

1/28/91 S.R.



JOAN ANDERSON GROWE
Secretary of State

ELAINE VOSS
Deputy Secretary of State

State of Minnesota
OFFICE OF THE SECRETARY OF STATE
Saint Paul 55155

180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

November 2, 1990

Michele Swanson
Commission Secretary
L.C.R.A.R.
55 State Office Building
St. Paul, MN 55155-1201

Dear Ms. Swanson:

Enclosed for your records is a copy of the Statements of Need and Reasonableness for the proposed rule relating to the presidential primary. If you need any further information please feel free to contact our office.

Sincerely,

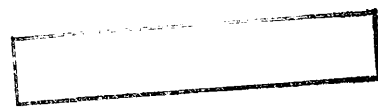
A handwritten signature in cursive script, appearing to read "Jeff Sigurdson".

Jeff Sigurdson
Election Procedures Assistant

The Legislative Commission to
Review Administrative Rules

MAR 10 1991

"AN EQUAL OPPORTUNITY EMPLOYER"



STATEMENT OF NEED AND REASONABLENESS

The need arises to adopt Parts 8200.6400, 8200.9115, 8205.1000, 8250.0360, 8250.1400, and 8250.1550 from the requirements of Minnesota Statutes 201.221, and 207A.09 which require the Secretary of State to establish rules for use in the administration of voter registration and the presidential primary. The rationale for each individual rule is as follows:

1. Part 8200.6400 is needed to specify and standardize the information provided on public information lists. The information that must be provided on the list is specified by M.S. 201.091 subd. 4, and M.S. 207A.08. The optional information on election districts is offered to make the lists more useful to persons requesting copies of the list.
2. Part 8200.9115 is needed to specify and standardize the form of, and information contained in, polling place rosters.

Subpart 1 is needed to provide all necessary information to election judges on election day to insure identification of registered voters. The identification of each page of the roster by page number and precinct is to insure the delivery of complete and correct precinct rosters on election day.

Subpart 2 is needed to specify the form of rosters used at presidential primaries. In addition to the requirements identified in subpart 1, rosters for a presidential primary must contain information on party choice as required by M.S. 207A.03.

3. Part 8205.1000 is needed to standardize presidential primary petitions so that they may be verified quickly and accurately by the Secretary of State, and to insure that the petition requirements of 207A.02 subd. 1 and 207A.09 are met.

Subparts 1 and 2 are needed to insure that the purpose of the petition is clear to those signing it. The information required from those signing the petition is needed by the Secretary of State to verify that persons signing the petition meet the requirements of M.S. 207A.02.

Subpart 3 is needed to eliminate any potential confusion over the number of pages in a petition submitted to the Secretary of State for verification.

Subpart 4 is needed to provide the manner in which the Secretary of State will verify presidential petitions, and to provide a means by which candidates may add additional names to a petition found inadequate by the Secretary of State.

Subpart 5 is needed to provide a standardized time frame in which petition verification occurs, and to insure candidates are informed of their ballot status.

Subpart 6 is needed to insure that the petitions are stored in a secure manner in case they are needed in a legal action regarding ballot access. Subpart 6 is also needed to provide a means of public inspection of the petitions as provided by the general provisions of the Government Data Practices Act.

Subpart 7 is needed to provide a petition in place of a filing fee as provided in 207A.02. Requiring the Secretary of State to provide sample petitions and petitions in place of filing fees is reasonable to assist candidates in the preparation and circulation of petitions.

4. Part 8250.0360 is needed to provide for a presidential ballot that can be used by the electorate to cast votes in a clear and unambiguous manner.

Subpart 1 is needed to provide a presidential ballot that will resemble the state election white ballot as much as possible. This will reduce voter confusion on how to cast a vote.

Subpart 2 is needed to identify the election the ballot is to be used at, and to insure identification of a ballot for each major political party as required by M.S. 207A.02.

Subpart 3 and 4 is needed to insure voters are aware of how to cast their ballot at a presidential primary.

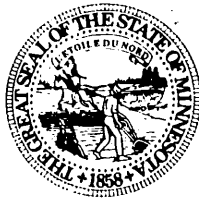
Subpart 5 is needed to insure that the preparation of presidential ballots gives no advantage to any candidate. The option of voting for an uncommitted delegate, or to write in a candidate, is required by M.S. 207A.02.

5. Part 8250.1400 is needed to expand the requirement for example ballots to include the presidential primary. This is reasonable to provide information on the ballot to the general public and to election administrators responsible for preparing the ballot.
6. Part 8250.1550 is needed to provide the process by which the state will reimburse counties for production of ballot cards, ballot labels, and ballot pages used at a presidential primary. Reimbursement is required by M.S. 207A.07.

It is reasonable to include provisions for reimbursement of costs on a per registered voter basis so that there is an equitable disbursement of funds if the legislative appropriation is insufficient to cover all ballot preparation costs.

Pursuant to Minnesota Statutes, section 14.11 the proposed rule will not have any impact on agricultural land nor will the adoption of this rule result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following the adoption of this rule. Also pursuant to Minnesota Statutes, section 14.115, the proposed rule will not have an impact on small business in Minnesota.

LCRARR



**Legislative Commission to
Review Administrative Rules**

Senator Gene Waldorf
Chair

Maryanne V. Hruby
Director

Representative Peter Rodosovich
Vice-Chair

1/28/91 S.R

Rec. 3/19/91

March 14, 1991

Joseph Mansky, Director
Election Division
Secretary of State's Office
180 State Office Building
St. Paul, Minnesota 55155

Dear Mr. Mansky:

I write to request a copy of the Secretary of State's Statement of Need and Reasonableness (SONAR) for recently published rules relating to the presidential primary.

As you may know, Minnesota Statutes, sections 14.131 and 14.23 now require state agencies to provide copies of SONAR's to the LCRAR when they become available for public review.

If you have not already done so, please send a copy of the SONAR for these proposed rules to:

The Legislative Commission to Review Administrative Rules
Maryanne Hruby, Director
55 State Office Building
St. Paul, Minnesota 55155

Please contact me at 296-1143 if you have any questions.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Michele Swanson".

Michele Swanson
Commission Secretary