

### Testimony for House Bill 1253

**To: Committee Chair Jim Kasper and Members of the House Government & Veterans Affairs Committee, North Dakota 67th Legislative Assembly.**

**From: Allan Peterson, Legislative Committee, North Dakota Association of the Blind (NDAB).** Home address: 7009 Horseshoe Bend, Horace, ND 58047.  
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Re: Testimony for Access to an accessible absentee ballot

Greetings Chairman Kasper, and members of the House Government and Veterans Affairs Committee,

Thank you so much for the opportunity to speak with you about the right to vote by people who are blind, visually impaired, or otherwise print disabled.

I'm offering this testimony as an advocate for people who are blind and visually impaired and to help represent the advocacy goals of the North Dakota Association of the Blind (NDAB).

FYI: A resolution on accessible absentee voting adopted by the Board of the North Dakota Association of the Blind is being submitted with this testimony

Since 1982 I have fit the definition of someone that's "legally blind" and for the past 35 years haven't been able to read print. After losing my eyesight, I couldn't read the printed ballot and had to rely on a family member to mark the ballot for me. Although I have every confidence that my ballot was marked the way in which I had wanted it to be, I still greatly desired the opportunity to exercise every citizen's right to vote a secret independent ballot.

As a consequence of the problems that were experienced with the Presidential election in Florida in 2000, The Help America Vote Act (HAVA), was enacted by the U.S. Congress in response to these voting issues. This Act included provisions to supply voting systems for people with disabilities who with this equipment, could cast a secret ballot independently.

After the accessible voting machines became available at our polling sites here in North Dakota, I haven't missed the opportunity to vote in every election since 2002 using this equipment. I did vote in last fall's election at a polling site in Fargo using the accessible equipment installed on the ExpressVote machine. My voting experience, as a person who is blind, was featured on a local news program.

**Testimony for HB1253 (Allan Peterson) page 2**

Put simply, we are advocating that provision of a secret, independent accessible ballot be provided to absentee voters who are blind, visually impaired, or otherwise print disabled.

We can report to you that there are a number of states that have implemented technologies that do allow people who are blind to vote using an absentee ballot. Perhaps not surprisingly the methodology to do so isn't uniform from state to state.

Personally, as someone who has no functional eyesight, I could vote an absentee ballot if it were sent to me electronically because I use software that allows me to read what is on the computer screen. It is technology that I use every day.

If for example, were the Secretary of States Office to send me the ballot that's sent to our overseas uniformed military people, I could easily mark my ballot with my equipment and send it back to them electronically. Also, I could send the ballot electronically to the Cass County auditor's office and it could potentially be printed using a fax machine.

There a host of reasons why voting using an absentee ballot is more convenient to voters who are blind, visually impaired, or have print disabilities. It's been our experience that many poll workers are not familiar with how to instruct a voter who is blind or visually impaired on the use of the accessible features of the voting equipment.

**NDAB Resolution 2021-04:  
Equal Access to An Accessible Absentee Ballot**

WHEREAS, federal and state law requires equal access to the ballot and voting experience, including the right to a private and independent, verifiable accessible absentee ballot; and

WHEREAS, technology to make an absentee ballot accessible is available and represents an economical way to make the voting experience available to persons with disabilities, many of whom experience difficulties in traveling from their residences to designated polling sites; and

WHEREAS, the State of North Dakota has received federal monies to conduct its state elections, a small portion of which could be used to acquire statewide Accessible (technology to make the absentee ballot accessible to qualified voters;

NOW, THEREFORE, BE IT RESOLVED by the Board of the North Dakota Association of the Blind at its meeting on this Sunday, January 10, 2021, that:

1. Its members call upon the leaders and members of both houses of the North Dakota Legislature to recognize this protected right, and consider and pass legislation if needed to make an accessible absentee ballot available to all qualified voters in North Dakota on an equal basis.
2. Respectfully urges the Governor of the State of North Dakota to sign any such legislation which meets the above goal; and
3. Strongly encourages responsible elements of State Government to certify one or more accessible absentee voting systems which meet the goal of this resolution and

strive to make such system(s) available to qualified voters in all 53 of North Dakota's counties in time for the 2022 election cycle.