

**Information for: HB 1253 Conference Committee
Donnell Preskey, NDACo**

HB 1253 is 98% great, solid election policy that our county auditors stand in support of. There are just a few items of contention.

Section 14 – Use of nonpublic funds prohibited – penalty

- Auditors appreciate the clarification provided in the amendments added in the Senate version to address the unintended consequences of HB 1256.
- Auditors have received the message that this is an action that will be prohibited; however feel the penalty for accepting a donation or grant is **too severe**.
 - Penalty for a class A misdemeanor is **365** days in jail and/or \$3,000 fine.
- Suggest an **Infraction**, which would be consistent with the penalty added in Section 24 (approves ballot printed with candidate when doesn't meet qualifications).

Post-Election Deadlines – Sections 17 & 20

- Section 17 (page 12, Line 10) is the deadline for auditors to update new voter information. The **House** moved the deadline from **45 days** to before the meeting of the county canvassing board. Equates to 6 days but really is only **3 business days** (Wed, Thursday, Friday).
- Auditors requested that deadline be adjusted as I heard from auditors that this extremely reduced timeline will not provide enough time to get the work done.
- The Senate version pushed the deadline to update new voter information to **12 business days**.
 - Cass County, McKenzie and Burleigh said it took them more than a week to add the new voter information and they were unable to start this until after canvassing.
 - **This is a high priority for county auditors – to keep the 12 business days deadline.**
 - Handout outlines Voter History and Voter Credit process along with the work of the County Canvassing Board.
 - Updating the voter history and voter credit has no impact on vote totals.
 - County Canvassing Board does not review individual voters, their primary role is to certify the vote totals and ensure the number of people who voted equals the number of ballots cast. County Canvassing Board does not look at voter history or new voter information.
 - **Therefore, the deadline to update the new voter information does not have to be prior to the county canvassing board meeting.**

- Section 20 is the deadline for auditors to post voter history. The House version shortened the deadline from **75 days** to before the end of the contest period allowed under section... (which is 14 days after county canvassing board meets or approximately 30 days. The Senate increased the days to 50 days.
 - Discussions with Auditors indicate willingness that if you can meet our request for the 12 business day deadline in Section 17, they should be able to meet the deadline set forth in Section 20 by the House at approximately 30 days.
- As far as the deadline that deals with the search for duplicative voting in Section 17, this impacts the Secretary of State. Recognize that deadline should be after the deadline for auditors to post voter history – which does not seem to coincide with the dates set in either the House or Senate version.

County Auditors recognize there have been efficiencies with the new equipment and technology advances which can allow for these deadlines to be adjusted. We would just caution against drastic changes. Hope you can take our suggestions into serious consideration as these are recommendations from the folks doing the job.

- County offices differentiate not only in number of voters to process but size of office staff to handle the various tasks. At same time as election, Auditors are preparing tax statements.

3 hour-time limit to return results to the County Auditor

- Clarify: amendment was offered in Senate to insert this language into 1253 but it was not adopted. Therefore, it has not been in either the House or Senate version of 1253.
- Auditors support the 30-minute deadline after polls close and feel this should address the issue. If not, we can work on clearer language next session.

County Canvass Board (NDCC 16.1-15-15 through 16.1-15-24)

- County Canvassing Board meets 6 days after the Election to certify the official results of the election (**VOTE TOTALS**)
- Primary roles of the County Canvass Board:
 - Ensure the **number of ballots cast EQUALS the number of voters** in the poll books
 - Review and Process all out-standing absentee ballots and all Set Aside Ballots
 - Verify Final Vote Totals and Sign/Approve the Official Abstract of Votes
- **County Canvass Board does not review individual voters - their primary role is to certify the vote totals and ensure the number of people who voted EQUALS the number of ballots cast. County Canvass Board does not look at voter history or new voter information.**

Voter History and Voting Credit:

- **UPDATING VOTER HISTORY AND VOTER CREDIT HAS NO IMPACT ON VOTE TOTALS.**
- After each election, Auditors post voting history/credit to each voter within the Central Voter File (CVF).
- The e-pollbook sends an import file to the Central Voter File.
 - If the information from the e-pollbook matches 100% perfectly with a voter in the CVF the system will automatically post credit to those voters with the “Click of a button” using the Batch Process button shown on the information provided by the Secretary of State.
- Some of the data received is not automatic such as new voters not previously listed in the CVF and records that don’t match with an existing voter 100% (address updates, driver’s license updates, etc...)
- Voices splits out the issue records to these two categories: Update a voter and Import New Voter
 - It’s important to note that updating and importing a new voter takes about 5 minutes each – not as simple as “clicking a button”. Burleigh County had over 1200 Import/Update voters in the General Election equating to 100 hours of work just to add and update these voters.
 - McKenzie County’s file of voters was 586 records– some of these were able to be batch processed, but most (approximately 300) required manual review. This occurs one record at a time – work did not begin until after the Canvass Board meeting. This equated to 25 hours of work to add and update these voters.
 - It’s extremely important to take time with these steps because it’s either a new voter or edits an existing voter – the data and updates need to be accurate.
 - If the street address imported to the system is not listed in the CVF we have to take extra steps and research to try and rectify the address. Researching the DOT website, tax rolls, parcel maps, etc.... to try and get the correct address.
 - McKenzie has had voters that have lived in McKenzie County their entire lives that were not in the CVF – have had a ND driver’s license for over 25 years

