

2011 HOUSE POLITICAL SUBDIVISIONS

HB 1292

2011 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

HB 1292
February 3, 2011
Job # 13941

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to polling places.

Minutes:

Testimony #1 & 2

Chairman Johnson: Opened the hearing on HB 1292. There is a new fiscal note on this.

Rep. Kasper: Here to visit with you about 1292 and subsequently 1283. I would like to talk about the duties of legislatures and other officials who are not legislatures. I believe it is the duty and responsibility of this legislative assembly to set public policy. It is not the responsibility of elected officials whether they are state elected or local elected officials. Their duties are to carry out the policy that this legislative body establishes. They certainly can have their opinions and that is fine; that is what a democracy is all about. I would like you to keep that in mind as you consider these two bills. This bill relates to polling places. At this last election we had a number of situations that were very uncomfortable for the citizens of ND; for the officials of ND and in some case downright embarrassing. You may recall that on the Ft. Totten Indian Reservation there is actually a law suit because the citizens of that area were saying they were being disenfranchised because there were no polling places open anywhere near some population centers up there. I believe the court ruled that the polling places had to be open. In my home city of Beulah which is in Mercer County our county seat is in Stanton, which is on the eastern end of the county. The county encompasses Stanton, Beulah, Zap, Golden Valley and close to Dunn Center. I think it is 40-50 miles across. The only polling place open on Election Day was in Stanton, the County Seat. What this bill is about is assuring the citizens of our state the right to vote. I believe that we must do everything possible to preserve the integrity of the vote. Because without the vote you don't have a republic like we have. I know we have vote by mail which I do not object to. We changed the election law where we allow early voting; which I do not object to. We changed the election law where we allow absentee voting to be used even if you are not absent which I do not object to because that gives the people of our state greater opportunity to vote. I do object to is that some of the elected officials of the various counties are closing the polling places or reducing the polling places. In my city in Fargo we used to have a polling place in each precinct. What has happened in Fargo my district used to have 6 precincts? The precinct was redrawn to two precincts and now we have two polling places in my district. We have early voting, mail voting and that is fine but we are getting less and less and less. The argument you are going to hear is it

costs too much. It is always about money. The price of democracy has to be protected. If it costs a little more we need to pay for it. I would urge your favorable consideration of HB 1292.

Rep. Shirley Meyer: Your district and my district are about as different as they could be. On page line 14 where all polls within a county must open and close at the same time. In my district I have two time zones so would you address that?

Rep. Kasper: If that area needs to be modified for time zones, please amend it. The intent is to keep uniformity in polling places as far as the times go.

Rep. Koppelman: It is down to two polling places in Fargo now. Mine has gone from five to three. What are the polls like on Election Day? Are there long waiting lines or what.

Rep. Kasper: I don't think there have been long waiting lines. In Fargo we have a lot of people who go to the early voting polls, which is good. The citizens get use to going to a certain polling place and now all of a sudden in one Election Day for example maybe they did not realize that polling places had been consolidated. They go to where they normally do; did see in the newspaper that things had changed so where do I vote. That is really not my issue. My issue is excess to the polls. One other argument you might hear is it is hard to find election workers. I have two solutions for that; one look a little harder and number two pay a little more.

Rep. Klemin: Does this bill address reduced number of polling places?

Rep. Kasper: No it does not talk about numbers of polling places in a district. If that is something the committee wishes to address I certainly would not object.

Rep. Kretschmar: Under current law the decision is with the county commission setting up polling places. We allowed them to have as many as they needed. I think the statute says more than one. Don't you think leaving it as a decision of the local board would be better than putting on a mandate from the state?

Rep. Kasper: The last number of years does not verify that observation. I don't know if you were here when I was telling about no polling place on the Ft. Totten Reservation there was not a polling place where there was a population center. I believe it is the responsibility of this legislative assembly to set the policy. I think we have given too much latitude in my opinion to the county commissioners and we need to take that decision making process back. We need to allow our citizen easy excess to the polls. Particularly our older citizens like to do things the way they have always done it.

Rep. Devlin: I have four of my five counties are vote by mail counties. Have you been out and talked to any of those people. We went door to door; farm to farm in every one of those counties. I had one person say they would rather go vote at the polls. You are leading this committee to believe that people don't want to vote by mail or want to go to the polls or whatever. I am not finding that true out there. Voting is up; we are getting away from the type of situation that happened in our district before where there was a blizzard on Election Day and nobody could get to the polls. We have opened up the opportunity for

the people of ND to vote by mail. I don't see the need to have polling places open in some of these towns when everybody has a full month to cast a ballot.

Rep. Kasper: Isn't Ft. Totten in your district? So maybe you did not campaign at Ft. Totten because there were many citizens who did not feel the way you did and they made their concern known by suing in an election process so this is not about that we want to get rid of voting by mail. We want to also have the polling places open on Election Day as well as all the other avenues that we have so that the citizens who wish to vote can. They should not have to drive 30, 40 or 50 miles to do that.

Rep.Devlin: I did campaign in that area and you will find very few of the people that would have been supportive of the need for that law suit. I understand the law suit and why that was challenged. The people that I talked to on the reservation that had the opportunity for a month to vote by mail were very happy with it. Every one of them had the opportunity to vote in their own home.

Rep. Kasper: My point is we need excess on Election Day to the citizens of ND. We need to have the polls open so they can go to the polls on Election Day.

Rep.Devlin: I think what we have done is open up excess to the people of ND to vote for over 30 days instead of just one day and I think we have done a much better service to the people of ND by doing that. I realize Rep. Kasper you and I will never agree upon that.

Rep. Kasper: I agree with exactly what you are saying. But on Election Day for those people who have not voted and they are voting by mail only they are disenfranchised aren't they. They have no place to go.

Rep.Devlin: If this is a policy issue for the state of ND, should the state of ND be paying for the poll workers and the polls?

Rep. Kasper: that is a policy decision our legislative body makes. Your committee can certainly debate that question. If you feel that is the way it ought to be I have no objection for you to put that in the bill.

Chairman Johnson: Rep. Kasper, did you see the fiscal note?

Rep. Kasper: I did not. Fiscal notes are subjective to the person who is writing the fiscal note. So if the price of preserving our republic and our liberty and the opportunity for the people to vote is \$156,000 biennium it is money well spent.

Opposition:

Al Jaeger, Secretary of State: (See testimony #1). I would like to respond to Rep. Meyer's question. It is based on the time zone where they open so modification has to be made to Section 1. Our office would be in agreement with Section 1 of the bill. We do not support Sections 2 & 3 because the fiscal impact it would have on the state's election fund along with additional costs it imposes on counties and cities. In addition the present system has proved to be very successful during the past several election cycles since the counties

were given the vote by mail option. It has decreased election costs; provided more poll worker availability, maintained or increased voter turnout and acceptance by most voters. Therefore the additional polling locations are not needed for voter participation. On the state side it would cost \$156,000. We did a survey and there are 54 cities of 200 or greater population that currently does not have a polling location. While voting equipment is available for 41 locations we don't have the equipment for the remaining 13. Also it would remove all the backup equipment that we have out in the counties because we encourage the counties to have a pair, two pieces of equipment, as required by the Help America Vote Act. We have the scanner and the auto mark for use by those voters who have various challenges with disabilities in terms of voting. So we recommend a pair be available for every 10 polling locations to make sure if something does happen with a piece of equipment that another one can be moved in quickly. To equip the 13 locations that we wouldn't be able to cover under this particular law we would need to be purchasing that equipment and this does not include the cost of maintenance that is required for these 54 locations. For the counties there are election supplies and poll workers. Now we would be adding 54 locations and 270 workers that would need to be recruited those polling locations. I think based on some of the questions; we in our office have heard a few people who are not happy. I also grew up in Beulah and Mercy County. Rep. Kasper and I have known each other for more years than we need to disclose by our ages, but in that county in some case while there were some challenges in the last election voter turnout was up. People can vote at their kitchen table and it has been quite well accepted, I think.

Rep. Shirley Meyer: Again I am willing to take you back to Dunn County. We went with a vote by mail and the problem was that unless you have a 911 mailing address you did not get a ballot. The day of the election the county courthouse that is jammed with landsmen; there are many people that did not vote. I know that because they called me and told me that. They had not gotten a mail in ballot; there is only one polling place open and they backup all the way out to the street. When you make the comment that; look at the expense of it, I really have to weigh in on what is the price of democracy? We spent thousands and thousands of dollars on commercials. Could we not have used that money to buy voting machines?

Al Jaeger: I can't debate on whether we should have taken campaign money and used it to subsidize a polling location or somehow divert those particular funds. You do raise a point and I do believe that it goes back to what Rep. Kretschmar has indicated. We as a state should not be coming into a county and telling them what is best for their particular situation. In Dunn County the people that are closes to the commissioners have responded to that in this county and those situations have been addresses. They did open up more polling places. They tried voting by mail and it wasn't received as well there, but us Still have approximately half o the county counties have voting by mail and it has worked very well for them. That is a decision best made at a local level.

Rep. Shirley Meyer: My comment on Help America Vote Act and the thousands of dollars that were used on commercials. When you weigh in on should the state help with the responsibility of paying for some of this to take the burden off the counties?

Al Jaeger: I need to explain where those funds come from. Under the Help America Vote Act there is some very specific money that is allocated to the Department of Health and

Human Services. That money cannot be used for what you are suggesting. There is a \$100,000 grant that we can receive each year. Over the period of years we have used that money to increase voter accessibility to polling locations and these commercials you are referring to were a cooperative project with portion and Advocacy agency to promote and insure that the people with disabilities knew that they have options when it came to voting. They were very dedicated funds.

Michael Montplaisin, Cass County Auditor: (See testimony #2). Went over his testimony.

Rep. Kretschmar: Do you or any people on your staff get complaints in Cass County about polling places?

Michael Montplaisin: We really don't. Rep. Kasper has complained a number of times. We have a mission statement for elections that we try to make voting as accessible as we can.

We opened polling places for early voting. People have access.

Rep. Devlin: Maybe increasing the hourly wage might be helpful in attracting workers? I just wondered what you thought about that.

Michael Montplaisin: that does have an effect. We bring it up to the county commission on occasion. We have tried to get them to set the salary at a county pay grade because a county pay grade moves over time and then you wouldn't have this argument every two years about how much they are going to set for a wage. We currently pay \$9. Most of our people do not work for the salary; they are working because they love elections; they love democracy and they want to see it in action. We have teamed up with a local bank that provides some people and that is a good opportunity and we are hoping we can expand on that where the bank pays their salary for the day; they are required to donate the money we pay them to charity and the bank matches that so it is a good program.

Rep. Koppelman: In the summons it talked about the importance of jury duty and it talked about the fact that employers cannot discipline or dismiss you or anything else for you agreeing to serve on the jury. Do we have anything like that in law for people who agree to work elections and do you think that would be a good idea?

Michael Montplaisin: I don't believe there is anything in law like that for election workers. We try to go after people who are really interested in elections. We have been trying to get the younger people involved. We are going to go out into the schools and try to get younger people interested by using the civics' classes etc so we are trying to grow election workers.

Chairman Johnson: Do you have a ball park on age ranges for election workers? I know ours is probably 60 and older.

Michael Montplaisin: I think over the last few years as we have implemented ECO books where every ne has an ECO book where the people have to be computer illiterate we have seen a shift toward younger people.

Rep. Hatelstad: Is there a minimum age? Could you take the high school government class?

Michael Montplaisin: There is a minimum age. Basically they have to be eligible to vote with some exceptions. We can take school kids 16 and over. I believe we can have only two of those in a polling place so there are some restrictions. We are using some of those in some places.

Terry Traynor, Association of Counties: Mr. Montplaisin explained the county position very well. I just wanted to state the county commissioners debated and discussed this it this week and they too are opposed to the bill. I like to do things the way I have always done them as well, but things do change. The one issue that the county commissioners talked about have been alluded to; the embracing of vote by mail. County officials have to go out and beg and borrow allot of times to get those polling places and a lot of times they are churches and public buildings. It is difficult to meet the ADA requirements and it is impossible for the county to invest money in those sorts of facilities to make the ADA compliant. That is a challenge for them to meet those requirements and one of the reasons why vote by mail has been so popular. You can do vote by mail for cities over 200 but that sort of defeats the purpose because you don't save the money you actually double the money. I don't see that as a solution either so we are opposed to the bill.

Rep. Shirley Meyer: Has there ever been a discussion that has taken place within the counties how we can address with the vote by mail to a PO Box?

Terry Traynor: That has been discussed. There is a concern on a number of different levels. The greater concern of county officials is everyone needs to have a 911 address. When we are dealing still with PO Box's it makes it very difficult for emergency management for 911 purposes. The push is not to change the system to accommodate the PO boxes but move the counties to actually issuing 911 addresses that meet the postal requirements so we can all move to that format rather than maintain the field boxes.

Rep. Shirley Meyer: It is interesting to me when you go to vote you have to show an ID and you have to prove you are who you are, but with the mail out ballots; they are just mailed to a home. Anyone could fill them out. There is no one checking this.

Terry Traynor: I am not totally familiar with the mail balloting, but I have never done it myself but my understanding is what is mailed out is an application for a ballot. You have to fill it out and send it in and then you get the ballot in the mail. The signature on the envelope has to match the signature of request for the ballot and those to have to meet and if they don't it is a violation of the law by the voter.

Rep. Kilichowski: How much of the state does not have a 911 address?

Terry Traynor: I don't know. I can do some research and get that answer.

Al Jaeger: Ballots can be sent to a PO Box. There are some cities that do not have house delivery and the only way they get the mail is to a PO Box. On the application it still has to match to a residential address. Rep. Devlin you are one we mail to if we use your house

address you won't get the mail; it will get kicked back. We mail to him as PO Box. He needs to put in his residential address. People can get their mail and the ballot.

Rep.Devlin: That is correct; we have to have our residential address, our 911 address and then we have another option to get the ballot by mail. Before you can get the ballot you have to be able to prove where you live.

Neutral:

Jerry Hjelmstad, ND League of Cities: We realize local flexibility is needed to deal with the unique issues in each of these counties. I think the county commissioners do their best to try to meet the voting needs. We definitely support the authority of county commissioners to deal with these issues.

Rep. Koppelman: A couple of weeks ago I got an email from a city. It contained a matrix of how we feel about legislation. We are for this and against that etc. I thought that was interesting. I inquired how do you as a city make these decisions. Do you meet as a city and decide on issues and get that information to us? Do you talk to a legislature if you see a name particularly of someone from your city and ask them about it? The bottom line answer was no the staff just kind of gets together and tells the legislature what we think. Is that common on your knowledge and is that how the cities arrives at its positions on issues and do you know anything about counties. I am just curious how all that works.

Jerry Hjelmstad: How each city arrives at its issues; I think that is going to vary from city to city. In some particular cities the staff will not take any position unless the board has given them the authority to take a position. As an organization of cities we have representatives from cities of all sizes and an elected board that is elected at our annual conference to make determinations and set general policy during the course of a legislative session. It is difficult to always have an individual position on each bill that is introduced, but general policy relating to local control etc is how we make our determinations.

Rep. Heilman: Let's say this passed; would 200 population limits; is that where it needs to be?

Jerry Hjelmstad: I think the situation's can be so unique in each county that the local flexibility is needed to deal with those. In some cases 200 would be fine; and in other cases it would not be because of the type of community it is; it may not have accessible locations for polling.

Hearing closed.

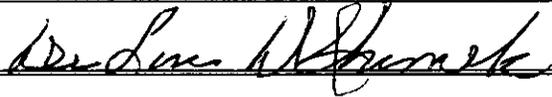
2011 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

HB 1292
February 3, 2011
Job # 13981

Conference Committee

Committee Clerk Signature



Minutes:

Chairman Johnson: Reopened the hearing on HB 1292. This is the one where they wanted a population in every town with a population of 200 or more and it has a fiscal note that would require an additional \$156,000 to purchase equipment for polling sites and additional costs for counties for election officials.

Do Not Pass Motion Made by Rep. Kretschmar: Seconded by Rep. Mock:

Discussion:

Chairman Johnson: I think counties are the ones best to decide how in their county their polling places.

Rep. Shirley Meyer: Many of the county officials are under the assumption that they could only have one polling place. If we are going to veto on this it certainly should be because of the cost.

Rep. Kretschmar: I believe in the original bill two or three session ago, it did say one polling place when they did voting by mail. Last session we amended to say one or more and that is up to the county commissioners. I think we should leave this to the local boards of county commissioners to decide.

Rep. Zaiser: I would agree that this is a little bit excessive. Discussed fact older people do not like change on polling places.

Vote: 11 Yes 1 No 2 Absent Carrier: Rep. Kretschmar:

Hearing closed.

FISCAL NOTE
 Requested by Legislative Council
 02/22/2011

REVISION

Amendment to: HB 1292

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$11,500	\$0	\$0	\$11,500	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Statewide, the original bill added 54 polling locations. Of those, 13 did not have the necessary voting equipment to conduct an election. The amendment changes the city population threshold to 1,000, which reduces to 5 the cities not currently having a polling location on election day. See 3B.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

As mentioned in Section 2a, this bill would require the purchase of 26 pieces of voting equipment at a cost of \$156,000. The cost to establish the additional 54 polling locations would be \$124,200 with on going costs of \$35,000 per election for poll workers.

Because of the amendment, there is no impact to the state and the impact is reduced to the four different counties that have the 5 cities impacted.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

None

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

As listed in paragraphs # 2a and 2b.

The amendment reduces the number of polling places from 54 to 5. Therefore, adequate voting equipment is now available. The county cost is limited to the four counties that have the five cities with populations over 1,000 that do not currently have a polling place (Beulah, Hazen, Park River, Velva, Walhalla).

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency*

and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.

The state's share would be appropriated from the election fund. The county share would be appropriated by each county.

The state's share is no longer needed because of the amendment. The only cost is to the four counties (Mercer, Walsh, McHenry, Pembina) for the five cities mentioned in 3b.

Name:	Al Jaeger	Agency:	Secretary of State
Phone Number:	328-2900	Date Prepared:	02/22/2011

FISCAL NOTE

Requested by Legislative Council
01/27/2011

REVISION

Bill/Resolution No.: HB 1292

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$156,000	\$0	\$0
Appropriations	\$0	\$0	\$0	\$156,000	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$124,200	\$0	\$0	\$124,200	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Statewide, the population threshold would add 54 additional polling locations. Of those, 13 do not have the necessary voting equipment to conduct an election and it would have to be purchased. The additional polling locations would each need an election board for every subsequent election.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

As mentioned in Section 2a, this bill would require the purchase of 26 pieces of voting equipment at a cost of \$156,000. The cost to establish the additional 54 polling locations would be \$124,200 with on going costs of \$35,000 per election for poll workers.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

None

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

As listed in paragraphs # 2a and 2b.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The state's share would be appropriated from the election fund. The county share would be appropriated by each county.

Name:	Al Jaeger	Agency:	Secretary of State
Phone Number:	328-2900	Date Prepared:	01/31/2011

FISCAL NOTE

Requested by Legislative Council
01/24/2011

Bill/Resolution No.: HB 1292

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$156,000	\$0	\$0
Appropriations	\$0	\$0	\$0	\$156,000	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$89,100	\$0	\$0	\$89,100	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

To accommodate the provisions of the bill, 54 additional polling locations will need to be added with 13 of them not having the necessary voting equipment to conduct an election. It would need to be purchased. The 54 additional polling locations would each need an election board.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 2 would require the purchase of 26 pieces of voting equipment at a cost of \$156,000. The cost to have an additional 54 polling locations would be \$89,100.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

None

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

As listed in paragraph # 2.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The state's share would be appropriated from the election fund. The county share would be appropriated by each county.

Name:	Al Jaeger	Agency:	Secretary of State
--------------	-----------	----------------	--------------------



Phone Number: 328-2900

Date Prepared: 01/27/2011

FISCAL NOTE STATEMENT

House Bill or Resolution No. 1292

This bill or resolution appears to affect revenues, expenditures, or fiscal liability of counties, cities, or school districts. However, no state agency has primary responsibility for compiling and maintaining the information necessary for the proper preparation of a fiscal note regarding this bill or resolution. Pursuant to Joint Rule 502, this statement meets the fiscal note requirement.

Becky Keller
Senior Fiscal Analyst

Date: 2-3-11
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1292

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt
Amendment

Rerefer to Appropriations Reconsider

Motion Made By Rep. Kretschmar Seconded By Rep. Mock

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Kilichowski		
Vice Chairman Hatelstad	✓		Rep. Shirley Meyer		✓
Rep. Beadle	✓		Rep. Mock	✓	
Rep. Devlin	✓		Rep. Zaiser	✓	
Rep. Heilman	✓				
Rep. Klemin	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				
Rep. Maragos					
Rep. Pietsch	✓				

Total (Yes) 11 No 1

Absent 2

Floor Assignment Rep. Kretschmar

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

REPORT OF STANDING COMMITTEE

HB 1292: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1292 was placed on the Eleventh order on the calendar.

2011 HOUSE APPROPRIATIONS

HB 1292

2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee
Roughrider Room, State Capitol

HB 1292
2/15/11
14558, 14573

Conference Committee

Committee Clerk Signature

Meredith Ensholt

Explanation or reason for introduction of bill/resolution:

A BILL for an Act relating to polling places.

Minutes:

You may make reference to "attached testimony."

Chairman Delzer: Opened discussion on HB 1292. The title was read.

Representative Nancy Johnson, District 37: You heard this bill on the floor, so you don't need a whole lot of background. Section 1 requires all polls within a county to be open the same hours. Section 2 was the one with most of the debate, and states every city with a population of 200 or more must have a polling site open on Election Day. Section 3 says that even if a county does have mail in ballot elections, any city of 200 or more must have a polling site. The Fiscal Note from the Secretary of State's office would take about \$156,000 of state dollars to purchase enough machines to have one at each of these new sites that they thought 13 locations would be added that would not have any extra backup machines, and did not count the maintenance before Election Day. The expense to counties would be about \$124,000+ for election supplies and additional election workers; some of those costs would be passed on to cities.

Chairman Delzer: This had a Do Not Pass out of your committee, and then was turned over on the floor. Was there discussion in your committee about the money being available to cover this out of HAVA (Help America Vote Act) funds?

Representative Johnson: HAVA has some requirements you have to have. Whether this could come out of HAVA funds or must be state funds, you'd have to ask the Secretary of State's office.

Chairman Delzer: Did you have any discussion about if you went to three or four or five hundred for the size of cities, how that might change the Fiscal Note?

Representative Johnson: No, we didn't go there because we said we didn't need this bill.

Representative Skarphol: I got the impression Fargo believed they'd have to make some significant changes as a result of this bill. Help me understand why. They're a city over 200; what else is it about the bill that says they have to do something differently?

Representative Johnson: The bill just says any city over 200 would have to have a polling place open on that particular day. I don't believe it identifies it has to have one in each precinct. It shouldn't impact Fargo, but some of the neighboring cities might have some difficulty with it.

Chairman Delzer: I think further impact may come from one of the amendments being passed around.

Representative Skarphol: As far as number of cities over two, four, six hundred. Do you have any data you could provide us, if the number changed, how that would reduce the number of locations required?

Representative Johnson: It would definitely change the numbers. It would reduce the numbers. In another bill we had testimony about how many cities there were over 200, but it was related to a different bill and I didn't bring that information with me.

Chairman Delzer: If you have that available, if you could you bring that down, I think we'd like to see it. Further questions for Representative Johnson? Thank you. Committee, let's go through these two proposed amendments. I don't know whether we'll take it up, we might wait, but the one I passed, .02002, out would go from two to four hundred on the city size.

Representative Nelson: The other proposed amendment, .02001, has two parts. The first part would change 200 to 500, so it would be more workable for those counties that have utilized mail-in balloting. The next part is, as long as we're talking about disenfranchised voters, that every city that has a population base of 500 would have to have a polling spot for each 500 people.

Chairman Delzer: What about the ones between 500 and 1000, they'd have to have two?

Representative Nelson: Given the floor discussion I'd say yes. And I wouldn't be opposed to separating the two parts.

Chairman Delzer: We'll wait for additional information. I will say that the bill sponsor said to me that he does have some plans to work on this some on the Senate side. Personally I'm uncomfortable with the 200 number, even though I did support the bill on the floor. We'll take this up again in a short while.

Second recording 14573

Chairman Delzer: We have the handout from Representative Johnson, see attachment 1. I would guess that this is under last time's census, so the most recent census may change this a little bit for the next election.

Representative Skarphol: There's a difficult situation to address here. If you take Burke County, for example, and make the requirement 500, there's not one city in Burke over 500. If you take Divide County, Crosby would be the only community in Divide that would have a

polling place at 500. If we're really interested in geographical distribution, we're going to have to do something more than just pick a number. And if we go with the recommendation in .02001, that would mean Bismarck would have to have over 100 polling places.

Chairman Delzer: That's only the second half of Representative Nelson's amendment. Personally I would be comfortable with four or five hundred. The idea is to say, in some of the counties where they have disenfranchised some fairly large communities, and we could even maybe say 1000. In many ways it should be up to the county to do what they want on a number of these things. In the same token, there are some counties that went further than their constituents really liked.

Representative Kaldor: That I think is true, and in addition to that, when I look at this list, the difference between 200 and 400, I found five communities in my district that are affected. The interesting thing is when I look at the page 200 and above, there are 225 residents in Page. They have two polling places, for two different districts. Hope, at 303 citizens, has no polling place, and they vote in a different district. It's complicated, it really is, it's hard to put a number on it and try to come up with any kind of reasonable outcome. I think one of the things we need to find out is how many of those communities between 200 and 400 already do have polling places? It isn't just the population that makes a difference, it's how the county decides where they are going to have the polls.

Chairman Delzer: Let's do it this way. Legislative Council, would you send a request to Secretary of State's office and ask them to provide the information for 400 and 500?

Representative Nelson: I think this whole idea, this last discussion, just explains why the state legislature has no business in this realm. It's a local issue. There was an issue on Spirit Lake Reservation last year with polling sites, and this bill doesn't fix that. The communities involved on the reservation are not incorporated cities. The issue of whether Page or Hope should have a polling site is best decided by those commissioners. We have a redistricting taking place this summer, and that will change again. The point of mail in ballots is efficiencies and getting more people to the polls, and this defeats all that. As an explanation for the second part of my amendment, it was somewhat tongue in cheek, but I look at it as a point of self-reflection.

Representative Kaldor: We set the policy already for the counties awhile back when we allowed the mail in voting. One of the consequences of what we did is that we have this issue rise up. We lost over a third of our polling places in a matter of four years. The communities that were affected have been frustrated over this. It isn't that we don't necessarily agree that the counties can decide best where they can have polling places, the problem is we allowed them to go from several places into one in one fell swoop. We'll adjust to that. Elections are pretty important. It shouldn't be an experiment, it should be something that takes place over a period of time, moving towards total mail in ballots as an example. That's the reason I voted for the bill. I don't think this issue is resolved with this legislation, or with putting a hundred-some polling places in Bismarck.

Representative Skarphol: If we were going to do something, I would suggest we say that the county must have no less than 2 polling places which are geographically separated.

That way you'd at least get maybe one on each end of the county, so it's somewhat convenient for people. But honestly, in Tioga, they have difficulty getting poll workers. It's become a major issue. I understand why counties want to reduce the numbers and I can't blame them.

Representative Monson: When we let this horse out of the barn a few years ago and let them decide if it would be one polling place, or entirely by mail.... Now we've gone down this road for an election cycle or two and we have, in my district, one county that took it to a vote of the people and the people overwhelmingly said we like with mail in ballots, just like we've got it. Now we start tinkering all over again and put in these numbers that don't match what the county and the local people have figured out works for them. I think it's not a good bill. I don't see that passing either of these amendments is going help it.

Chairman Delzer: The problem we have is that the bill is before us. It was a Do Not Pass out of policy, but passed on the floor. Now, we have many options. We can send it back up with a Do Pass, or a Do Not Pass, or we can change it, whatever the committee wishes. I would guess anyway we look at this, it's going to be a floor debate again. I'd like to set this aside for now and deal with some other bills.

2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee Roughrider Room, State Capitol

HB 1292
2/17/11
14709

Conference Committee

Committee Clerk Signature

Meredith Truholt

Explanation or reason for introduction of bill/resolution:

A BILL for an Act relating to polling places.

Minutes:

You may make reference to "attached testimony."

Chairman Delzer: Opened discussion on HB 1292. Most of what we're dealing with on this bill is strictly policy. I don't know if we should actually try to put any amendments on it, or just kick it back out and let the floor do what they will with it and send it over to the Senate if it passes the floor again.

Representative Skarphol: I think the number 200 is too low, I would like to see us raise it. I move we change the 200 threshold to 1000. It doesn't prohibit the counties from doing more if they so choose, but at minimum a community with 1000 people would need to have a polling place.

Representative Pollert: Second.

Representative Kroeber: Is there any city over 1000 that does not have a polling place?

Chairman Delzer: There must be some in Mercer County, Hazen and Buelah, and I would guess, since Representative Monson said his county voted to have all mail in, that this would force them to have them.

Representative Glassheim: If we're going to be requiring it, I think it should be 300. They are cities with their own identity, and people ought to vote in the city they live in.

Chairman Delzer: Further discussion on the motion to amend? Seeing none, we'll do a voice vote. I'm uncertain about the result, so we'll do a roll call vote on that. Motion carries 11-10. We have the amended bill before us, what are your wishes?

Representative Wieland: I move Do Pass as Amended.

Representative Skarphol: Second.

Chairman Delzer: Discussion. Seeing none, we'll call the roll for a Do Pass as Amended. Motion carries 12-9. Representative Thoreson will be the carrier.

✓
2/18/11

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1292

Page 2, line 8, replace "two hundred" with "one thousand"

Renumber accordingly

Date: 2/17
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1292

House Appropriations Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Skarphol Seconded By Rep. Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X		Representative Neison	X	
Vice Chairman Kempenich	X		Representative Wieland	X	
Representative Pollert	X				
Representative Skarphol	X				
Representative Thoreson	X		Representative Glassheim		X
Representative Bellew		X	Representative Kaldor		X
Representative Brandenburg	X		Representative Kroeber		X
Representative Dahl	X		Representative Metcalf		X
Representative Dosch	X		Representative Williams		X
Representative Hawken		X			
Representative Klein		X			
Representative Kreidt	X				
Representative Martinson		X			
Representative Monson		X			

Total (Yes) 11 No 10

Absent 0

Floor Assignment _____

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

change 200 to 1000

Date: 2/17
 Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 1292

House Appropriations Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Wieland Seconded By Rep. Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X		Representative Nelson		X
Vice Chairman Kempenich	X		Representative Wieland		X
Representative Pollert		X			
Representative Skarphol	X				
Representative Thoreson	X		Representative Glassheim		X
Representative Bellew	X		Representative Kaldor	X	
Representative Brandenburg	X		Representative Kroeber	X	
Representative Dahl		X	Representative Metcalf		X
Representative Dosch	X		Representative Williams	X	
Representative Hawken		X			
Representative Klein	X				
Representative Kreidt	X				
Representative Martinson		X			
Representative Monson		X			

Total (Yes) 12 No 9

Absent _____

Floor Assignment Rep. Thoreson

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

REPORT OF STANDING COMMITTEE

HB 1292: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). HB 1292 was placed on the Sixth order on the calendar.

Page 2, line 8, replace "two hundred" with "one thousand"

Renumber accordingly

2011 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1292

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1292
March 24, 2011
15919

Conference Committee

Committee Clerk Signature

Kate Ouse

Explanation or reason for introduction of bill/resolution:

Relating to polling places.

Minutes:

Testimony attached

Representative Jim Kasper: District 46 in Fargo. See attached testimony #1. Local control is not the city commission, county commission, the school board and various elected officials. Although they are local the control lies with the voters. This is the essence of our democratic process, it is so important that we have 4 amendments to the constitution of the United States that address these basic rights. Our state constitution requires to us represent the people and to make changes when we deem right for the people. Public policy is and should be governed by the people. In the 2007 legislative session allowed for early voting and vote by mail, the intent of this legislation was to increase the people to vote. Not once during those committee hearings were we told that the polling places were going to be closed. It is difficult to find election officials and my thought was increase the base pay and you shouldn't have a problem finding election officials. I urge you to support HB 1292 and consider amending the bill down from 1,000 or greater to 400 or greater

Senator Berry: Dropping it to 400 or 500 wouldn't be much; do you know what that cost might be?

Representative Jim Kasper: The 2nd handout gives you a list of places that are 500 or greater that don't have polling places. There would be minor expense

Senator Berry: Those are adequate to meet the standards. From the Secretary of State he said that the machines would be adequate to be open on polling day

Chairman Dever: The provision to over 1,000 is it tied to the census?

Representative Jim Kasper: Sent it down with 200 or greater, Appropriations decided to go to 1,000 and I didn't object to it.

Chairman Dever: The fiscal note was after that, do you know what it would have been in its original form?

Representative Jim Kasper: Secretary of State would have the numbers on those.

Chairman Dever: In 2008 there was a tight race for Insurance Commissioner. Did they make any changes to that after the election?

Representative Jim Kasper: I am not sure. Up in the Fort Totten area there was a lawsuit brought by Native Americans.

Al Jager: Secretary of State. I think that we were very clear in the 2007 session as it related to the process. I am not going to go back and debate that with Representative Kasper. This is a decision that we feel is a county decision; half of the counties used vote by mail in the 2008 and 2010 election, they are the ones that are sensitive to their needs. The bill the way it is written now impacts 5 cities and that I think is reflected in the fiscal note. The way the bill was organically introduced showed an impact of 54 cities. With the change to 1,000 we have equipment that can fill in for those 5 cities, if you chose to amend it down that would most likely change our fiscal note. Despite what it might cost the state it will also cost the counties. What it boils down to is the standpoint from our office is that we feel that it is best left to the county commissioners that respond to the needs of the residents of those areas. There may be emails that are thanking us but there are also people who like the simplicity of voting at home.

Senator Berry: The mentions of half the counties use vote by mail, do they do that exclusively or do they also have polling places

Al Jager: They have to have at least 1 per county but after the 1st one it is up to the county as to if they want to open more.

Senator Berry: The funds that were mentioned, what were they?

Al Jager: the Help America Vote Act was passed in 2002. We bought the equipment and the stipulation was that we match at 5%.

Senator Berry: Are there still funds available?

Al Jager: Yes, about \$6,000,000, they have not appropriated everything in the HAVA bill. One thing that we have been doing under the HAVA funds is by federal law that is earned on the money has to go back into the fund. We use it to supplement elections; we need to get this out as far as possible. We are using that very carefully so it lasts as long as possible.

Jim Silrum: Deputy Secretary of State. The \$6,900,000 that is left is being utilized to fund the maintenance of the machines over a 10 year period. That is a substantial price tag for doing

that. In an election years we pay about \$300,000 for upkeep. Additionally the central voter file to run on a monthly basis is \$5,000/month. As you can see we have \$6,900,000 but we are trying to leverage that over the years so we don't have to request state funds.

Senator Cook: Am I hearing that today as a result of HAVA it isn't costing the taxpayers any money?

Al Jager: It is costing with central voter file, maintenance of equipment. There is, however, no money used at the county level. That basic cost of operating the poll on Election Day is a cost. There is a transition there.

Chairman Dever: The 5 cities are involved in 5 different counties. Are GF and Ward vote by mail?

Al Jager: No.

Chairman Dever: Have they changes the precincts in the last 10 years

Al Jager: After the HAVA we had a planning meeting and decreased the number of precincts. With the census coming up we will have a very brief time in order to reestablish...they must have them in place by the end of the year.

Chairman Dever: Is there some reason we don't have polling places on the bases?

Al Jager: I don't know that; the county of Grand Forks is best able to place the precincts.

John Arnold: North Dakota Association of Counties. See attached testimony #2.

There was no further testimony in support, opposition or a neutral position for HB 1292. Chairman Dever closed the public hearing on HB 1292.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1292
March 24, 2011
Job #

Conference Committee

Committee Clerk Signature *Kate Dever*

Explanation or reason for introduction of bill/resolution:

Relating to polling places.

Minutes:

No testimony attached.

The committee discussed the option of local control as it relates to this bill. A motion was made for a do not pass was made by Vice Chairman Sorvaag with a second by Senator Cook. There was no further discussion, roll was taken and the motion passed 7-0 with Chairman Dever carrying the bill to the floor.

Date: 3/24/11
Roll Call Vote # 11

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1292

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Sorvaag Seconded By Cook

Senators	Yes	No	Senators	Yes	No
Chairman Dever	X		Senator Marcellais	X	
Vice Chairman Sorvaag	X		Senator Nelson	X	
Senator Barry	X				
Senator Cook	X				
Senator Schaible	X				

Total (Yes) 7 No 0

Absent _____

Floor Assignment Dever

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

REPORT OF STANDING COMMITTEE

HB 1292, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1292 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

HB 1292

ALVIN A. JAEGER
SECRETARY OF STATE
AGE www.nd.gov/sos



PHONE (701) 328-2900
FAX (701) 328-2992
E-MAIL sos@nd.gov

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

February 3, 2011

TO: Rep Johnson, Chairman, and Members of the House Political Subdivision Committee
FR: Al Jaeger, Secretary of State
RE: HB 1292 – Relating to Polling Places

The Secretary of State's office supports Section 1 on page 1.

However, the Secretary of State's office does not support Sections 2 and 3 because of the fiscal impact it would have on the state's election fund, along with the additional cost it imposes on counties and cities. In addition, the present system has proved to be very successful during past several election cycles since counties were given a vote by mail option. It has decreased election costs, provided more poll worker availability, maintained or increased voter turnout, and acceptance by most voters. Therefore, the additional polling locations are not needed for voter participation.

The fiscal impact is as follows:

State = \$156,000

There are 54 cities of 200 or greater population currently without a polling location. While voting equipment is available for 41 locations, no backup equipment would be available in the event of a failure in any one of the counties. Under the Help America Vote Act (HAVA), each polling location requires two pieces of equipment and the Secretary of State's office recommends each county have a backup pair for every ten polling locations places in the county. To equip the 13 locations without voting systems, it would require an expenditure of \$156,000 (\$12,000 x 13). This does not include the ongoing maintenance of the equipment required before each election.

County = \$124,200 (Some of this cost probably would be passed along to cities)

- \$54,000 – election supplies
- \$35,100 additional per election – salary for poll workers for each of the 54 locations (NOTE: As it is now, poll worker recruitment is a major challenge for counties and political parties – the addition of 54 locations (270 workers) would increase that challenge significantly)

#2

**Written Testimony To
THE HOUSE POLITICAL SUBDIVISION COMMITTEE
Thursday, February 3, 2011 by
Michael Montplaisir, Cass County Auditor
Cass County Government**

REGARDING HOUSE BILL 1292

Chairman Johnson and committee members my name is Michael Montplaisir and I am the County Auditor in Cass County. I am here today to give testimony on House Bill 1292.

House Bill 1292 requires a polling place in every incorporated city with a population over two hundred. In Cass County we continually study the need for polling places and the best locations for those polling places given the handicapped available space, travel patterns of the voters, and wishes of the voting public. Outside the metro area, we have fourteen precincts already and we would have to add additional precincts and relocate others to comply with the change this bill would require.

As an example: in Legislative District 20 where we already have two polling places located in the City of Page and at the Northern Cass High School (centrally located between the Cities of Hunter, Grandin, and Gardner (see precinct map)), we would have to add a polling location in Hunter – either keeping the existing polling location open at Northern Cass or requiring the people from Grandin and Gardner to drive to Hunter to vote. To comply with the law, we either have to increase costs or inconvenience voters, neither of which is a good option.

Similarly, we would need to add two polling sites in District 22; Davenport and Tower City, and relocate the polling site at the Hickson Community Center to the City of Oxbow, either at the golf course pro shop or someone's home as the city does not own any buildings. In District 27 we would have to add a polling location in the City of Frontier. Again, we are not sure where because the city does not own any buildings. In District 45 we would have to add a polling location in the City of Relies Acres, which has always voted in the City of Harwood.

In short, the bill would increase our costs, inconvenience voters, and require us to find more election workers, which are becoming increasingly hard to find, particularly in the rural area.

I urge a do not pass on House Bill 1283.

HB 1292.
Feb. 15, 2011
Attachment 1

City Population

<u>Population</u>	<u>City</u>		
6	RUSO	26	AMIDON
9	GRANO	28	MONANGO
11	BERGEN	28	HAMBERG
12	HANSBORO	28	LEITH
13	PERTH	28	LANDA
13	KIEF	29	BRINSMADE
19	LORAINÉ	29	LUDDEN
19	BANTRY	30	WALES
19	MYLO	31	FORTUNA
19	OVERLY	35	BERLIN
19	HAYNES	36	LEAL
20	HANNAH	38	GARDENA
20	BALFOUR	42	LAWTON
21	LOMA	42	HENSEL
23	AYR	43	REGAN
23	VENTURIA	43	BRADDOCK
23	GASCOYNE	44	KRAMER
23	AMBROSE	44	LUVERNE
23	CONWAY	44	ELLIOTT
24	CALIO	46	SIBLEY
24	PILLSBURY	47	ANTLER
25	SARLES	48	ROSS
26	BUCYRUS	49	EGELAND
26	YORK	50	WOLFORD
26	CALVIN	51	VOLTAIRE
26	SPRING BROOK	51	FAIRDALE
		51	NEKOMA
		51	ALAMO
		51	CLIFFORD
		51	FREDONIA
		53	BENEDICT
		53	COURTENAY
		56	ALICE
		56	CATHAY
		57	NIAGARA
		57	DICKEY
		59	KNOX
		60	HAMPDEN
		61	ROGERS
		61	CAYUGA
		61	ARDOCH
		62	SENTINEL BUTTE
		63	TOLLEY
		63	KATHRYN
		63	WHITE EARTH
		64	FORBES
		64	DOUGLAS
		65	NORTH RIVER
		65	BROCKET
		66	PINGREE
		66	BATHGATE
		68	PRAIRIE ROSE
		68	ALSEN
		69	BARNEY
		70	FORT RANSOM
		70	NOME
		71	GRACE CITY
		71	MCHENRY

71 ROBINSON	91 COLFAX	131 LANKIN
71 MANTADOR	91 MAXBASS	131 PORTAL
72 SPIRITWOOD LAKE	91 HAGUE	133 FINGAL
73 HAMILTON	91 DAZEY	133 MOUNTAIN
73 FLAXTON	91 HURDSFIELD	134 GLENFIELD
73 BALTA	92 BUTTE	135 SHELDON
75 DAWSON	92 RYDER	139 BOWDON
75 DWIGHT	94 HAVANA	140 MARMARTH
75 WARWICK	96 MARTIN	141 ZEELAND
76 JUD	96 PISEK	145 MAKOTI
77 CHURCHS FERRY	100 MEDORA	146 MARION
77 PALERMO	102 INKSTER	147 ARGUSVILLE
77 BUCHANAN	103 MONTPELIER	148 CARPIO
78 BRIARWOOD	105 ARNEGARD	149 CRARY
79 EPPING	106 TUTTLE	150 TAYLOR
80 GARDNER	106 GOLVA	151 COLUMBUS
80 PEKIN	106 COLEHARBOR	153 CHRISTINE
80 WOODWORTH	108 VERONA	153 SYKESTON
81 OBERON	109 SHARON	154 NOONAN
83 SOURIS	112 CLEVELAND	154 FOREST RIVER
85 MILTON	114 LEHR	155 UPHAM
85 FULLERTON	118 DEERING	157 STARKWEATHER
86 MERCER	118 GREAT BEND	157 GALESBURG
86 SOLEN	119 KARLSRUHE	159 ESMOND
88 PETTIBONE	122 DUNN CENTER	161 KENSAL
88 NEWBURG	124 WING	163 GOODRICH
89 AMENIA	125 DODGE	165 COGSWELL
89 ALMONT	128 ORISKA	166 PICK CITY
90 DONNYBROOK	129 WILDROSE	167 BISBEE

167 PLAZA	227 HALLIDAY	304 SCRANTON
167 CRYSTAL	228 FORT YATES	307 SOUTH HEART
172 STREETER	231 ZAP	309 POWERS LAKE
174 OSNABROCK	237 WIMBLEDON	318 SHEYENNE
174 LIGNITE	237 HAZELTON	318 MINNEWAUKAN
181 HANNAFORD	243 GILBY	319 CARSON
181 GRANDIN	248 OXBOW	327 DRAKE
181 REEDER	248 GLADSTONE	326 HUNTER
183 GOLDEN VALLEY	252 EDINBURG	335 MEDINA
189 WALCOTT	252 TOWER CITY	335 GACKLE
189 RHAME	253 LANSFORD	345 STANTON
191 LITCHVILLE	254 REILES ACRES	345 MICHIGAN
194 ROCK LAKE	255 LEONARD	350 REYNOLDS
194 SANBORN	255 SHERWOOD	350 BUXTON
195 PETERSBURG	256 EDMORE	358 ST. JOHN
201 BINFORD	261 DAVENPORT	370 MANVEL
202 TOLNA	266 FORDVILLE	374 GLENBURN
202 GRENORA	268 MUNICH	377 SAWYER
203 ADAMS	273 RIVERDALE	402 ARTHUR
204 MOORETON	273 FRONTIER	406 FAIRMOUNT
209 DES LACS	274 NEW LEIPZIG	406 BOWBELLS
209 BUFFALO	278 MAX	415 MCCLUSKY
210 TAPPEN	282 ANAMOOSE	422 KULM
211 REGENT	284 ANETA	437 NECHE
217 ALEXANDER	285 FLASHER	447 ST. THOMAS
220 RUTLAND	286 GRANVILLE	464 LEEDS
221 WILLOW CITY	292 HOOPLE	466 BERTHOLD
223 SELFRIDGE	296 ABERCROMBIE	470 MCVILLE
225 PAGE	303 HOPE	498 MADDOCK

506 FORMAN	781 LAKOTA	1279 STANLEY
510 EMERADO	803 HEBRON	1307 HETTINGER
515 FINLEY	807 WILTON	1318 GARRISON
533 WESTHOPE	808 MOTT	1321 LINTON
533 WYNDMERE	812 UNDERWOOD	1342 CANDO
534 RAY	812 MOHALL	1367 NEW TOWN
538 ROLETTE	857 NAPOLEON	1389 WASHBURN
549 STRASBURG	865 GLEN ULLIN	1417 ROLLA
555 NEW ENGLAND	866 BELFIELD	1433 LARIMORE
574 TOWNER	882 ASHLEY	1435 WATFORD CITY
580 TURTLE LAKE	913 DRAYTON	1463 NEW ROCKFORD
604 PORTLAND	917 SURREY	1535 PARK RIVER
606 MAPLETON	918 HORACE	1537 CAVALIER
607 HARWOOD	938 NEW SALEM	1559 ELLENDALE
614 KINDRED	944 LAMOURE	1563 HILLSBORO
619 RICHARDTON	947 ENDERLIN	1600 BOWMAN
625 FESSENDEN	959 NORTHWOOD	1730 LINCOLN
637 EDGELEY	981 PARSHALL	1855 CASSELTON
642 PEMBINA	1006 THOMPSON	1953 MAYVILLE
657 MINTO	1049 VELVA	1979 OAKES
659 ELGIN	1053 COOPERSTOWN	1989 HARVEY
678 CENTER	1057 WALHALLA	2101 LANGDON
707 HATTON	1058 HANKINSON	2268 CARRINGTON
711 MILNOR	1081 KENMARE	2292 LISBON
713 KILLDEER	1089 CROSBY	2336 BOTTINEAU
717 GWINNER	1096 BURLINGTON	2457 HAZEN
738 LIDGERWOOD	1116 BEACH	2939 RUGBY
739 DUNSEITH	1122 WISHEK	3152 BEULAH
761 STEELE	1125 TIOGA	4516 GRAFTON



6026 VALLEY CITY

7022 DEVILS LAKE

8586 WAHPETON

12512 WILLISTON

14940 WEST FARGO

15527 JAMESTOWN

16010 DICKINSON

16718 MANDAN

36567 MINOT

49321 GRAND FORKS

55532 BISMARCK

90599 FARGO



11.0122.02001
Title.

Prepared by the Legislative Council staff for
Representative J. Nelson
February 11, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1292

Page 2, line 8, replace "two" with "five"

Page 2, line 9, after the underscored period insert "Within each city that has a population of over five hundred, no precinct may include geographical area that has a population of over five hundred unless the precinct has separate polling places designated so that no polling place includes geographical area that has a population of over five hundred."

Renumber accordingly

11.0122.02002
Title.

Prepared by the Legislative Council staff for
Representative Delzer
February 14, 2011

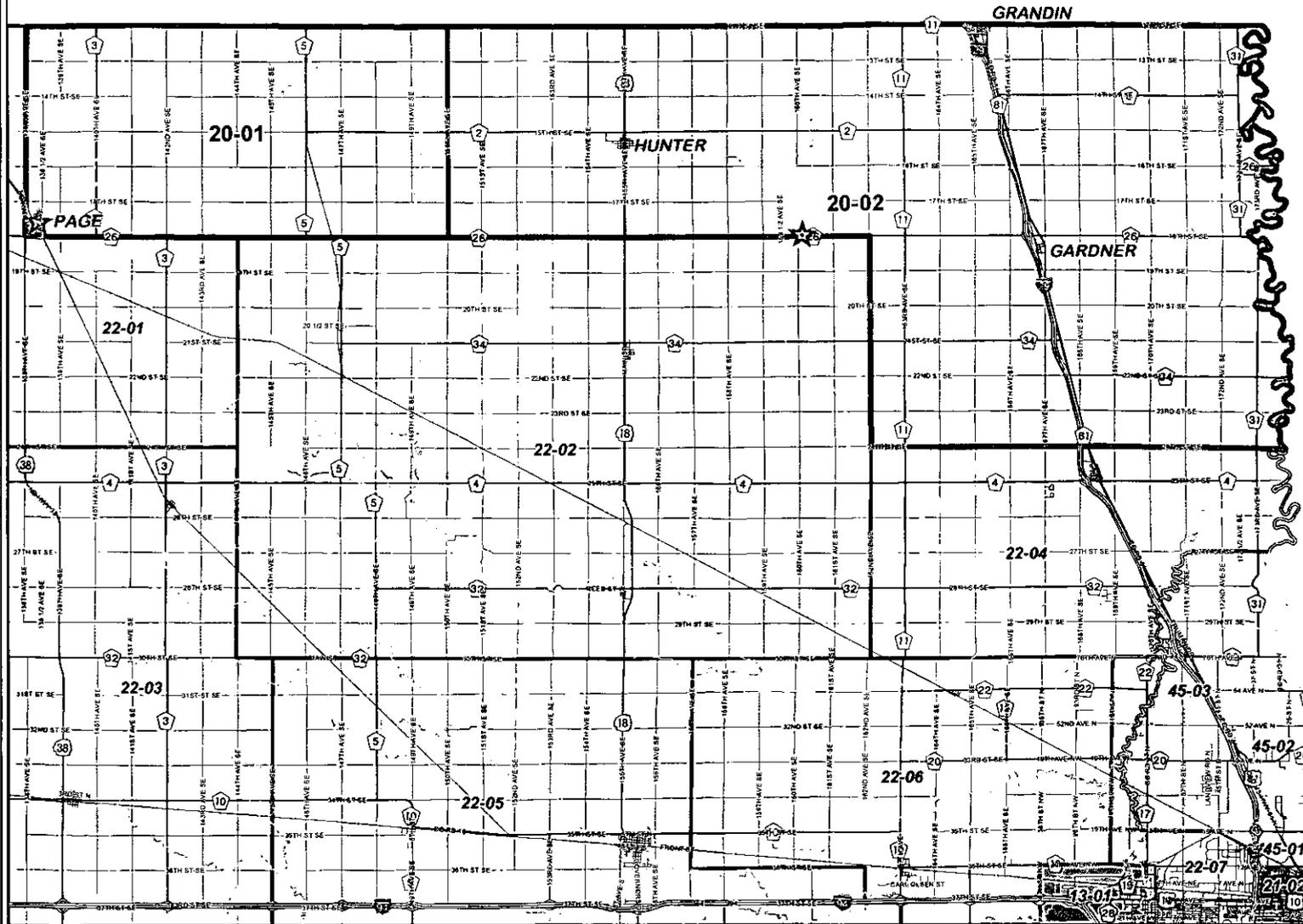
PROPOSED AMENDMENTS TO HOUSE BILL NO. 1292

Page 2, line 8, replace "two" with "four"

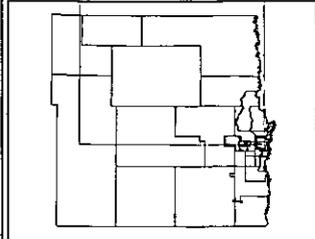
Renumber accordingly

LEGISLATIVE DISTRICT 20

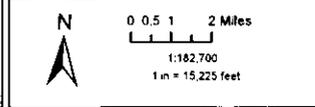
Cass County, ND, 2010



District 20
Precincts List:
20-01 20-02



★	Polling Locations	11
==	Interstate	13
—	Roads	20
—	Railroads	21
—	Rivers	22
□	District 20	27
		41
		44
		45
		46



DISCLAIMER: This map is made available as a public service. Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.
Cass County GIS
Map Created 1/07/10
Map Updated 2/02/11



> 500 without polling place

16 over 500

	City	Population	Spare Equipment
	Beulah city, Mercer County	3152	Exists X
	Drayton city, Pembina County	913	Exists
	Enderlin city, Ransom county part	942	Exists
2.	Grand Forks AFB CDP, Grand Forks County	4832	Exists
	Gwinner city, Sargent County	717	Exists
	Hatton city, Traill County	707	Exists
3.	Hazen city, Mercer County	2457	Exists X
	Milnor city, Sargent County	711	Exists
4.	Minot AFB CDP, Ward County	7599	Exists
5.	Minto city, Walsh County	1657	No
6.	Park River city, Walsh County	1535	No X
	Pembina city, Pembina County	642	Exists
	Portland city, Traill County	604	Exists
	Strasburg city, Emmons County	549	Exists
7.	Velva city, McHenry County	1049	Exists X
8.	Walhalla city, Pembina County	1057	Exists X

> 400 without polling place

HR 1292
Polling
places

City	Population	Spare Equipment
Beulah city, Mercer County	3,152	Exists
Drayton city, Pembina County	913	Exists
Enderlin city, Ransom County part	942	Exists
Grand Forks AFB CDP, Grand Forks County	4,832	Exists
Gwinner city, Sargent County	717	Exists
Hatton city, Traill County	707	Exists
Hazen city, Mercer County	2,457	Exists
Kulm city, LaMoure County	422	No
Leeds city, Benson County	464	Exists
McVille city, Nelson County	470	Exists
Maddock city, Benson County	498	Exists
Milnor city, Sargent County	711	Exists
Minot AFB CDP, Ward County	7,599	Exists
Minto city, Walsh County	657	No
Neché city, Pembina County	437	Exists
Park River city, Walsh County	1,535	No
Pembina city, Pembina County	642	Exists
Portland city, Traill County	604	Exists
St. Thomas city, Pembina County	447	Exists
Strasburg city, Emmons County	549	Exists
Velva city, McHenry County	1,049	Exists
Walhalla city, Pembina County	1,057	Exists

**Testimony To The
SENATE GOVERNMENT & VETERANS AFFAIRS COMMITTEE
Prepared March 23, 2011 by
John Arnold, Voting Facilitator
North Dakota Association of Counties**

REGARDING HOUSE BILL No. 1292

Thank you Chairman Dever and committee members for the opportunity to address HB1292 on behalf of county government. HB 1292 would remove the ability of the counties, as the jurisdiction responsible for administrating elections, to determine the number of polling places within a county based on local conditions. HB 1292 is based on the idea that citizens have no recourse available to influence the determination of how many polling places exist and where they will be located within their county, this is not so. County commissioners, like you, are responsive to the wishes of their constituents and a number of cases in mail ballot counties in recent years illustrate this.

- In 2008 Dunn and McKenzie Counties held mail ballot elections. After negative feedback from residents both counties returned to traditional polling places in 2010.
- In LaMoure County the commission agreed to open a polling place in the city of Edgeley.
- Similarly, in 2010 Ramsey County made the decision to close their second polling place, located in Edmore, after voting by mail became so popular that the second location was not needed.

The original minimum population of 200 ignored local conditions that affect where polling places are located, such as several communities sharing a polling place at a consolidated school. While the amended minimum of 1000 still has this flaw, it now affects so few counties that it is questionable why it is needed, particularly when the people already have methods available to influence these local decisions.

Chairman Dever and committee members, county government believes that remedies already exist for the issue that HB 1292 attempts to address and therefore urge a “Do Not Pass” recommendation.