

# MICROFILM DIVIDER

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DESCRIPTION

1376

2007 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1376

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1376

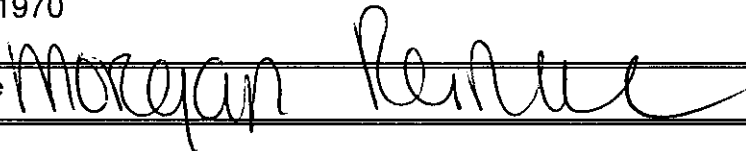
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: January 25, 2007

Recorder Job Number: 1970

Committee Clerk Signature



Minutes:

**Al Jaeger:** Testimony Attached.

**Rep. Haas:** What prompted this particular bill?

**Al Jaeger:** There is a concern that on Election Day people can come to a polling location for different reasons. People should be able to go to and from a polling location and not be concerned about being approached. I expect that it has happened. We have had phone calls about it.

**Rep. Haas:** So there have been incidents where this has actually occurred.

**Al Jaeger:** Yes.

**Rep. Potter:** What you're adding here is just gather signatures for initiated measures, not getting signatures for anything else?

**Al Jaeger:** Yes.

**Rep. Kasper:** That is where I was going with this too. Are we going to prohibit this because the voters don't like being bothered initially. 100 feet is frankly not very far.

**Al Jaeger:** I would raise the question. You can't image the type of calls we get in our office.

About the time I think we have heard about anything that has ever happened. I can just see that this is an issue.

**Rep. Boehning:** What are the penalties if you are within less than 100 feet.

**Al Jaeger:** I'm not sure, we don't have our book with.

**Rep. Haas:** Is there any other testimony on HB 1376? Do I have a committee member that would like to work with Secretary Jaeger's office in coming up with an amendment for this bill?

**Rep. Dahl:** I will.

**Rep. Haas:** Thank you very much. We will close the hearing on HB 376.

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1376

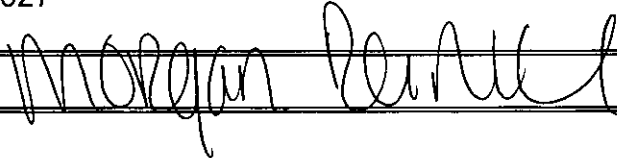
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: January 26, 2007

Recorder Job Number: 2027

Committee Clerk Signature



Minutes:

**Rep. Haas:** We will now open the discussion on HB 1376. This is the bill on some corrupt election practices.

**Rep. Dahl:** It is very simple. It regards singled out initiated measures and deals with referrals.

**Rep. Haas:** So it takes out any initiated measure and puts in any reason. SO you may not try to solicit signatures on any type of petition for any reason. Is there a motion to adopt the amendment?

**Rep. Wolf:** I move to adopt the amendment on HB 1376.

**Rep. Schneider:** I second that

**Rep. Weiler:** I haven't seen the amendment but I'm wondering what the distance is.

**Rep. Haas:** that is in the bill and its 100 feet.

**Rep. Weiler:** that's not very far, it's only 30 yards.

**Rep. Haas:** Is there any other discussion? WE now have the amended bill before us. Is there a motion?

**Rep. Wolf:** I move a do pass as amended.

**Rep. Karls:** I second that

**Rep. Kasper:** There is another bill that makes it much more severe on a person perpetrating false advertisement.

**Rep. Haas:** Is there any further discussion? HB 1376 passes 10-2-1. Is there a volunteer to carry the bill?

**Rep. Dahl:** I will.

Date: 1-26-07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number HB 1376

Action Taken Move Amendment

Motion Made By Rep. Wolf Seconded By Rep. Schneider

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman			Rep. Bill Amerman		
Rep. Bette Grande VC			Rep. Louise Potter		
Rep. Randy Boehning			Rep. Jasper Schneider		
Rep. Stacey Dahl			Rep. Lisa Wolf		
Rep. Glen Froseth					
Rep. Karen Karls					
Rep. Jim Kasper					
Rep. Lisa Meier					
Rep. Dave Weiler					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 1-26-07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number HR 1376

Action Taken DO PASS AS AMENDED.

Motion Made By Rep. Wolf Seconded By Rep. Karls

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman	X		Rep. Bill Amerman		X
Rep. Bette Grande VC	X		Rep. Louise Potter		
Rep. Randy Boehning	X		Rep. Jasper Schneider	X	
Rep. Stacey Dahl	X		Rep. Lisa Wolf	X	
Rep. Glen Froseth	X				
Rep. Karen Karls	X				
Rep. Jim Kasper	X				
Rep. Lisa Meier	X				
Rep. Dave Weiler		X			

Total (Yes) 10 No 2

Absent 1

Floor Assignment Rep. Dahl

If the vote is on an amendment, briefly indicate intent:



**REPORT OF STANDING COMMITTEE**

**HB 1376: Government and Veterans Affairs Committee (Rep. Haas, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1376 was placed  
on the Sixth order on the calendar.

Page 1, line 23, replace "an initiated measure" with "any reason"

Renumber accordingly

2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1376

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1376

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 2/23/07

Recorder Job Number: 3763, 3764, 3770

Committee Clerk Signature

*Veronica Spelling*

Minutes:

All members of the committee were present.

Senator Dever, Chairman, opened the hearing on HB 1376.

Al Jaeger, Secretary of State, introduced the bill. See attachment # 1.

There was discussion about concern over the phrase "for any reason" being too broad. Would it restrict activities of other groups that may be sharing the facility on Election Day? They discussed the buffer zone of 100 ft from the entrance to the polling place and that the intention of the establishment of the buffer zone was to prevent harassment of voters. There was discussion about how to word this bill to accomplish what is intended.

Support: -

Opposition: -

Neutral: -

Chairman Dever closed the hearing on HB1376.

**JOB # 3764** Chairman Dever opened discussion on HB 1376.

Senator Oehlke pointed out the wording of HB 1376 on page 1, lines 18 through 23.

Senator Lee said approach on line 18 is the operative word. It makes a difference if it is a passive opportunity as compared to an active opportunity.

There was discussion about whether the election inspectors and judges have any control over harassment of voters outside the doors of the polling place. Al Jaeger said they can always call law enforcement if there is a need.

JOB # 3770 Chairman Dever opened discussion on HB1376.

There was discussion about possibly adding the word actively before the word approach on line 18 on page 1 of the bill. The intention of not allowing interference with the election process was reiterated.

A do pass motion was made by Senator Oehlke.

The motion was seconded by Senator J Lee.

Roll Call Vote: Yes 6 No 0 Absent 0

Carrier: Dever

Date : 2-23  
Roll Call Vote # : 1

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1376**

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken do pass

Motion Made By Oehlke Seconded By Lee

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehlke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Dever

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

HB 1376, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1376 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

HB 1376

ALVIN A. JAEGER  
SECRETARY OF STATE

HOME PAGE [www.nd.gov/sos](http://www.nd.gov/sos)



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

January 25, 2007

*Same  
given to  
Senate*

TO: Representative Haas, Chairman,  
and Members of the House Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: HB 1376 – Corrupt Election Practices

Section 1, page 1, line 7: This is a style and form change made by the Legislative Council.

Section 1, page 1, line 13: The change adds "web sites" to the existing list where a person is prohibited from publishing false information about a candidate for public office.

Section 2, page 1, lines 21 thru 23: This change creates a buffer zone at polling places for the gathering of signatures for a measure