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2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2234

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2234

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 1/25/07

Recorder Job Number: 1903, 1913

Committee Clerk Signature

*Veronica Spaulding*

Minutes:

All members of the committee were present.

Sen. Dever, Chairman, opened the hearing on SB 2234.

Jim Silrum, Deputy Secretary of State, introduced the bill. See attachment # 1. He explained that the Section 2 change is to prevent slogans from being used on the ballot for a candidate's name. Nicknames are ok but slogans are not.

Senator Dever asked if titles can be used,

Jim responded that titles like Senator cannot be used.

Senator Nelson questioned when they post legal notice of the ballots, do they use alphabetical order or drawing from rotation.

Jim responded they use the drawing order.

Opposition: -

Neutral: -

Chairman Dever closed the hearing on SB 2234.

Chairman Dever opened discussion on SB 2234.

Senator Nelson made a motion to amend SB 2234.

Senator Lee seconded the motion.

Roll Call Vote: Yes 6 No 0 Absent 0

Senator Lee made a motion to pass SB 2234 as amended.

Senator Horne seconded the motion.

Roll Call Vote: Yes 6 No 0 Absent 0

Carrier: Horne

78226.0101  
Title.0200

Adopted by the Government and Veterans  
Affairs Committee  
January 25, 2007

*JB*  
*1-25-07*

PROPOSED AMENDMENTS TO SENATE BILL NO. 2234

Page 2, after line 26, insert:

"  
Ballot name requested"

Renumber accordingly

Date : 1-25-07  
Roll Call Vote # : 1

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2834 Amendment**

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken \_\_\_\_\_

Motion Made By Nelson Seconded By Lee

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

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

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

Date : 1-25-07  
Roll Call Vote # : 2

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2234**

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken do pass as amended

Motion Made By Lee Seconded By Horne

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**

**SB 2234: Government and Veterans Affairs Committee (Sen. Dever, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2234 was placed  
on the Sixth order on the calendar.

Page 2, after line 26, insert:

" Ballot name requested "

Renumber accordingly

2007 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2234

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2234

House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: February 22, 2007

Recorder Job Number: 3642

Committee Clerk Signature

*Morgan Penick*

Minutes:

**Al Jaeger:** Testimony attached

**Rep. Kasper:** On page 1 lines 14 and 15, where we are asking for a certificate of endorsement signed by the state chairman, does that have to be a state wide candidate?

**Al Jaeger:** No, a district chair can also sign that.

**Rep. Kasper:** Do you want the telephone number on line 14 as well? You ask for the name and address but omitted telephone number.

**Al Jaeger:** We need to take a look at that. It is two different things. You can get on the ballot by petition or by endorsement. Can we take a look at that and get back at you?

**Rep. Kasper:** I also want to make sure if that is supposed to be state chairman instead of district chairman on line 10.

**Al Jaeger:** We will double check that. The one thing with these laws here is that it narrows the section.

**Rep. Haas:** 16.1-11-06 relates to state candidate petition or political party endorsements require an entity on the ballot.

**Rep. Kasper:** But the state chairman does not sign the legislative petitions.

**Rep. Haas:** This section of the code doesn't relate to that.

**Danette Odenbach:** Testimony attached.

I do want to point out one thing and that is the importance of the telephone number. I thought of one reason that you may need to know it because with the introduction of the new pieces of equipment, I recall working on the pronunciation of names for the audio portion of it. We have a really hard time pronouncing the names. We called their state party and they weren't sure so they referred us to their district. We didn't have their phone numbers.

**Rep. Haas:** Who programs the audio into the machine?

**Danette Odenbach:** The election equipment vendor does. We have a contractor for that, but I have to supply them with the correct pronunciation of those names.

**Rep. Haas:** Is there any other testimony on SB 2234? If not we will close the hearing on SB 2234.

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2234

House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: February 23, 2007

Recorder Job Number: 3744

Committee Clerk Signature

*Morgan Reintell*

Minutes:

**Rep. Haas:** Rep. Kasper had raised a question about this and Secretary Jaeger took it back and provided us with an amendment. We actually have two amendments for this bill. One that Secretary Jaeger had attached to his testimony yesterday, then the amendment that I passed out for you this morning.

**Rep. Potter:** Page 3 line 5 after 'follows', your suggestion is that we put in 1 and 2, and leave a after that? I take it we leave whatever is there?

**Rep. Haas:** That is exactly right.

**Rep. Kasper:** On page 3. It says any candidate for an office shall present a certificate of endorsement signed by the district chairman of any legally recognized political party containing the candidates name, post office, and telephone number. The above language says you shall present and in here we are adding telephone number. That tells me that if you do not present the telephone number you have not complied with the law as a candidate. Some people may not have a telephone number.

**Rep. Karls:** Candidates should.

**Rep. Kasper:** But they may not. Maybe they decided not to have a phone number. We just cancelled our home phone line.

**Rep. Wolf:** Don't you have a cell phone?

**Rep. Kasper:** Yes. What if I said I had an office phone so I don't need a home phone?

**Rep. Wolf:** Well wouldn't you put that number down?

**Rep. Kasper:** Would that apply?

**Rep. Wolf:** It's a telephone number.

**Rep. Haas:** Any number will apply.

**Rep. Kasper:** I don't like the addition of the telephone number.

**Rep. Froseth:** A lot of people basically just use a cell phone and some don't want to give that number out. In this circumstance you should.

**Rep. Haas:** Well once you get into public office all of your numbers are out there anyways.

**Rep. Potter:** I cannot imagine a candidate for any office not being willing to have their telephone number out there for people to call them. If you don't want people to call you don't run for office.

**Rep. Froseth:** I move the amendments.

**Rep. Meier:** I second that.

**Rep. Haas:** Is there any discussion on the amendments? If not we will take a voice vote. All in favor say 'aye' all opposed 'no'. The amendments carry. We now have the amended bills before us.

**Rep. Dahl:** I move a do pass as amended.

**Rep. Potter:** I second that.

**Rep. Haas:** Is there any more discussion on the bill? If not we will take a roll call vote on SB 2234. The do pass motion passes with a vote of 9-2-2. Is there a volunteer to carry this bill?

**Rep. Dahl:** I will.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2234

Page 1, line 15, after "address," insert "telephone number."

Page 3, line 5, after "follows:" insert <sup>the colon</sup>  $\circ$

1.  $\circ$ A certificate of endorsement signed by the district chairman of any legally recognized political party containing the candidate's name, post office address, telephone number, the title of the office to which the candidate aspires, and the party that the candidate represents; or

2. A petition containing the following:

Renumber accordingly

Vonette-John-  
or whoever gets  
this:

I am not sure  
if the section I  
amended should be  
part of (go with) the  
current sec. 3 in the  
Bill. attached are the  
Comm's wishes. - Sarah

**House Amendments to Engrossed SB 2234 (78226.0201) - Government and Veterans  
Affairs Committee 02/23/2007**

Page 1, line 2, after the first comma insert "subsection 1 of section 16.1-11-11,"

Page 1, line 11, after the second comma insert "and"

Page 1, line 15, after the second comma insert "and telephone number."

**House Amendments to Engrossed SB 2234 (78226.0201) - Government and Veterans  
Affairs Committee 02/23/2007**

Page 3, after line 3, insert:

**"SECTION 3. AMENDMENT.** Subsection 1 of section 16.1-11-11 of the North  
Dakota Century Code is amended and reenacted as follows:

1. A certificate of endorsement signed by the district chairman of any legally  
recognized political party containing the candidate's name, post-office  
address, and telephone number, the title of the office to which the  
candidate aspires, and the party that the candidate represents; or"

Page 3, line 6, remove "telephone number." and after "and" insert "telephone number."

Page 3, line 12, after the second comma insert "and" and remove the underscored comma

**House Amendments to Engrossed SB 2234 (78226.0201) - Government and Veterans  
Affairs Committee 02/23/2007**

Page 4, line 5, remove "state" and overstrike "representatives" and insert immediately  
thereafter "state representative"

Renumber accordingly

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

**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 SB 2234

Action Taken move amendments

Motion Made By Rep Froseth Seconded By Rep Meier

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

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment Rep.

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

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

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 SB 223A

Action Taken DO pass as amended

Motion Made By Rep Dahl Seconded By Rep Potter

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman	X		Rep. Bill Amerman		X
Rep. Bette Grande VC			Rep. Louise Potter	X	
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					

Total (Yes) 9 No 2

Absent 2

Floor Assignment Rep Dahl

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

**REPORT OF STANDING COMMITTEE**

SB 2234, as engrossed: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2234 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first comma insert "subsection 1 of section 16.1-11-11,"

Page 1, line 11, after the second comma insert "and"

Page 1, line 15, after the second comma insert "and telephone number."

Page 3, after line 3, insert:

**"SECTION 3. AMENDMENT.** Subsection 1 of section 16.1-11-11 of the North Dakota Century Code is amended and reenacted as follows:

1. A certificate of endorsement signed by the district chairman of any legally recognized political party containing the candidate's name, post-office address, and telephone number. the title of the office to which the candidate aspires, and the party that the candidate represents; or"

Page 3, line 6, remove "telephone number." and after "and" insert "telephone number."

Page 3, line 12, after the second comma insert "and" and remove the underscored comma

Page 4, line 5, remove "state" and overstrike "representatives" and insert immediately thereafter "state representative"

Renumber accordingly

2007 TESTIMONY

SB 2234

ALVIN A. JAEGER  
SECRETARY OF STATE

HOME PAGE [www.nd.gov/sos](http://www.nd.gov/sos)



*attach #1*

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

January 25, 2007

A handwritten signature in cursive script, appearing to read "Al Jaeger".

TO: Senator Dever, Chairman,  
and Members of the Senate Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: SB 2234 – Primary Elections and Candidate Information

Section 1, page 1, line 11 and 12: Adds requirement for a candidate to provide telephone number.

Section 2, page 1, lines 23 thru 26: Clarifies the acceptable form of a candidate's name for the ballot and requires the candidate to certify they are qualified to hold office if elected. An amendment is attached to add a space where the candidate requests his or her ballot name.

Section 3, page 3, line 4: Adds requirement for a candidate to provide telephone number.

Section 4, page 3, line 10: Adds requirement for a candidate to provide telephone number.

Section 5, page 3, line 25 thru 28: Eliminates obsolete ballot publishing requirements

Section 6, page 4, line 2: Shortens title of office of State Representative for ballot

Section 7, page 4, lines 6 and 7: Decreases number of poll books from two to one and allows an electronic listing

Section 8, page 4, lines 11: Repeals an overlooked reference to presidential preference contests, which no longer is allowed by law.

*Attach #1  
page 2*

PROPOSED AMENDMENTS TO SENATE BILL NO. 2234

Page 2, after line 26, insert

“ \_\_\_\_\_ ”

Ballot name requested”

Renumber accordingly

ALVIN A. JAEGER  
SECRETARY OF STATE

HOME PAGE [www.nd.gov/sos](http://www.nd.gov/sos)



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

February 22, 2007

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

FR: Al Jaeger, Secretary of State

RE: SB 2234 – Primary Elections and Candidate Information

Section 1, page 1, line 12: Adds requirement for a candidate to provide a telephone number.

Section 1, page 1, line 18: Adds clarification if candidate is running for an unexpired term

Section 2, page 1, lines 23 thru 31: Clarifies the acceptable form for a candidate's name for the ballot and requires the candidate to certify they are qualified to hold office if elected.

Section 3, page 3, line 6: Adds requirement for a candidate to provide telephone number.

Section 3, page 3, line 9: Adds clarification if candidate is running for an unexpired term

Section 4, page 3, line 12: Adds requirement for a candidate to provide telephone number.

Section 4, page 3, lines 14 and 15: Adds clarification if candidate is running for an unexpired term

Section 5, page 3, line 27 thru 30: Eliminates obsolete ballot publishing requirements

Section 6, page 4, line 2: Shortens title of office of State Representative for ballot (amendment attached to change title to representative)

Section 7, page 4, lines 6 and 7: Decreases number of poll books from two to one and allows an electronic poll book listing

Section 8, page 4, lines 11: Repeals an overlooked reference to presidential preference contests, which were discontinued several sessions ago.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2234

Page 4, line 5, overstrike "representatives" and insert immediately thereafter  
"representative"

Renumber accordingly

**TESTIMONY TO THE  
HOUSE GVA COMMITTEE**

Prepared February 22, 2007 by  
Danette Odenbach  
North Dakota Association of Counties

**REGARDING SENATE BILL 2234**

Chairman Haas and members of the House GVA Committee:

The North Dakota Association of Counties (NDACo) submits this testimony in support of Senate Bill 2234.

Senate Bill 2234 amends section 16.1-06 of the North Dakota Century Code to add telephone numbers to candidate contact information, adds a ballot name and candidate certification to the candidate's affidavit, and allows counties the option of using electronic pollbooks.

Adding the telephone number to the contact information for a candidate provides county and state election administrators one more option for quick contact of a candidate. The addition of the candidate certification clarifies it is the candidate's responsibility to verify eligibility for candidacy. The Senate did amend the bill to include a space for writing out the ballot name requested, just above the candidate's signature on the affidavit.

In its final section, Senate Bill 2234 provides counties the option of using an electronic pollbook in lieu of paper at the polling site.

The North Dakota Association of Counties appreciates your consideration and requests a Do Pass recommendation on Senate Bill 2234.