

HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
REPRESENTATIVE AUSTEN SCHAUER, CHAIR

TESTIMONY PRESENTED BY

MICHAEL HOWE, NORTH DAKOTA SECRETARY OF STATE

Chairman Schauer and members of the committee, I'm Michael Howe, North Dakota Secretary of State.

Today, I'm providing testimony in opposition, specifically to Section 1 of HB1424. This section offers a new process under which the Secretary of State would receive, validate and investigate the process of endorsed candidates. A quick summary of the language proposed includes:

- The Secretary of State holding "endorsed" candidate paperwork filings for a seven (7) day waiting period for any complaints on endorsing caucus proceedings. Our office is not involved in any of these endorsing meeting activities as they are a function of the party and in no way overseen by this agency.
- Should a complaint come forward, the Secretary of State must determine the "merit" of the complaint – either by dismissing it, or by determining it is a violation of the "... district organization's internal rules, bylaw, or any provision of law ..." page 2, line 3. Our office is not involved in district party organization and has no interest as to what the political districts have in their bylaws and rules for endorsing candidates. Political party bylaws or any private organization's bylaws are not filed with the Secretary of State's office. Additionally, a review of the NDGOP website does not provide bylaws of any of the 47 district parties.
- Any "violations" of these bylaws and organizational rules, that reminder- we don't oversee, are then to be forwarded by our office to the Attorney General for his review within seven (7) days, so they can then direct our office on whether or not the certificate of endorsement received is valid or void.

All these items are supposed to happen after the candidate filing deadline of 64 days prior to the primary election, but the process outlined in Section 1 adds at the very least two (2) weeks to this process. Adding this process into the 64-day timeline is not feasible. Often political parties will hold their state conventions the weekend prior to the candidate filing deadline.

Mr. Chairman and members of the committee, this bill seeks to insert a state agency and the Office of the Secretary of State into the middle of party politics. The responsibilities laid out in Section 1 should be a function of

political party leadership, not multiple state government agencies. Why wouldn't state political parties post each individual district's bylaws on its website? Or better yet, why wouldn't all 47 districts have the same bylaws agreed upon by their respective state political parties? State political parties should not be looking to the government to rule their house. Putting the State of North Dakota in the middle of a private organization's enforcement of bylaws is not a good idea. I would urge a **DO NOT PASS** recommendation of Section 1 of this bill.