

Minnesota Office of Secretary of State

**CONSULTING WITH COMMISSIONER OF MANAGEMENT AND BUDGET IN COMPLIANCE WITH MINNESOTA STATUTES, SECTION 14.131**

**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. Revisor ID No. 4193.**

I certify that on October 24, 2013, in St. Paul, Ramsey County, Minnesota, I consulted with the Commissioner of Minnesota Management and Budget in compliance with Minnesota Statutes, section 14.131, by sending via email these enclosures:

1. The October 22, 2013, Revisor's draft of the proposed rule.
2. The October 14, 2013, draft of the SONAR.

Minnesota Management and Budget provided the enclosed Memorandum in response to our consultation on October 30, 2013.

11/26/2013  
Date

  
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Julie A. Strother  
Government Relations Associate  
Office of Minnesota Secretary of State

**Date:** October 30, 2013

**To:** Bert Black, Legal Advisor  
Office of the Secretary of State

**From:** Micah Intermill, Executive Budget Officer  
Minnesota Management & Budget

**Subject:** M.S. 14131 Review of Proposed Amendment to 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.

## **BACKGROUND**

The Office of the Secretary of State proposes revising Minnesota Rules, Chapters 8200, 8205, 8210, 8230, 8235, 8240, and 8250 relating to voter registration, petitions, absentee ballots, optical scan voting systems, recounts, election judge training program, and ballot preparation. The proposed changes are relatively minor in comparison to the significant changes made in 2013 to statutes governing elections and election administration – and are primarily related to demonstrating proof of residence, to provide voters with clearer instructions, and assist voters in making fewer mistakes that result in the rejection of absentee ballots. Additional revisions are proposed to clarify language and consolidate certain rules to prevent administrative confusion, and finally to repeal obsolete rules.

Pursuant to M.S. 14.131, the Office has asked the Commissioner of Management and Budget to help evaluate the fiscal impact and fiscal benefit of the proposed revisions on local units of government.

## **EVALUATION**

On behalf of the Commissioner of Management & Budget, I have reviewed the proposed rules and related Statement of Need and Reasonableness (SONAR) for any potential costs and benefits to local units of government. My evaluation is summarized below:

- 1) The proposed rules will primarily affect individuals and organizations involved with elections, including the Office of the Secretary of State, eligible voters, local government election officials, candidates, and major and minor political parties. Before proposing the rules the Secretary of state requested comment via the state register and directly from a broad spectrum of interested parties as well as local election officials. The Secretary of State also has proposed a plan to provide various stakeholders with additional notification of the proposed rule changes.
- 2) The affected individuals and organizations will benefit from the rule changes because the changes:

- a. Clarify the rules, modify the rules so that they comply with current law, make changes requested by local election officials, and remove obsolete rules;
  - b. Revise current rule provisions governing absentee and mail balloting, thereby making this process easier for officials to administer and eligible voters to successfully complete; and
  - c. Provide for additional alternative forms of proof of residence for same day registration so that eligible voters may be able to register on election day where needed.
- 3) Local units of government will be impacted by these rule changes because local officials conduct elections and incur costs for those elections. Minimal costs related to printing new instructions and absentee mail ballot materials are likely to be incurred by these entities. In addition to being minimal, they will only occur one-time in accordance with this rule change.

Based upon the information provided to me by the Office of the Secretary of State, I believe that the proposed rule revisions will have minimal fiscal impact on local units of government, and the Secretary of State has adequately considered local government costs.

cc: Mike Roelofs, Budget Division Team Leader