

SB 2368 DO PASS - PER ARTICLE XIV SECTION ONE OF ND CONSTITUTION

TOMI L. COLLINS
MANDAN, ND

Dear Madam Chair and Honorable Committee

I respectfully and heartfully remind the committee that our Elections belong to the people, not PACS, Candidates, Auditors, the SoS or this legislature, it belongs to us “the people”. Currently some portions of the NDCC are in direct violation to this truth as expressed in our US Constitution and in our ND Constitution. This Bill was thoughtfully crafted to give the rightful authority and “transparency” back to the people of North Dakota.

ARTICLE XIV ETHICS COMMISSION

1. The people of North Dakota need information to choose candidates for office, vote on ballot measures, and ensure that their representatives are accountable. This transparency must be sufficient to enable the people to make informed decisions and give proper weight to different speakers and messages. The people therefore have the right to know in a timely manner the source, quantity, timing, and nature of resources used to influence any statewide election, election for the legislative assembly, statewide ballot-issue election, and state government action. This right is essential to the rights of free speech, assembly, and petition guaranteed by the First Amendment to the Constitution of the United States and shall be construed broadly.

Sections 1, 3, 4, 5, 6

1. To adhere to our ND Constitution “Transparency must be sufficient” I argue that when you remove paper back-up, as we have with the poll pads, we no longer have transparency. There is no way for the people to verify an Electronic Poll Book. We currently have many irregularities in the 2022 election.
 - We have testimony that multiple people voted but their names are not listed on the E-Pollbook records for their county. This info was obtained after only a few folks reviewed the one Sheridan county e-pollbook (who voted list). (See Albert Kreuger Testimony)
 - The **KnowInk** E-Pollbook system crash in Burleigh County.

See source document: Email from **Burleigh County Auditor, Erica White to the County Commissioners** “...without a way to bypass the error and check voters in at the polling location”. The problem was fixed about 20 minutes after the polls were open according to press releases ... But not without some voters being affected. According to Burleigh County Auditor, Erica White

- Report from ND state employee, Barb called in to report the issue. See transcript of phone call recorded November 8, 2022: See transcript below.

“Hi Tomi. This is Barb. I went to vote this morning at the Hillside Aquatic Center, and I got there about 7:15 and thinking I’d be in and out in 5 minutes so I could get to work at my normal 7:30 time. And the line was out the door, and it didn’t seem to be moving. And, as I got up a little closer, the poll worker was explaining that their poll books were all saying that we were at the Civic Center, not at Hillside Aquatic Center. They had been working on it since, I mean, early, before they even opened and they still hadn’t fixed it by the time I was there at 7:15. Many, many people left the line. The poll worker did encourage people to go to the Civic Center, but if people were on their way to work, they were not going to have time to go to the Civic Center to vote. About 7:45, I was able to finally vote. I’m not exactly sure what time they remedied everything. They did say it appeared to be city-wide, and they were waiting for the vendor of the voting machines to reprogram something or fix something in their poll books so that it would say that we were at the Hillside Aquatic Center rather than the Civic Center. So, just wanted to make you aware. I did get to vote. I voted on paper, and I hope everything turns out OK. Thanks so much. Bye-bye.

- You see from Derrick Bulawa’s testimony we have 2 different e-pollbook records of who voted, in Burleigh County the same county that had the pollbook crash. The two Burleigh County e-pollbook reports of who voted in the 2022 General Election received on two different dates and verified by Burleigh County Auditor, Erika White, have different numbers of voters (99 difference in voters). Which report is correct? We cannot ever truly say because there is no paper back up to verify which one is true and accurate or if either are. election that cannot be verified.

2. Section 2

Currently the active voter list which is considered a “restricted record”. It is only available to PACS and Candidates the people are currently sequestered from this list. Currently there is over a \$2000 charge for this ready report that is an email attachment. This is a gross overcharge. It also brings up the issues of disenfranchisement of a certain class of candidates. An indigent candidate currently could not obtain this list to start their campaign. Sequestering the people of North Dakota from this list prevents the people of North Dakota from “, and ensure that their representatives are accountable and transparency must be sufficient” Currently the transparency the people need to assure they are holding the SoS and those in charge of this list accountable is not being given to them and I argue this is unconstitutional. According to experts, this (among other issues) puts North Dakota’s elections in the category of the absolute “least transparent elections” in the United States. The fact that the people have been sequestered from this list for so long shows. It is an outdated list and has not been managed as required by NDCC. I believe this is largely due to the fact it is hidden from the people of ND. They have a right to canvas their neighborhoods to insure the people on that list are actually living in their neighborhoods.

- People who have been long deceased got Ballots (See Albert Kreuger Testimony)

- Ballot received Riley Walker in Montana, who did not request a Ballot and has not live in ND for over 10 years and he does not have an ND drivers license.

3. Section 7 and 8

Records must be made available in a timely manner. See Obstruction from Cass County in obtaining the Who Voted Documents

4. Sections 10 and 11

We need to give the trust and authority back to the people. This section empowers residents of their local communities and entire state to petition their government for access to the election records which is currently extremely difficult to ever audit. However the bar is set high enough for it to be a consensus my multiple citizens, 25% all knowing they would acquire the cost. The right to petition one's government is a First Amendment right that our ND Constitution says should be concentrated broadly. If a community or 25% of a state wants a public hand-count and audit of THEIR election it should be available to them. This also will act as a deterrent to fraud and abuse.

"This right is essential to the rights of free speech, assembly, and petition guaranteed by the First Amendment to the Constitution of the United States and shall be construed broadly."

5. Amendment suggestions that I do not see 1.1-15-09 #5

No one should fill out a ballot for somebody without their permission, hand count those. (Judge Elmer testified to overvotes being re cast on ne ballots. Mali-in fraud, machines reject and then someone fills out a new one.

SECTION 6. AMENDMENT.

b. The county auditor shall appoint the early voting precinct election board for each early voting polling place that consists of one independent representative to act as the inspector and an equal number of representatives from each political party represented on an election board in the county, as set out in section 16.1-05-01, to act as judges.

I am not sure on this but 50 year election Judge Elmer Kenodal said he used to be able to pick his workers through the local party in districts used to pick the Judges. He said "That right was taken from me" Shouldn't the judges be picked by the area party not the Auditor to promote balance in powers and keep the election in the hands of the people?

6. Important part missing is in this Bill section: (the reports must be available to the public "when ready or within 24 hour of "official canvas report" . This is so important in the event the results need to be contested. If the law is not followed (as often happens) there needs to be a remedy for the time to contest.

Proposed Remedy: In the event the info is not provided within 24 hours after it is requested once the official canvass is complete the **14 day time limit should be tolled (aka -stopped) until the request is fulfilled.**

Current NDCC - 16.1-16-04. Time for commencement of action.

1. *Except as provided in subsection 2, an action to contest an election must be commenced and the complaint must be filed in the district court of the contestee's county of residence within five days after final certification of a recount by the appropriate canvassing board or within **fourteen days after the final certification by the appropriate canvassing board if no recount is to be conducted.***
2. *If the grounds for the action are the illegal payment of money or other valuable thing subsequent to the filing of any statement of expenses required by this title or if the contestee does not or cannot meet the qualifications to hold the office as required by law, the action may be commenced at any time. If the grounds for the action are the failure of a contestee to satisfy the requirements for having the contestee's name listed on the ballot as a candidate, the action may be commenced within thirty days of the date the contestant knows or should know of the failure.*
3. *The contestee shall serve and file an answer within fourteen days after service of the contest summons and complaint.*

16.1-16-05. Grounds for election contest.

An election contest may be commenced for any of the following causes:

1. *The contestee does not or cannot meet the qualifications to hold the office as required by law.*
2. ***The existence of illegal votes or erroneous or fraudulent voting, count, canvass, or recount of votes.***
3. *The contestee was listed as a candidate on the ballot despite failing to meet the requirements to be listed on the ballot.*

White, Erika M.

From: White, Erika M.
Sent: Wednesday, November 9, 2022 6:06 PM
To: Bitner, Brian; Peluso, Jim; Matthews, Becky; Armstrong, Mark; Kathleen Jones
Cc: Vetter, Leo; Caya, Brandi M.
Subject: Election Day Update

Commissioners,

I wanted to provide some information to the 20 minute delay that we experienced at the opening of polls yesterday. I apologize this explanation didn't come sooner but the voters and polling locations took priority yesterday.

The delay occurred with the Poll Pads which are used to check voters into the polling locations. In no way was this delay related to the tabulation of ballots or the equipment used to tabulate ballots.

Poll Pads are updated and tested extensively prior to the election to ensure all information is correct and the Poll Pad is functioning properly. We completed this update and test on the Poll Pads prior to Election Day and at that time the Poll Pads were correct and functioning properly. We received information from our vendor that the Poll Pads at the Event Center needed an additional update after early vote closed on Monday. That additional update and test was completed. However, when this update occurred for this one location, it unknowingly changed configurations on our tested Poll Pads that were already deployed to polling locations.

On election morning when the polling locations opened, the affected Poll Pads were stating voters were in the wrong location, directing voters to the Event Center, without a way to bypass the error and check the voters in at the polling location. The vendor was able to rectify the problem rather quickly but not without some voters being affected.

The situation was extremely unfortunate and unacceptable. Our office takes pride in the testing and processes we have in place to ensure voters have a positive experience at the polling location while maintaining election security and accuracy. I'm currently working with the state and our vendor (who has taken responsibility for this issue) to ensure this doesn't happen in the future, not only for our county, but statewide.

I plan on being included on the agenda for the November 21st meeting to provide an election update. I'll be able to answer any additional questions you have at that time.

On a positive note, after this issue was rectified, we had a smooth Election Day. I'd say overall it was a success.

Thanks,
Erika

To Whom it may concern,
I, Riley Walker, did not request a
North Dakota absentee ballot. I have
a Montana drivers Licency issued 1-23-2019
SO could not legally vote in North Dakota
for many years. I Gave Tana Walker
Permission to check the contents of the envelope
in Question. I believe, I should have never
received this ballot.

Riley Walker

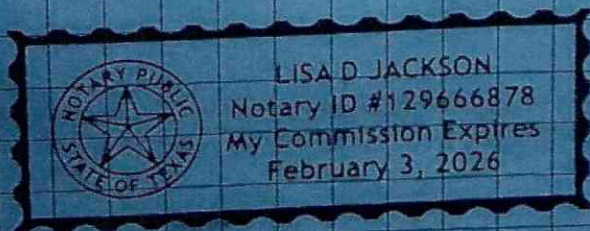
SUBSCRIBED AND SWORN TO BEFORE ME

THIS 26 DAY OF January, 2025

BY Riley Walker

[Signature]

NOTARY PUBLIC



12/5/2022

To Whom it May Concern:

My name is Tomi Collins. I am a concerned citizen of the State of North Dakota and a Minister of the gospel of Christ Jesus. I work with multiple national organizations to advocate for honesty and justice, and righteousness by promoting transparency, accountability, and integrity in government, politics, and the law. After receiving numerous substantiated reports from North Dakota citizens, I have become deeply concerned about the integrity of multiple State government agencies. I have been hosting the 2022 Election Hotline at Bek News, which has received a large number of reports of election irregularities, obstruction, and possibly actionable fraud from the citizen voters of North Dakota.

As a result, I encouraged two statewide candidates to request official copies of the pollbook record or records of all votes cast for both the North Dakota 2022 primary election and the North Dakota 2022 general election. Based on the substantial number of irregularities reported it was, and is, essential that this information be immediately provided so the data can be analyzed to verify the accuracy of the election process. It is my understanding in both cases the information was requested, but the requests have either gone unanswered; or the information was provided in a delayed manner, so as to impede the review; or in many cases the information that was provided was in PDFs, which were manipulated rendering them unusable and worthless. As is stands, fully usable copies of all pollbook records still have not been provided. Without the requested information, it is impossible to determine whether the citizen reports are grounds for an election contest under Section 16.1-16-05 (2), N.D.C.C. As you know, time is of the essence due to the limited timeframe for a challenge. *See* § 16.1-16-04, N.D.C.C.

Section 12.1-11-06, N.D.C.C., states that any public servant who knowingly refuses to perform any duty imposed upon him by law is guilty of a class A misdemeanor. If tampering of any public records occur the offense can be a class C felony. *See* § 12.1-11-05, N.D.C.C. I mention this because the PDF records received, were reviewed by technical experts who verified many of the documents were purposefully manipulated to prevent them from being properly sorted or electronically analyzed making them unusable for the purpose of auditing the reported election results. There were a few, which I am happy to report, that came in that were able to be converted to a spreadsheet or were presented in a spreadsheet format. All of this is being documented and forwarded to various attorneys and experts who are reviewing the citizen reports and the obstruction tactics for further action.

I trust that the pollbooks will be immediately produced in a spreadsheet format. There is no doubt this information is public record and obtainable. Such requests are to be "construed broadly" according to the North Dakota Constitution, Article XIV, Section 1.1, which states:

*The people of North Dakota need information to choose candidates for office, vote on ballot measures, and ensure that their representatives are accountable. This transparency must be sufficient to enable the people to make informed decisions and give proper weight to different speakers and messages. The people therefore have the right to know in a **timely manner** the source, quantity, timing, and nature of resources used to influence any*

statewide election, election for the legislative assembly, statewide ballot-issue election, and state government action. This right is essential to the rights of free speech, assembly, and petition guaranteed by the First Amendment to the Constitution of the United States and shall be construed broadly.

In many counties, these two former candidates for statewide office were denied their constitutional rights.

Therefore, to remedy this situation, I am requesting the following from each county:

1. The “official” copy of the entire pollbook, that is the totality of who voted in your county for both the 2022 primary election and the 2022 general election within twenty-four (24) hours of this request. Again, **TIME IS OF THE ESSENCE**. I am requesting it in a non-manipulated standard Excel or CSV format, by each precinct. It should be in alphabetical order by last name, with all public record information included, labeled as (“your county’s name”) general pollbook and (“your county’s name”) primary pollbook." The primary election information should be separate from the primary election information, of course.
2. Separately, I am also requesting a copy of the list/technical data which was sent (including all emails) to confirm that a citizen who submitted a mail-in ballot or used an absentee ballot was excluded to vote on the day of election. This information was gathered by each auditor, and I request that the list be provided. This would include the list of all mail-in or absentee voters. I am requesting any and all data regarding this information.
3. I want to know when and where the mail-in/absentee ballots were counted in each county. Were both the envelopes and the ballots scanned the night before the election or just one or the other? What piece of equipment was used for the ballots and which for the envelopes. I want the names and contact information, as well as party affiliation of all Inspectors, Judges, and other workers or vendor representatives. Exactly, how was this information relayed; if multiple times please note. For example, “thumb drives downloaded to....., thumb drives given to ES&S employee, uploaded via secure VPN etc.” Please be as specific as possible.
4. I also want to know whether there were any ballots recreated and considered “damaged.” If so, how many. If you do not have an exact number, please provide an approximate number, for example, 0-5, 5-10, 10-20, 20-30, 30-40, 50-100 100 or more. You may note this is an approximate number, but I have a right to know this information. Also, who were the people who did the recreation of the ballots. Please include their names and contact information. I have been advised by legal counsel I have a right as a citizen to know who presided over the election and who the election officials and/or vendors were. If you elect to withhold this information, please cite your legal authority in detail. Also, if a candidate is privy to this information, please explain in detail.
5. I am also requesting the names and contact information for all Judges, Inspectors, and Poll-workers for your county for both the primary election and general election. Please list the

names and contact information, the election they worked and the location, for each individual. If multiple locations were worked, please indicate.


6. Please indicate if anyone in your office was instructed to alter, save in a particulate PDF format, or any other format, any documents requested by the public. If so, please state who was instructed and which format they were instructed to use. Also, please state by whom each individual was instructed to do so and in what venue or venues this instruction was given. Please provide copies of all emails, memos, or any other written form of communication received on how to give or relay public requests or FOYA requests. Please provide this information from January 1, 2020, to present. Please search all emails for such requests or instructions.
7. Please disclose who prepared the pollbook records for candidates Mr. Tuttle and Mr. Kunz. If not yet released, who is preparing this information for each candidate. What protocol are you using when any request(s) come in? Be specific.
8. Please disclose how many public record requests you have received requesting voter lists, including but not limited to, pollbooks lists, voting lists, and eligible voter lists. Please include all information with regard to these requests, including all contact information, such as the name of requestor. Also, please provide the information that was provided and when the request was fulfilled, or if it was denied please explain why. If this information is denied, or not available, please cite your authority for denying such request.

I anticipate and appreciate your prompt attention in expending this request. Due to the previous delays to the mentioned candidates in receiving the requested information, your promptness in fulfilling this request is critical. Please send all replies and requests for information to Tomi@Bektel.com.

Sincerely,

/s/ Tomi Collins

Tomi Collins
Tomi@Bektel.com

From: {SMB}-Cass County Election Election@casscountynd.gov 
Subject: RE: ORR 2022-17
Date: December 28, 2022 at 2:41 PM
To: Tomi Collins tomi@tomicollins.com



Ms Collins,

Our States Attorney have finalized the review of the list of absentee voters requested at item 2.

Please find it attached. Addresses have been redacted to ensure no inadvertent breach of NDCC 44-04-18.3.

Regards,

From: {SMB}-Cass County Election
Sent: Thursday, December 8, 2022 4:14 PM
Subject: ORR 2022-17

Ms Collins,

We have almost finalized reviewing our records & resource requirements and provide the following as an interim response / status advice (numbers below refer to your items #s).

1. The 2022 General & Primary Election PollBooks are attached.
2. Under review at this time.
3. Absentee Board Poll Workers attached. Please note that the 'P' annotation for Judges indicates a Judge recruited by the County to fill vacancies in staffing needs due to shortfalls in nominations from the District Party organizations.
4. We do not have respondent records.
5. Poll Workers at the Vote Centers are attached for the 2022 General & Primary Elections. Please note we do not track party affiliation of Inspectors and Clerks.
6. We do not have respondent records.
7. We do not have respondent records.
8. Details of the subject ORR submitted are attached.

Please also find attached the ND Attorney Generals guide on Open Records for your information.

Regards,

**Elections**

211 9th St S
Fargo, ND 58103
T 701.241.5600
www.casscountynd.gov

**Cass County
Election Team**

211 9th St S
Fargo, ND 58103
T 701.241.5600
www.casscountynd.gov

AbsenteeBallots
_Voter...-17.xlsx



Tomi Collins <tomi@tomicollins.com>

Lists

Nathan Martin <nathanmartin25@gmail.com>
 To: Tomi Collins <tomi@tomicollins.com>

Wed, Dec 28, 2022 at 8:00 PM

My Filters Reorder attributes

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<input type="checkbox"/>	dcauditor@nd.gov							Wanda Sheppard	06-12-2022	05-12-2022

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<input type="checkbox"/>	mdlamb@nd.gov								06-12-2022	06-11-2022
<input type="checkbox"/>	marisa.haman@wardnd.com								18-12-2022	06-11-2022
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<input type="checkbox"/>	glenda.haugen@co.trail.nd.us								12-12-2022	06-11-2022
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<input type="checkbox"/>	dawn.rhone@mortonnd.org								20-12-2022	06-11-2022
<input type="checkbox"/>	bserickson@nd.gov								06-12-2022	06-11-2022



tomcollins@tomicollins.com

Lists

Nathan Martin <nathanmartin25@gmail.com>
To: Tomi Collins <tomi@tomicollins.com>

Wed, Dec 28, 2022 at 8:00 PM

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<input type="checkbox"/>	eroundy@nd.gov							Ellen Roundy	07-12-2022	05-12-2022
<input type="checkbox"/>	dstullen@nd.gov							Dan Stullen	06-12-2022	05-12-2022
<input type="checkbox"/>	dcaullor@nd.gov							Wanda Sheppard	06-12-2022	05-12-2022

January 2, 2022

Cass County Elections Team
211 9th St. South
Fargo, ND 58103

RE: Open Records Request

Dear Cass County Elections Team:

As you are aware on December 6, 2022, Ms. Collins sent a request for numerous disclosures related to the 2022 General and Primary Elections. I understand that statewide candidate Mr. Charles Tuttle also made a similar request. Neither has received full disclosure obstructing their constitutional rights to the requested records.

Ms. Collins, among other information, specifically requested the following:

1. The "official" copy of the entire pollbook, that is the totality of who voted in your county for both the 2022 primary election and the 2022 general election within twenty-four (24) hours of this request. Again, **TIME IS OF THE ESSENCE**. I am requesting it in a non-manipulated standard Excel or CSV format, by each precinct. It should be in alphabetical order by last name, with all public record information included, labeled as ("your county's name") general pollbook and ("your county's name") primary pollbook." The primary election information should be separate from the primary election information, of course.

However, in response Ms. Collins was not provided the requested unredacted copies of the Cass County pollbooks but instead received the manipulated prepared Secretary of State Office or system pollbooks. Her request was clear and could not have been misconstrued. It is also my understanding there has been some mention of distinction between e-pollbook verses the word pollbook to further deny Ms. Collins her requests. To be clear, Ms. Collins is **requesting the unredacted Cass County e-pollbooks or the complete county record of who voted in the Cass County 2022 primary election and 2022 general election in a standard Excel format.** She is not interested in reviewing the redacted pollbooks you produced for the Secretary of State. The requested documents are public records that must be immediately produced by Cass County.

Also, it is my understanding Ms. Collins also requested disclosure of all information regarding all citizens who submitted mail-in or absentee ballots. In response, Ms. Collins was provided a redacted response. This is not acceptable. Please immediately provide full disclosure, as requested, of all unredacted mail-in or absentee ballots received by Cass County.

I understand that you are claiming your States Attorney has reviewed this issue and authorized redacted lists to ensure no breach pursuant to N.D.C.C., Section 44-04-18.3. I have also reviewed Section 44-04-18.3(1), which states, the home address of a prosecutor, supreme court justice, district court judge, judicial referee, juvenile court director or probation officer, an employee of a law enforcement agency, employee of a state or local correctional facility, and an employee of

the department of corrections and rehabilitation are confidential. However, there is an exception, under subsection 5, of the Statute, which states:

A home address of an individual in subsection 1 which is included in a geographic information system, a property title record, or tax parcel data is confidential only if an individual in subsection 1 or the individual's employer submits a written request to the custodian of the records. The request will remain confidential for the remainder of a calendar year and must be renewed annually.

Thus, unless you have proof of a written request for confidentiality, by any of above listed protected individuals, there is absolutely no basis to redact any of the addresses. Even if you have proof of a written request for confidentiality, it is not a basis to redact all of the public records. Your reliance on Section 44-04-18.3 to redact all records is erroneous. If, however, you intend to still redact any requested records based on the cited statute, please produce a copy of the written request for confidentiality.

Further, Ms. Collins, requested the following information.

5. I am also requesting the names and contact information for all Judges, Inspectors, and Poll-workers for your county for both the primary election and general election. **Please list the names and contact information, the election they worked and the location, for each individual.** If multiple locations were worked, please indicate.

Your response to the request was inadequate and incomplete. Please supplement your response with the name, contact information, and election information, for each individual. Again, this information should be unredacted and in electronic format so easily produced.

Ms. Collins also requested whether anyone in your office was instructed to save any documents in a particulate format. See below 6. This would include such documents as "pollbooks" and "e-pollbooks" among other material.

6. Please indicate if anyone in your office was instructed to alter, save in a particulate PDF format, or any other format, any documents requested by the public. If so, please state who was instructed and which format they were instructed to use. Also, please state by whom each individual was instructed to do so and in what venue or venues this instruction was given. Please provide copies of all emails, memos, or any other written form of communication received on how to give or relay public requests or FOYA requests. Please provide this information from January 1, 2020, to present. Please search all emails for such requests or instructions.

You however, responded, "We do not have respondent records." Ms. Collins is again requesting that you review and timely respond to her question No. 6. When you respond, please focus on whether you were **instructed by anyone including any State or County employees to prepare create, generate, or report pollbooks, e-pollbooks, or any other documents in a particular way.** Ms. Collins has been advised you did in fact receive instruction from the Secretary of State's Office in regard to the pollbooks. This time your response should be truthful and candid.

Also, producing this information should not be overly burdensome as it should be available in an email format.

Finally, we are aware that you have submitted an outrageous invoice to Mr. Tuttle claiming it would take 915.66 hours for locating records he requested @ \$25/hr. (after the 1st hour) for a fee of \$22,891.66. This appears to nothing more than an attempt to dissuade and impede Mr. Tuttle from proceeding with his request.

N.D.C.C. Section 44-04-18, addresses "Access to public records - Electronically stored information" and states, "Upon request for a copy of specific public records, any entity subject to subsection 1, shall furnish the requester one copy of the public records requested." Section 44-04-18 (3), states in relevant part:

An electronic copy of a record must be provided upon request at no cost, other than costs allowed in subsection 2, except if the nature or volume of the public records requested to be accessed or provided requires extensive use of information technology resources, the agency may charge no more than the actual cost incurred for the extensive use of information technology resources incurred by the public entity. "Extensive" is defined as a request for copies of electronic records which take more than one hour of information technology resources to produce.

N.D.C.C. Section 44-04-17.1, defines "Information technology resources" to include data processing hardware and software or technology support services necessary to facilitate a response to a request for electronic records. The roll of the technology support services is to facilitate the requested archived or stored electronic data, not to analyze each record for content, as you claim.

The records requested herein by Ms. Collins should take no more than an hour or two at most to produce by your IT support services. In order of urgency, Ms. Collins requests that the unredacted Cass County e-pollbooks for the 2022 general election be immediately produced, first and foremost. These are needed immediately. As to the other requests, if you anticipate more time, please provide an itemized statement detailing the anticipated technology resources, as they relate to each specific request. We do not anticipate receiving an inflated billing statement like Mr. Tuttle.

Ms. Collins fully expects she will finally receive full disclosure of the requested records you are required to provide. To be clear her requests include the unredacted Cass County e-pollbooks for the 2022 primary and the 2022 general election, as well as unredacted absentee and mail-in voter information. Section 12.1-11-06, N.D.C.C., states that any public servant who knowingly refuses to perform any duty imposed upon him by law is guilty of a class A misdemeanor. If tampering of any public records occur the offense can be a class C felony. *See* § 12.1-11-05, N.D.C.C. If Ms. Collins requests are again met with clear obstruction, she will not hesitate to pursue all legal options and remedies available to her.

Sincerely,



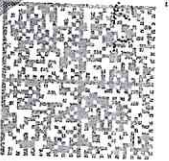
Official ballot

SHERIDAN COUNTY AUDITOR
PO BOX 439
MCCLUSKY ND 58463-0439

RETURN SERVICE REQUESTED



23 OCT 2022 PM



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$000.810
0004708666 OCT 04 2022
MAILED FROM ZIP CODE 58463

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST-CLASS MAIL

RILEY WALKER
834 ASH CREEK RD
TERRY MT 59349-8601

Return to

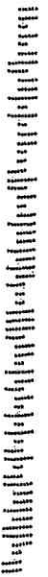
Sender

Not at

this address

WTF

593498601 4077



BALLOT SECRECY ENVELOPE

INSTRUCTIONS TO VOTE BY MAIL

- YOU ARE ENTITLED TO COMPLETE YOUR ABSENTEE VOTER'S BALLOT IN SECRECY.
- YOU ARE ENTITLED A SECOND-CHANCE TO VOTE – Should you make a mistake while voting, you have the right to return your spoiled ballot to the County Auditor and receive a new one. Contact your Auditor for more information. (N.D.C.C. § 16.1-13-32)
- IN THE JUNE ELECTION, CROSS-OVER VOTING IS NOT ALLOWED. When voting a party ballot in the June election, you must vote along party (e.g. Republican, Democratic/NPL) lines. If you split your vote, your ballot won't be counted for those races.
This does not apply to non-partisan races or measures. (N.D.C.C. § 16.1-11-22 (4))

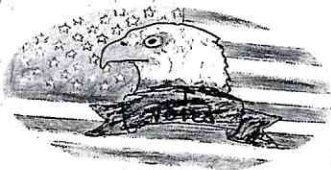
1. Vote – Be sure to blacken each oval completely using a blue or black pen. Do not make an X or other mark.
To write in a name you must blacken the oval and write the name on the line provided.

2. After voting, fold your ballot to conceal your vote. Place your folded, voted ballot in the secrecy envelope or sleeve provided, and then place the secrecy envelope or sleeve in the self-addressed return envelope provided and seal.

3. Complete and sign the voter's affidavit found on the back-side of the return envelope.

4. Affix the proper postage before mailing – extra postage is required.

Ballots must be postmarked no later than the day before the election.



NOV 7 ..

SEACHANGE NDSE20



Return
envelope
Official ballot



OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST-CLASS MAIL



SHERIDAN COUNTY AUDITOR
PO BOX 439
MCCLUSKY ND 58463-0439



Postage
Required
Post Office Will
Pay if Proper
postage.

GENERAL ELECTION BALLOT
NOVEMBER 8, 2022

To vote for the candidate of your choice, you must darken the oval (●) next to the name of that candidate.

To vote for a person whose name is not printed on the ballot, you must darken the oval (●) next to the blank line provided and write that person's name on the blank line.

Public Service Commissioner
Unexpired 4-Year Term
Vote for no more than ONE name

- Sheri Haugen-Hoffart
Republican Party
- Trygve Hammer
Democratic-NPL Party
- _____

NO-PARTY BALLOT

To vote for the candidate of your choice, you must darken the oval (●) next to the name of that candidate.

To vote for a person whose name is not printed on the ballot, you must darken the oval (●) next to the blank line provided and write that person's name on the blank line.

PARTY BALLOT

United States Senator

Vote for no more than ONE name

- John Hoeven
Republican Party
- Katrina Christiansen
Democratic-NPL Party
- Rick Becker
Independent nomination
- _____

Tax Commissioner

Vote for no more than ONE name

- Brian Kroshus
Republican Party
- _____

Justice of the Supreme Court
Vote for no more than ONE name

- Daniel J Crothers
- _____

Representative in Congress

Vote for no more than ONE name

- Cara Mund
Independent nomination
- Kelly Armstrong
Republican Party
- _____

Judge of the District Court
No. 2
South Central Judicial District
Vote for no more than ONE name

- Douglas A Bahr
- _____

Secretary of State

Vote for no more than ONE name

- Charles Tuttle
Independent nomination
- Jeffrey Powell
Democratic-NPL Party
- Michael Howe
Republican Party
- _____

Judge of the District Court
No. 5
South Central Judicial District
Vote for no more than ONE name

- Cynthia M Feland
- _____

Attorney General

Vote for no more than ONE name

- Timothy Charles (Tim) Lamb
Democratic-NPL Party
- Drew Wrigley
Republican Party
- _____

Judge of the District Court
No. 6
South Central Judicial District
Unexpired 4-Year Term
Vote for no more than ONE name

- Bobbi Weller
- _____

Agriculture Commissioner

Vote for no more than ONE name

- Doug Goshring
Republican Party
- Fintan L Dooley
Democratic-NPL Party
- _____

Judge of the District Court
No. 10
South Central Judicial District
Unexpired 4-Year Term
Vote for no more than ONE name

- Pamela Nesvig
- _____

Public Service Commissioner

Vote for no more than ONE name

- Melanie Moniz
Democratic-NPL Party
- Julie Fedorchak
Republican Party
- _____

Continue voting other side →

Official Ballot
SHERIDAN COUNTY
42140101
November 8, 2022

All ballots, other than those used to vote absentee, must first be initialed by appropriate election officials in order to be counted.

_____ Initials

STATE OF NORTH DAKOTA	SHERIDAN COUNTY	No School Elections
NO-PARTY BALLOT To vote for the candidate of your choice, you must darken the oval (●) next to the name of that candidate. To vote for a person whose name is not printed on the ballot, you must darken the oval (●) next to the blank line provided and write that person's name on the blank line.	MEASURES BALLOT Vote by darkening the oval (●) next to the word "YES" or "NO" following the explanation of each measure.	COUNTY MEASURE No. 1 Sheridan County currently levies a total of 22 mills for road levies. Current levying authority beyond 10 mills will be expiring and a majority vote is required to continue to levy 22 mills for County Road. Should the Sheridan County Board of County Commissioners have the authority to levy up to 22 mills in the County Road Fund, per NDCC Chapter 57-15-06.7(5)?
County Commissioner District 1 Vote for no more than ONE name <input type="radio"/> Shannon Dieterle <input type="radio"/> _____	Initiated Constitutional Measure No. 1 This initiated measure would add a new article to the North Dakota Constitution. Under the measure, an individual could not serve as a state legislator for a total of more than eight years in either the North Dakota House of Representatives or the North Dakota Senate, separately. It also would prohibit an individual from being elected as Governor more than twice. Service as a member of the legislature or election to the office of governor before the effective date of this measure would not count towards an individual's eight-year or two-election limit. An individual would not be allowed to serve a full or remaining term as a member of the legislature if serving the term would cause the individual to serve a total of more than eight years in that particular house. Any amendment to this article could not be proposed by the legislature, but only by citizen initiative. The article would become effective on January 1, 2023 if approved by the voters. If the measure conflicts with any other provision of the constitution, the measure states it would prevail over the other constitutional provision.	<input type="radio"/> Yes – Means you approve the measure as summarized above. <input type="radio"/> No – Means you reject the measure as summarized above.
County Commissioner District 3 Vote for no more than ONE name <input type="radio"/> Sandra Felchle <input type="radio"/> _____	The estimated fiscal impact of this measure is \$0 per biennium.	<input type="radio"/> Yes – means you approve the measure summarized above. <input type="radio"/> No – means you reject the measure summarized above.
County Auditor Vote for no more than ONE name <input type="radio"/> Shirley A. Murray <input type="radio"/> _____	Initiated Statutory Measure No. 2 This initiated measure would create a new chapter of the North Dakota Century Code. It would legalize the production, processing, and sale of cannabis and the possession and use of various forms of cannabis by individuals who are 21 years of age or older, within limitations as to location; direct a state entity to regulate and register businesses that produce or dispense cannabis for use by individuals aged 21 years or older, and the businesses' agents; permit an individual aged 21 years or older to possess a limited amount of cannabis product; provide protections, limitations, penalties, and employer rights relating to use of cannabis products; and specify that fees are to be appropriated for administration of the chapter.	
County State's Attorney Vote for no more than ONE name <input type="radio"/> Ladd Erickson <input type="radio"/> _____	The estimated fiscal impact of this measure beginning in 2023 through the 2025-2027 Biennium is Revenue of \$3,145,000 and Expenses of \$4,985,000.	<input type="radio"/> Yes – means you approve the measure summarized above. <input type="radio"/> No – means you reject the measure summarized above.
County Recorder Vote for no more than ONE name <input type="radio"/> Kathleen C Mindt <input type="radio"/> _____		
County Treasurer Vote for no more than ONE name <input type="radio"/> Lynnette Fox <input type="radio"/> _____		
County Sheriff Vote for no more than ONE name <input type="radio"/> Trent Naser <input type="radio"/> _____		
Supervisor, Soil Conservation District Sheridan County Soil Conservation District Vote for no more than ONE name <input type="radio"/> Kevin Bender <input type="radio"/> _____		
County Official Newspaper Vote for no more than ONE name <input type="radio"/> The McClusky Gazette <input type="radio"/> _____		
42140101	No School Elections	Typ:01 Seq:0001 Spl:01