

Strother, Julie (OSS)

From: Dan McGrath <dan.mcgrath@mnmajority.org>
Sent: Friday, January 03, 2014 8:54 AM
To: *OAH_RuleComments.OAH
Subject: Public Comments on Proposed Election Rules Changes

Dear Judge Lipman,

I am the president of the government watchdog organization Minnesota Majority, a non-profit, non-partisan Minnesota corporation established as a 501(c)(4) under the United States IRS code.

I write to object to specific changes to election rules as proposed by the secretary of state and to advise caution when proceeding with any authorizations.

The proposed rules changes are not without controversy.

The purpose of the rules changes appears to be, in part, to thwart the will of the legislature, which can be inferred in part from a press release from the office of the secretary of state's office, which states, as one reason for the changes:

"Address the need for new options due to 2013 election law changes that reduced the number of people for whom one registered voter could vouch."

The legislature deliberately took steps to improve the integrity of Minnesota's election process by reducing the usage of the insecure process of vouching and in return the secretary of state seeks to enact rules that will weaken the integrity of the system by allowing less-secure forms of identification to be used to register and vote than are currently permitted.

The secretary of state also seeks to bring election rules into compliance with online voter registration, which he unilaterally implemented contrary to the statutes of the state of Minnesota, which has not been authorized by Minnesota's proper lawmakers and was in fact twice rejected by the legislative process. In 2007, when online voter registration was vetoed by the governor and in 2009 when an online registration bill was defeated when it failed to pass out of a legislative committee.

Secretary of State Mark Ritchie has exhibited a pattern of such behavior, exceeding his legal authority and attempting to subvert the powers and intent of the legislature.

As Examples:

- Unilaterally usurping legislative authority by changing the duly enacted title of the Voter ID amendment in 2012, where after the state Supreme Court found that the secretary of state exceeded his authority and reversed the change.
- Unilaterally changing the duly enacted title of the Marriage Amendment where after the Minnesota Supreme Court likewise found that the secretary of state exceeded his authority and reversed the change.
- Unilaterally initiating online voter registration, resulting in a lawsuit brought by Minnesota Majority, the Minnesota Voters Alliance and several sitting state legislators. That case is still pending a decision by Ramsey County District Court judge...

As an individual voter and as the president of the non-partisan, non-profit government watchdog organization Minnesota Majority (which has made the study of and upholding of election integrity a priority mission since

2008), I object to the use of High School identification cards (line 5.15) being used to register and vote because the Identification cards are too diverse and without legal standards for issuance, verification or security.

Likewise, I object to the use of self-printed utility bills (6.1) to establish residence. While it may be true that more people are paying their bills online, that is a separate matter from the integrity of our election process and self-printed utility bills, lacking government post-marks and being far too easy to alter before printing do not have the same weight of authenticity as original items transmitted by the US mail. Therefore, self-printed identification, which would not be acceptable as identification for relatively trivial matters such as buying beer, or checking out a library book should not be permitted for something so important as influencing our election process.

Simply showing proof that a person intent on vouching for another voter is an employee of some residential facility is not sufficient to establish that the person is authorized by or deemed competent to vouch for other voters by the facility. Simply producing an ID badge, for example (line 4.11) does not establish that the "voucher" is of sufficient standing to personally know whether a "vouchee" is a resident of the facility.

This is a departure from established rules that seems designed to increase vouching, while the legislature sought to reduce the use of vouching.

Given that the secretary of state's unilateral online voter registration system is currently the subject of a lawsuit in which the decision of a judge is now pending, changes to rules that pertain to or attempt to justify online registration after the fact of implementation should not go forward until that matter has been decided by the Court.

Sincerely and respectfully,

Dan McGrath
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