulation and fraud. Elections belong to the people. The citizens pay for the elections and the election property belong to the people!

My conviction is to stand behind the truth and share what I have seen to make elections fair and honest once again. When I speak publically about election issues to those in leadership positions my character is publically painted as an election denier. Members of the public, figuratively saying, paint a target on my back. Community organized non-profit groups i.e. Indivisible & Fe Y Justica as well as private chat groups have belittled, bullied and shamed me. One Indivisible administrative member has even reported me to the FBI. They have interfered with a business franchise contract and even labeled me a domestic terrorist. These social justice groups do this to intimidate, demean and retaliate when I have a political opinion that differs from theirs.

I have made changes in another letter referring to the election rules docket that now sits on your desk. I would at least like to add a few comments where change is needed regarding election procedure, although I know this is not your responsibility as the administrator. As I stated in the zoom hearing- no one seems to listen. Maybe no one

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

cares because cheaters don't want change?

1. Stearns County would not release to the public the Cast Vote Records. They stated they did not turn them on and then the narrative changed to "we do not have Cast Vote Records. They finally admitted they did have Cast Vote records yet would not turn over the files when we asked for them.

2. Students are voting in elections with no proof that they have not voted elsewhere like their home state or county. Students do not have permanent residency on the campus.

3. Stearns County off-site, in-person election locations do not have proper chain of custody procedures when transferring ballots back to the county office.

4. Stearns and Benton Counties would not allow us to Guard the Ballots. Violation Statute 209.05

5. Stearns County's Ballot Board process does not have accessible viewing for the public and is mostly run by county staff.

6. During post elections at Stearns and Benton counties the public viewing is kept too far away to even see the process happening.

7. We asked Stearns County to keep the 2020 election ballots and materials as evidence in the future to which we were denied.

8. Stearns County does not have a policy that confirms the ballot board judges and the election judges are a two party balance. Changing your political affiliation for the judge's party balance is inappropriate.

9. The test deck receipts and the election results tapes should be transparent and posted either on the county or SOS website.

10. Stearns County stated repeatedly the election machines were NOT connected to modems and after pressing them they finally admitted they are connected to the internet. Vulnerability to cyber-attack could be eminent.

11. At 8 PM at the closing on election day when the judge runs the result tapes in the machines the results are automatically transferred to either the county and/or SOS.

12. Stearns County's 2024 primary sample ballot on the SOS site did not have the word SAMPLE on the ballot. This made it easy for the public to print numerous ballots and envelopes with no recourse at this time.

13. Stearns County had a drop box during the 2020 and 2024 elections. When we asked to review the cameras video footage we were told it was not public and needed a court order to review. Ballots from another counties were inserted into the Stearns County drop box and no guarantee that the ballot was guarded during transmission to the proper county.

14. Vouching is a process that only begs for fraud when more documentation is needed to by a bottle of liquor in some stores.

15. In 2020 my mother was residing in the County Manor, Sartell MN nursing home and was incapacitated. Records show she voted in the 2020 election and no one has ever explained how that happened.

16. Peter Van Beck passed away on February 20, 2024 yet still received a ballot approx. 4-5 months later at his residence in Melrose. MN for the August 2024 primary election.

17. I have an audio recording of MN Senator Jeff Howe stating SOS Simon actually admitted that there was fraud.

18. We have asked numerous times for Stearns County to audit the counties voter rolls to no avail.

19. When driver's licenses for all passed in MN, the DMV office staff was told to sign up voters at that time without verification of their US citizenship status.

20. Voting through mail does not guarantee your vote will count. If you make a mistake you may not have a chance to make a correction in time hence your vote is nullified.

21. My precinct would not let me take a photo of the results tape on election night. This was Randy Schreifels, the auditor, who stated that per my Precinct clerk.

22. At 8 PM on election night only 2 results tapes are run off instead of 3. No one is

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

allowed to run anymore for the public.

23. At 8 PM on election night the judges are supposed to count the ballots cast that day yet are told not to count them. 204C.19 statute violation.

24. Now election judges are in fear that if they contest what they see at the polling booth and want to report the violations or do not certify the election due to any violations that they will be shamed, retaliated against or in trouble with the law.

25. Vouching allows fraud with no design to alert precincts that the voucher has already vouched for 8 people.

26. Whistle blowers need protection from retaliation when they see something. This should include the public and election judges.

27. The election machines fail many times with no good backup measure. The voter is told to put their ballot in a slot of the machine and it will be inserted late.

28. Election affidavits are not acted upon. They are usually shuffled from departments in the county, city or SOS with no resolution.

29. Election law suits just sit in the MN courts.....

Lastly I want to thank you for your genius advice for making me aware of the MN Statue 201.275 leading to election investigation. I need to tell you that my Stearns County Auditor's office was not going to allow me to review the test deck reports prior to the upcoming Nov. 4, 2025 election and wanted to charge me for a visual inspection of the data. With this Chapter 13 Data request violation so I mentioned I would file a #201.275 investigation. This prompted me to get the data within 3 days with no fees.

In closing, for full transparency and trust, Elections need to be one day, in-person, hand counted with proof of US citizenship and need to sign into a paper roster. In case of an electric or internet outage this is the ONLY failsafe measure.

Thank you Your Honor for Listening,

Sandy Klocker

Stearns County resident, election judge and concerned citizen

Comments in reference to the rules changes:

Proposed Rules Relating to Elections Administration; Revisor's ID Number R-4824 CAH Docket No. 8-9019-

1.3 8200.3000 REGISTRATION IN WRONG COUNTY- no reference if the county can be in another state and says to be forward in two days. If sent electronically on the day of election then what if there is a cyberattack or the internet is down

1.10 8200.3550 NOTICE OF CHALLENGE REMOVAL- maybe we would have less criminals if they knew there are consequences for a crime like they cannot vote.

1.17 8200.5100 REGISTRATION AT PRECINCT ONLY- Vouching should not be legal at all. There is not enough proof on the day of the election that those being vouched for are US citizens. They may find out later and site a felony for voting but the ballot is already submitted and counted. A person is allowed to vouch for up to 8 people but there is not safeguard that someone vouches for 8 at the county center prior to Election Day and then vouches for another 7 at their own precinct.

Line 2.18- residential facilities have citizens that are not US citizens and should not have a right to any voting duties.

3.5 8200.9115 FORM OF POLLING PLACE ROSTERS- all rosters should be paper only in case of internet or electrical outage.

4.14 8200.9300 MAINTAINING CERTAIN VOTER REGISTRATION RECORDS; SECURITY- the ballots are NOT counted in the machines so whatever change is needed to make this mandatory. And absentee ballots should be delivered to the precincts to determine the paper roster is complete on Election Day.

5.11 8200.9940 PRECINC LIST OF PERSONS VOUCHING FOR VOTER RESIDENCE ON ELECTION DAY AND NUMBER OF PERSONS VOUCHER FOR- hate to be redundant but vouching is an open door to fraud period. Yes they commit a felony but their ballot has already been inserted and validated. Vouching should not be legal at all. There is not

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

enough proof on the day of the election that those being vouched for are US citizens. They may find out later and site a felony for voting but the ballot is already submitted and counted. A person is allowed to vouch for up to 8 people but there is not safeguard that someone vouches for 8 at the county center prior to Election Day and then vouches for another 7 at their own precinct. Those that are being vouched for should have a US Citizen specific card!

Line 2.18- residential facilities have citizens that are not US citizens and should not have a right to any voting duties.

8.5 8210.0100 PRESIDENTIAL ABSENTEE BALLOTS- 8.17 ○ I do not have a MN-issued driver's license, MN-issued ID card, 8.18 or Social Security number. This needs to be stuck out and stated that some sort of ID is needed to prove you are a USA Citizen.

9.11 8210.0200 PERMANENT ABSENTEE BALLOT APPLICATION VOTER- No absentee voter is necessary if we do a one day election as in the past. This has Fraud written all over it. States the absentee will be permanently maintained. Our voter rolls are flawed already and mail-in voting has fraud.

10.1 8210.0225 APPLICATIONS FROM CHALLENGED VOTERS- this whole section should state the steps to find out who the person is and why they are challenged. This is why the elections are questioned.

10.6 8210.0500 INSTRUCTIONS TO ABSENT VOTER- only military stationed out of their precinct on Election Day are eligible to vote absentee. This whole section may be confusing to anyone who is not competent to understand the instructions and that is why some do not even vote at all. Delete the whole section so an election judge on Election Day can see the voter understands with in-person voting. This would assure all votes count.

26.7 8210.0600 STATEMENT OF ABSENTEE VOTER & 29.25 8210.0710 FORMAT AND INSTRUCTIONS FOR ABSENTEE BALLOT RETURN 29.26 ENVELOPES- Look at how convoluted all this is and too complicated for a mentally challenged person. Why are we making it HARDER to vote not easier. This whole section may be confusing to anyone who is not competent to understand the instructions and that is why some do not even vote at all. Delete the whole section so an election judge on Election Day can see the voter understands with in-person voting. This would assure all votes count.

LINES 10.6 – 38.17- All lines Need to be removed. With Mail-in voting a voter is not guaranteed their vote will count. For instance if you cross party lines in a primary election and if you are not alerted to your mistake or if the election is the following day and there is no time to resend another ballot then your vote will not count. This is all too complicated for a mentally challenged person.

38.18 8215.0200 BALLOTS- It should not be a decision by a party chair to request if a space for a write-in candidate can be on the ballot because if a candidate becomes incapacitated or dies then anyone one that can fill the void.

39.17 Subp. 7. Change of major party choice- what if a candidate is incapacitated or dies? The voter cannot change their vote so mail-in should not be allowed or the envelope should not be opened until Election Day so someone may change their vote.

40.1 8215.0500 MAIL BALLOTING- The public/private citizen is not allowed to watch the process as with in-person voting so mail-in voting should be completely eliminated.

45.14 8220.1550 PUBLIC ACCURACY TEST- The public needs more than a 5 day notice of the testing dates and more than 3 days to file a grievance if the test decks are inaccurate to MN Statutes. All results need to be immediately posted on the SOS website for clear transparency of the public's data.

47.1 8230.2040 RECORDING VALID WRITE-IN VOTES- Vote only counts if the oval is filled in? This is why ALL ballots should be hand counted so everyone's vote counts. All write-ins ballots need to be looked at to ascertain if the spelling is close to the registered write-in candidate. Name spelling is very complicated and should not be discarded because it was an E instead of an A. The discretion of all write-in votes should be

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

evaluated by the election judges not the auditors to insure that there is party balance.
47.17 8230.2250 DELIVERY OF TRANSFER CASE & 48.19 Subp. 5. Opening ballot box during voting hours- Do school races need a balanced party representation? If not how do the two parties deliver the transfer case or present to comply with opening the ballot box?

49.14 8235.0700 GENERAL PROCEDURES- this section is way too vague on the 'public view' topic. 20' away in fact 10' away is not adequate for public view to see results. In view should mean at the viewing table to take pictures for total transparency while not interfering or touching any material.

Linda Lonn · Citizen · (Postal Code: unknown) · Oct 30, 2025 3:13 pm

 1 Votes

The formatting is thrown off every time I try to upload.
Please see attached word document which may provide easier reading.

OVERALL COMMENTS

1. The rule making process should not be a substitute for the legislative process. Three state legislators attended the hearing on October 10, 2025. Representative Quam said that when rulemaking replaces legislation, it threatens trust. That is true. There is time to go back and work with the legislature rather than "steam ahead" on his report, as Judge Lipman suggested. The legislators' concerns shown below have merit.

- The draft rules document was created unilaterally by the Secretary of State while bypassing the legislature.
- The co-chair of the elections committee said that if these changes were brought to the legislature, the Secretary of State would have been given time to discuss interpretations of technical changes vs. legislative intent.
- Some rule changes included in the draft rules document have not gone through the legislative process.

2. The draft rules document appears to have overstepped some rules of the road. Rather than allowing these rules to go through knowing there will be the need to challenge them through legal action, it would save valuable time and taxpayer money for the Secretary of State to engage with critical stakeholders now and get it right the first time.

3. To better serve the public interest and those who are tasked with implementing the rules, this work should be a team sport involving critical stakeholders including legislators, election officials, and the public. Per the Secretary of State's legal representative, these updates included feedback from election officials. In an offline discussion with the Secretary of State's legal representative, he shared that feedback was not systematically gathered. There was no formal mechanism. Feedback was through general, informal conversations (not directly related to the rules document).

4. Although it was not part of the hearing on October 10, 2025, what is the process to request a copy of the rules document that governs voter registration list maintenance policies followed by the state of Minnesota?

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

8200.3550 NOTICE OF CHALLENGE REMOVAL.

- OPPOSE.
- Reason: The language is unclear. In Minnesota, you must be a resident of your Minnesota precinct for at least 20 days before an election to be eligible to vote within the location. If an election notice is mailed and returned as undeliverable, what is the next step and where is that covered in this rules document?
- PROPOSED LANGUAGE: "The county auditor shall mail a notice indicating the person's name, address, precinct and polling place to any registered voter whose right to vote has been restored after the person is no longer incarcerated; who has been removed from under a guardianship of the person under which the person did not retain the right to vote; or who has been restored to capacity by the court after being ineligible to vote. The notice must include the following eligibility criteria: US Citizen, at least 18 years old on election day, and Minnesota resident for at least 20 days prior to election day in the precinct where you are voting. The notice must also require that it be returned if not deliverable. If it is returned undeliverable, [please add the language outlining what procedure to follow for returned election notices]."

8200.5100. REGISTRATION AT PRECINCT ONLY

- Subpart 1 Procedure; proof.
- OPPOSE
- Reason: Lacks clarity. You have to prove two things in order to register to vote on election day, as follows: (1) proof of identity and (2) proof of residence. Proof of residence is discussed in the rules draft, but not proof of identity. I believe the Secretary Simon stated during the Fraud committee hearing on October 14, 2025, that a voter must meet both of those criteria. This section should be changed to have proof of identity added to the rules. It is also missing language about residing in the precinct for 20 days prior to the election.
- PROPOSED LANGUAGE: "Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides so long as they have lived at their residence for at least 20 days prior to election day. To register on election day, a person must complete and sign the registration application and provide proof of identity and proof of residence."

8200.9115 FORM OF POLLING PLACE ROSTERS.

Two items in Subpart 1.

- Subpart 1. General form of roster. Paragraph 2 beginning with line 3.14. Providing a location instead of a residential address.
- OPPOSE.
- Reason: Providing a location rather than a residential address should be sworn and affirmed that it is in the precinct where the person is attempting to vote.
- PROPOSED LANGUAGE: "I swear or affirm that I am at least 18 years of age and a citizen of the United States; that I have maintained residence in Minnesota at this residence or location for at least 20 days immediately preceding the election; and the address or location is within this precinct; that I am not under guardianship of the person in which the court order revokes my right to vote, have not been found by a court to be legally incompetent to vote and that I have the right to vote because, if convicted of a felony, I am not currently incarcerated for that conviction; and that I am registered and will be voting only in this precinct. I understand that giving false information is a felony

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

- Subpart 1. New language should be added to this section of the rules document due to the change allowing someone to provide a "location" (no street address and zip) rather than a residential address.

- OPPOSE WITH CAVEAT - ADD CLARIFYING LANGUAGE TO THE RULES

- Reason: Someone who uses a "location" instead of a residential address cannot receive USPS mail, including election notices, in advance of the next election because it is not a USPS deliverable address. The rules are that two returned election notices require a registration to be marked challenged. After the election at hand, it is known that election notices cannot be delivered to a "location," therefore, these registrations should automatically be marked inactive post-election (after any election record retention period has been met, if applicable).

- PROPOSED NEW LANGUAGE TO BE ADDED TO THE RULES: Any election day registration that does not have a residential address should be marked inactive XX days after the election results are certified." (The XX days to be filled in based on any applicable election record retention laws)

8200.9300 MAINTAINING CERTAIN VOTER REGISTRATION RECORDS; SECURITY.

- Subp. 10. Voter's receipt. Last sentence in paragraph 1. "The election jurisdiction may require that the election judges number or initial each voter's receipt as it is issued."

- OPPOSE.

- Reason: This is not how the election workflow operates and it opens the door to additional human error. The voter receipt is handed to the voter at the registration table after the voter signs the oath. The ballots are not kept at the registration table, so the voter must physically walk with the voter receipt to the ballot table where a different election judge numbers the receipt and places it on a spindle. If this statement was added for a small or rural jurisdiction where one person does everything in the workflow process, the language should be specific to that scenario. That process should never be done in a city where more than one pollbook is in use at the same time. The language in the rules document should reflect that.

- PROPOSED LANGUAGE: Delete the sentence

8200.9940 PRECINCT LIST OF PERSONS VOUCHING FOR VOTER RESIDENCE ON ELECTION DAY AND NUMBER OF PERSONS VOUCHER FOR.

- Subpart 1. Required information. "Information regarding persons vouching for voter residence on election day must be tracked according to the form and instructions in subpart 2. Counties, municipalities, or school districts authorized to use electronic rosters pursuant to Minnesota Statutes, section 201.225, may instead collect this information electronically."

- OPPOSE

- Reason: Current Statute MN 201.061 Subd. 3 Election Day Registration states "The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths." The statute has not been changed but at least one county removed the vouching form requirement last year which goes against statute.

- RECOMMENDATION: Work with the legislature to get the appropriate language written into statute for inclusion in the rules document.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

8210.0500 INSTRUCTIONS TO ABSENT VOTER.

- Subp. 3. Instructions for nonregistered voters. The following instruction has been removed: "Ask your witness to print their name and Minnesota street address, including city (not a P. O. Box)"
- OPPOSE
- Reason: Removal of the witness address is not in state statute, and I do not see this discussed in the SONAR (Section 8210.0500, pages 18-20). What this is saying is that we will not collect any information from a person who we are giving authority to confirm a voter registration applicant's eligibility criterion which includes documentary proof of identity and residence. This change removes a layer of election security and integrity and should have the approval of the legislature before proceeding. It should be added back. There are two consequences for this omission. (1) If it is learned after the election that the person is not eligible to vote, there is no way to track the ballot back to the voter or remove from the election results. (2) There is also no accountability for the person who enabled this ineligible (or fraudulent vote) to happen.
- PROPOSED LANGUAGE (ADD IT BACK TO THE RULES): "Ask your witness to print their name and Minnesota street address, including city (not a P. O. Box), in the box at the top of the witness section, indicate which proof you showed them, and sign their name in the box at the bottom of the witness section."
- RECOMMENDATION: Get the agreement of the state legislature before removing this important step.

8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE.

- Subpart 1. Personal Delivery. An agent can bring 3 ballot(s) to the municipal or county election office until 8:00pm but an individual voter's deadline is 5:00pm.
- SUPPORT WITH CAVEAT
- Reason: If this is in statute, it would make more sense to change the statute to harmonize the cutoff time. What this says is that I can't turn in my ballot after 5:00pm, but if I give it to someone else, they can turn it in until 8:00pm. Having multiple times for different types of deliveries can create confusion on election day when things are already busy and chaotic at city offices who are also supporting their individual precincts.

8215.0300 POLLING PLACE VOTING.

- Subpart 1. The public will no longer have access to a voter's party choice of primary ballots, only the party chair.
- OPPOSE
- Reason: During the hearing, a concern was raised about only giving the data to the party chair. If the party has turnover and the data is taken, destroyed, or otherwise not available to the party chair, there should be a remedy for new party leadership to get historical data from the Secretary of State.
- PROPOSED LANGUAGE (NEW): If there is a change in party leadership, the new chair will be given access to any presidential nomination primaries requested.

8220.1550 PUBLIC ACCURACY TEST

- The rules say that public notice is done through "official newspapers and by posting a notice in the office of the county auditor and each local election official conducting the

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

test.”

- OPPOSE

- Reason: I’ve heard from election officials that essentially no one shows up to public accuracy tests. Very few members of the public will know about the public accuracy test given that newspapers are an outdated communication method. The rules also do not spell out what constitutes an official newspaper. It’s too vague.

- PROPOSED LANGUAGE: “The time and place of the public accuracy test must be designated by the election jurisdiction providing the computer program, which must give at least five days public notice of the time and place of the test by publication in official newspapers, city and county website, city and county social media accounts, and by posting a notice in the office of the county auditor and each local election official conducting the test.”

8240.1600 ELECTION JUDGE BASIC TRAINING COURSE.

- Subp. 4. Course content.

- SUPPORT (WITH REQUEST FOR TWO ADDITIONAL TRAINING TOPICS)

- Reason: Given the rise in verbal and physical threats to election officials and poll workers, many states now provide training on de-escalation techniques and emergency procedures. When elections officials and poll workers are better prepared, this increases the safety of the voting public.

- PROPOSED LANGUAGE: Add “De-escalation techniques and emergency procedures” to the list in Subp. 4, Section C beginning on line 50.18.

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 30, 2025 3:14 pm

 1 Votes

Regarding part 8210.2700 RECEIPT OF FEDERAL WRITE-IN BALLOTS, I oppose the proposed strike-through and deletion of Minnesota Statute section 203B.24 because a pertinent part of section 203B.24 reads as follows: "Subd. 2. Recording accepted and rejected ballots.

The election judges shall compare the voter's name with the names recorded under section 203B.19 in the statewide registration system. For each returned ballot, the election judges must indicate on the record in the statewide registration system whether the absentee ballot was accepted or rejected." Does purview of this proposed change fall within the purview of the MN State Legislators? Should section 203B.24 be modified by MN State Legislators regarding the existent language concerning acceptance or rejection of absentee ballots?

Jodi Welsh · Citizen · (Postal Code: unknown) · Oct 30, 2025 3:32 pm

 1 Votes

The proposed rules should be rejected in its entirety based on the many flaws that have been pointed out by the public above. I believe the purpose of this process is to have the rules changed to follow the legislatures changes. But some of the proposed rule changes do not coincide with the legislature's changes. This is why I believe it should be rejected in its entirety and maybe Secretary of State Steve Simon's office could go back to the drawing board and do it correctly with only the legislatures changes. I believe that by asking this court to change what was not passed by the legislature is not the proper or

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

ethical way to conduct the proposed rules change. The public has already pointed out that there are numerous things in here that the legislature has not passed that Secretary of State Steve Simon is asking this court to add.

I also would like to ask the court to consider that the time frame that Secretary of State Steve Simon is asking this to take place. I believe there is no urgency for this to take place.

I also believe Secretary of State Steve Simon is being pursued by the Department of Justice for refusing to turn over Minnesota's voter rolls which are public information. I also feel that there is no reason to make decisions on any rules changes at this point of time. In considering that as well, we need to consider denying this and have Secretary of State Steve Simon come back with a proposed rules change that only consists of what the legislature has passed and nothing more.

We all want transparency as well as free and fair elections and by doing this It would It would Show that the proper process was followed. It would also show that the Public participation was valued and really did make a difference.

That being said. I am asking that this not be passed in it's entirety. I want to thank the court for it's time for considering all of the publics comments and for doing the Right thing. Thank you.

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 30, 2025 3:46 pm

 1 Votes

Regarding part 8210.0710 FORMAT AND INSTRUCTIONS FOR ABSENTEE BALLOT RETURN ENVELOPES, lines 30.4, 30.9, and 30.17, where the word "unregistered" is struck-through and replaced with the word "nonregistered." Firstly, I believe the correct spelling of the suggested replacement word contains a hyphen, so the suggested replacement word should be spelled, "non-registered". Secondly, I am asking the SOS to provide the rationale used for requesting this change in wording. Thank you.

I queried GROK about it. Below is GROK's analysis, for what it's worth.

QUERY: Does the meaning of the word, "unregistered" differ in meaning from the word, "non-registered", within the context of being an "unregistered voter" or a "non-registered voter"?

GROK'S REPLY: No, the terms "unregistered voter" and "non-registered voter" do not differ in meaning. Both describe an individual who is eligible to vote but has not completed the voter registration process required in their jurisdiction (with exceptions like North Dakota, where registration is not needed). "Unregistered voter" is the more commonly used and formally recognized phrase in dictionaries, legal documents, election guidelines, and media reports. For example, Merriam-Webster explicitly defines "unregistered" as "not having entered one's name on a voting list (e.g., unregistered voters)," while "nonregistered" (or "non-registered") does not appear as a distinct entry in major dictionaries like Merriam-Webster or Oxford. In practice, when "non-registered voter" appears in contexts such as election FAQs, court documents, or research (e.g., Pew Research Center reports discussing "the non-registered population"), it is used interchangeably with "unregistered voter" to convey the same idea—someone not on the voter rolls. No sources indicate any legal, semantic, or contextual distinction between the two.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Scott Coggins · Citizen · (Postal Code: unknown) · Oct 30, 2025 4:07 pm

 0 Votes

8200.3000 Registration in Wrong County:

The proposed revisions to the rule should be rejected. The county auditor should forward the voter's application to the correct county auditor for acceptance and processing as is stated in the original rule. The need identified for changing the current language in the SONAR is not correct as there is nothing in the original language saying that the county auditor has to accept or can reject the voter registration application from someone outside of their county. The original language requires the county auditor to forward the application to the correct county auditor. If the county auditor is not forwarding applications, then they are not following the rules and this particular issue must be dealt with independent of whether or not the county auditor accepts the application from someone in the wrong county.

8200.5100 Registration at Precinct Only:

The rule change for Subp. 5. Update (lines 2.24 through 3.4) should be rejected as it is incomplete and does not properly deal with updating a voter's information at the polling place. The proposed language has the voter submit a voter registration application as if they are a new voter. The existing voter registration that needed to be updated is not updated through this process. The incorrect voter registration remains on the rolls as well as the new voter creates duplicates in the system. The voter rolls are already a mess and this would just make things worse.

8200.9320 Interaction with Department of Public Safety:

No proposed rule changes in the Rule Draft document, so any rule change tied to this should be approved since the proposed change was not properly vetted.

8215.0400 - Absentee Voting:

The deletions and additions in lines 39.20, 39.21 and 39.22 should not be made and the language should remain unchanged. MN Statute 203B.081 specifically deals with absentee voting and thus absentee in line 39.20 should remain (203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON). A vote prior to election day is consider an absentee ballot and is noted in the voter database as an "AB" (absentee ballot). Both mail in ballots and early voting ballots are deemed an absentee ballot so the removal of subdivision 3 in line 39.22 is not justified as subdivision 3 of MN Statute 203B.081 specifically deals with alternative procedures which the rule call out in line 39.21.

8230.2040 Recording Valid Write-In Votes:

The new rule would allow jurisdictions that don't use optical scanners to reject a write-in vote that didn't have the oval or other target shape marked which goes beyond the statute. The rule needs to be either rejected or modified to limit this to precincts using optical scanners to align the statute.

8230.3850 Duplication of Ballots:

The proposed rule is not needed and should be rejected as a ballot created pursuant to MN Statute section 206.80, paragraph (b), clause (2), item (ii) does not need duplication. Clause (2) requires that the electronic voting system creates a ballot that can be tabulated. Item (ii) only identifies the ballot requirements.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

8235.0700 General Procedures:

The proposed rule language addition is not justified and should be rejected. There is no requirement in MN Statute section 206.80 specifying procedures to be used in a recount. This section specifically deals with electronic voting systems and does not include any requirements on recounts. The justification provided in the SONAR is not in alignment with the wording of Statute 206.80.

8240.1600 Election Judge Basic Training Course:

While the addition of electronic pollbook training (if used in the jurisdiction) is reasonable, there should be training for using paper rosters, which are required to be at the precinct using electronic pollbooks in case the electronic pollbooks fail. There is no training provided to election judges on how to use the paper pollbooks as a back-up to electronic pollbooks. Add paper pollbook training to Subp 4 item C.

8250.1810 Format of Ballots for Optical Scan Systems:

The new rule should be rejected as written.

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 30, 2025 4:10 pm

 0 Votes

Regarding part 8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE, lines 31.11 through lines 31.15 contain strike-outs of the time, "3:00 PM" and replacements with the time, "5:00 PM". What was the original rationale used as a basis to originally state 3:00 PM? What is the new rationale used as a basis to use the suggested replacement time of 5:00 PM? Is it within the purview or scope of the SOS to unilaterally make this change to the time of the deadline? Why is the authority to make this decision not more properly within the scope of the MN State Legislature?

Susan Baker · Citizen · (Postal Code: unknown) · Oct 30, 2025 4:11 pm

 0 Votes

I am opposed to the parts of the rule making changes as follows.

8200.3000 REGISTRATION WRONG COUNTY.

This should only be considered by the legislature and should not be a change by the Secretary of State's Office. Instituting new rules across county lines would be a very big change and likely to cause problems in administering it without errors. It would be another opportunity for fraud.

8200.3550 NOTICE OF CHALLENGE REMOVAL

This proposed change adds much administrative overhead for elections administrators who would be required to track formerly incarcerated felons when they have registered in their counties. These felons are not allowed to move back to the same location where they were registered previously to vote. This should not be a new rule and should be considered by the legislature and not the Secretary of State's Office.

8200.9940 PRECINCT LIST OF PERSONS VOUCHING FOR VOTER RESIDENCE ON ELECTION DAY AND NUMBER OF PERSONS VOUCHER FOR

Proposed rules are not mentioning current requirements. The following requirements

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

must be included: 1). Election judges are not permitted to vouch for people unless they have personal knowledge that the person is a resident of the precinct. 2) Residential facilities must provide lists of employees working in the facility. 3) These employees must provide proof of employment in these facilities to the election judge.

8210.0500 INSTRUCTIONS TO ABSENT VOTER

There are concerns with line 10.21-10.22 as the proposed rule changes do not explicitly state what types of additional instructions to voters may be provided by the jurisdiction. The only requirement is that these instructions require typeface requirements. This could be abused as it does not contain specific types of instructions that would be permitted.

8210.2500 MAIL PICKUP

This proposed rule should be removed. The legislature should consider this, rather than the Secretary of State's Office. This is a major change that alters the time that municipal clerks must ensure that all return envelopes are received from the post office from 4:00 p.m. to a non-specific "on Election Day". This could be interpreted to mean 11:59 pm. This can lead to confusion, different interpretations in municipalities, and possible lawsuits.

Daniel Passer · Citizen · (Postal Code: unknown) · Oct 30, 2025 4:22 pm

 0 Votes

Regarding part 8200.9300 MAINTAINING CERTAIN VOTER REGISTRATION RECORDS; SECURITY, I oppose the strike-through and deletion of the words, "adding the number of return envelopes from accepted absentee ballots to"... on line 4.18 because the strike-through of the original language removes a control feature which helps to ensure the validity of the accepted absentee ballots. What do MN Legislators think regarding this proposed rule change?

Chad Wilson · Citizen · (Postal Code: unknown) · Oct 30, 2025 4:27 pm

 0 Votes

Please see public comment on this from the Minnesota Disability Law Center attached.

Paul Huffman · Citizen · (Postal Code: unknown) · Oct 30, 2025 4:28 pm

 0 Votes

See the attached document from LWV Minnestoa.

Linda Lonn · Citizen · (Postal Code: unknown) · Oct 30, 2025 4:30 pm

 0 Votes

Two additional questions - I could not find them in the document.

Does a person who says they live in a location but not a residential address (i.e. unhoused or homeless) require photo ID to register on election day? I could not find that in the document.

39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

Closed Oct 30, 2025 · Discussion · 22 Participants · 1 Topics · 48 Answers · 1 Replies · 37 Votes

Does a person being vouched for require a photo ID or absolutely nothing at all?

To: Judge Lipman

RECEIVED

OCT 17 2025

Subject: Follow up to the Public Hearing on Proposed Voting Rules Changes

Office of Administrative Hearings

Docket No. 8-9003-37102

Attached is a copy of my comments that were sent in request of the hearing.

A handwritten signature in black ink, appearing to read "Tom Lopac", with a stylized, cursive script.

Tom Lopac

1003 Briar Creek Road

Eagan, MN 55123

Date: 10-10-25

Request for Public Hearing on Proposed Voting Rules Changes

Date: September 5, 2025

To: Court of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Via: U.S. Mail and eComments website (<https://mn.gov/oah/forms-and-filing/ecomments/>)

Subject: Request for Public Hearing on Proposed Voting Rules Changes by Secretary of State Steve Simon

Dear Administrative Hearings Office,

I am writing to formally request a public hearing regarding the proposed voting rules changes issued by Minnesota Secretary of State Steve Simon, as referenced in the provided document. My name is Tom Lopac, and my address is 1003 Briar Creek Road, Eagan, MN, 55123. This request is submitted in accordance with the requirements outlined in the document, which specifies that requests for a public hearing must be made in writing by 4:30 p.m. on Friday, September 26, 2025.

I object to the entire set of proposed voting rules changes for there are inaccuracies. See below. Also my concerns stem from the potential impact these changes may have on the accessibility, integrity, and transparency of the voting process in Minnesota. Specifically, I am concerned that the proposed rules may alter established procedures in ways that could affect voter participation and confidence in the electoral system. Without further clarification and public discussion, these changes risk undermining the democratic process.

I respectfully request a public hearing to allow for a thorough examination of the proposed rules, including their intent, scope, and potential consequences. I propose that the hearing include opportunities for stakeholders to provide testimony and evidence regarding the necessity and legality of the changes. Additionally, I urge the agency to consider revising the proposed rules to ensure they align with Minnesota's commitment to fair and accessible elections, though specific revisions would depend on the details provided during the hearing.

Thank you for considering this request. I look forward to participating in the public hearing process to ensure these proposed rules are thoroughly vetted for the benefit of all Minnesota voters.

Sincerely,
Tom Lopac

Following are inaccuracies within the document "Proposed Permanent Rules Relating to Election Administration" ID: R-4824.

MN Statute 8200.9115

Line item:

3.16 that I ~~reside at the address shown and have resided~~ have maintained residence in Minnesota

Comment: address is critical in identifying residency. Cannot delete.

MN Statute 8210.0200

Line item:

9.23 receive an absentee ballot ~~application. At least 60 days before each election, the county~~
9.24 ~~auditor or municipal clerk shall send an absentee ballot application to each person on the~~
9.25 ~~list who is eligible to vote in the election.~~

Comment: What law allows for this deletion?

MN Statute 8210.0225

Line item:

10.2 A voter registration application must be sent with the ballot to any challenged voter
10.3 ~~and to each voter whose voter registration application is incomplete under Minnesota~~
~~Statutes,~~

10.4 ~~section 201.061, subdivision 1a, or 201.121, who applies for an absentee ballot. The~~
absentee

10.5 ballot process must be administered as if the voter was not registered to vote.

Comment: Why send a ballot if the ballot process must be administered as if the voter was not registered to vote? At the polling place, you cannot give a ballot to an individual who is not registered to vote. What law allows the deletion of an incomplete voter registration?

Line item:

11.13 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
11.14 on or before the day of the election and who is a citizen of the United States,

Comment: Witness needs to be a registered voter. What law changed this?

Line item:

12.13 • Ask your witness to print their name ~~and Minnesota street address, including city~~

12.14 ~~(not a P. O. Box), in the box at the top of the witness section and sign their name in~~

12.15 the box at the bottom of the witness section.

Comment: For witness verification of registration, address is need.

Line item:

13.22 • If you have a print disability, you may request that ballots, instructions, and a
13.23 certificate of voter eligibility be transmitted electronically in an accessible format
13.24 by contacting your county auditor. If you request a ballot be transmitted electronically
13.25 in an accessible format, you may then complete your ballot electronically but must
13.26 print your voted ballot and return this ballot and completed certificate of voter

13.27 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

14.21 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age 14.22 on or before the day of the election and who is a citizen of the United States,

Comment: Witness needs to be a registered voter. What law changed this?

Line item:

18.12 • If you have a print disability, you may request that ballots, instructions, and a
18.13 certificate of voter eligibility be transmitted electronically in an accessible format
18.14 by contacting your county auditor. If you request a ballot be transmitted electronically
18.15 in an accessible format, you may then complete your ballot electronically but must
18.16 print your voted ballot and return this ballot and completed certificate of voter
18.17 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

21.2 • If you have a print disability, you may request that ballots, instructions, and a
21.3 certificate of voter eligibility be transmitted electronically in an accessible format
21.4 by contacting your county auditor. If you request a ballot be transmitted electronically
21.5 in an accessible format, you may then complete your ballot electronically but must
21.6 print your voted ballot and return this ballot and completed certificate of voter
21.7 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

25.26 • If you have a print disability, you may request that ballots, instructions, and a
25.27 certificate of voter eligibility be transmitted electronically in an accessible format
25.28 by contacting your county auditor. If you request a ballot be transmitted electronically
26.1 in an accessible format, you may then complete your ballot electronically but must
26.2 print your voted ballot and return this ballot and completed certificate of voter
26.3 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

MN Statute 8210.0600

Line item:

27.13 • I am ~~or have been registered to vote in Minnesota at~~ least 18 years of age on or before
27.14 the day of the election and a citizen of the United States, or am a notary, or am
27.15 authorized to give oaths.

Comment: What law changed this?

Line item:

29.9 • ~~I am or have been registered to vote in Minnesota~~ at least 18 years of age on or before
29.10 the day of the election and a citizen of the United States, or am a notary, or am
29.11 authorized to give oaths.

Comment: What law changed this?

MN Statute 8210.02045

Line item:

31.23 Statutes, section 203B.121, subdivision 4, ~~all absentee ballot return envelopes retained by~~
31.24 ~~the county auditor or municipal clerk shall be removed from the place of safekeeping and~~
31.25 ~~compared with the record required by this rule to ensure that all envelopes are accounted~~
32.1 ~~for. Any discrepancy shall be reported to the secretary of state promptly~~ they must comply
32.2 with the provisions of that subdivision and report any discrepancy to the secretary of state
32.3 promptly.

Comment: See no reason for change.

Line item:

32.10 A. ~~has provided a Minnesota address as part of the witness's certification on the~~
32.11 ~~return envelope;~~

Comment: What law made this change?

Line item:

32.18 ~~seventh~~ 19th day before the election, any ballot that has been previously received from
that
32.20 received after the close of business on the ~~seventh~~ 19th day before the election and
another

Comment: What law made this change?

MN Statute 8210.3000

Line item:

33.16 ballot mailing must be sent to each registered voter no earlier than 46 or later than ~~14~~ 28

Comment: What law made this change?

Line item:

35.6 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
35.7 on or before the day of the election and who is a citizen of the United States,

Comment: What law made this change?

Line item:

36.1 • Ask your witness to print their name and ~~Minnesota street address, including city~~
36.2 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in
36.3 the box at the bottom of the witness section.

Comment: For witness verification of registration, address is need.

Line item:

36.11 • Deliver it in person by 8:00 p.m. on Election Day, or
36.12 • Ask someone to deliver it by 8:00 p.m. on Election Day.
Comment: Shouldn't this be 5 PM?

Line item:

37.9 • If you have a print disability, you may request that ballots, instructions, and a
37.10 certificate of voter eligibility be transmitted electronically in an accessible format
37.11 by contacting your county auditor. If you request a ballot be transmitted electronically
37.12 in an accessible format, you may then complete your ballot electronically but must
37.13 print your voted ballot and return this ballot and completed certificate of voter
37.14 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

38.12 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
38.13 on or before the day of the election and who is a citizen of the United States,

Comment: What law made this change?

MN Statute 8215.0400

Line item:

39.17 Subp. 7. Change of major party choice. Until the close of business on the ~~seventh~~
39.18 19th day before the election, a voter may change the voter's choice of which major
political

Comment: What law made this change?

MN Statute 8215.0500

Line item:

40.13 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
41.14 on or before the day of the election and who is a citizen of the United States,

Comment: What law made this change?

Line item:

41.14 • Ask your witness to print their name ~~and Minnesota street address, including city~~
41.15 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in
41.16 the box at the bottom of the witness section.

Comment: For witness verification of registration, address is need.

Line item:

41.25 • Deliver it in person by 8:00 p.m. on Election Day, or
41.26 • Ask someone to deliver it by 8:00 p.m. on Election Day.
Comment: Shouldn't this be 5 PM?

Line item:

42.20 • If you have a print disability, you may request that ballots, instructions, and a
42.21 certificate of voter eligibility be transmitted electronically in an accessible format

42.22 by contacting your county auditor. If you request a ballot be transmitted electronically
41.23 in an accessible format, you may then complete your ballot electronically but must
41.24 print your voted ballot and return this ballot and completed certificate of voter
41.25 eligibility to your local election office.

Comment: Verbiage of Minnesota Statutes, section 645.44, subdivision 14 is adequate.

Line item:

43.16 ~~MN street address~~

43.17 ~~(or title, if an official or notary)~~

43.18 _____

43.19 ~~Street Address~~

43.20 _____ MN

43.21 ~~City~~

Comment: What law made this change?

Line item:

44.2 • ~~I am or have been registered to vote in Minnesota at least 18 years of age on or before~~

44.3 the day of the election and a citizen of the United States, or I am a notary, or I am

Comment: What law made this change?

Line item:

44.8 Subp. 7. Change of major party choice. Until the close of business on the ~~seventh~~

44.9 19th day before the election, a voter may change the voter's choice of which major political

Comment: What law made this change?

MN Statute 8220.1550

Line item:

45.15 ~~The election jurisdiction must hold a public accuracy test within 14 days prior to the~~

45.16 ~~election for the purpose of demonstrating the accuracy of the computer programs and voting~~

45.17 ~~systems to be used at the election. In order to demonstrate the accuracy of the computer~~

45.18 ~~programs and voting systems to be used at an election, the election jurisdiction must hold~~

45.19 a public accuracy test at least three days prior to the voting equipment being used. A

45.20 ballot-marking device used for absentee voting must be tested according to part 8220.1350.

Comment: What law made this change in days?

Line item:

46.22 This rule does not apply to ballot marking devices used for absentee voting. Those

46.23 devices must be tested under part 8220.1350.

Comment: What law allows this change? All should be tested to the same rule.

MN Statute 8235.0700

Line item:

49.21 recount official must be in the room at all times. If the recount includes ballot format as
49.22 provided in Minnesota Statutes, section 206.80, paragraph (b), clause (2), item (ii), and
the
49.23 ballots were used by ten or fewer voters in the precinct, the election judges from that
precinct
49.24 are not eligible to participate in conducting a recount or postelection review in that
precinct.

Comment: What law allows this change?

MN Statute 82505.1810

Line item:

54.6 general election. At the same time that the secretary of state certifies the names of
nominees
54.7 under Minnesota Statutes, section 204C.32, subdivision 2, the secretary of state shall
certify
54.8 to the county auditors the order in which the names of the candidates representing the
54.9 political parties as defined in Minnesota Statutes, section 200.02, subdivision 7, must
appear
54.10 for every partisan office on the ballot. Candidates nominated by petition must appear on
54.11 the ballot beneath the names of the candidates of the political parties as defined in
Minnesota
54.12 Statutes, section 200.02, subdivision 7, and in the order determined by lot by the
secretary
54.13 of state. At least 11 weeks before the state general election, the secretary of state shall
draw
54.20 the order of those candidates. The order of political parties or principles determined by
the
54.21 drawing of lots applies to all partisan offices on the ballot.

Comment: What law allows this change?

Line item:

55.5 Subp. 19. Alternative ballot. The requirements in this part do not apply to the printed
55.6 and marked paper ballots that use the alternative ballot format permitted by Minnesota
55.7 Statutes, section 206.80, paragraph (b), clause (2), item (ii). For precincts using alternative
55.8 ballots, the marked paper ballot must indicate, at a minimum, the date of the election; the
55.9 name of the precinct; an electronically readable precinct identifier or ballot style indicator;
55.10 and the voter's votes for each office or question, generated from the voter's use of a
touch
55.11 screen or other electronic device on which a complete ballot meeting the information
55.12 requirements of all applicable laws was displayed electronically. The ballot must also
include
55.13 lines for initials of at least two election judges.

Comment: What law allows for this, for the ballot generators appears to not be controlled or validated. Having 2 lines for election judges doesn't make these ballots official. This opens the door for voter fraud and ballot stuffing of drop boxes.

Request for Public Hearing on Proposed Voting Rules Changes

RECEIVED

Date: October 20, 2025

To: Court of Administrative Hearings

600 North Robert Street

P.O. Box 64620

Saint Paul, Minnesota 55164-0620

OCT 27 2025

Office of Administrative Hearings

Via: U.S. Mail and eComments website (<https://mn.gov/oah/forms-and-filing/ecomments/>)

Subject: Request for Public Hearing on Proposed Voting Rules Changes by Secretary of State Steve Simon

Dear Administrative Hearings Office,

I have the following questions about the proposed rules.

Richard Klabecek

19519 Lake George Blvd.

Anoka, MN 55303

Richard Klabecek
763-443-6323
RKLABECK@COMCAST.NET

Following are inaccuracies within the document “Proposed Permanent Rules Relating to Election Administration” ID: R-4824.

Line item:

3.16 that I ~~reside at the address shown and have resided~~ have maintained residence in Minnesota

Comment: address is critical in identifying residency. Cannot delete.

Line item:

10.2 A voter registration application must be sent with the ballot to any challenged voter
10.3 ~~and to each voter whose voter registration application is incomplete under Minnesota Statutes,~~
10.4 ~~section 201.061, subdivision 1a, or 201.121, who applies for an absentee ballot. The~~ absentee
10.5 ballot process must be administered as if the voter was not registered to vote.

Comment: Why send a ballot if the ballot process must be administered as if the voter was not registered to vote? At the polling place, you cannot give a ballot to an individual who is not registered to vote. What law allows the deletion of an incomplete voter registration?

Line item:

11.13 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
11.14 on or before the day of the election and who is a citizen of the United States,

Comment: How is it determined that the witness is a citizen of the United States?

Line item:

12.13 • Ask your witness to print their name ~~and Minnesota street address, including city~~
12.14 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in
12.15 the box at the bottom of the witness section.

Comment: need a method to determine United States citizenship?

Line item:

14.21 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age 14.22
on or before the day of the election and who is a citizen of the United States,

Comment: need a method to determine United States citizenship?

Line item:

27.13 • ~~I am or have been registered to vote in Minnesota at least 18 years of age on or before~~
27.14 the day of the election and a citizen of the United States, or am a notary, or am
27.15 authorized to give oaths.

Comment: need a method to determine United States citizenship?

Line item:

29.9 • ~~I am or have been registered to vote in Minnesota at least 18 years of age on or before~~
29.10 the day of the election and a citizen of the United States, or am a notary, or am
29.11 authorized to give oaths.

Comment: need a method to determine United States citizenship?

Line item:

31.23 Statutes, section 203B.121, subdivision 4, ~~all absentee ballot return envelopes retained by~~
31.24 ~~the county auditor or municipal clerk shall be removed from the place of safekeeping and~~
31.25 ~~compared with the record required by this rule to ensure that all envelopes are accounted~~
32.1 ~~for. Any discrepancy shall be reported to the secretary of state promptly they must comply~~
32.2 with the provisions of that subdivision and report any discrepancy to the secretary of state
32.3 promptly.

Comment: See no reason for change.

Line item:

32.10 A. ~~has provided a Minnesota address as part of the witness's certification on the~~
32.11 ~~return envelope;~~

Comment: need a method to determine United States citizenship?

Line item:

32.18 ~~seventh~~ 19th day before the election, any ballot that has been previously received from
that

32.20 received after the close of business on the ~~seventh~~ 19th day before the election and
another

Comment: What law made this change?

Line item:

33.16 ballot mailing must be sent to each registered voter no earlier than 46 or later than ~~14~~ 28

Comment: What law made this change?

Line item:

35.6 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
35.7 on or before the day of the election and who is a citizen of the United States,

Comment: need a method to determine United States citizenship?

Line item:

- 36.1 • Ask your witness to print their name ~~and Minnesota street address, including city~~
36.2 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in
36.3 the box at the bottom of the witness section.

Comment: For witness verification of registration, address is needed and need a method to determine United States citizenship?

Line item:

- 36.11 • Deliver it in person by 8:00 p.m. on Election Day, or
36.12 • Ask someone to deliver it by 8:00 p.m. on Election Day.

Comment: Shouldn't this be 5 PM?

Line item:

- 38.12 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
38.13 on or before the day of the election and who is a citizen of the United States,

Comment: need a method to determine United States citizenship?

Line item:

- 39.17 Subp. 7. Change of major party choice. Until the close of business on the ~~seventh~~
39.18 19th day before the election, a voter may change the voter's choice of which major
political

Comment: What law made this change?

Line item:

- 40.13 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
41.14 on or before the day of the election and who is a citizen of the United States,

Comment: need a method to determine United States citizenship?

Line item:

- 41.14 • Ask your witness to print their name ~~and Minnesota street address, including city~~
41.15 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in
41.16 the box at the bottom of the witness section.

Comment: need a method to determine United States citizenship?

Line item:

- 41.25 • Deliver it in person by 8:00 p.m. on Election Day, or
41.26 • Ask someone to deliver it by 8:00 p.m. on Election Day.

Comment: Shouldn't this be 5 PM?

Line item:

- 43.16 ~~MN street address~~
43.17 ~~(or title, if an official or notary)~~

43.18 _____
43.19 Street Address
43.20 _____ MN
43.21 City

Comment: need a method to determine United States citizenship?

Line item:

44.2 • I am ~~or have been registered to vote in Minnesota~~ at least 18 years of age on or before
44.3 the day of the election and a citizen of the United States, or I am a notary, or I am

Comment: need a method to determine United States citizenship?

Line item:

44.8 Subp. 7. Change of major party choice. Until the close of business on the ~~seventh~~
44.9 19th day before the election, a voter may change the voter's choice of which major
political

Comment: What law made this change?

Line item:

45.15 ~~The election jurisdiction must hold a public accuracy test within 14 days prior to the~~
45.16 ~~election for the purpose of demonstrating the accuracy of the computer programs and~~
~~voting~~
45.17 systems to be used at the election. In order to demonstrate the accuracy of the computer
45.18 programs and voting systems to be used at an election, the election jurisdiction must hold
45.19 a public accuracy test at least three days prior to the voting equipment being used. A
45.20 ballot-marking device used for absentee voting must be tested according to part
8220.1350.

Comment: Testing is not comprehensive enough

Line item:

54.6 general election. ~~At the same time that the secretary of state certifies the names of~~
~~nominees~~
54.7 ~~under Minnesota Statutes, section 204C.32, subdivision 2, the secretary of state shall~~
~~certify~~
54.8 ~~to the county auditors the order in which the names of the candidates representing the~~
54.9 ~~political parties as defined in Minnesota Statutes, section 200.02, subdivision 7, must~~
~~appear~~
54.10 ~~for every partisan office on the ballot. Candidates nominated by petition must appear on~~
54.11 ~~the ballot beneath the names of the candidates of the political parties as defined in~~
~~Minnesota~~
54.12 ~~Statutes, section 200.02, subdivision 7, and in the order determined by lot by the~~
~~secretary~~
54.13 ~~of state.~~ At least 11 weeks before the state general election, the secretary of state shall
draw

54.20 the order of those candidates. ~~The order of political parties or principles determined by the~~

54.21 ~~drawing of lots applies to all partisan offices on the ballot.~~

Comment: What law allows this change?

Line item:

55.5 Subp. 19. Alternative ballot. The requirements in this part do not apply to the printed
55.6 and marked paper ballots that use the alternative ballot format permitted by Minnesota
55.7 Statutes, section 206.80, paragraph (b), clause (2), item (ii). For precincts using alternative
55.8 ballots, the marked paper ballot must indicate, at a minimum, the date of the election; the
55.9 name of the precinct; an electronically readable precinct identifier or ballot style indicator;
55.10 and the voter's votes for each office or question, generated from the voter's use of a
touch

55.11 screen or other electronic device on which a complete ballot meeting the information
55.12 requirements of all applicable laws was displayed electronically. The ballot must also
include

55.13 *lines for initials of at least two election judges.*

Comment: What law allows for this, for the ballot generators appears to not be controlled or validated. Having 2 lines for election judges doesn't make these ballots official. This opens the door for voter fraud and ballot stuffing of drop boxes.



Minnesota Senate Committee on Elections

Chair
Jim Carlson

Vice Chair
Senator Bonnie Westlin

October 30, 2025

Dear Administrative Law Judge Eric Lipman,

We write to provide post-hearing comments on the Office of the Secretary of State's Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; CAH Docket No. 8-9019-39440; Minnesota Rules, Chapters 8200-8250. We are grateful to the Office of the Secretary of State for their consideration of the pre-hearing comments Senator Boldon submitted on 9/26/25, including the suggestions which they accepted in their 10/26/25 post-hearing letter. We believe that those changes will help increase clarity and ease of understanding for Minnesota voters.

We as a group urge the Secretary to reconsider the remaining suggestions that Senator Boldon made in her letter. Our comments below respond to the Office's 10/26 letter outlining the changes that they declined to adopt. We believe that they are both within the scope of the Office's rulemaking authority and would further the goal of ensuring that voter-facing election materials are as clear and easy to understand as possible.

Section 8210.0500: In their letter, the Office argues against including all types of residential facilities on the section of the absentee voter instructions which lists the types of facilities that can allow employees to vouch for residents. The Office instead states that the scope of their modifications extends only to updating the names of facilities to more modern terms. While the Office did not propose further changes to this Rule section, they have the authority to add items to this list since the Office's Dual Notice and Statement of Need and Reasonableness (SONAR), note that the Office is considering changes not only in response to direct conflicts between Minnesota Statutes and Rules, but also in response to comments from election officials and the public to help increase clarity to voters. Adding each type of residential facility which is authorized by statute to the absentee voter instructions would clearly fall within that scope.

Failing to provide a clear and comprehensive list of the types of residential facilities at which staff are authorized to provide proof of residence for residents in the absentee ballot instructions leaves a significant risk of confusion for voters who reside in the types of facilities which have been excluded. In their letter, the Office argues that a noncomprehensive list, which excludes the term "group home" as well as the terms "adult foster care program" and "residential treatment program" is sufficient. However, voters in these facilities have a right to clear information regarding their options for voting, and the omission of essential details on who is eligible to be vouched for by an employee will present a meaningful barrier for voters who reside in the impacted residential facilities, as well as for staff, family members, and other individuals who are seeking to help residents navigate the voting process.

The deletion of the term “group home” from the list is especially concerning, as removing a term which has been present in the instructions in previous years could mislead voters and staff into believing that they are no longer eligible to have a staff member vouch for them. Replacing the term “group home” with “assisted living facility” as outlined on pg. 14 of the Office’s 10/26 letter is also insufficient, as despite the Office’s argument of adhering more closely to the literal language of statute – the two types of facilities are not interchangeable, and the omission of “group home” could appear intentional to both residents and staff.

Overall, failing to use plain language which considers the needs of voters could have a disenfranchising impact on residents of the omitted facilities. I urge the Secretary’s office to reconsider adopting a fully comprehensive list that provides clear information to all voters, regardless of which type of residential facility they reside in.

Sec. 8200.9950: Senator Boldon suggested two changes to the form used to challenge a voter’s eligibility before Election Day. The Office declined to incorporate either suggestion. We would respectfully ask them to reconsider both of her suggestions. They first argue that providing space for the challenger to detail how they personally verified the facts and circumstances of the basis of their challenge would exceed the Office’s authority. To the contrary, adding this element does not contradict the statute, which we agree would be prohibited, but instead provides a reasonable way to enforce and implement the statute, as required by Minnesota Statutes, section 14.03, subd. 3(a)(1). The counties are required to assess whether the challenger has met the burden of proof by clear and convincing evidence that the basis for challenging the individual’s right to vote is valid. Counties will be unable to make this legally required assessment if they are not provided with the necessary information about how the basis of the challenge was personally verified by the challenger. Notice that the statute specifically references “the basis of the challenge” in both of these instances. As such, we request reconsideration of Senator Boldon’s suggestion.

We also urge reconsideration of Senator Boldon’s suggestion that to faithfully implement the statutory language, an oath or affirmation must be added to this affidavit. As Senator Boldon notes, when implementing a term like “affidavit” that is not defined for this chapter of statute, the Office must comply with Minnesota Statutes, section 645.08 and apply the common and approved understanding of it. In this case, the dictionary definition of “affidavit” “is a written statement for which the signer swears or affirms that the claims set forth are true and accurate to the best of the person’s knowledge, often before a notary or other official. If the person bringing the challenge does not swear or affirm that the statements are true, then how is this an affidavit? How are the Rules giving effect to each word of the statute, as required by Minnesota Statutes, section 645.16?

Moreover, the Office should require that the affidavit be notarized. While other statutes may specifically require notarization, as the Office noted in their response, the statute being silent on that issue does not preclude the Office from requiring notarization, since it is integral to the common dictionary definition of the term “affidavit” which is used in this statute. The affidavit should be notarized because of its import. Challenging a voter’s registration puts the person’s fundamental right to vote at risk. This should not be done lightly and there should be as many safeguards as possible to ensure that only legitimate challenges are brought. Furthermore, it would align with the requirements for a challenge brought in a polling place, which is done in front of the election judge.

The Office notes that the term “affidavit” existed in this statute prior to 2023 and the current Rule does not require an oath, affirmation, or notarization, and thus are content to leave it as is. From our perspective, whether the term already existed or was added in recent years is immaterial. The Office is not limited in this Rulemaking to only implementation of laws amended since 2023. The Dual Notice and the SONAR indicate that the general topic is Election Administration. The Office has a responsibility to ensure that the Rules faithfully implement statute now that this discrepancy has been identified, and to amend the Rules to do so if the original Rule’s attempt at doing so did not suffice. Updating the requirements of an affidavit to include a sworn statement will resolve this error and bring the rules into alignment with the statutory requirements.

Sections 8210.0500, 8210.0600, 8210.3000, and 8215.0500: Similar to the arguments made above about the list of residential facilities at which staff are authorized to vouch for residents, we urge the Office to reconsider Senator Boldon’s suggestions to these sections to provide voter-facing information in plain language so it is as easily understood by voters as possible, regardless of their reading level or whether English is their first language. The Office asserts that it is preferable to use technical language that is “nearly identical” to statutory text for the instructions about who can serve as a witness, the witness’s oath, and a description on the instructions as to who has a right to receive an accessible absentee ballot. We agree that the rule should faithfully reflect the statute, but strongly believe that it should be translated into plain language to provide clarity and ease voters’ understanding. The Center for Civic Design notes that nearly ½ of Americans struggle to read and that using plain language for voting materials reduces voter confusion, calls to election officials, and voter errors. Both the federal and state governments have made communicating in plain language a priority, as evidenced by the federal [Plain Writing Act](#) of 2010, as well as Governor Dayton’s Executive Order 14-07, which was renewed by Governor Walz in EO 19-29. Additionally, the current absentee ballot instructions that the Office proposes to amend use plain language. The Office should follow that model in their revisions to the Rules, instead of language taken directly from the statute which can be dense and hard to understand, especially if someone is a first time voter.

Providing plain language instructions is particularly important where the absentee ballot instructions inform voters that certain voters with disabilities have a right to receive an accessible absentee ballot. The proposed Rule, which the Office notes mirrors the statute, could be confusing. The Office proposes the following language:

“If you have a print disability, you may request that ballots, instructions, and a certificate of voter eligibility be transmitted electronically in an accessible format by contacting your county auditor. If you request a ballot be transmitted electronically in an accessible format, you may then complete your ballot electronically but must print your voted ballot and return this ballot and completed certificate of voter eligibility to your local election office.”

The language Senator Boldon proposed, in contrast, provides more context as to who has a right to an accessible ballot in case voters are not familiar with the term “print disability”, uses the simpler term “form” instead of “certificate of voter eligibility” since that title is unfamiliar to most voters and more detail than they need, explains what it means to have the ballot transmitted electronically, and helpfully provides the deadline for returning the materials. Senator Boldon’s suggestion also avoids using the plural “ballots”, as the Office is attempting to rid the Rules of this term. Senator Boldon suggested:

“If you have a disability that makes it difficult to read, write, or use printed materials, you have a right to use an accessible absentee ballot sent to you by email. You will be able to use your computer or phone to fill out your ballot and the forms, but will need to print them and return the paper copies by Election Day. To request an accessible ballot, contact your county auditor.”

Sen. Boldon's suggested language offers a clearer and more accessible option, at least until a thorough usability test can be conducted. We urge the office to adopt Sen. Boldon's suggestions, or similar language, as opposed to defaulting to legalistic statutory language.

We would again like to thank the Secretary and his staff for the work that has gone into these proposed rules, and for their consideration of these proposed changes. We hope that these suggestions will be useful in ensuring that the final rules are as clear and helpful to voters as possible.

Sincerely,

Senator Jim Carlson, Chair

Senator Bonnie Westlin, Vice Chair

Senator Liz Boldon

Senator Steve Cwodzinski

Senator John Marty

Senator Lindsey Port

Minnesota Senate

Minnesota Senate Building
95 West University Avenue
Saint Paul, Minnesota 55155



Minnesota House

State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

October 30, 2025

Dear Administrative Law Judge Eric Lipman,

The undersigned Senators and Representatives write to raise concerns about the absentee ballot instructions for non-registered voters in the Office of the Secretary of State's Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; CAH Docket No. 8-9019-39440; Minnesota Rules, Chapters 8200-8250. In Section 8210.0500, on lines 17.22 -17.24, the Rule Draft reflects an item in the list of options an absentee voter may use to prove their residence if they are also registering to vote or updating their voter registration. This particular item describes the types of residential facilities at which the law authorizes staff to vouch for residents.

We appreciate the efforts of the Secretary to update these terms to match more modern language, however the proposed changes fail to include several essential types of programs that are authorized by Minn. Statutes, section 201.061, subd. 3, including residential treatment programs and adult foster care programs. Furthermore, the proposed Rules replace "group home" with "assisted living facility," which incorrectly assumes that the two terms are interchangeable and will confuse voters in group homes if this item is omitted from the list.

Individuals with disabilities, complex health needs, and many residents of group homes and other residential facilities face unique barriers to voting, and it is critical that election materials take every step to communicate voting instructions as clearly as possible. Omitting options authorized by statute, including "group home," "adult foster care program," and "residential treatment program" from the list of residential facilities at which staff can vouch for residents outlined in lines 17.22 to 17.24 of the rulemaking draft poses a serious risk of misleading or confusing voters across the state, potentially with disenfranchising results. These voter instructions are sent with absentee ballots and are the only information provided directly to voters about the options for providing proof of residence. An attorney may know from context that the list of residential facilities is incomplete and refer to the underlying statutes to fill in gaps, but voters should not need to look elsewhere to have access to complete information. Instead voters should be able to rely that they are being provided with a description of the full range of options at their disposal so that they can make their voting plan based upon the information at their fingertips.

Furthermore, the Secretary asserts that the term "assisted living facility," which is proposed to be added to the list, substitutes for the term "group home." As the two facilities are legally distinct and commonly understood as different entities, we believe that both terms should appear in the instructions

to voters to avoid voter confusion. Assisted living facilities are licensed in Minnesota by the Department of Health under chapter 144G. Group homes, on the other hand, provide services licensed by the Department of Human Services, and are referenced in 201.061, subd. 3 as follows: “a residence licensed by the commissioner of human services to provide a residential program as defined in section [245A.02, subdivision 14](#)”. The statutory definition of “assisted living facility” that the Office cites to show that the term includes group homes (section 144G.08, subd. 7), actually specifically excludes facilities and services licensed by the Department of Human Services in paragraph (5).

More importantly, they connote different facilities. The goal should be to convey information to voters in language that they will easily understand, not simply to copy the statute. The term “assisted living facility” is commonly understood to be a residence primarily for seniors where they receive some assistance with activities of daily living. The term “group home” is commonly understood as a residential facility that houses and provides services to people with developmental disabilities. Deleting the term “group home” from the absentee voter instructions is particularly worrisome, as Senator Boldon explained in her original letter. She noted that a voter in a group home, or a staff member or family member who regularly helps voters could notice that the term “group home” had been removed compared to instructions provided in previous years, and may naturally assume that they are no longer eligible to be vouched for, which could cause confusion, lead to unnecessary calls to local elections officials offices, and potentially even deter individuals from voting.

The Secretary asserted that adding categories of residential facilities to the voter instructions that are authorized by statute is “outside the scope of the rule modifications” because in this section the Secretary simply intended to update some of the terms with more current terminology, not to add to the list. We would note, however, that in the Dual Notice, the Secretary’s description of the Subject of the Rules was making general changes to absentee ballot administration. Further, both the Dual Notice and the SONAR in the Statement of General Need on page 13 state that one of the goals of this Rulemaking is clarity. The Statement of General Need specifically states that a goal is to “ensure that current processes are clearly explained.” So the Secretary certainly has the legal authority to make this amendment to the proposed Rules while remaining true to the publicly outlined scope of potential revisions.

The Secretary also argues that the current incomplete list is legally sufficient and never was fully exhaustive. While that may be technically true, we would counter that voters need and deserve to be provided with complete information using terms that are commonly understood. If there are types of facilities missing from the list in addition to those that Senator Boldon mentioned, the remedy is to add them to the list as well. We urge the secretary to ensure that the list provides complete information in plain language that voters will easily understand in the materials provided directly to the voter.

We understand that the Secretary of State will be providing guidance to residential facilities directly about these procedures in accordance with 201.061, subd. 3 (c), and we hope and expect that the facilities will try to impart this information to their residents. However, we worry that there are voters who will remain in the dark and could be disenfranchised if they are not provided with the full list. This would include voters who make their voting plans either independently or with their loved ones, without seeking out staff support. They may mistakenly believe that they don’t have a way to provide proof that they maintain residence at the residential facility and thus cannot vote, if the type of facility in which they reside is not included on the list.

Please make the simple change to retain the term “group homes” and add the terms “adult foster care programs,” and “residential treatment programs”, as well as any other missing terms to the list of residential facilities at which staff can vouch for residents to the proposed rules to ensure that every Minnesotan who resides in any type of residential facility is provided with complete and clear instructions on their voting options.

Thank you,

Senator John Hoffman, Chair
Senate Human Services Committee

Senator Jim Carlson, Chair
Senate Elections Committee

Senator Bonnie Westlin, Vice Chair
Senate Elections Committee

Senator Liz Boldon

Senator Steve Cwudzinski

Senator John Marty

Sen. Erin Maye Quade

Senator Lindsey Port

Rep. Mohamud Noor, Co-Chair, House
Human Services Finance and Policy
Committee

Rep. Mike Freiberg, Co-Chair
House Elections Finance and Government
Operations Committee

Rep. Heather Keeler, Co-Vice Chair, House
Human Services Finance and Policy
Committee

Rep. Liz Lee, Co-Vice Chair
House Elections Finance and Government
Operations Committee

Rep. Kim Hicks

Here is how the law ((203B.07 s.3) was changed: "... a person who is ~~registered to vote in Minnesota~~ at least 18 years of age on or before the day of the election and a citizen of the United States or by a notary public..."

*Nothing in this law says that an actual address, as evidence that the witness might be verified compliant with the law, should be removed. This error is easily remedied by striking **ONLY** the word "Minnesota" or "MN" in or with the following lines of the proposed rules, copied below:*

- 12.13
- 16.1
- 26.23
- 32.10
- 36.1
- 37.27
- 41.14
- 43.16

10.6 **8210.0500 INSTRUCTIONS TO ABSENT VOTER**

12.13 Ask your witness to print their name ~~and Minnesota street address, including city~~

12.14 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in

12.15 the box at the bottom of the witness section.

16.1 Ask your witness to print their name ~~and Minnesota street address, including city~~

16.2 ~~(not a P. O. Box),~~ in the box at the top of the witness section, indicate which proof

16.3 you showed them, and sign their name in the box at the bottom of the witness section.

26.23 Witness must complete this section

26.24 Witness name _____

26.25 ~~MN street address~~

26.26 ~~(or title, if an ...~~

32.10 A. ~~has provided a Minnesota address as part of the witness's certification on the~~

32.11 ~~return envelope;~~

36.1 Ask your witness to print their name ~~and Minnesota street address, including city~~

36.2 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in

36.3 the box at the bottom of the witness section.

37.26 Witness name _____

37.27 ~~MN street address~~

37.28 ~~(or title, if an~~
37.29 ~~official or notary)~~

41.14 Ask your witness to print their name and ~~Minnesota street address, including city~~
41.15 ~~(not a PO Box),~~ in the box at the top of the witness section and sign their name in
41.16 the box at the bottom of the witness section.

43.14 **Witness must complete this section**

43.15 **Witness name**_____

43.16 **~~MN street address~~**

43.17 ~~(or title, if an official or notary)~~

Stillwater Township PAT

From Amy Stenftenagel <Amy.Stenftenagel@co.washington.mn.us>

Date Tue 8/6/2024 7:07 PM

To mimarnold53@hotmail.com <mimarnold53@hotmail.com>

Ms. Arnold,

Thank you for reaching out to me about Stillwater Township's recent Public Accuracy Test (PAT). As I told you on the phone, we don't see that there was anything wrong with Stillwater Township's PAT. Washington County prepared a test deck of ballots as directed in MN Rule 8220.1050. This rule states the following:

8220.1050 PREPARATION OF TEST DECK.

The election jurisdiction requesting the computer program must prepare a test deck of ballots to be used to determine that the voting system and the computer program will correctly mark or count the votes cast for all offices and all proposals in compliance with the Minnesota election law.

The test deck must conform to part 8220.1150. A test deck must be prepared specifically for each election.

The test deck prepared must consist of a preaudited configuration of ballots to record a predetermined number of valid votes for each candidate and issue.

This rule refers to MN Rule 8220.1150, which says the following:

8220.1150 TEST BALLOTS.

All test ballots must be marked "TEST."

Ballots must be prepared having votes in excess of the number allowed by law for each office and proposal appearing on the ballot.

For district offices in which the number of candidates appearing on the ballot for that office varies by district, test ballots must be prepared with the number of votes allowed by law for that office in that district.

In partisan primary elections test ballots must be prepared to check the program for splitting tickets. Test ballots must be prepared with votes appearing in the same ballot for candidates of opposite political parties, nonpartisan candidates, and proposals. At least one ballot must be prepared with votes for one party and including votes for a nonpartisan office in excess of the number permitted by law.

In preparing the test deck, a number of the ballots must be voted to include valid votes in the partisan, nonpartisan, and proposal sections of the ballot. The test deck must include ballots involving no overvotes or marks in unassigned locations, valid votes for each candidate and ballot question, overvotes, undervotes, and invalid votes in many different combinations.

Above I've highlighted and underlined the part of MN Rule 8220.1150 that I believe you think Stillwater Township violated. It says the test deck, not each office, must have overvotes, undervotes, etc. The test deck means all of the ballots that we're using as part of a PAT must meet those requirements, not that each office has to meet each requirement.

I hope this helps you understand why the test deck used by Stillwater Township did not violate any Minnesota statutes or rules.

Thank you,
Amy

RE: Stillwater Township PAT

From Amy Stenftenagel <Amy.Stenftenagel@co.washington.mn.us>

Date Wed 8/7/2024 7:42 AM

To mim arnold <mimarnold53@hotmail.com>

Good morning,

The rules I included in my original email are not protocol or county directive. They are administrative rules from the Office of the Minnesota Secretary of the State.

Which part of the state statute below do you think was violated during Stillwater Township's PAT?

Thank you,
Amy

From: mim arnold <mimarnold53@hotmail.com>

Sent: Wednesday, August 7, 2024 12:31 AM

To: Amy Stenftenagel <Amy.Stenftenagel@co.washington.mn.us>

Subject: Re: Stillwater Township PAT

External message alert: This message originated from outside the Washington County email system. Use caution when clicking hyperlinks, downloading pictures or opening attachments.

Amy,

State law supersedes any protocol or county directive... Here is the full MN Statute:

206.83 TESTING OF VOTING SYSTEMS.

At least three days before voting equipment is used, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election. After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots

Please review this closely and a prompt respond is appreciated.

Thank you!

Miriam Arnold

6512954886

*** CONFIGURATION REPORT ***
 6:08 PM July 29, 2024
 Unit Serial Number: 0319420227

VOTING DEVICE INFORMATION

HARDWARE CONFIGURATION
 Current Time Date:
 6:08 PM July 29, 2024
 Time Zone: America/Chicago
 Diverted Status: Not Detected
 Touch Screen: OK
 Power Source: AC
 Battery Charge: 100%
 Modem Status: Detected
 Modem Type: VERIZON-4G-R2
 Modem ID: 394565110711530
 Universal Voting Console: Not Detected
 Scanner Board: WM8215
 Motherboard: VT6070
 Touch-Screen Model: Elo 2216-AccuTouch
 Installed RAM: 1GB
 Report Text Size: Larger

Unit Serial Number: 0319420227

Stillwater Twp. P-01

Total Paper Sheets: 68

GOP US Senator

Number to Vote For	1
Raymond D. Petersen	5
Laner Blue	4
Royce White	3
Alycia R. Gruenhagen	2
John Beniman	10
Joe Fraser	8
Patrick D. Munro	7
Christopher Seymore Sr.	6
Over Votes	1
Under Votes	0
Total Votes	46

DFL US Senator

Number to Vote For	1
Ahmad R. Hassan	4
George H. Kalberer	3
Ole Savior	2
Amy Klobuchar	6
Steve Carlson	5
Over Votes	1
Under Votes	0
Total Votes	21

Declaration of Rick Weible

Pursuant to 28 U.S.C Section 1746, I, Rick Weible make the following declaration.

1. I am over the age of 21 years, and I am under no legal disability, which would prevent me from giving this declaration.
2. I currently reside at 803 Elk Street, Elkton, SD 57026.
3. I am a computer network engineer and data analysis expert with over 25 years of industry experience. Owner of a small computer consulting company, that has been in business for over 25 years providing compliance certifications, desktop support, programming, network management and security, web development and hosting.
4. I am the founder of United States Council on Accurate and Secure Elections and have been analyzing elections in multiple states helping both election officials and voters better understand the election systems in an effort to have better oversight and security in our elections.
5. I am aware of MN Rule 8220.1150 - TEST BALLOTS. All test ballots must be marked "TEST." Ballots must be prepared having votes in excess of the number allowed by law for each office and proposal appearing on the ballot. For district offices in which the number of candidates appearing on the ballot for that office varies by district, test ballots must be prepared with the number of votes allowed by law for that office in that district. In partisan primary elections test ballots must be prepared to check the program for splitting tickets. Test ballots must be prepared with votes appearing in the same ballot for candidates of opposite political parties, nonpartisan candidates, and proposals. At least one ballot must be prepared with votes for one party and including votes for a nonpartisan office in excess of the number permitted by law. In preparing the test deck, a number of the ballots must be voted to include valid votes in the partisan, nonpartisan, and proposal sections of the ballot. ***The test deck must include ballots involving no overvotes or marks in unassigned locations, valid votes for each candidate and ballot question, overvotes, undervotes, and invalid votes in many different combinations.*** At least one test ballot must be prepared in which marks appear in the precinct identifier or ballot style indicator. Blank ballots in which no positions have been voted must be included in the test deck. When required to be used in an election pursuant to Minnesota Statutes, section 206.57, subdivision 5, the test deck must include a number of ballots marked by an electronic ballot marker sufficient to have marked all vote targets on the ballot in every precinct. Statutory Authority: MS s 206.57;

206.81; 206.82 History: 10 SR 1690; 17 SR 8; 23 SR 459; 34 SR 1561 Published Electronically:
May 25, 2010

Source - <https://www.revisor.mn.gov/rules/pdf/8220/2014-01-18%2008:11:38+00:00>

6. I have reviewed the Logic and Accuracy test of Stillwater Township Precinct 1 July 29th, 2024, when they performed a Public Accuracy Test that directly violated MN Rule 8220.1150, where *“The test deck must include ballots involving no overvotes or marks in unassigned locations, valid votes for each candidate and ballot question, overvotes, undervotes, and invalid votes in many different combinations.”*
7. The following pictures shows the under votes at 0, for the REP United States Senator race and the DFL Senator race, which shows that the election official did not properly test the tabulator and violated MN Rules.

*** CONFIGURATION REPORT ***
6:08 PM July 29, 2024
Unit Serial Number: 0313420227

VOTING DEVICE INFORMATION

HARDWARE CONFIGURATION
Current Time Date:
6:08 PM July 29, 2024
Time Zone: America/Chicago
Diverter Status: Not Detected
Touch Screen: OK
Power Source: AC
Battery Charge: 100%
Modem Status: Detected
Modem Type: VERIZON-4G-R2
Modem ID: 354595119711530
Universal Voting Console: Not Detected
Scanner Board: WM8215
Motherboard: VT6070
Touch Screen Model: Elo 2216 AccuTouch
Installed RAM: 1GB
Report Text Size: Larger

Unit Serial Number: 0313420227

Stillwater Twp. P-01

Total Paper Sheets: 68

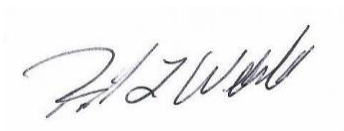
GOP US Senator

Number to Vote For	1
Raymond D. Petersen	5
Loner Blue	4
Royce White	3
Alycia R. Gruenhager	2
John Berman	10
Joe Fraser	8
Patrick D. Munro	7
Christopher Seymore Sr.	6
Over Votes	1
Under Votes	0
Total Votes	46

DFL US Senator

Number to Vote For	1
Ahmad R. Hassan	4
George H. Kalberer	3
Ole Savior	2
Amy Klobuchar	6
Steve Carlson	5
Over Votes	1
Under Votes	0
Total Votes	21

8. It is my recommendation that either the tests be redone properly in accordance with the laws and rules of the state of Minnesota or the Township should vote to have a 100% post-election audit, to restore trust in the elections, due to the lack of public confidence established by the poor performance during the testing of the election equipment.

A handwritten signature in black ink, appearing to read "Rick Weible", is written over a light blue rectangular background.

Rick Weible

8/1/2024

803 Elk Street

Elkton, SD 57026



Simon didn't let up when he met with Kiffmeyer's committee on Dec. 8. He told the panel that anyone who trades in the allegations of voter fraud and stolen elections "is coating themselves in a shame that will never, ever wash off. Ever."



Erik van Mechelen Attachment

Kiffmeyer was not dissuaded. She said her questions had been asked by residents of the state and she has a responsibility to pursue answers. But, she said, those questions have "been met with accusations and disrespect, which is very disappointing."

While threats against election officials are wrong, she said, she disagreed with Simon's assertion that "when we ask questions about our election system, that somehow in and of itself is some sort of shameful activity. I will also reject that."

'The citizens of Minnesota ... have an absolute right to ask questions'

Time has done little to ease the conflict. Last week, during his first appearance before Kiffmeyer's committee of the new legislative session, the two picked up where they'd left off.

Comments to the Proposed Permanent Rules Relating to Election Administration

Revisor ID: R-4824

CAH Docket: 8-9019-39440

Minnesota Rules Chapter 8200-8250P

Dated 08/04/25

8200.3000 Registration in Wrong County.

The proposed revisions to the rule should be rejected. The county auditor should forward the voter's application to the correct county auditor for acceptance and processing as is stated in the original rule.

The need identified for changing the current language in the SONAR is not correct as there is nothing in the original language saying that the county auditor has to accept or can reject the voter registration application from someone outside of their county. The original language requires the county auditor to forward the application to the correct county auditor. If the county auditor is not forwarding applications, then they are not following the rules and this particular issue must be dealt with independent of whether or not the county auditor accepts the application from someone in the wrong county.

The new language requires a county auditor to accept a voter registration application. This new language does not give the county auditor the ability to reject an application. The county auditor needs to have the ability to reject an application that is incomplete, not correctly filled out or for other justifiable reasons. However, the acceptance of an application should be handled by the county auditor of the correct county.

Proposed language:

When a county auditor receives a voter registration application from a person whose with a residential address is in another county, the auditor shall within two working days forward the application to the auditor of the proper county, if the county can be ascertained.

8200.5100 Registration at Precinct Only

Subp. 5. Update (lines 2.24 through 3.4) – This rule change should be rejected as it is incomplete and does not properly deal with updating a voter's information at the polling place. The proposed language has the voter submit a voter registration application as if

they are a new voter. The existing voter registration that needed to be updated is not updated through this process. The incorrect voter registration remains on the roles as well as the new voter.

A rule needs to be proposed and the existing process at the polling place changed to allow the election judge to update the voter's information with the correct information subject to the voter providing the necessary supporting documentation. As an election judge we have experienced this problem at the polling place and the current system does not allow us to update the voter registration with the correct information.

Proposed language:

A registered voter may update the information on record on election day at the polling place of the precinct in which the voter now resides. The registered voter must provide proof of residence as described in subparts 1 or 2 and any other supporting documentation to show the changes necessary to their voter registration information. Upon approval of the Head Election Judge, the election judge shall make the appropriate change(s) to the voters registration and noted for the county auditor to verify. The registered voter shall verify the changes and their agreement by signing the voter certification.

8200.9320 Interaction with Department of Public Safety

MN SOS provided a SONAR for this part, but there are no proposed rule changes in the Rule Draft document. No rule change tied to this should be approved since the proposed change was not properly vetted.

8215.0200 – Ballots

MN Statute 207A.13 deals with presidential primary ballots. The new proposed rules is not written for presidential primary ballots but is written for general ballots.

The phrase “*below the name of the last candidate for each office*” (lines 38.22 and 38.23) does not align with the statute. The phrase “for each office” (line 38.22) should be removed as the presidential primary is a single office.

Part 8215.0400 – Absentee Voting

Subp. 7 Change of major party choice.

The deletions and additions in lines 39.20, 39.21 and 39.22 should not be made and the language should remain unchanged. MN Statute 203B.081 specifically deals with absentee voting and thus absentee in line 39.20 should remain (203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON). A vote prior to election day is consider an

absentee ballot and is noted in the voter database as an “AB” (absentee ballot). Both mail in ballots and early voting ballots are deemed an absentee ballot

The removal of subdivision 3 in line 39.22 is not justified as subdivision 3 of MN Statute 203B.081 specifically deals with alternative procedures which the rule call out in line 39.21.

8220.1150 Test Ballots

Line 44.14 – using “TEST” on all ballots provided an easily recognizable marking that was consistently used. The proposed change leaves it up to different parties (vendors) to use any means they wish and potentially eliminates the marking being an easily recognizable marking. Either “TEST” should remain or the vendor should be required to mark all of their test ballots the same and the marking to be used must be preapproved by the official government entity performing the test.

Line 45.8 – This change needs additional information on how the folded ballot is treated. Additional language to be added: *“The folded ballot should be unfolded right before the start of the test and be part of the test and following the unfolding, it should be inserted into the test ballots.”*

Line 45.9 – This change needs more clarity as what is referred to as a different pen. Is this referring to only a different pen manufacturer, is this a different color, or this a different style of pen (e.g. ball point vs felt tip)? Also, ballots are allowed to be marked by pencil and this needs to be part of the test.

The language should be changed to read *“At least one test ballot marked by (1) a different color pen, (2) a different type of pen, and (3) pencil.”*

8230.2040 Recording Valid Write-In Votes

MN Statute 206.90 Optical Scan Voting Systems subdivision 10 limits the requirement to mark the oval or other target shape opposite the blank when a voter writes in an individual to those precincts using optical scanners. The proposed rule does not limit this requirement to precincts using optical scanners. The new rule would allow jurisdictions that don’t use optical scanners to reject a write-in vote that didn’t have the oval or other target shape marked which goes beyond the statute. The rule needs to be either rejected or modified to limit this to precincts using optical scanners to align the statute.

8230.3850 Duplication of Ballots

The proposed rule is not needed and should be rejected as a ballot created pursuant to MN Statute section 206.80, paragraph (b), clause (2), item (ii) does not need duplication.

Clause (2) requires that the electronic voting system creates a ballot that can be tabulated. Item (ii) only identifies the ballot requirements.

8235.0700 General Procedures

The proposed rule language addition is not justified and should be rejected. There is no requirement in MN Statute section 206.80 specifying procedures to be used in a recount. This section specifically deals with electronic voting systems and does not include any requirements on recounts. The justification provided in the SONAR is not in alignment with the wording of Statute 206.80.

8240.1600 Election Judge Basic Training Course

While the addition of electronic pollbook training (if used in the jurisdiction) is reasonable, there should be training for using paper rosters, which are required to be at the precinct using electronic pollbooks in case the electronic pollbooks fail. There is no training provided to election judges on how to use the paper pollbooks as a back-up to electronic pollbooks. Add *paper pollbook training* to Subp 4 item C.

8250.1810 Format of Ballots for Optical Scan Systems

The rule change proposed for subpart 9 dealing with the order of candidates for president and vice president in general election fails to address the majority of MN Statute 204D.13 subd 2. The proposed rule only addresses the order for candidates nominated by petition determined by lot.

Subd. 2 states the order of the president and vice president on the state general election ballot of the candidate of the major political parties:

The first name printed for president and vice president of the United States on the state general election ballot shall be that of the candidate of the major political party that received the smallest average number of votes at the last state general election. The succeeding names shall be those of the candidates of the other major political parties that received a succeeding higher average number of votes respectively. For the purposes of this subdivision, the average number of votes of a major political party shall be computed by dividing the total number of votes counted for all of the party's candidates for statewide office at the state general election by the number of those candidates at the election.

The names of candidates nominated by petition are to be placed after the names of the candidates who were nominated by the major political parties.

The new rule should be rejected as written.



Senate

October 27, 2025

Re: Comments on Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; CAH Docket No. 8-9019-39400; Minnesota Rules Chapter 8200-8250

We, as members of the Senate Elections Committee, are writing to share our thoughts on the proposed changes to the rules related to election administration. Several of these proposed changes should be left to public debate within the legislative process not adopted into rules. Our concerns are as follows:

8200.9940 Precinct List of Persons Vouching for Voter Residence on Election Day and Number of Persons Vouched For

The proposed form leaves off changes made in statute in the 2025 session that prohibits election judges from vouching for someone in the precinct they are working in unless they have specific knowledge that the person lives in the precinct.

The proposed rule also neglects to mention the statute requiring residential facilities provide a list of employees and that those employees need to provide proof of employment to vouch for residents, the only mention to this in the proposed rule is that residential facility employees can vouch for an unlimited number of people.

The rule should not be selective on which statutory requirements it mentions and instead should provide the full context.

8210.0500 Instructions to Absent Voter

The proposed rule would allow jurisdictions to provide additional instructions to voters, provided they comply with typeface requirements. This is overly broad and could lead those local jurisdictions to go beyond the stated intent from the OSS of just giving jurisdiction specific instructions. It would allow for any information so long as it is in the correct format and could lead to inconsistent instructions across the state.

8210.2500 Mail Pickup

Changing the time that municipal clerks must ensure that return envelopes are received from the post office from 4pm to generally "on election day" leaves the rule open to differing interpretations and confusion. Polls close at 8:00pm on election day and the absentee ballot drop off deadline is 5:00pm on election day following a change during the 2025 session which are clear deadlines, without a time, it is unclear whether the deadline for return envelopes to be received from the post office is when polls close at 8:00pm or end of day at 11:59pm.



Senate

This will undoubtedly lead to unnecessary and costly legal challenges and fails to acknowledge that this question should be handled by the legislature with public committee hearings and elected officials.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Mark Koran".

Mark Koran

State Senator, District 28

Minority Lead, Senate Elections Committee

A handwritten signature in black ink that reads "Cal Bahr".

Cal Bahr

State Senator, District 31

A handwritten signature in black ink that reads "Warren Limmer".

Warren Limmer

State Senator, District 37

A handwritten signature in black ink that reads "Eric Lucero".

Eric Lucero

State Senator, District 30

A handwritten signature in black ink that reads "Andrew Mathews".

Andrew Mathews

State Senator, District 27

Dear Administrative Law Judge Eric Lipman,

The Minnesota Council on Disability (MCD) appreciates the opportunity to provide public comment on the Office of the Secretary of State's Proposed Permanent Rules Relating to Elections Administration; Minnesota Rules Chapter 8200-8250; Revisor's ID Number R-4824.

As a non-partisan independent state agency serving people with disabilities, we have had the privilege of partnering with the Secretary of State's Office to advance the right to vote for Minnesotans with disabilities. We appreciate all the good work that has been done in our state to make our election rules easily digestible for members of the public including those with disabilities. It has ensured that people with disabilities can make use of flexible options to exercise their fundamental rights to make their voices heard at the ballot box. We are writing today, however, to express concern about a change to the absentee voting instructions within the proposed rule (17.22 to 17.27 of the Rule Draft).

As you know, Minnesota absentee voting instructions provide the option for an employee in certain residential facilities to vouch for a resident as proof of residence when the resident registers to vote.

A few days ago, we became aware that some legislators had raised significant concerns with the proposed deletion of the term "group home" from the list of residential settings stated in the absentee voting instructions. Group homes are residential settings that serve people with disabilities who require supervision and assistance with acts of daily living. The legislators argued that even though the proposed rule is not taking away this option for group home residents, deleting the term "group home" would cause unnecessary confusion for people with disabilities and support staff. This would lead to an increase in calls to the Secretary of State's Office and potentially disenfranchise voters.

In response, the Secretary of State's Office stated that "assisted living" was simply replacing "group home" because it was more appropriate and consistent with statute.

We wanted to respond to the point raised by the Secretary of State's Office that "assisted living" will replace "group home" since it is more consistent with statute. According to statute, assisted living and community residential settings (commonly known as group homes) are not the same thing. Assisted living falls under Chapter 144G and is regulated by the Minnesota Department of Health while community residential settings fall under [Chapter 245D](#) and is regulated by the Minnesota Department of Human Services. In fact, [Chapter 144G Section 144G.08](#) subdivision 7 clearly states that 245D residential settings are not included in the definition of assisted living. Therefore, we believe that the change is in fact not consistent with statute based on the nuances mentioned.

Additionally, while we are pleased to see the inclusion of the term “assisted living” on the list, we strongly agree with the legislators that deleting the term “group home” will cause a lot of confusion and could significantly increase administrative burden.

Currently, group home is a commonly used and recognized plain language term to describe residential settings within the disability community. The reality is that people with disabilities and resident staff are not experts on what is defined in state statute and the differences between the types of facilities. In fact, when we hear from people with disabilities, advocates, support staff, and even state agency staff and lawmakers about issues in residential settings, the term “group home” is almost always used to describe the facility.

We fear that if “group home” is not included on the list, support staff and people with disabilities will be unsure whether vouching is an option when registering to vote. People with disabilities would have to spend significant time and effort getting clarity from the Secretary of State’s Office about the absentee voting rules. As a result, many might be discouraged from voting altogether, which would decrease the number of people with disabilities who are able to vote.

It is important that rulemaking include the legal term “community residential setting” along with the term “assisted living” and name group homes as an example. This would ensure that the absentee voting instructions are both clear and anchored in statute.

If the Secretary of State’s Office decides to move forward with the proposed language change, then they must at the very least make it clear in any outreach materials geared towards the public that employees in group homes are authorized to vouch for residents.

MCD shares the Secretary of State’s Office’s goal to ensure that everyone regardless of their living situation and disability can participate in our democracy. That starts with plain language instructions that include terms that most people are familiar with. We believe that deleting the term “group home” may inadvertently undermine the goals of both MCD and the Secretary of State.

Thank you to the Secretary for considering the disability community’s input and for continuing to be a strong partner in disability voting rights.

Sincerely,

The Minnesota Council on Disability

PROPOSED PERMANENT RULES RELATING TO ELECTION ADMINISTRATION
Revisor's ID Number R-4824
CAH Docket No. 8-9019-39440

Comments submitted by Linda Lonn
October 30, 2025

OVERALL COMMENTS

1. The rule making process should not be a substitute for the legislative process. Three state legislators attended the hearing on October 10, 2025. Representative Quam said that when rulemaking replaces legislation, it threatens trust. That is true. There is time to go back and work with the legislature rather than “steam ahead” on his report, as Judge Lipman suggested. The legislators’ concerns shown below have merit.
 - The draft rules document was created unilaterally by the Secretary of State while bypassing the legislature.
 - The co-chair of the elections committee said that if these changes were brought to the legislature, the Secretary of State would have been given time to discuss interpretations of technical changes vs. legislative intent.
 - Some rule changes included in the draft rules document have not gone through the legislative process.
2. The draft rules document appears to have overstepped some rules of the road. Rather than allowing these rules to go through knowing there will be the need to challenge them through legal action, it would save valuable time and taxpayer money for the Secretary of State to engage with critical stakeholders now and get it right the first time.
3. To better serve the public interest and those who are tasked with implementing the rules, this work should be a team sport involving critical stakeholders including legislators, election officials, and the public. Per the Secretary of State’s legal representative, these updates included feedback from election officials. In an offline discussion with the Secretary of State’s legal representative, he shared that feedback was not systematically gathered. There was no formal mechanism. Feedback was through general, informal conversations (not directly related to the rules document).
4. Although it was not part of the hearing on October 10, 2025, what is the process to request a copy of the rules document that governs voter registration list maintenance policies followed by the state of Minnesota?

8200.3550 NOTICE OF CHALLENGE REMOVAL.

- OPPOSE.
- Reason: The language is unclear. In Minnesota, you must be a resident of your Minnesota precinct for at least 20 days before an election to be eligible to vote within the location. If an election notice is mailed and returned as undeliverable, what is the next step and where is that covered in this rules document?
- PROPOSED LANGUAGE: “The county auditor shall mail a notice indicating the person's name, address, precinct and polling place to any registered voter whose right to vote has been restored after the person is no longer incarcerated; who has been removed from under a guardianship of the person under which the person did not retain the right to vote; or who has been restored to capacity by the court after being ineligible to vote. The notice must include the following eligibility criteria: US Citizen, at least 18 years old on election day, and Minnesota resident for at least 20 days prior to election day in the precinct where you are voting. The notice must also require that it be returned if not deliverable. If it is returned undeliverable, [please add the language outlining what procedure to follow for returned election notices].”

8200.5100. REGISTRATION AT PRECINCT ONLY

- Subpart 1 Procedure; proof.
- OPPOSE
- Reason: Lacks clarity. You have to prove two things in order to register to vote on election day, as follows: (1) proof of identity and (2) proof of residence. Proof of residence is discussed in the rules draft, but not proof of identity. I believe the Secretary Simon stated during the Fraud committee hearing on October 14, 2025, that a voter must meet both of those criteria. This section should be changed to have proof of identity added to the rules. It is also missing language about residing in the precinct for 20 days prior to the election.
- PROPOSED LANGUAGE: “Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides so long as they have lived at their residence for at least 20 days prior to election day. To register on election day, a person must complete and sign the registration application and provide proof of identity and proof of residence.”

8200.9115 FORM OF POLLING PLACE ROSTERS.

Two items in Subpart 1.

- Subpart 1. General form of roster. Paragraph 2 beginning with line 3.14. Providing a location instead of a residential address.
- OPPOSE.
- Reason: Providing a location rather than a residential address should be sworn and affirmed that it is in the precinct where the person is attempting to vote.
- PROPOSED LANGUAGE: "I swear or affirm that I am at least 18 years of age and a citizen of the United States; that I have maintained residence in Minnesota at this residence or location for at least 20 days immediately preceding the election; and the address or location is within this precinct; that I am not under guardianship of the person in which the court order revokes my right to vote, have not been found by a court to be legally incompetent to vote and that I have the right to vote because, if convicted of a felony, I am not currently incarcerated for that conviction; and that I am registered and will be voting only in this precinct. I understand that giving false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."
- Subpart 1. New language should be added to this section of the rules document due to the change allowing someone to provide a "location" (no street address and zip) rather than a residential address.
- OPPOSE WITH CAVEAT - ADD CLARIFYING LANGUAGE TO THE RULES
- Reason: Someone who uses a "location" instead of a residential address cannot receive USPS mail, including election notices, in advance of the next election because it is not a USPS deliverable address. The rules are that two returned election notices require a registration to be marked challenged. After the election at hand, it is known that election notices cannot be delivered to a "location," therefore, these registrations should automatically be marked inactive post-election (after any election record retention period has been met, if applicable).
- PROPOSED NEW LANGUAGE TO BE ADDED TO THE RULES: Any election day registration that does not have a residential address should be marked inactive **XX** days after the election results are certified." (The **XX** days to be filled in based on any applicable election record retention laws)

8200.9300 MAINTAINING CERTAIN VOTER REGISTRATION RECORDS; SECURITY.

- Subp. 10. Voter's receipt. Last sentence in paragraph 1. "The election jurisdiction may require that the election judges number or initial each voter's receipt as it is issued."
- OPPOSE.
- Reason: This is not how the election workflow operates and it opens the door to additional human error. The voter receipt is handed to the voter at the registration table after the voter signs the oath. The ballots are not kept at the registration table, so the voter must physically walk with the voter receipt to the ballot table where a different election judge numbers the receipt and places it on a spindle. If this statement was added for a small or rural jurisdiction where one person does everything in the workflow process, the language should be specific to that scenario. That process should never be done in a city where more than one pollbook is in use at the same time. The language in the rules document should reflect that.
- PROPOSED LANGUAGE: Delete the sentence

8200.9940 PRECINCT LIST OF PERSONS VOUCHING FOR VOTER RESIDENCE ON ELECTION DAY AND NUMBER OF PERSONS VOUCHER FOR.

- Subpart 1. Required information. "Information regarding persons vouching for voter residence on election day must be tracked according to the form and instructions in subpart 2. Counties, municipalities, or school districts authorized to use electronic rosters pursuant to Minnesota Statutes, section 201.225, may instead collect this information electronically."
- OPPOSE
- Reason: Current Statute MN 201.061 Subd. 3 Election Day Registration states "The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths." The statute has not been changed but at least one county removed the vouching form requirement last year which goes against statute.
- RECOMMENDATION: Work with the legislature to get the appropriate language written into statute for inclusion in the rules document.

8210.0500 INSTRUCTIONS TO ABSENT VOTER.

- Subp. 3. Instructions for nonregistered voters. The following instruction has been removed: “Ask your witness to print their name and Minnesota street address, including city (not a P. O. Box)”
- OPPOSE
- Reason: Removal of the witness address is not in state statute, and I do not see this discussed in the SONAR (Section 8210.0500, pages 18-20). What this is saying is that we will not collect any information from a person who we are giving authority to confirm a voter registration applicant’s eligibility criterion which includes documentary proof of identity and residence. This change removes a layer of election security and integrity and should have the approval of the legislature before proceeding. It should be added back. There are two consequences for this omission. (1) If it is learned after the election that the person is not eligible to vote, there is no way to track the ballot back to the voter or remove from the election results. (2) There is also no accountability for the person who enabled this ineligible (or fraudulent vote) to happen.
- PROPOSED LANGUAGE (ADD IT BACK TO THE RULES): “Ask your witness to print their name and Minnesota street address, including city (not a P. O. Box), in the box at the top of the witness section, indicate which proof you showed them, and sign their name in the box at the bottom of the witness section.”
- RECOMMENDATION: Get the agreement of the state legislature before removing this important step.

8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE.

- Subpart 1. Personal Delivery. An agent can bring 3 ballot(s) to the municipal or county election office until 8:00pm but an individual voter’s deadline is 5:00pm.
- SUPPORT WITH CAVEAT
- Reason: If this is in statute, it would make more sense to change the statute to harmonize the cutoff time. What this says is that I can’t turn in my ballot after 5:00pm, but if I give it to someone else, they can turn it in until 8:00pm. Having multiple times for different types of deliveries can create confusion on election day when things are already busy and chaotic at city offices who are also supporting their individual precincts.

8215.0300 POLLING PLACE VOTING.

- Subpart 1. The public will no longer have access to a voter's party choice of primary ballots, only the party chair.
- OPPOSE
- Reason: During the hearing, a concern was raised about only giving the data to the party chair. If the party has turnover and the data is taken, destroyed, or otherwise not available to the party chair, there should be a remedy for new party leadership to get historical data from the Secretary of State.
- PROPOSED LANGUAGE (NEW): If there is a change in party leadership, the new chair will be given access to any presidential nomination primaries requested.

8220.1550 PUBLIC ACCURACY TEST

- The rules say that public notice is done through “official newspapers and by posting a notice in the office of the county auditor and each local election official conducting the test.”
- OPPOSE
- Reason: I’ve heard from election officials that essentially no one shows up to public accuracy tests. Very few members of the public will know about the public accuracy test given that newspapers are an outdated communication method. The rules also do not spell out what constitutes an official newspaper. It’s too vague.
- PROPOSED LANGUAGE: “The time and place of the public accuracy test must be designated by the election jurisdiction providing the computer program, which must give at least five days public notice of the time and place of the test by publication in official newspapers, city and county website, city and county social media accounts, and by posting a notice in the office of the county auditor and each local election official conducting the test.”

8240.1600 ELECTION JUDGE BASIC TRAINING COURSE.

- Subp. 4. Course content.
- SUPPORT (WITH REQUEST FOR TWO ADDITIONAL TRAINING TOPICS)
- Reason: Given the rise in verbal and physical threats to election officials and poll workers, many states now provide training on de-escalation techniques and emergency procedures. When elections officials and poll workers are better prepared, this increases the safety of the voting public.

- PROPOSED LANGUAGE: Add “De-escalation techniques and emergency procedures” to the list in Subp. 4, Section C beginning on line 50.18.



MINNESOTA DISABILITY LAW CENTER
Duluth Fertile Mankato Minneapolis Chad
Wilson • cwilson@mylegalaid.org
Phone: (612) 746-3734 • Fax: (612) 334-5755

Re: 39440 Office of the Minnesota Secretary of State Initial Post-Hearing Comment Period

The Minnesota Disability Law Center (MDLC) appreciates the opportunity to provide public comment on the Office of the Secretary of State's Proposed Rules Relating to Elections Administration; Minnesota Rules Chapter 8200-8250; Revisor's ID Number R-4824.

The Minnesota Disability Law Center (MDLC) is the federally-funded, state-designated protection and advocacy agency for people with disabilities in the state of Minnesota. Our office has partnered with the Secretary of State's Office to advance the right to vote for Minnesotans with disabilities over the years and acknowledge all the work the Secretary's Office has done to make voting accessible for Minnesotans with disabilities. However, members of the community with disabilities have brought to our attention concerns about proposed changes to the absentee voting instructions (17.22 to 17.27 of the Rule Draft). Specifically, members of the community have voiced concerns about the removal of the term "group home" in the section of the rule stating that vouching is permitted for "residents of certain residential facilities . . . including nursing homes, assisted living facilities, . . . etc."

Though we acknowledge this list is not exhaustive, we have concerns that the removal of the term group home will lead to confusion for residents and staff in determining if the location in which they live meets the requirements of this section. We would not want to have such confusion discourage such residents from voting. As such, we request that the term "group home" remain within this rule.

Our office recognizes Senator Boldon made similar comments about these concerns, and the Secretary of State's office responded that the term "group home" was not being removed but replaced with the term "assisted living," asserting it is more consistent with the statutory language of Minnesota Statutes section 201.061.

We respond to this point to note that the term "assisted living" only refers to a setting licensed under chapter 144G. The term "assisted living" does not apply to residential facilities licensed by the Minnesota Department of Human Services as defined in Minnesota Statutes 245A.02, subdivision 14. As such, if the Secretary's Office is unwilling to include "group home" in this rule, we suggest that the term "community residential setting" be used in addition to "assisted living."

Though, 245A.02 does not use specially use the term "community residential settings" Minnesota statute 245D.02 subdivisions 4a, defines a community residential setting as "a residential program where residential supports and services identified in section 245D.03,

subdivision 1, paragraph (c), clause (3), items (i) and (ii), are provided to adults, as defined in section 245A.02, *subdivision 2*, and the license holder is the owner, lessor, or tenant of the facility licensed according to this chapter, and the license holder does not reside in the facility. Because this section of 245D specifically refers to 245A.02, it guides how the term should be defined. Thus, including the “community residential setting” is appropriate because it reflects the terminology used in Minnesota’s licensing and statutory framework for residential programs that provide supports to adults with disabilities. This recommendation would provide more clarity and minimize the chances of confusion for residents and staff of such settings.

We appreciate having the opportunity to submit these comments and continue working with the Minnesota Office of the Secretary of State to make voting accessible for Minnesotans with disabilities

Sincerely,

Chad Wilson
Supervising Attorney
On behalf of the Minnesota Disability Law Center.



October 30, 2025

Minnesota Court of Administrative Hearings
Office of Administrative Hearings
Justin R. Erickson, General Counsel

Re: Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; OAH Docket No. 8-9019-39440; Minnesota Rules Chapter 8200-8250

Administrative Law Judge Lipman:

The League is a nonprofit membership organization whose mission is to empower voters and defend democracy. The League is nonpartisan — neither supporting nor opposing candidates or political parties at any level of government — and is committed to protecting the freedom to vote. We appreciate the opportunity to comment on the proposed changes to the rules governing election administration. The mission of the League is to support and empower voters. In part we accomplish this through advocacy for policies that effectively balance access to the ballot with ensuring safe and secure elections. At the same time, many of our members are experienced election judges and head election judges, with extensive experience in many aspects of administering elections. Clear and effective administrative rules are essential to a well-functioning election system.

We respectfully offer the following comments for consideration:

- 1) **Updating Registrations (8200.9115, line 2.24; also 8200.9310, line 5.5):**
Revise line 2.24 to replace the word “change” with “update”. This is more consistent with the purpose of the subparagraph and more effectively indicates that the individual’s eligibility to vote is not affected by the revision.
- 2) **Voter’s receipt (8200.9300, line 4.17 – 4.22):** The change appears to make a clarification that this requirement applies to closing of the polls and removal of ballots from the ballot tabulating device, even when required for submitting ballots to a tabulating device as part of in-person absentee voting. The statute referenced is 204C.10 which is related to election day precinct activities (issuing of ballot receipts). We suggest adding reference to 204C.20 Subd 1. As is currently written, it is not clear whether this requires all ballots in the tabulating device to be removed and counted. We suggest considering revising the language to clearly define whether the intent is to apply this requirement to voting centers before election day.
- 3) **Challenger Forms (8200.9950 and 8210.0100; pages 7 – 8):** The language for the challenges identified for the form under section 8200.9950 and 8210.0100 do

not include a statement that the person making the challenge is stating under oath as to the specifics of the challenge. Minnesota Statute 200.195 Subdivision 1b states that “[t]he petition must be accompanied by an affidavit stating that the challenge is based on the challenger’s personal knowledge, and that the filer exercised due diligence to personally verify the facts and circumstances establishing the basis for the challenge.” (emphasis added)

The requirement to make the statement under oath is currently included in the Voter Registration challenge in 8200.9960. If the submitter of the challenge does not include an affidavit as to the specifics of the challenge, the challenge may not be considered valid under the statute.

8200.9960 CHALLENGES TO VOTER REGISTRATION, FORM TO BE USED UNDER MINNESOTA STATUTES, SECTION 204C.12, SUBDIVISION 2.

I, _____, do hereby state under oath,
Name of person making challenge

I am:

- ☐ an election judge.
- ☐ a challenger authorized by Minnesota Statutes, section 204C.07.
- ☐ a Minnesota voter.

I reside at _____, _____,
Street Address City or Township

Adding this language to requirement to make the statement under oath would make the challenges in 8200.9950 and 8210.0100 consistent with 8200.9960 and would ensure challenges meet the requirements of MN Statute.

Thank you for your consideration of these comments. We recognize and appreciate the considerable effort and expertise of the office of the Secretary of State in assembling these changes.



Paul Huffman, Election and Redistricting Policy Coordinator
League of Women Voters of Minnesota

75 W Fifth Street, Suite 315 St. Paul, MN 55102