

MICHAEL C. HOWE  
SECRETARY OF STATE

WEBSITE [sos.nd.gov](http://sos.nd.gov)



PHONE (701) 328-2900  
E-MAIL [sos@nd.gov](mailto:sos@nd.gov)

**SECRETARY OF STATE**  
STATE OF NORTH DAKOTA  
600 EAST BOULEVARD AVENUE DEPT 108  
BISMARCK ND 58505-0500

**HOUSE POLITICAL SUBS COMMITTEE**  
**REPRESENTATIVE DON LONGMUIR, CHAIR**

**HOUSE BILL 1467**  
**FEBRUARY 2, 2023**

**TESTIMONY PRESENTED BY**

**MICHAEL HOWE, SECRETARY OF STATE**

---

Chairman Longmuir and members of the committee, for the record, Michael Howe, North Dakota Secretary of State.

Our office is opposed to HB 1467. I want to be clear. Our office is not opposed to transparency. Our office is not opposed to ensuring our elections are run with accuracy and integrity.

However, our office is opposed to a very vague and open-ended piece of legislation that leaves many more questions than answers.

In line 8, the bill states "accuracy of an election." Without the auditing process spelled out in the bill, what will be deemed as "accurate"? The bill requires full, manual recounts. A hand recount of every race, on every ballot in Cass County is sure to have some human error- especially when there may be up to 20 different ballot types in a large county. Which count is deemed accurate: the machine count from election day or the hand count well after the election?

The bill also instructs the state auditor to randomly select one of the seven larger counties, and then one of the remaining counties to participate. Why is the state auditor tasked with this? The Secretary of State is the chief election officer for the state of North Dakota. Also, not laying out a process to determine "random" is troubling in this bill.

On line 13, the bill requires a full manual recount for all ballots within the county. The amount of time, money, and people required to accomplish that would be large. As I stated earlier, in Cass County there will be at least 15 to 20 different races on each ballot, and there could be 20 different ballot types.

Mr. Chairman, we do have safeguards in place for our elections to ensure accuracy. There are logic and accuracy tests conducted on every machine prior to every election. There are logic and accuracy tests conducted after every election. These are ballots with expected voting outcomes that are run through the machines. The tabulation must match up 100 percent with the expected outcome before they are allowed to be used in an election.