Testimony Prepared for the
Senate GVA
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Donnell Preskey, NDACo

RE: Supportive Testimony for SB 2142: Process Days for Ballots

Chair Vedaa and committee members, I'm Donnell Preskey with the North Dakota Association of Counties. One of my roles at NDACo is serving as executive director for the county auditors association. The Auditors are very much in support of SB 2142. With the amendment presented by Sen. Roers changing the reference to "calendar" days to "business days".

NDCC 16.1.07-12 restricts the absentee board of processing ballots to the day before election day through the closing of the polls on election day. This bill seeks to allow for additional days to process ballots due to more of our citizens utilizing absentee and vote by mail.

Auditors made the request for this bill to be introduced. This is an issue that came to our attention during the 2020 elections.

Allow me to provide you some background, the Governor issued an executive order (issued at the request of county auditors) allowing counties to go all vote by mail for the primary election due to the health crisis we were experiencing. This was unprecedented. By law, counties are required to have at least one polling location open on Election day. Auditors recognized this would also result in an unprecedented number of ballots to process. As part of the executive order request to the Governor, Auditors asked for additional time to process ballots, which was granted. The executive order issued for the June primary, increased the time to process vote by mail ballots from two days to 5 days. The Governor, through a separate executive order, and again by our request, authorized counties to begin the processing of ballots 4 business days prior to the general election. We ask you today to help us in future elections by increasing the time to process ballots in code.

The additional days to process ballots was necessary for a number of reasons we outlined prior to the November election, which still apply.

1. COVID-19 concerns were heightened with the risk level increasing prior to the November election; leading to a record number of voters utilizing Vote-by-Mail/absentee.
2. Finding election workers to fill the absentee board for two long days would be difficult as counties have struggled to secure election workers this year amidst COVID-19 concerns.
3. The COVID-19 risk level recommendations impact the number workers counties can utilize in one place.

4. If more time is not granted to process the ballots, the absentee boards can be expected to work 12-16 hours each of the two days. This can lead to errors and poll worker burnout and an unwillingness to assist in future elections.
5. Timeliness of results impacts the trust in our voting system in North Dakota. Citizens have come to expect results on election night. Without the additional days to process ballots, auditors have indicated that results will surely be delayed hours, and potentially days, which in turn could cause voters to lose trust in the process.

Looking at the number of ballots cast prior to election day also helps put this request into perspective.

The work the absentee board does to process ballots is very tedious. The absentee ballot boards are a second set of eyes to ensure the integrity of the election process. The protocols listed below are followed by every county:

Election	Total Ballots	Ballots Cast Prior to Election Day (%)
2020 General	364,251	273,105 (75%)
2020 Primary	160,114	160,114 (100%)
2018 General	330,598	157,231 (48%)
2018 Primary	115,226	115,226 (40%)
2016 General	349,945	134,803 (38%)
2016 Primary	139,957	49,829 (36%)

1. Compare the signatures on the application and ballot envelope.
2. Open the ballot envelope.
3. Remove the secrecy sleeve which holds the ballot from the ballot envelope.
4. Remove the ballot from the secrecy sleeve.
5. Initial ballots to make them official ballots.
6. Run ballots through the scanner.

It is important to highlight that this protocol is followed for every absentee/mail ballot before it is counted. Ballots would not be **tabulated** until the polls close on Election day.

We surveyed counties regarding the amount of time to process absentee/vote by mail ballots in the general election and the number of workers involved. On average it took 12 hours with 8 people working. Here are a few examples, showing you the difference between our large and small counties.

Burleigh – 24 hours - 30 workers
Cass – 24 hours - 24 workers
Stark – 36 hours - 5 workers
McHenry – 8 hours - 8 workers
Rolette – 10 hours – 7 workers

We thank you for your thoughtful consideration and encourage you to give SB 2142 a Do Pass Recommendation.