

2019 SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE

SB 2333

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

SB2333
2/1/2019
31987

- Subcommittee
 Conference Committee

Committee Clerk Signature : Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to removing the name of a candidate from a primary election ballot.

Minutes:

Att # 1 – Dawson Schefter

Chairman Davison: Let's open SB2333.

Sen. Janne Myrdal, Dist. 10, Edinburg: Introduced the bill. This is a simple bill. When there are names on ballots that have decided not to run, there is no system to remove them. It was very confusing to voters this last election.

Jim Silrum, Asst. Secretary State: (2.30) We have been in discussion with many people with this bill. There is a bit of conflict between this bill and a portion of SB2308.

Chairman Davison: Can you point out the conflict?

Jim: The bill this morning simply states that it would be at the filing deadline which is 4:00 p.m. on the 64th day before the election. We are not talking about too much period of time here. What happens if after the filing deadline hits, my staff sit down and pour over all the entries into our election management system. We want to make sure that candidates' names are printed on the ballot exactly the way the candidate wants them spelled. I remember when all the all the filings use to be in the county offices. In one situation, a candidate had his name one way, Jim, and in another county, James. The candidate complained and said people know me as Jim. They cried foul. We consolidate this into our office because our data base is available to all the counties in N.D. We check several times to be 100% accurate. After we do that then we push those names out electronically certified. By the 46 day before the election, we have to have all the military ballots for overseas military and other people overseas. (6.53) If we get a written request before we send it out to counties, we could pull that person's name off the ballot. We can work with that. I caution the committee is the subjectivity in this. Could the Secretary of State be accused of delaying the certification or hurrying it up? I just want to bring this to your attention. We need to make a decision on this. Sen. Tom Cambell wanted to withdraw his name from the ballot, but he did not do so before the filing deadline, we had to leave his name on the ballot.

Chairman Davison: Would there been enough time if this bill was in place back then?

Jim: He was deliberating quite a bit. Some of this is dependent on when the parties have their endorsing conventions. The deadline is always Monday. If the convention is that weekend, one day is not good. We communicate with national parties also. Bill Clinton just about did not have his name on the ballot. They had to fly several people here to make sure they got here on time. The voters would have been outraged. (11.24)

Chairman Davison: Thank you. Any more testimony? We will decide if you are for or against.

Dawson Schefter, Chief of Staff to N.D. Rep. Party Chair Rick Berg: I am neutral. I just want to offer perspective on the issue. (see att#1) (11.40-14.06)

Sen. Erin Oban: Should the parties determine and take responsibility to know when deadlines are and have conventions accordingly?

Dawson: We have held our convention, and it has been the weekend before the filing deadline, historically. Part of that has to do with Easter. Maybe the deadline should be moved.

Chairman Davison: Any more testimony? Any thoughts? Close the hearing. (15.52)

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

SB2333
2/14/2019
32748

- Subcommittee
 Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to removing the name of a candidate from a primary ballot.

Minutes:

Chairman Davison: Look at SB2333. Any thoughts?

Sen. Erin Oban: I move a DO NOT PASS.

Vice Chair Meyer: I second.

Chairman Davison: Any discussion? Call roll: **YES -- 7 NO -- 0 -0-absent.**
DO NOT PASSED – passed. Vice Chair Meyer will carry the bill.

Done (1.10)

2-14-19

Date:
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2333

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Sen Oban Seconded By Sen Meyer

Senators	Yes	No	Senators	Yes	No
Chair Davison	/		Sen. Oban	/	
Vice Chair Meyer	/		Sen. Marcellais	/	
Sen. Elkin	/				
Sen. K. Roers	/				
Sen. Vedaa	/				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Meyer

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

REPORT OF STANDING COMMITTEE

SB 2333: Government and Veterans Affairs Committee (Sen. Davison, Chairman)
recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
SB 2333 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

SB 2333

SB2333
Government & Veterans Affairs Committee
Senator Kyle Davison, Chair

SB 2333
2-1-19
AH #1
pg 1

For the record my name is Dawson Schefter and I serve as Chief of Staff to North Dakota Republican Party Chairman Rick Berg. My testimony today is not in support of or in opposition to Senate Bill 2333. Rather my purpose in testifying is to offer perspective on the issue this legislation seeks to address.

As you may recall, the 2018 June Primary election ballot listed the names of two candidates who were no longer seeking the Republican Party's nomination; one for the office of United States Representative for North Dakota and the other North Dakota Secretary of State. The former of these situations is what this legislation seeks to address.

Timeline:

2018 NDGOP ConventionFriday, April 6 – Sunday, April 8
Kelly Armstrong is Endorsed as the GOP Candidate for US House Saturday, April 7
Deadline for Filing a Certificate of Endorsement..... 4:00 PM on Monday, April 9
Deadline for Filing Petition Signatures (<300)..... 4:00 PM on Monday, April 9
Tom Campbell Withdrew from the US House Race Wednesday, April 11

Facts:

- Tom Campbell received 17,861 votes or 26.87% in the June 2018 Primary Election
- Kelly Armstrong received 37,364 votes or 56.22% in the June 2018 Primary Election
- Two other candidates also appeared on the ballot

Notwithstanding any other proposals to address this issue, the legislation before you in SB2333 serves as a suitable solution which would have afforded Mr. Campbell the opportunity to remove his name from the ballot and avoid any potential voter confusion.