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BISMARCK ND 58505-0500

SENATE STATE & LOCAL COMMITTEE  
SENATOR KRISTIN ROERS, CHAIRMAN

SENATE BILL 2226  
JANUARY 26, 2023

TESTIMONY PRESENTED BY

LEE ANN OLIVER, SECRETARY OF STATE

Chairperson Roers and members of the committee. I am Lee Ann Oliver and work in the Elections Division of the Office of Secretary of State. I am here today to oppose Senate Bill 2226 as we believe it could create issues with ballot length and attempts to create the ability to do things that are already allowed within code.

Senate Bill 2226 calls for the full text of constitutional measures to be provided on the ballot, or in cases where they are of great length, for the full measure to be provided to the voter at the polls. If full text must be included, counties may run into an issue with ballot length. A scenario where information needing to be printed on the ballot is too great, it may cause a two-page ballot which creates a multitude of issues – difficulty in recounting and keeping ballots together, chance of voters only returning one page of the ballot, higher printing costs, higher postage costs, longer voting times for each voter, etc. A two-page ballot is simply something election administrators attempt to avoid as a best practice. An example of ballots and how multiple races and measures create spacing issues is provided on the next page.

Under NDCC 16.1-06-19 polling places are already required to post the full text of the ballot measures at the polls. See highlighted portion of code that follows.

**16.1-06-19. Instructions, advertisements, maps, and ballots posted in polling places.** Each county auditor shall have posters printed, in large type, containing full instructions to electors on obtaining and voting ballots and a copy of section 16.1-01-12, any federal laws regarding prohibitions on acts of fraud and misrepresentations, and general information on voting rights under applicable federal and state laws, including instructions on how to contact the appropriate officials if these rights are alleged to have been violated. The county auditor shall furnish at least one such poster to the election inspector in each election polling place who, before the opening of the polls, shall conspicuously post at least one poster in the polling place. **The county auditor, at the time of delivering the ballots to the inspector of elections in each polling place, shall deliver at least five copies of the newspaper publication or other copy of the complete text of any constitutional amendment or initiated or referred measure to the inspector of elections. One of the newspaper publications or copies must be posted conspicuously in the polling place on the morning of the election.** Each county auditor shall furnish the election inspector in each polling place with four copies of a map showing the election precinct boundaries and information regarding the date of the election and the hours during which polling places will be open. Before the opening of the polls, the inspector shall post the maps and information regarding the date of the election and the hours during which polling places will be open at the entry to and in other conspicuous places around the polling place.

I request you give SB2226 a do not pass as it could result in unintended election difficulties through multi-page ballots and seeks to correct something that is already allowed under Century Code.

2

**PAPER BALLOT – EXPRESS VOTE - PRIMARY**

ELECTIONWARE COUNTY/ELECTIONWARE STATE  
NORTH DAKOTA PRIMARY DEMO  
83/18/2628  
PRECINCT 1, PRECINCT 1

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PARTY PREFERENCE-----  
REPUBLICAN

REP PRESIDENT OF THE UNITED STATES---  
POLLY C. HOLDER

REP U.S. HOUSE-----  
BARBIE DAHL

REP GOVERNOR-----  
ELLIE PHUNT

REP STATE SENATE-----  
OTTO MATICK

REP STATE HOUSE-----  
RAY N. BOW