

The bill states that after the primary and general elections, two random counties would be chosen- 1 county would be a more populated county as stated, and 1 rural county. The auditor would do an audit- I did discover that the word "audit" is a legal term with special ramifications, so we do have an amended version where the word audit is replaced with special investigation throughout the bill. I do apologize, as we submitted this in haste close to the deadline. After submission, we realized some areas that needed correction and some language added for more clarification. We made the corrections and have included the amendment and the Christmas tree version for you to review as well as the submitted bill.

This special investigative review of the election would commence after the state canvassing of the election, and the language in #3 directly correlates to the language already in century code in 54-10-22, titled-"Public officer to aid state auditor." That language would give the auditor the authority to review all documents necessary to do this investigation—just like he does in any other audit his department does. The bill also states that the auditor shall adopt the rules necessary to administer these duties. This would leave the details to his department on how best to accomplish this task.

I am happy to answer any questions from the committee and want to inform you there is someone here to testify in favor of this bill after me who has experience on the election board at a local level and will also be happy to answer your questions, and there is a representative of the Auditors office here as well, who is neutral and could also answer any questions you have of that office regarding this bill.

With that, thank you for listening, I ask you adopt our proposed amendment, and give the amended bill a do pass to give reassurance to our ND voters that our elections in ND are accurate.

Thank you, Mr Chairman and committee. I am happy to answer any questions.

Respectfully submitted,

Representative Donna Henderson – District 9B

Introduced by

Representatives Henderson, K. Anderson, Bellew, Kasper, Koppelman, Louser, S. Olson,
Schatz

Senators Boehm, Clemens, Weston

1 A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota
2 Century Code, relating to random audits ~~audits~~ special investigations after the certification of an
3 election.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 16.1-01 of the North Dakota Century Code is created
6 and enacted as follows:

7 ~~Audit~~ Special investigation conducted by state auditor after each primary and general
8 election.

9 1. Following the certification of the results of each primary and general election, the office
10 of the state auditor shall conduct ~~an audit~~ special investigation to review the accuracy
11 of an election. The state auditor shall randomly select one county from:

- 12 a. Burleigh, Cass, Grand Forks, Morton, Stark, Ward, and Williams Counties; and
- 13 b. The remaining counties within this state.

14 2. For the two selected counties in subsection 1, the office of the state auditor shall
15 conduct a ~~full, manual recount for all~~ ballots cast within the county. The ~~audit~~
16 ~~shall~~ special investigation must review all municipal, county, statewide, and national
17 votes listed on a ballot. The ~~audit shall~~ special investigation must commence
18 immediately after the state canvassing board issues the statement under section
19 16.1-15-42. The results of the ~~audit shall~~ special investigation must be made public
20 within ninety days of the commencement of the ~~audit~~ special investigation.

21 3. The officers and employees of all departments, institutions, boards, commissions, and
22 political subdivisions, subject to examination by the state auditor under this section,
23 shall afford all reasonable facilities for the investigation and shall make returns and

1 exhibits to the auditor under oath in the form and manner prescribed by the auditor.
2 The auditor may investigate any books, papers, accounts, bills, vouchers, and other
3 documents or property of any departments, boards, commissions, political
4 subdivisions, and financial institutions subject to the auditor's special investigation.
5 The auditor may investigate under oath any trustees, managers, officers, employees,
6 or agents of any such departments, boards, commissions, or political subdivisions.
7 4. The state auditor shall adopt rules necessary to administer the duties provided in this
8 section.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1467

Page 1, line 2, replace "audits" with "special investigations"

Page 1, line 6, replace "**Audit**" with "**Special investigation**"

Page 1, line 8, replace "an audit" with "a special investigation"

Page 1, line 13, remove "full."

Page 1, line 13, remove "all"

Page 1, line 13, replace "audit shall" with "special investigation must"

Page 1, line 14, remove "all"

Page 1, line 14, remove "audit"

Page 1, line 15, replace "shall" with "special investigation must"

Page 1, line 16, replace "audit shall" with "special investigation must"

Page 1, line 17, replace "audit" with "special investigation"

Page 1, line 18, after "3." insert "The officers and employees of all departments, institutions, boards, commissions, and political subdivisions, subject to examination by the state auditor under this section, shall afford all reasonable facilities for the investigation and shall make returns and exhibits to the auditor under oath in the form and manner prescribed by the auditor. The auditor may investigate any books, papers, accounts, bills, vouchers, and other documents or property of any departments, boards, commissions, political subdivisions, and financial institutions subject to the auditor's special investigation. The auditor may investigate under oath any trustees, managers, officers, employees, or agents of any such departments, boards, commissions, or political subdivisions."

4."

Renumber accordingly