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ROLL NUMBER

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1377

2007 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1377

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1377

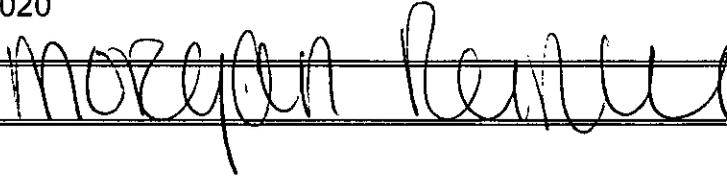
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: January 26, 2007

Recorder Job Number: 2020

Committee Clerk Signature



Minutes:

Jim Silrum: Testimony Attached.

Rep. Karls: Are you envisioning computers at the tables instead of a book at the precincts?

Jim Silrum: It could be correct. It would be the counties choice to make the determination they would want. They can have a paper poll book or a computer poll book. But it would do essentially the same thing, one would just be electronic.

Rep. Karls: I believe Burleigh County has 61 precincts. Isn't that going to be quite an expense for the counties?

Jim Silrum: I believe the number is more close to 37. The expense has already been incurred with the creation of the Central Voters File. If a county wanted to and had the resources to do so they could have laptops available at the polling locations where the poll book would be maintained. One county, Williams County, has already done that project and loves it. Mostly because the logistics are receiving the information from the voters, if there is an update to a voter record that needs to be made, presently on paper it is written down and after the close of an election the staff is responsible for going through and making all those changes. If a voter comes in with an updated record, the clerks can update that then on the spot. Therefore those lists would be available much sooner. It is only an option for the county.

Rep. Haas: Has Williston filed a program where all of their election records were on computer?

Did I hear you say that, and their poll books were on computer?

Jim Silrum: They essentially had paper poll books but they also had the computers, just to see how that system would work. In their situation they had 15 polling locations so they had 15 laptops to their locations and it was something they could handle. They liked it so much that they would like to have that possibility.

Rep. Haas: Do you think that it is their intent to eliminate the hard copy and do everything on the computer?

Jim Silrum: That would be ultimately a guess, but I would think that would be the case. Probably more likely what would be seen as a real reality for when electronic poll books would definitely be used would be early voting precincts. Where if you can image for example, if you take a large population county like Cass or Burleigh, where there are lots of precinct you can just imagine how many poll books would actually be sitting their on the desks for the clerks to try and manage. A laptop can contain all of that information and as soon as a voter presents their entire ID, they search for that on the computer.

Rep. Haas: Have any counties transmitted their abstracts to you electronically?

Jim Silrum: Not at this time. What is transpiring is the technology and software that we have purchased from election systems and software is going to allow us to do this in the future. We don't know that we would go to electronic transmission of abstracts right away. We want to make sure that things work properly.

Rep. Haas: On line 12, page 1, where it talks about the report provided for in Section does that refer to the reports that come back?

Jim Silrum: 16.1-02-13 is from the central voters. It is the section of law that specifically relates to the traditional poll books for the elections, and how the clerks must go about.

Rep. Haas: Does it mandate a number of books?

Jim Silrum: In many other bills that we will carry this session that we are trying to make that uniform. I'm sure this must be one of them. I don't have that list but we are consistent.

Rep. Amerman: The County can decide this, right? In rural areas we have the seat then the surrounding communities. Would the small counties have to use these things or could they vary?

Jim Silrum: In county run elections, they standardize across the board and the county is responsible for the administration. If they were going to give the board the commissioners word to move to this particular type of electronic polling they would do that.

Rep. Amerman: Seeing how this is permissive and voluntary, why do we have to put it in code?

Jim Silrum: It's currently in the code that it mandates it and that is what is trying to be addressed. We don't want to say if it has to be one way or the other. As a matter of fact, if you would indulge me just a little bit I can tell you that even for those that are going to be using paper, we would have with the system that we are implementing across the state, it would be updated much faster because poll books are now going to be printed with a bar code. Every voter that is listed in the central voter file, and when that person is marked it looks like a checkout because it will update that very quickly. We are trying to streamline this across the state.

Rep. Kasper: So there is now only one computer that will be in the auditor's office? What access will the political parties have to the information on the computer once it's gathered? Will they be charged?

Jim Silrum: The access to the poll books are not going to be changed by any of the laws that we are asking to be changed. You ask a good question. I'd have to say that I would need to go

back and research that. We can ask one of the county auditors that are in this room today because I understand that the central voter file allows for the purchasing of records from the political parties candidates. In terms of the poll book itself that comes from an election, I don't know wither that is a free copy or what. It's going to be the same except transmitting electronically is going to be a lot less costly.

Rep. Amerman: In my district the precincts are run by elderly people and volunteers. If the county decides to go to this how much training will be involved?

Jim Silrum: Regardless of whether we go to electronic poll books or not, we already have poll workers that running elections is a whole lot more technical than it has been in the past because of the electronic voting machines that we have. We are hearing back on surveys that are given to poll workers. The report is that we really need to get people more comfortable with working with electronics. There is a need, regardless of whether we go to this or not,

Rep. Amerman: It sounds a little like discrimination if you can't run a computer you can't run an election.

Jim Silrum: I know many people who have lived most of their lives without computers and are now very efficient with computers. I think it's just a matter of likes or dislikes.

Rep. Haas: If we look at the transition from everything being paper ballot to a totally computerized system, that transition is not going to take place overnight. This is going to be moving slowly, will that not be true?

Jim Silrum: The way I think of it, this option is always going to be there.

Ann Johnsrud: Testimony Attached.

Rep. Haas: Are there any questions for Ann? Is there any more testimony on HB 1377? If not we will close the hearing on HB 1377.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1377

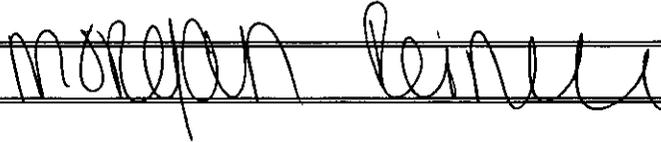
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: January 26, 2007

Recorder Job Number: 2026

Committee Clerk Signature



Minutes:

Rep. Haas: This is the Secretary of State's bill on canvassing elections. What are your wishes?

Rep. Grande: I move a do pass.

Rep. Meier: I second that.

Rep. Haas: Is there any further discussion?

Rep. Amerman: I guess this bill and the other ones we heard this morning can take care of my concerns. These are probably good bills and good for the county. I will give you an example where permissive might not be so permissive. Where I work we have a weekend shift and it is strictly voluntary that you be on that shift. You go on there and you don't like it, you can come off. When you come off you displace another worker. Now he can go on the weekends but its voluntary. So now someone says there is no other positions and either leaves or volunteers. Permissive through this process down the road might not be so permissive when it comes to counties. I'm not so sure that there might not be more programs in different areas of the state. I just have some concerns. Now if I vote against it I just want to get some more information. If I vote against it, it is because I just want more information. That doesn't mean I won't support it on the floor.

Rep. Grande: I call a question.

Rep. Meier: I second that.

Rep. Haas: All in favor say 'aye' all opposed say 'no'. The question has been called. We will take a roll call vote on a Do pass motion on HB 1377. The do pass motion on HB 1377 passes with a vote of 8-4-1. Is there a volunteer to carry this bill?

Rep. Meier: I will.

Rep. Schneider: Just a point of observation on the Secretary of State bills. All these bills regulate the election process that both parties are involved in. I think it's very unfortunate that there isn't a single Democrat on any of these Secretary of State bills. It would be nice in the future to have bi-party's sit on these.

Rep. Haas: We have had a number of changes in statute coming from the Secretary of State's office. I think one of the big reasons that happened is because we are gradually moving from an antiquated system of voting in this election process to one that is more streamline, and efficient involving technology. It has been my observation that there aren't any political subdivision entities all the way from cities and counties up to the state who are wanting to go so fast in this transition that they compromise the process or make it difficult for people who are voting. There is nothing in statute that says we have to do that. I think from a practical standpoint that people are very cautious. It's just like when I asked the auditor from Cass County if he would use a vote center and do it for the November election in 2008. He said absolutely not. He would probably be ready for the 2008 primary. Before we ever used that process in the general election, we are going to make sure that we have all the kinks worked out so we don't make mistakes. I think people have an automatic go slow approach on this. I think that is why the permissive legislation is appropriate.

Rep. Karls: My concern on this bill is the expense that this is going to cause for the counties. If they are going to require or even permit a laptop computer at each polling place, where are those going to come from? Are they just going to take those out of the auditor's office and use them?

Rep. Haas: When I was talking with Mike Montplaisir from Cass County, they are going to a computer firm who is going to loan 15-30 computers for the election. I don't know if that could happen all over but that is how that process is going to begin.

Rep. Karls: The other issue is when I appoint election boards I have six precincts that I need to appoint for. The average age is probably about 70.

Rep. Boehning: I know in my district it is so hard to find people willing to sit there for 14 hours. Now this is going to be more of a technical job. Now people are going to have to be hired and trained. The older people are harder of hearing and so on. I have 30 close precincts to fill and now we might not fill them.

Rep. Froseth: I think what we are seeing in these various bills are the continuing evolution of the consolidation of precincts. I remember back where the voters used to vote in the township hall. Then the consolidation of precincts went from each township hall in the townships into the cities. Then all the townships had to go to the one town and vote. Now they consolidated that little town into another little bigger town. Ward County keeps consolidating precincts and we don't have any real precincts anymore. All the voters in the townships around Kenmare come into Kenmare where each town used to have their own. I think this is just a continuation of that consolidation of voting procedures and precincts. It will continue that way until we get all completely electronic systems. I think this is going to be a continuing effort that way. They already have touch screens and so on. The votes are automatically calculated and automatically transmitted into the auditor's office. It is very little local involvement anymore.

Rep. Haas: I think that is absolutely true but that evolution is inevitable. I think at the same time while we are changing, we are also doing many things that make it easier for people to vote with absentee voting, early voting, and vote centers. We are making all kinds of efforts to make it easier for people to vote and more convenient. Those efforts combined with the other efficiencies that we get.

Date: 1-26-07
Roll Call Vote #:

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number HB 1377

Action Taken DO PASS

Motion Made By Rep. Grande Seconded By Rep. Meier

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman	X		Rep. Bill Amerman		X
Rep. Bette Grande VC	X		Rep. Louise Potter		
Rep. Randy Boehning	X		Rep. Jasper Schneider		X
Rep. Stacey Dahl	X		Rep. Lisa Wolf		X
Rep. Glen Froseth	X				
Rep. Karen Karls		X			
Rep. Jim Kasper	X				
Rep. Lisa Meier	X				
Rep. Dave Weiler	X				
	X				

Total (Yes) 8 No 4

Absent 1

Floor Assignment Rep. Meier

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 26, 2007 11:40 a.m.

Module No: HR-18-1303
Carrier: L. Meler
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1377: Government and Veterans Affairs Committee (Rep. Haas, Chairman)
recommends **DO PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1377
was placed on the Eleventh order on the calendar.

2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1377

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1377

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 2/23/07

Recorder Job Number: 3765

Committee Clerk Signature <i>Vivian Spuling</i>

Minutes:

All members of the committee were present.

Senator Dever, Chairman, opened the hearing on HB 1377.

Al Jaeger, Secretary of State, spoke in favor of HB 1377. See attachment # 1.

Senator Nelson asked if any of the other bills brought by the Secretary of State's Office needed to be meshed with this bill.

Al said there would be no need for that.

Senator Dever asked if this bill is a "no brainer."

Al said he feels it is.

Ann Johnsrud, McKenzie County Recorder representing the North Dakota County Recorders Association, spoke in favor of HB 1377. See attachment # 2.

Senator Dever asked how this bill will change the way she does her job.

Ann said she doesn't know at this point.

Support: -

Opposition: -

Neutral: -

Chairman Dever closed the hearing on HB 1377.

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Senate Government and Veterans Affairs Committee

Bill/Resolution No. 1377

Hearing Date: 2/23/07

A do pass motion was made by Senator Horne.

The motion was seconded by Senator Nelson.

Roll Call Vote: Yes 6 No 0 Absent 0

Carrier: Horne

Date : 2-23-07
Roll Call Vote # : 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1377

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass

Motion Made By Horne Seconded By Nelson

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehlke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Horne

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 23, 2007 11:36 a.m.

Module No: SR-35-3742
Carrier: Horne
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1377: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1377
was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

HB 1377

To: Chairman Haas

From: Ann Johnsrud – McKenzie County Recorder
North Dakota County Recorders Association

RE: HB 1377

For the record, my name is Ann Johnsrud, McKenzie County Recorder, representing the North Dakota County Recorders Association.

I am here today to offer support to HB 1377. The County Recorders are in full agreement to accept the duties formerly performed by the Clerk of district Court in the voting process.

If you have any question, I would be happy to answer them at this time.

Haas, C. B.

From: Alice Schulz [aschulz@nd.gov]
Sent: Thursday, January 25, 2007 3:22 PM
To: Haas, C. B.
Subject: House Bill 1377

Dear Representative Haas:

As Auditor of Stark County I would like to send my support for House Bill 1377. One of the biggest complaints I get from voters is they never sure where they are supposed to vote. By having the option of a vote center, I believe it would alleviate a lot of those concerns. I am sure there are probably reasons not to have them, but I do think they are a very good idea and I know we could save the taxpayers money by not having to hire as many poll workers renting buildings and time and money running to all the different precincts before, during and after Election Day. Stark County has had an early voting precinct for the past two elections and it is getting more popular each year, the feedback that we have gotten from the voters has been wonderful and I feel that is kind of like a vote center except that it is done before Election Day.

I will not be able to be in Bismarck for this hearing, so I wanted you to know that I do think this is a good idea. Thank you for your support of House Bill 1377.

Alice Schulz
Stark County Auditor

ALVIN A. JAEGER
SECRETARY OF STATE

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SECRETARY OF STATE
STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

January 25, 2007

*Same
Swen to
Senate*

TO: Representative Haas, Chairman,
and Members of the House Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: HB 1377 – Canvassing Elections

This entire bill relates to the canvassing of votes

Section 1, page 1, line 12: Allows the use of an electronic pollbook and eliminates the requirement for keeping two pollbooks at each precinct.

Sections 2, 3, and 4: Changes clerk of district court to county recorder for securing storage of ballots (related to HB 1374, Sections 1 and 2)

Section 5 establishes the county recorder as a member of the county canvassing board replacing the clerk of the district court.

Section 6, page 4, lines 14 and 15: Clarifies the responsibility of the county canvassing board to make the final determination of eligibility of absentee ballots rejected as ineligible by the precinct election board because of voter was not qualified elector (related to HB 1374)

Sections 7 thru 9 allows for the electronic transmission of the official vote abstract from the county auditor to the Secretary of State.

attach #2

To: Chairman Dever
Members of the Government and Veterans Affairs Committee

From: Ann Johnsrud – McKenzie County Recorder
North Dakota County Recorders Association

RE: HB 1377

For the record, my name is Ann Johnsrud, Mckenzie County Recorder, representing the North Dakota County Recorders Association.

I am here today to offer support to HB 1377. The County Recorders realize the importance of the election process and the necessity to keep continuity within the system.

We are willing to accept the duties formerly performed by the Clerk of District Court in the voting process.

I thank you for this time and would be happy to answer any question you may have.