

Office of the Minnesota Secretary of State

NOTICE OF HEARING

Proposed Amendment to Permanent Rules Relating to Elections: Voter Registration, Petitions, Absentee Ballots, Optical Scan Voting Systems, Recounts, Election Judge Training Program and Ballot Preparation, *Minnesota Rules*, Chapters 8200, 8205, 8210, 8230, 8235, 8240 and 8250. Proposed Repeal of Minnesota Rules, parts 8200.5100, subpart 4; 8200.9300, subpart 11; 8240.2850; 8250.0100; 8250.0300; 8250.0350; 8250.0365; 8250.0370; 8250.0375, subpart 2; 8250.0390; 8250.0395; 8250.0397; 8250.0398; 8250.0400; 8250.0500; 8250.0600; 8250.0800; 8250.0900; 8250.1000; 8250.1100; and 8250.1200. Revisor ID No. 4193.

Public Hearing. The Office of the Secretary of States intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The Office will hold a public hearing on the above-named rules in the State Retirement Systems of Minnesota Building, 60 Empire Drive, Saint Paul, Minnesota, 55103, starting at 10:00 a.m. on Friday, January 3, 2014, and continuing until the hearing is completed. The Office will schedule additional days of hearing if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Administrative Law Judge. Administrative Law Judge Eric L. Lipman will conduct the hearing. The judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7842, and FAX 651-361-7936. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

Subject of Rules, Statutory Authority, and Office Contact Person. The proposed rules are relating to elections, including the rules relating to: Voter Registration, Petitions, Absentee Ballots, Optical Scan Voting Systems, Recounts, Election Judge Training Program and Ballot Preparation – Minnesota Rules, Chapters 8200, 8205, 8210, 8230, 8235, 8240 and 8250. The proposed rules also propose the repeal of Minnesota Rules, parts 8200.5100, subpart 4; 8200.9300, subpart 11; 8240.2850; 8250.0100; 8250.0300; 8250.0350; 8250.0365; 8250.0370; 8250.0375, subpart 2; 8250.0390; 8250.0395; 8250.0397; 8250.0398; 8250.0400; 8250.0500; 8250.0600; 8250.0800; 8250.0900; 8250.1000; 8250.1100; and 8250.1200. The proposed rules are authorized by *Minnesota Statutes*, sections 201.022, 201.061, 201.071, 201.091, 201.221, 203B.04, 203B.08, 203B.09, 203B.125, 203B.14, 204B.071, 204B.25, 204B.45, 204C.361, 204D.08, 204D.11, 205.17, 205A.08, 206.57, 206.81, 206.82, 206.84, 206.82, 211C.03, 211C.04 and 211C.06. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed as well as available at the Secretary of State's website www.sos.state.mn.us.

The Office contact person is: Julie Strother at the Office of Secretary of State, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota, 55155;

julie.strother@state.mn.us; (651) 201-1342 (voice); 651-215-0682 (FAX). TTY users may call the Office of the Secretary of State through the Minnesota Relay Service at 711.

Statement of Need and Reasonableness. The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the Office contact person as well as available at the Secretary of State's website www.sos.state.mn.us. You may review the Statement of Need and Reasonableness on the Secretary of State's website or obtain copies at the cost of reproduction by contacting the Office contact person, Julie Strother, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota, 55155; julie.strother@state.mn.us; (651) 201-1342 (voice); 651-215-0682 (FAX). TTY users may call the Office of the Secretary of State through the Minnesota Relay Service at 711.

Public Comment. You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. *The administrative law judge will accept your views* either orally at the hearing or in writing at any time before the close of the hearing record. Submit written comments *to the administrative law judge at the address above or to* rulecomments.oah@state.mn.us. All evidence that you present should relate to the proposed rules. You may also submit written material *to the administrative law judge* to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the administrative law judge may order this five-day comment period extended for a longer period but for no more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period during which the Office and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the administrative law judge no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at the Office of Administrative Hearings.

The Office requests that any person submitting written views or data to the administrative law judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the Office contact person at the address stated above.

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact Julie Strother, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota, 55155; julie.strother@state.mn.us; (651) 201-1342 (voice); 651-215-0682 (FAX). TTY users may call the Office of the Secretary of State through the Minnesota Relay Service at 711.

Modifications. The Office may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the Office follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Office encourages you to participate.

Adoption Procedure after the Hearing. After the close of the hearing record, the administrative law judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the administrative law judge. You may also ask to be notified of the date that the Office adopts the rules and files them with the Secretary of State, or ask to register with the Office to receive notice of future rule proceedings. You may make these requests at the hearing or in writing to the Office contact person stated above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Date

11/13/13



Mark Ritchie
Secretary of State