

Testimony Prepared for the
Senate GVA

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By: Donnell Preskey, NDACo



RE: Opposition to HB 1238: Relating to polling locations in Legislative Districts

Good Morning, Chair Vedaa and committee members, I'm Donnell Preskey representing the North Dakota Association of Counties. In my role at NDACo, I serve as Executive Director for the North Dakota County Auditors Association. The auditors stand in opposition to HB 1238.

As HB 1238 was introduced, it was a fine bill. It sought to clarify that each legislative district was required to have at least one polling location; unless the county it was in had a vote center. County auditors did not oppose this bill – nor did anyone else. However, during committee work the committee amended HB 1238 and it now drastically changes the bill and has severe consequences for counties.

We would urge this committee to give HB 1238 a Do Not Pass recommendation or revert the bill to its original language as it was introduced with exception to the correction made on **page 1, line 19** with using the word polling instead of voting.

Here are our reasons for opposing the language added in **Section 1 b** which will require counties to have a polling location in every legislative district. This removes the rationality county auditors use in choosing sites to utilize for polling locations. Locations will be selected regardless of being suitable polling locations just to meet this new requirement. Can the legislature guarantee that there will be suitable locations in the legislative district to use for an election? What if there is no town in a legislative district in a county? Here are a few examples of how it will change things in some of our rural counties.

Mercer county has two legislative districts. One encompasses a very small area of the county. So small, it has only 9 voters. What sense does it make to have a polling location open for 9 voters?

Grand Forks County reduced their polling location to one and there are five legislative districts. Dunn county has three legislative districts and utilized 2 polling locations as vote centers. The counties of Mercer, Hettinger, LaMoure, Ransom, Stutsman, and Walsh have 2 legislative districts in their boundary – those counties all used 1 polling location in 2020. This bill would require them to add an additional location and again, not allow them to use their discretion as to where that location should be based on the data for where eligible voters are located.

Supplementing my testimony is a state map of showing the counties and the North Dakota Legislative Districts. The red number indicates how many polling locations this bill would require them to have.

