

**2013 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1275**

# 2013 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee  
Fort Union Room, State Capitol

HB 1275  
February 7, 2013  
18505

Conference Committee

Committee Clerk Signature

*Carmen Hart*

## Explanation or reason for introduction of bill/resolution:

Relating to the appointment of poll checkers, to verification of eligibility of voters and to challenging the right to vote; and to provide a penalty.

## Minutes:

You may make reference to "attached testimony."

**Chairman Jim Kasper** opened the hearing on HB 1275 and turned it over to Vice Chair Randy Boehning.

**Chairman Jim Kasper** supports and is a sponsor of this bill. Our law says that if a voter does not have an ID and wishes to vote, they have to fill out an affidavit and receives a ballot, votes, turns it into the clerk, and the ballot is counted there. That allows a situation for abuse. I believe we must do everything as we possibly can to protect the integrity and the honesty of the vote. He explained his bill. The voter walks in to vote, no ID, fill out the affidavit, handed the ballot and would vote. When the voter comes back out of the polling place, we would have envelopes (showed to the committee) and the clerk would write your last name, first name, and date. We would put the ballot in the envelope, seal the envelope, staple the affidavit to the envelope and would have a method of sealing the envelope so that it could not be tampered with. The voter would be given an instruction sheet stating I have two options now that identity could not be proven. They could come back anytime during the day of the vote with proof of identification, show it to the judge and upon verification, they would sign off on it. They would count the ballot and this would be thrown away. The other choice if they couldn't come back on election day, they would have until the canvassing board meets to walk in and prove identity. If the person does not show up at all, ballot is not counted. Now we are not going to count ballots that we have no proof that the person had the right to vote.

**Rep. Karen Karls** The ballot in the envelope that is sealed is voted?

**Chairman Jim Kasper** Absolutely. You still allow the person to vote on election day, but you seal it in the envelope and do not count it until the verification of identity is provided by that person.

**Rep. Marie Strinden** They are bringing in proof of address, but not their ID?

**Chairman Jim Kasper** Both.

**Rep. Marie Strinden** When they bring in their ID later, what if their proof of address has their North Dakota address but ID has an address from a different state?

**Chairman Jim Kasper** Our voting law says you must be a citizen of ND for 30 days or longer to vote. If they brought in an address that had their name on it from a utility company or so on, it would prove that they live there. I would suggest that their driver's license from SD would be valid to prove that this is the same person.

**Rep. Gail Mooney** Is it legal to tie our name to a ballot?

**Chairman Jim Kasper** Because we are going to seal and it will not be opened until you come back to prove who you are, there is a possibility for abuse by election officials that you could not trust. I would not be concerned because of the sealing of it.

**Rep. Gail Mooney** It would be handed back to me after they are satisfied and I would take it out?

**Chairman Jim Kasper** No. The process would probably be just like the canvassing board meets when you have the absentee ballots coming in.

**Rep. Gail Mooney** It is kind of like a provisional ballot?

**Chairman Jim Kasper** You could use the term.

**Rep. Steven Zaiser** Would it be within the realm if you met the timeframe that you have outlined in this bill to send in the various requisite identification information?

**Chairman Jim Kasper** I would not like that at all because anybody could send in anything. I would think that you would have to require that the person who intended their ballot to be counted to show up.

**Rep. Steven Zaiser** Would it make sense to amend or is it clear in here that you have to actually show up in person?

**Chairman Jim Kasper** Starting with Line 7, Page 5 was read.

**Rep. Steven Zaiser** That meets it.

**Rep. Bill Amerman** Do we still have to do this if someone knows you?

**Chairman Jim Kasper** It is not my intent to go that far if the polling clerks and judges know you. Let the Secretary of State answer that question.

**Rep. Marie Strinden** Referring to Page 3, Line 14, could it be changed to say a state or official state identification so it can't be challenged? Like in the case of SD with the ND address.

**Chairman Jim Kasper** There is another place in the law where we recognize tribal identification. Any nitpicky change I would not object.

**Rep. Steven Zaiser** Would a college ID be acceptable?

**Chairman Jim Kasper** I would not object to looking at that if you had a college ID and also another method to certify where you actually live.

**Rep. Bill Amerman** Could you comment on Page 6, the three poll checkers?

**Chairman Jim Kasper** That is putting in some language where we allow the political parties to have poll checkers there as well.

**Opposition:**

**Al Jaeger, Secretary of State**, appeared in opposition. **Attachment 1** (16:15-27:51)

**Rep. Karen Rohr** Tell me how that educational process would work for the voters.

**Al Jaeger** I would suspect the word would get out. You would really want to make sure your supporters would be informed. Everybody kind of has a vested interest so it is not just me educating. It is a lot of people doing the educating. We are saying why even put it in if you don't have identification?

**Rep. Karen Karls** You stated that were 10,519 ballots this last general election that did use the voter affidavit. Do you test the veracity of all of them?

**Al Jaeger** The county auditors are charged to send out a post card to every one of them.

**Rep. Karen Karls** What is asked on that post card?

**Al Jaeger** It would be better to ask a county auditor.

**Rep. Karen Karls** How many did we catch?

**Al Jaeger** We don't have that information.

**Vice Chair Randy Boehning** Is there any money left from the Help America Vote Act?

**Al Jaeger** Yes, we do have funds available and HAVA funds can be used for educational purposes.

**Chairman Jim Kasper** About how many dollars are left in that fund?

**Al Jaeger** About \$4 million.

**Chairman Jim Kasper** We wouldn't have a fiscal note on this bill?

**Al Jaeger** No.

**Rep. Scott Louser** We had approximately 10,500 people that voted without an identification and, obviously no registration, whose votes were counted and we don't know if even one is invalid?

**Al Jaeger** That is correct.

**Rep. Steven Zaiser** Do you see that either your approach or Rep. Kasper's approach would be a deterrent in any way?

**Al Jaeger** Where I see a deterrent in the bill as it is written is we are holding ballots and we are telling people they are not going to be counted until you come back. That coming back is a concern for me. Counties do have the option for early voting. We have seven counties that have early voting, and they are university counties. You have a regular election board. That election board works the same way in an early voting center as it does on election day. If they don't come in with the proper ID, they have time up to election day to do that.

**Rep. Steven Zaiser** What about people in nursing homes who forget their address or those that get assistance from a worker in getting them to the polling place? Would the worker be eligible for being a voucher for that person?

**Al Jaeger** The only person that could vouch would be the poll worker. In a lot of those cases the person is voting absentee.

**Kevin Glatt, Burleigh County Auditor/Treasurer**, appeared in opposition. My concern in this bill is absentee ballots. In Burleigh County 24% of the electors this last election casted their ballot through an absentee process through the mail. There is no ID required for absentee or vote by mail ballots. I believe part of the whole issue here is residency.

**Chairman Jim Kasper** What is your solution?

**Kevin Glatt** I agree with the Secretary of State, requiring an ID. I know that the vast majority of people that come to vote have their ID out.

**Chairman Jim Kasper** How do you have an ID on an absentee ballot? Would they have to come to get it?

**Kevin Glatt** Absentee ballots are a different animal.

**Chairman Jim Kasper** In one of the previous hearings you suggested we go back to the old system under absentee ballots whereby you could only vote absentee if you were stating that you were truly going to be out of the area or ill or something like that. In that case does the person still have to show an ID to get an absentee ballot?

**Kevin Glatt** Under current law I don't believe so.

**Rep. Ben Koppelman** Are you aware of any of those post cards that were sent that came back to where your office had to recommend to the state's attorney to prosecute for possible voter fraud?

**Kevin Glatt** I am not aware of any. The post card says if you receive this don't worry, because then it was sent to a valid person at a valid address. The ones that come back undeliverable of insufficient address, those are the ones we investigate. A very large percentage of those were large apartment complexes where when the person was executing the affidavit, they didn't write down the apartment number and, therefore, it is returned as undeliverable.

**Rep. Ben Koppelman** If Rep. Louser used my address to vote with his name and it happened to go ahead and deliver it to my house and I pitch it because it isn't me, you are going to assume he is a legitimate voter? You just verify whether their addresses exist?

**Kevin Glatt** If they don't come back, we assume that it was a legitimate voter and a legitimate address.

**Rep. Gail Mooney** When I receive my ballot, I fill out my own affidavit and that requires my signature and that is the one that is verified back in the polling place when I return it?

**Chairman Jim Kasper** We don't want to be confusing the absentee ballot with the affidavit. The affidavit would have not gone in the mail. It would have been on the day of the election.

**Rep. Gail Mooney** I thought Rep. Koppelman was referring to the vote by mail.

**Rep. Ben Koppelman** I was referring to the signed affidavit on election day that you get from the poll worker, and when they later try to verify, is that what you sign the day of the election match what the post card they sent out and got back? If not, how do we know, but that doesn't happen.

**Chairman Jim Kasper** The problem is they don't verify.

**Rep. Karen Karls** If I wanted to cheat the system, I could just put my name down and the address of a nearby large apartment complex and leave off the apartment number. Would I get caught?

**Kevin Glatt** I would hope the election board would be trained enough to catch that. It might be difficult.

**Chairman Jim Kasper** How do you feel about Secretary of State's suggestion to fix the voter affidavit situation that he presented in his testimony?

**Kevin Glatt** If you need an ID, I agree with that. Several sessions ago we required an ID to be able to vote, and I think the people have become accustomed to that.

**John Arnold, ND Association of Counties**, appeared in opposition. I would like to echo the others. Rather than creating a backend method to solve a problem, let us handle it up front requiring ID. In response to a question of how we handle absentees, I would suggest a simple way would be in the law strike the words if applicable on the absentee application. There is a field for driver's license number and in parentheses if applicable. Strike that and require them to fill in that information. The central voter file does get data from DOT so we would have all those numbers. **Attachment 2** (testimony from **Michael Montplaisir, Cass County Auditor, Cass County Government**) (53:03-55:46)

**Rep. Karen Karls** In a way there is a verification of the address and we check to make sure the signatures are the same.

**John Arnold** There is a verification of the mailing address. You can choose to have your absentee ballot sent to a PO Box rather than your residential address.

**Chairman Jim Kasper** The policy of setting election law rests in the legislative body, not in the auditors' offices around the state of ND. I for one don't believe that inconveniences are an excuse for not trying to make the system better. What are your thoughts about requiring ID and what do you think the auditors around the state might feel about that?

**John Arnold** I am okay with that. From talking with auditors residency has long been an issue. From my conversations with people I don't think it would be a concern to require voters to come up and present an ID up front.

**Rep. Steven Zaiser** Did you talk to Mr. Montplaisir about disenfranchise and deterrent this would provide?

**John Arnold** He agrees with people showing ID.

**Rep. Steven Zaiser** Did he talk about the number of people that they prosecuted out of the number of potential prosecutions?

**John Arnold** No.

**Chairman Jim Kasper** I think his testimony points out they haven't prosecuted anyone. Rep. Ben Koppelman's point is well taken about the post cards.

**Al Jaeger** We know Mike Montplaisir agrees with what we have suggested.

**Jim Silrum, Deputy Secretary of State**, appeared neutral. He answered Rep. Bill Amerman's question about poll checkers. It appears as new language in the law is because this bill would repeal 16.1-05-06 where poll checkers is referred to currently in law. It just places it back in.

Hearing closed.

House Government and Veterans Affairs Committee

HB 1275

February 7, 2013

Page 7

**Chairman Jim Kasper** Secretary of State offered an interesting solution. I would like to put this into a subcommittee with Rep. Ben Koppelman as chair, Rep. Karen Rohr, and Rep. Bill Amerman.

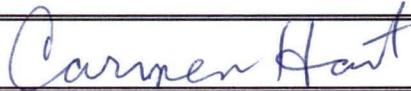
# 2013 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee  
Fort Union Room, State Capitol

HB 1275  
February 11, 2013  
No recording #

Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the appointment of poll checkers, to verification of eligibility of voters and to challenging the right to vote; and to provide a penalty.

## Minutes:

You may make reference to "attached testimony."

Minutes for House Gov't and Veterans Affairs subcommittee on HB 1275

2/11/13 4:00pm - 4:25pm House Conference room

In attendance: Rep. B. Koppelman- chair, Rep. Rohr, Rep. Amerman

Topic: ID requirements and proposed amendments were discussed. It was decided to meet again to discuss more amendments. No action was taken.

Subcommittee minutes were taken by Rep. Ben Koppelman.

# 2013 HOUSE STANDING COMMITTEE MINUTES

## House Government and Veterans Affairs Committee

Fort Union Room, State Capitol

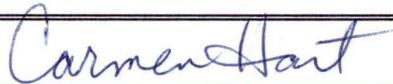
HB 1275

February 13, 2013

No recording #

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

Relating to the appointment of poll checkers, to verification of eligibility of voters and to challenging the right to vote; and to provide a penalty.

### Minutes:

You may make reference to "attached testimony."

Minutes for House Gov't and Veterans Affairs subcommittee on HB 1275

2/13/13 3:30pm - 4:13pm House Conference room

In attendance: Rep. B. Koppelman- chair, Rep. Rohr, Rep. Amerman, Jim Silrum-ND  
Sec. of State's office.

Topic: ID requirements were discussed further, and additional amendments were discussed. Mr. Silrum answered the committee's questions regarding forms of ID that are current

Subcommittee minutes were taken by Rep. Ben Koppelman.

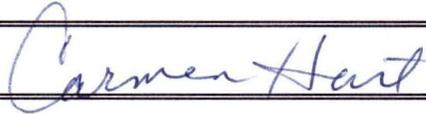
# 2013 HOUSE STANDING COMMITTEE MINUTES

## House Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1275  
February 14, 2013  
19005

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

Relating to the appointment of poll checkers, to verification of eligibility of voters and to challenging the right to vote; and to provide a penalty.

### Minutes:

You may make reference to "attached testimony."

**Chairman Jim Kasper** opened the session on HB 1275.

**Rep. Ben Koppelman** handed out **Attachments 1, 2, 3, 4**. You have sort of a mocked up version of the bill that ends in 2001 and an amendment that goes with that with the same ending number. You have an amendment that is 2002 and a handout labeled account summary for business at the top. He went over amendment 1 first. We came up with language that allows us to more clearly use the laws in the book to verify identification. As you recall, there are three pieces of identification that are required--verification of your name, date of birth, and your address. Often times the first two are done with a driver's license or tribal ID or something of that nature. The third one may be done with a utility bill or something if you moved and the college campuses can be done with proof that they live at the dorm. The sheet marked account summary for business is the proof that a college would have for their students. It is essentially a receipt of payment. This is an example from Dickinson State University.

**Rep. Gail Mooney** Do they just go to the office? Can they get this online through their own account online?

**Rep. Ben Koppelman** They are available to print it off their online portal.

**Rep. Gary Paur** This covers students in the dorms. How about students who rent a home? Possibly there is one name on the utility bill.

**Rep. Ben Koppelman** They can use a lease and many utility companies require anybody on the lease to sign on the power bill as well. They still have the option to get a student ID that has their address on it.

**Rep. Marie Strinden** There are a number of states that exempt voters that live at state licensed care facilities, but would it apply to people in nursing homes?

**Rep. Ben Koppelman** Look at Attachment 3. He referred to Page 3, Line 16. Attachment 4 is by no means the limitation of what the Secretary of State allows. He used an example of his grandmother living in a nursing home having proof of payment showing her stay there within that timeframe, the Secretary of State's office said that would also count.

**Rep. Marie Strinden** Let's say my grandmother has lived in a nursing home for ten years and she doesn't have appropriate ID. She would be able to prove that she lived there but she wouldn't necessarily be able to prove who she was. I think that would be the reason for exempting that population from the voter ID.

**Rep. Ben Koppelman** I brought that scenario up. Typically they vote by absentee anyway. The ID at the polling place is a whole different animal.

**Vice Chair Randy Boehning** I have been working with the Secretary of State's office on that same issue. They are looking at doing a non-photo ID for nursing home residents. If the DOT doesn't offer that, the Secretary of State could issue one.

**Rep. Steven Zaiser** What if it is an older person who doesn't have any ID? They still want to vote because that is what they have held on to.

**Rep. Ben Koppelman** This system is not creating any new IDs even with the amendments if they were adopted. Absent of any other legislation passing, they could still ride the bus to the DOT and get an identification card for a nominal fee and that would also prove their address.

**Rep. Steven Zaiser** Sometimes they just are not aware of going from point A to point B to get an ID.

**Chairman Jim Kasper** There comes a point in time if you are not going to be responsible for yourself, you are just going to miss out on something. There are agencies and people there to help the homeless, etc. We can't create a system that is 100% foolproof.

**Rep. Steven Zaiser** I understand what you are saying. These people didn't have all these fancy things like what we talk about now.

**Rep. Marie Strinden** Are there any other bills that would make it so that you had to prove ID when absentee voting?

**Chairman Jim Kasper** At this time I am not aware of any bills dealing with absentee voter IDs.

**Rep. Marie Strinden** What does the Secretary of State list as a valid ID? Rep. Koppelman passed out his ipad showing the list.

**Chairman Jim Kasper** The way the statute is written, a form of identification prescribed by the Secretary of State could be added to tomorrow. That is a moving target.

**Rep. Marie Strinden** Other states have all of their IDs in statue. I like that ours can be changed without having to change in statue. If we are going to be changing the laws of how you vote and because there are people that might not be able to follow all of this, would it be possible to add an amendment that would provide for some money for voter education?

**Chairman Jim Kasper** We have the HAVA fund that is a number of millions of dollars.

**Rep. Ben Koppelman** move to adopt amendment 13.0370.02001.

**Rep. Karen Rohr** seconded.

Voice vote to adopt amendment. **Motion carried.**

**Rep. Ben Koppelman** Amendment 2 does away with poll checkers doing identifying that essentially gets rid of all the things we just talked about. A poll checker would say I know John. He lives in town and he can vote. One of the concerns brought up and shared with Mr. Silrum that in some districts all the different number of ballots the auditors had in their counties. By having their defined things in the law, he and the subcommittee feels that makes a clean set of rules that everybody abides and not lots of exceptions. The subcommittee recommended in a 2-1 vote the adoption of amendment 2. That was Rep. Rohr and myself and Rep. Amerman was dissenting.

**Chairman Jim Kasper** If we adopt amendment 2 and someone shows up at the polls without having the ID, the poll clerk would not be able to say I know you, you can vote. If they didn't have an ID, they would have to go get an ID like what we just adopted in amendment 1?

**Rep. Ben Koppelman** Correct.

**Vice Chair Randy Boehning** We are working on the mock up bill 02001?

**Chairman Jim Kasper** Your amendments would be amending the markup or the amendments would be amending the original bill?

**Rep. Ben Koppelman** The amendments were amending the original bill.

**Chairman Jim Kasper** If amendment 2 is adopted, does it conflict anyway with the adoption of amendment 1?

**Rep. Ben Koppelman** They don't conflict. In brief review, it looks like it amends the mock up. One of the reasons that the Secretary of State identified with this poll checker verification is there have been instances where in some areas there has been racial profiling accusations.

**Rep. Karen Rohr** I just visit with Rep. Koppelman about the racial profile issue to make sure that was discussed.

**Rep. Bill Amerman** The reason I objected to this amendment 2 is because we can't use affidavits. Now if they know you, they can verify who you are and you can vote. We are doing away with that with this amendment. I think it will disenfranchise voters.

**Rep. Karen Karls** Poll checkers are actually poll workers.

**Rep. Ben Koppelman** made the motion to adopt amendment 13.0370.02002.

**Rep. Karen Rohr** seconded.

A roll call vote was taken and **amendment was adopted, 8-5, 1 absent.**

**Rep. Karen Rohr** made a motion for a Do Pass as amended.

**Vice Chair Randy Boehning** seconded the motion.

**Rep. Ben Koppelman** One last point from the Secretary of State's office is they are planning to try to track previous addresses.

**Rep. Bill Amerman** I will resist a do pass. He reiterated his previous thoughts. I don't think we are looking out for the citizens, but we are making the secretary's job a little easier.

**Chairman Jim Kasper** I think everyone here is concerned about the integrity of the ballot. Although we can disagree on how we solve certain glitches in the system, I think we agree that we want people who have the right to vote to be able to vote. I also think we will agree we want to be sure that the people who should not be voting that their votes are not counted that will influence the vote and the outcome of the state of North Dakota. The work on this bill is to move in that direction to protect the integrity of the ballot. Maybe it relieves a little bit of frustration for the poll worker.

A roll call vote was taken resulting in **DO PASS AS AMENDED, 9-4, 1 ABSENT.** **Rep. Karen Rohr** is the carrier of this bill.

2/15/14  
COPAC

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1275

- Page 1, line 3, after the third comma insert "and"
- Page 1, line 3, remove ", 16.1-15-06, 16.1-15-08, and 58-04-09"
- Page 1, line 4, replace "section" with "sections"
- Page 1, line 5, after "16.1-05-06" insert "and 58-04-09"
- Page 3, line 18 overstrike "If an individual offering to vote does not have or refuses to show an appropriate form"
- Page 3, line 19, overstrike "of identification, the individual may be allowed to vote"
- Page 3, line 21, overstrike "if a member of the election board or a"
- Page 3, line 21, remove "poll"
- Page 3, line 21, overstrike "clerk knows the"
- Page 3, line 22, overstrike "individual and can personally vouch that the individual is a qualified elector of"
- Page 3, line 22, remove "a"
- Page 3, line 23, overstrike "precinct"
- Page 3, line 23, remove "administered by the polling place. The individual shall provide the individual's"
- Page 3, line 24, remove "date of birth to the poll clerk entering the name of the voter in the pollbook"
- Page 3, line 24, overstrike the period
- Page 3, line 25, overstrike "3."
- Page 4, line 11, replace "4." with "3."
- Page 4, remove lines 13 through 30
- Page 5, remove lines 1 through 29
- Page 6, remove lines 24 through 31
- Page 7, remove lines 1 through 30
- Page 8, remove lines 1 through 10
- Page 8, line 11, replace "Section" with "Sections"
- Page 8, line 11, after "16.1-05-06" insert "and 58-04-09"
- Page 8, line 11, replace "is" with "are"
- Renumber accordingly

Date: 2-14-13  
 Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1275**

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.0370.02001

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Koppelman Seconded By Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Bill Amerman		
Vice Chairman Randy Boehning			Rep. Gail Mooney		
Rep. Jason Dockter			Rep. Marie Strinden		
Rep. Karen Karls			Rep. Steven Zaiser		
Rep. Ben Koppelman			<i>Vote to adopt            vote adopted            amendment  <del>motion</del>            motion            carried</i>		
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Gary Paur					
Rep. Karen Rohr					
Rep. Vicky Steiner					

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

Absent \_\_\_\_\_

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

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

Date: 2-14-13  
 Roll Call Vote #: 2

**2013 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1275**

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.0870.02002

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Koppelman Seconded By Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman		X
Vice Chairman Randy Boehning	X		Rep. Gail Mooney		X
Rep. Jason Dockter	X		Rep. Marie Strinden		X
Rep. Karen Karls	X		Rep. Steven Zaiser		X
Rep. Ben Koppelman	X				
Rep. Vernon Laning		X			
Rep. Scott Louser					
Rep. Gary Paur	X				
Rep. Karen Rohr	X				
Rep. Vicky Steiner	X				

*adopt amendment 2*

Total (Yes) 8 No 5

Absent 1

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

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

Date: 2-14-13  
 Roll Call Vote #: 3

**2013 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1275**

House Government and Veterans Affairs Committee

Check here for Conference Committee

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

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rohr Seconded By Boehning

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	✓		Rep. Bill Amerman		✗
Vice Chairman Randy Boehning	✗		Rep. Gail Mooney		✗
Rep. Jason Dockter	✗		Rep. Marie Strinden		✗
Rep. Karen Karls	✗		Rep. Steven Zaiser		✗
Rep. Ben Koppelman	✗				
Rep. Vernon Laning	✗				
Rep. Scott Louser					
Rep. Gary Paur	✗				
Rep. Karen Rohr	✗				
Rep. Vicky Steiner	✗				

Total (Yes) 9 No 4

Absent 1

Floor Assignment Rohr

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

**REPORT OF STANDING COMMITTEE**

**HB 1275: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1275 was placed on the Sixth order on the calendar.

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Page 3, line 22, remove "a"

Page 3, line 23, overstrike "precinct"

Page 3, line 23, remove "administered by the polling place. The individual shall provide the individual's"

Page 3, line 24, remove "date of birth to the poll clerk entering the name of the voter in the pollbook"

Page 3, line 24, overstrike the period

Page 3, line 25, overstrike "3."

Page 4, line 11, replace "4." with "3."

Page 4, remove lines 13 through 30

Page 5, remove lines 1 through 29

Page 6, remove lines 24 through 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 10

Page 8, line 11, replace "Section" with "Sections"

Page 8, line 11, after "16.1-05-06" insert "and 58-04-09"

Page 8, line 11, replace "is" with "are"

Renumber accordingly

**2013 TESTIMONY**

**HB 1275**

ALVIN A. JAEGER  
SECRETARY OF STATE

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



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

February 7, 2013

PHONE (701) 328-2900

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E-MAIL [sos@nd.gov](mailto:sos@nd.gov)

Attachment 1

TO: Rep. Kasper, Chairman, and Members of the Government and Veterans' Affairs Committee

FR: Al Jaeger, Secretary of State

RE: HB 1275 – Verification of Voter Eligibility.

While the Secretary of State understands the concept and supports the intent, our office is opposed to this bill as it is currently drafted. We believe a potential alternative exists that would be easier for voters to understand and more functional for election officials and poll workers to administer.

According to N.D.C.C § 16.1-07-07, three options now exist by which a voter may receive and cast a ballot. They are:

1. The voter provides an approved form of identification showing the individual's residential address and date of birth. (Note: This is asked of all voters)
2. If a voter cannot or will not provide identification, there are two additional options open to them:
  - a. If a poll worker can vouch for the individual's qualification as an elector of the precinct, the voter may receive and cast a ballot.
  - b. A last option is that a voter may execute an affidavit in which the individual swears that they are who they say they are and live where they say they live.

When a voter executes a voter's affidavit, the voter is provided a ballot and is allowed to vote. The ballot is placed in the ballot scanner along with ballots cast by voters who provided the required identification. After the election, N.D.C.C § 16.1-02-05 requires the election official responsible for the election to contact each individual who cast a ballot using a voter's affidavit to verify the individual's qualifications as a voter in that precinct. However, if the voter is found to be unqualified to vote, his or her ballot was already counted on election day.

As we understand the intent of the bill, it is to make sure that only the ballots are cast by qualified electors who have or can provide the required identification. In the 2012 general election, 10,519 ballots were cast by voters who executed a voter's affidavit.

HB 1275 and the nearly identical HB 1418, which will be heard by this committee tomorrow, both require that the ballot cast by a voter using a voter's affidavit be segregated and held, commonly called a provisional ballot. Then, if the voter is able to provide the appropriate election official with the required identification before the meeting of the canvassing board, the ballot will then be counted.

In either case, the voter is required to provide identification either at the polls or after the election. We offer for the committee's consideration a requirement that all voters provide an acceptable form of identification at the polls. If not, they would not be allowed to vote by any other option. By doing so, it would eliminate the need for a voter's affidavit and eliminate provisional ballots. In other words, the individual must provide the required identification at the time of voting or not be allowed to vote. This is easy to understand and easy to administer.

If the committee wishes to pursue this option with either HB 1275 or HB 1418, the Secretary of State's office will be available to assist in drafting the needed amendment.

Attachment 2

**Written Testimony To  
THE HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE  
Thursday, February 7, 2013 by  
Michael Montplaisir, Cass County Auditor, Cass County Government**

**REGARDING HOUSE BILL 1275**

Chairman Kasper and committee members my name is Michael Montplaisir and I am the County Auditor in Cass County. I am unable to appear in person but wanted to give you some thoughts on House Bill 1275.

Section 3 of House Bill 1275 establishes a requirement for a provisional ballot in North Dakota elections. House Bill 1275 requires a voter using an affidavit to vote to then bring proof of their voting residence either to the election board before polls close or to the county auditor's office before the meeting of the county canvassing board. This raises several concerns.

It is our experience in Cass County that the vast majority of those voters voting by affidavit are doing so, not because they forgot to bring their ID, but because their ID shows the incorrect address or they are students whose ID reflects their parents' address. In the last General Election, we had 74,210 voters. Of those, 4,589 voted by affidavit or just over 6.2 percent. In the 2010 General Election, we had 48,774 voters. 1,725 voted by affidavit or a little over 3.5 percent. Following all elections, we send out a mailing as required by law to individuals who voted by affidavit and follow up on any that are returned as undeliverable or any we receive calls on from people who received a postcard for a person who doesn't live there anymore or never did. Of the 4,589 people who voted by affidavit in the last election, our office is still investigating one voter—one voter out of 4,589 may not have been an eligible voter in that precinct.

We are also concerned about the voters who vote by absentee ballot. Absentee voters are also voting by affidavit and they don't need to present any identification; they simply sign an affidavit on the back of the ballot envelope. Are the same procedures going to be followed for people who vote by absentee ballot? If not, we are creating a system in which all voters are not treated the same. Which is more secure, a voter who completes an affidavit at the polling place or a voter who votes by absentee whom no one ever sees?

The logistical problems associated with trying to process a large number of people through a county auditor's office prior to canvassing, the inequity of treating different classes of people who vote by affidavit (absentee voters vs. in-person voters), the other safeguards already in the system, and the very real possibility of disenfranchising thousands of eligible voters in North Dakota and Cass County specifically, causes me to respectfully urge a do not pass on House Bill 1275.

13.0370.02001  
Title.

Prepared by the Legislative Council staff for  
Representative B. Koppelman  
February 12, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1275

Page 1, line 3, after the third comma insert "and"

Page 1, line 3, remove ", 16.1-15-06, 16.1-15-08, and 58-04-09"

Page 1, line 4, replace "section" with "sections"

Page 1, line 5, after "16.1-05-06" insert "and 58-04-09"

Page 4, remove lines 13 through 30

Page 5, remove lines 1 through 29

Page 6, remove lines 24 through 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 10

Page 8, line 11, replace "Section" with "Sections"

Page 8, line 11, after "16.1-05-06" insert "and 58-04-09"

Page 8, line 11, replace "is" with "are"

Renumber accordingly

13.0370.02002  
Title.

Prepared by the Legislative Council staff for  
Representative B. Koppelman  
February 12, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1275

Page 3, line 18, overstrike "If an individual offering to vote does not have or refuses to show an appropriate form"

Page 3, line 19, overstrike "of identification, the individual may be allowed to vote"

Page 3, line 21, overstrike "if a member of the election board or a"

Page 3, line 21, remove "poll"

Page 3, line 21, overstrike "clerk knows the"

Page 3, line 22, overstrike "individual and can personally vouch that the individual is a qualified elector of"

Page 3, line 22, remove "a"

Page 3, line 23, overstrike "precinct"

Page 3, line 23, remove "administered by the polling place. The individual shall provide the individual's"

Page 3, line 24, remove "date of birth to the poll clerk entering the name of the voter in the pollbook"

Page 3, line 24, overstrike the period

Page 3, line 25, overstrike "3."

Page 4, line 11, replace "4." with "3."

Page 4, line 13, replace "5." with "4."

Page 4, line 13, replace "either of the options" with "the identification requirements"

Page 4, line 14, remove "or 2"

Page 4, line 16, replace "6." with "5."

Page 5, line 8, replace "7." with "6."

Page 5, line 15, replace "8." with "7."

Page 5, line 18, replace "9." with "8."

Page 5, line 22, replace "10." with "9."

Renumber accordingly

Sixty-third  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1275**

Introduced by

Representatives Kasper, Beadle, Grande, Heller, Monson, Owens, Rohr, Streyle, Thoreson  
Senators Dever, Flakoll, Wardner

1 A BILL for an Act to create and enact a new section to chapter 16.1-05 of the North Dakota  
2 Century Code, relating to the appointment of poll checkers; to amend and reenact sections  
3 16.1-02-05, 16.1-05-04, 16.1-05-07, and 16.1-10-06.1, ~~16.1-15-06, 16.1-15-08, and 58-04-09~~ of  
4 the North Dakota Century Code, relating to verification of eligibility of voters; to repeal  
5 ~~sections~~ sections 16.1-05-06 and 58-04-09 of the North Dakota Century Code, relating to  
6 challenging the right to vote; and to provide a penalty.

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

8 **SECTION 1. AMENDMENT.** Section 16.1-02-05 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **16.1-02-05. Entry of new voters into the central voter file - Query of the central voter**  
11 **file for double voting - ~~Challenges~~ - Postelection verification.**

12 1. Within forty-five days following an election, the county auditor shall enter the name  
13 and required information of each individual who voted at the last election who is not  
14 already contained in the central voter file and update any required information  
15 requested and obtained at the last election for any individual contained in the central  
16 voter file.

17 2. The secretary of state, with the assistance of the county auditors, within eighty-five  
18 days following an election, shall query the central voter file to determine if any  
19 individual voted more than once during the preceding election. The secretary of state  
20 shall immediately notify the county auditor and state's attorney in each affected county  
21 for further investigation.

22 3. Upon return of any nonforwardable mail from an election official, the county auditor  
23 shall ascertain the name and address of that individual. If the individual is no longer at  
24 the address recorded in the central voter file, the county auditor shall transfer the voter

1 to the correct precinct in the central voter file or notify the county of the voter's new  
2 residence so the voter record can be transferred to the correct county. If a notice  
3 mailed at least sixty days after the return of the first nonforwardable mail is also  
4 returned by the postal service, the county auditor shall designate the individual as  
5 "inactive" in the central voter file.

6 ~~4. Within forty-five days after an election, the county auditor shall send a notice to each~~  
7 ~~individual who was challenged on election day according to section 16.1-05-06. If a~~  
8 ~~notice is returned as not deliverable, the county auditor shall attempt to determine the~~  
9 ~~reason for the return. A county auditor who does not receive or obtain satisfactory~~  
10 ~~proof of an individual's eligibility to vote shall notify immediately the state's attorney to~~  
11 ~~conduct an investigation of the individual's eligibility to vote in that election.~~

12 **SECTION 2. AMENDMENT.** Section 16.1-05-04 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **16.1-05-04. Duties of the members of the election board during polling hours.**

- 15 1. The election inspector shall supervise the conduct of the election to ensure all election  
16 officials are properly performing their duties at the polling place. The election inspector  
17 shall assign duties so as to equally and fairly include both parties represented on the  
18 election board.
- 19 2. The election inspector shall assign ministerial duties to poll clerks, who shall carry out  
20 the ministerial duties assigned by the election inspector.
- 21 3. The election inspector shall assign the poll clerks to perform the function of  
22 maintaining the pollbook. The designated poll clerks shall maintain the pollbook. The  
23 pollbook must contain the name and address of each individual voting at the precinct  
24 and must be arranged in the form and manner prescribed by the secretary of state.
- 25 ~~4. The members of the election board shall challenge the right of anyone to vote whom~~  
26 ~~they know or have reason to believe is not a qualified elector by requiring the elector~~  
27 ~~to complete and sign a voter's affidavit.~~
- 28 ~~5.~~ Each member of the election board shall remain on the premises of the polling place  
29 during the time the polls are open to prevent the occurrence of fraud, deceit, or other  
30 irregularity in the conduct of the election.

1     ~~6-5.~~ All members of the election board shall distribute ballots and other election materials  
2             to electors. An election judge from each party represented on the election board shall  
3             give any assistance requested by electors in marking ballots or operating electronic  
4             voting system devices.

5     ~~7-6.~~ Each member of the election board shall maintain order in the polling place.

6             **SECTION 3. AMENDMENT.** Section 16.1-05-07 of the North Dakota Century Code is  
7     amended and reenacted as follows:

8             **16.1-05-07. Poll clerks to check identification and verify eligibility - Poll clerks to**  
9     **request, correct, and update incorrect information contained in the pollbook.**

- 10            1. Before ~~delivering~~a member of the election board delivers a ballot to an individual  
11            according to section 16.1-13-22, the poll clerks shall request the individual to show  
12            identification, which includes the individual's residential address and date of birth.  
13            ~~The~~An approved form of identification may include~~includes:~~  
14            a. An official form of identification issued by the state;  
15            b. An official form of identification issued by a tribal government;  
16            c. A form of identification prescribed by the secretary of state; or  
17            d. A combination of any of the forms of identification under subdivisions a through c.  
18            2. If an individual offering to vote does not have or refuses to show an appropriate form  
19            of identification, the individual may be allowed to vote ~~without being challenged~~  
20            ~~according to section 16.1-05-06 if the individual provides to the election board the~~  
21            ~~individual's date of birth and if a member of the election board or a poll clerk knows the~~  
22            individual and can personally vouch that the individual is a qualified elector of ~~the~~a  
23            precinct administered by the polling place. The individual shall provide the individual's  
24            date of birth to the poll clerk entering the name of the voter in the pollbook.  
25            3. ~~If an individual offering to vote does not meet either of the options set forth in~~  
26            ~~subsection 1 or 2, the election board shall challenge the individual's right to vote and~~  
27            ~~the individual may not vote unless the individual executes a voter's affidavit, as~~  
28            ~~provided in section 16.1-05-06.~~  
29            4. a. When verifying an individual's eligibility or when entering the name of an  
30            individual into the pollbook, poll clerks shall request, correct, and update any

- 1 incorrect or incomplete information about an individual required to be included in  
2 the pollbook generated from the central voter file.
- 3 b. If the individual's name is contained in the pollbook generated from the central  
4 voter file, the poll clerks shall verify the individual's residential address and  
5 mailing address, if different from the individual's residential address.
- 6 c. If the individual's name is not contained in the pollbook generated from the  
7 central voter file but the individual is determined eligible to vote, the poll clerks  
8 shall record the individual's name in the pollbook. The poll clerks shall request  
9 and obtain any additional information for the individual required to be included in  
10 the pollbook.
- 11 ~~5.4.~~ Poll clerks shall direct an individual who is attempting to vote in the incorrect precinct  
12 to the proper precinct and voting location.
- 13 ~~5. If an individual offering to vote does not meet either of the options set forth in~~  
14 ~~subsection 1 or 2, the election board shall offer the individual the opportunity to~~  
15 ~~execute a voter's affidavit acknowledged before an election board member.~~
- 16 ~~6. The voter's affidavit must include:~~
- 17 ~~a. The name of the affiant.~~
- 18 ~~b. The address of the affiant.~~
- 19 ~~c. The birth date of the affiant.~~
- 20 ~~d. The contact telephone number of the affiant.~~
- 21 ~~e. The address of the affiant at the time the affiant last voted.~~
- 22 ~~f. The previous last name of the affiant if it was different when the affiant last voted.~~
- 23 ~~g. The identification number and state of any state issued identification regardless~~  
24 ~~of the state in which the identification was issued, if available.~~
- 25 ~~h. A recitation of the qualifications for voting as set forth in section 16.1-01-04 and~~  
26 ~~the rules for determining residence.~~
- 27 ~~i. A notice of the penalty for making a false affidavit and that the individual will be~~  
28 ~~required to provide an approved form or forms of identification showing the~~  
29 ~~individual's qualification as an elector of the precinct to a member of the polling~~  
30 ~~place election board while the polls remain open or to the specified appropriate~~

- 1 ~~election official before the meeting of the canvassing board before the vote can~~  
2 ~~be counted.~~
- 3 ~~j. A notice indicating the affidavit is not an open record, but information identifying~~  
4 ~~who voted after executing an affidavit may be an open record as part of the~~  
5 ~~pollbook, unless the individual is listed as "secured active" in the central voter file~~  
6 ~~under section 16.1-02-13.~~
- 7 ~~k. A place for the affiant to sign and swear to the affiant's qualifications as a voter.~~
- 8 ~~7. Upon the execution of the affidavit, the individual must be given a notice clearly stating~~  
9 ~~the affiant's ballot will be counted if the affiant returns with approved identification to~~  
10 ~~the polling place before the polls close or verifies the affiant's identity with the office of~~  
11 ~~the appropriate election official before the meeting of the canvassing board. The notice~~  
12 ~~also must state the hour at which the polls will close; the date, time, and location of the~~  
13 ~~meeting of the canvassing board; and the address, location, and office hours of the~~  
14 ~~appropriate election official.~~
- 15 ~~8. The election inspector shall place the ballot of an individual who executes an affidavit~~  
16 ~~under this section in a secure envelope designed by the secretary of state to protect~~  
17 ~~the secrecy of the ballot.~~
- 18 ~~9. If the elector returns to the polling place before the polls close and shows identification~~  
19 ~~providing proof of qualification as an elector, the election inspector shall return the~~  
20 ~~sealed envelope containing the individual's ballot to the voter to allow the voter to cast~~  
21 ~~the ballot. The election inspector shall mark the voter's affidavit as "verified".~~
- 22 ~~10. Each election inspector shall deliver to the appropriate election official a list including~~  
23 ~~the name of each individual who executed an affidavit under this section who has not~~  
24 ~~returned to verify the individual's qualification as an elector and each ballot cast by an~~  
25 ~~individual on the list. The election official shall maintain the ballots in a secure manner~~  
26 ~~until forwarding the ballot of each affiant verified to the official's office with approved~~  
27 ~~identification to the canvassing board for canvassing and forward the remaining ballots~~  
28 ~~to the county canvassing board marked as "rejected - elector failed to verify~~  
29 ~~qualification".~~

30 **SECTION 4.** A new section to chapter 16.1-05 of the North Dakota Century Code is created  
31 and enacted as follows:

1       **Poll checkers.**

2       The district chairman of each political party represented on the election board may appoint  
3 up to three poll checkers to a polling place. A poll checker may not interfere with the election  
4 process or with the members of the election board in the performance of the member's duties. A  
5 poll checker may not be a member of the election board. The district chairman shall notify the  
6 county auditor of each county contained in the legislative district one day before the day of the  
7 election of the name of any individual the district chairman has appointed to serve as a poll  
8 checker in the legislative district.

9       **SECTION 5. AMENDMENT.** Section 16.1-10-06.1 of the North Dakota Century Code is  
10 amended and reenacted as follows:

11       **16.1-10-06.1. Paying for certain election-related activities prohibited.**

12       No

13       1. A person may not pay ~~another person~~ any individual for:

14       ~~1.~~ a. Any loss or damage due to attendance at the polls;

15       ~~2.~~ b. Registering;

16       ~~3.~~ c. The expense of transportation to or from the polls; or

17       ~~4.~~ d. Personal services to be performed on the day of a caucus, primary election, or  
18 any election which tend in any way, directly or indirectly, to affect the result of  
19 such caucus or election.

20 ~~The provisions of this~~

21       ~~2.~~ 2. This section ~~does~~ not apply to the hiring of ~~a person~~ an individual whose ~~sole duty it~~  
22 ~~is to act as a challenger~~ duties are to observe the polls and to watch the count of  
23 official ballots.

24 ~~SECTION 6. AMENDMENT.~~ Section 16.1-15-06 of the North Dakota Century Code is  
25 amended and reenacted as follows:

26 ~~16.1-15-06. Reports and pollbooks sent to county auditor - Compensation for making~~  
27 ~~returns.~~

28 ~~Immediately following the canvass, except in cases of emergency or inclement weather, the~~  
29 ~~inspector of elections, or one of the judges appointed by the inspector of elections, personally~~  
30 ~~shall deliver one of the signed canvass reports provided for in section 16.1-15-04 to the county~~  
31 ~~auditor. The sealed ballots of voters executing affidavits under section 16.1-05-07 and reports,~~

1 ~~carefully sealed under cover, accompanied by the pollbook provided for in sections 16.1-02-13~~  
2 ~~and 16.1-06-21 with the oaths of the inspector and poll clerks affixed thereto, must be delivered~~  
3 ~~properly to the county auditor. The person making the return shall receive compensation~~  
4 ~~therefor in accordance with section 16.1-05-05. The compensation and mileage must be paid~~  
5 ~~out of the county treasury on a warrant of the county auditor and is full compensation for~~  
6 ~~returning all used or voided ballots to the proper official.~~

7 ~~— SECTION 7. AMENDMENT. Section 16.1-15-08 of the North Dakota Century Code is~~  
8 ~~amended and reenacted as follows:~~

9 ~~— 16.1-15-08. Wrapping and returning of ballots to county recorder.~~

10 ~~— After generating the reports and poll lists provided for in section 16.1-15-06 and providing~~  
11 ~~the sealed ballots of voters executing affidavits provided for in section 16.1-05-07 for delivery to~~  
12 ~~the county auditor, the election board shall cause the ballots containing lawful write-in votes~~  
13 ~~cast at the election to be placed in a suitable wrapper to form a complete wrapper for the~~  
14 ~~ballots. All ballots without write-in votes shall be wrapped in a similar manner. The ballots and~~  
15 ~~wrappers must then be tightly secured at the outer end to completely envelop and hold the~~  
16 ~~ballots together. Ballots that are void must be secured in a separate wrapper and must be~~  
17 ~~marked "void". Ballots that are spoiled must be separately secured and marked "spoiled". In~~  
18 ~~sealing ballots, the various classes of ballots must be kept separate. Each wrapper must be~~  
19 ~~endorsed with the names or numbers of the precincts and the date on which the election was~~  
20 ~~held. The wrappers must be sealed securely in a manner prescribed by the county auditor so~~  
21 ~~the wrappers cannot be opened without an obvious and permanent breaking of the seal. The~~  
22 ~~ballots, together with those found void or spoiled, and the opened envelopes from voted~~  
23 ~~absentee ballots and the unopened envelopes of absentee ballots rejected as defective, must~~  
24 ~~be returned in person to the county recorder. At the meeting of the county canvassing board,~~  
25 ~~the county recorder shall deliver the ballots containing lawful write-in votes from all the precincts~~  
26 ~~within the county if these votes were not canvassed by the polling place election board on~~  
27 ~~election night according to section 16.1-12-02.2. At the meeting of the county canvassing board,~~  
28 ~~the county recorder shall deliver each ballot that may contain a write-in vote referenced in a~~  
29 ~~demand made under subsection 1 of section 16.1-12-02.2. Ballots used with any electronic~~  
30 ~~voting system or counted by an electronic counting machine must be sealed and returned as~~

1 ~~provided in this section. The sealed ballot of any voter whose affidavit has been verified with the~~  
2 ~~county auditor must be delivered to the canvassing board for tabulation.~~

3 ~~—SECTION 8. AMENDMENT. Section 58-04-09 of the North Dakota Century Code is-~~  
4 ~~amended and reenacted as follows:~~

5 ~~—58-04-09. Challenge to voter – Duty of judges.~~

6 ~~—If any person<sup>individual</sup> offering to vote at any election or upon any question arising at a~~  
7 ~~township meeting is challenged as unqualified using the criteria provided in section-~~  
8 ~~16.1-05-06<sup>chapter 16.1-05</sup>, the judges shall proceed in the manner in which judges at a general~~  
9 ~~election are required to proceed, adapting the affidavit described in section 16.1-05-06<sup>chapter</sup>~~  
10 ~~16.1-05 to the circumstances of the township meeting.~~

11 ~~SECTION 6. REPEAL. Section~~Sections 16.1-05-06 and 58-04-09 ~~of the North Dakota~~  
12 ~~Century Code is~~are repealed.

*Attachment 4*

Summary of Account for: \_\_\_\_\_

[View Customer Accounts](#)

██████████████████

██████████

2013 Spring

Transactions as of:  
02/08/2013

Dickinson State University  
291 Campus Drive  
Dickinson, ND 58601

Charges	Acct Type	Amount
Tuition WJE	TUT	3,393.00
Mandatory Student Fee	TUT	443.28
Mandatory Technology Fee	TUT	72.00
Mandatory ConnectND Fee	TUT	81.00
Mandatory NDOSA Fee	TUT	0.36
Computer Fee	TUT	15.00
Seike Hall Contract	HOU	1,032.00
19 Meal Board Plan	HOU	1,667.50
Bookstore Sales	BKS	622.75

Charge Subtotal 7,326.89

Financial Aid Disbursed	
DSU Foundation-J. Jessen Golf	-250.00
DSU Foundation-TR Honors	-1,250.00

Financial Aid Disbursed Subtotal -1,500.00

Payments/Credits	
Payment	-3,090.29
Touchnet Credit Card Payment	-37.10
Payment- Housing	-2,699.50

Payments/Credits Subtotal -5,826.89

2013 Spring Total 0.00