

2013 HOUSE POLITICAL SUBDIVISIONS

HB 1288

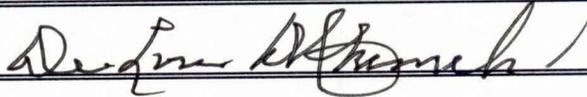
2013 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee Prairie Room, State Capitol

HB 1288
February 14, 2013
Job # 18995

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to voting places.

Minutes:

Testimony 1, 2,3

Chairman N. Johnson: Opened the hearing on HB 1288.

Rep. Kasper: Introduced this bill. We have a problem within the state of North Dakota wherein the legislature has delegated some of our authority and responsibility to the counties and cities on how elections are run to the point I believe we have delegated too much of our authority and we have different methods of voting out and about. We have some districts that will vote entirely by mail. The problem is where counties set election rules have to right to have not polling places open on Election Day in their counties or legislative districts. Those counties can go to an all-mail voting system. I don't disagree with an all-mail voting system at this point. There is the possibility that a legislative district will not have a polling place open on Election Day. You may hear the argument people were mailed their ballots; they can vote by mail. They certainly can; but what if they weren't home or the mail didn't deliver. What if they were ill in a hospital or nursing home and got home on Election Day and they missed their right to vote. This bill says that each incorporated city that has a population of 1,000 must have at least one voting place within the city open the day of the election and each legislative district must have at least one voting place within the district open on the day of election and if a district comprises multiple counties each county in the district must have one polling place open on election day. There are only two cities over 1,000 populations in North Dakota that are not open on Election Day. It doesn't talk about the district possibility where we have multiple counties in the same district and if there are two it if two too much. This legislative body sets the policy for elections so we should not delegate too much of that authority so the counties can do different things. It is a simple bill, but I believe it is a very important bill.

Rep. Koppelman: There are a lot of communities under 1,000. Where did the 1,000 come from?

Rep. Kasper: Last session my bill started at all cities with 100 or more people and population had to have a polling place open on Election Day. The compromise was to go

to 1,000. That bill got killed. I agree with you. Some people are old fashioned and like to go to the poll on Election Day. You can amend the bill if you wish.

Rep. Koppelman: Do you remember having a debate in legislature to go to a vote by mail election?

Rep. Kasper: I do not remember the all mail vote. I think that is wrong. We need to preserve the freedoms we have and the people to be able to participate as much as possible.

Rep. J. Kelsh: The county commission makes this decision; not auditors. This has been going on for a long time. I live five miles from any town and thirty from most, but every township had an election spot. Now we have a problem getting people to set on the election boards. They all have ample notification of where and how to vote.

Rep. Kasper: Excuses are like blank; everyone has one. I could not disagree with you more. They are not that they cannot find someone. Can't find people and pay should not be the issue. The only two cities this would effect if Velva and Park River. I don't think they would have trouble getting people to set at a polling place.

Rep. J. Kelsh: I agree with you. The right to vote is paramount. I have helped our auditor to find people to set on these boards and you can't find somebody to take time off or they don't have time to go and do it.

Rep. Kasper: I did not say it is easy to do. Figure out a way to do it. If we need to pay them double duty we should do that.

Rep. Kathy Hogan: What about page 2, Section lines 22-25? Why are you deleting this whole section?

Rep. Kasper: I cannot answer that. Secretary of State Jaeger can help you on that?

Rep. Muscha: That would be my county so it does concern me.

Rep. Kasper: Maybe line 23 is the guts of it. My bill says no you can't. In a city of 1,000 at least one polling place per county in a district has to have a polling place.

Rep. Klemin: Are there situations where counties are entirely by mail and there is no voting place open. When I read Section 2 they have to have at least one place open to be able to vote in person; even if they do it by mail. Are there situations where there are counties or districts that are entirely by mail and you cannot vote in person? Line 9 page 2 is where I am looking. On line 13 without the new language the board shall designate one or more polling places in the county to be open on the day of the election for voting in the usual manner. It seems to be even though they do voting by mail they have to have at least one place open for voting in the usual manner.

Rep. Kasper: There are instances where counties have gone to all mail voting. If you look at line 16 in any legislative district that comprises more than one county at least one voting place within the district in each county must be open on the day of the statewide election.

Rep. Klemin: I thought I heard you say there are places where you vote entirely by mail and there is not at least one place where you can go and vote in person.

Rep. Kasper: There maybe one polling place open in the district right now. Every county for the district represented in the county has to have a polling place open on Election Day. You can't vote all by mail.

Rep. Klemin: So in a situation where there is more than one district in a county because of the way districts cross county lines there maybe one polling place open, but it is not in both districts.

Rep. Kasper: For District 33 you have one polling place open. It is Mercy and Morton County so you have to have one polling place open in Mercy County and one place open in Morton County for district 33. So in that case you would have to have a minimum of two.

Rep. J. Kelsh: Our district is two counties. Would you say the county auditor's office is open for voting? Are you saying they would have to set up another voting place in each district? Is that what you are saying?

Rep. Kasper: At least one voting place in the district of each county. So each county would have to have at least one voting place.

Rep. J. Kelsh: Are you saying there has to be a polling place in each district in that county?

Rep. Kasper: I would consider that amendment.

Rep. Ben Hanson: In Cass County we have a polling place in district 22 where people from Horace come up to vote in West Fargo even though they are in a different district. I thought it was the silliest thing I have ever seen. Would you amicable to putting an amendment on this to make it more passable? Say putting some gravy on it.

Rep. Kasper: Define gravy?

Rep. Ben Hanson: I don't know? What are you thinking?

Rep. Kasper: I am willing to be amicable to make this bill work.

Rep. Ben Hanson: I want to see Horace have its own polling place and they are growing.

Rep. Kasper: I rest my place. We have delegated too much authority to the county commission to set the rules for the polling places being open on Election Day.

Rep. Kathy Hogan: Have you looked at the fiscal impact on counties?

Rep. Kasper: This bill impacts Park River and Velva. Let's say you have 3 polling people for each district so \$20/hr. to be on polls in Election Day. Let's say 14 hours or \$280 per/person X 3 = \$800. Do you think a county spending \$800 to protect and encourage people to vote on Election Day is a lot of money? I don't think so.

Rep. Ben Hanson: So the bill would make it so those two cities would have to have it. Under current law you would not be opening up any further additional voting places?

Rep. Kasper: It might affect split districts so we are not talking about a lot of money.

Opposition:

Al Jaeger: Secretary of State: (Testimony #1) 27:41 - Vote by mail has been in primary election in excess of twenty years and you adopted it. It recently also allowed us to vote by mail in the general election. We can't just have vote by mail. The section of law on page 2 was passed by the legislature last session. Burleigh County was the specific example that was used. The auditor wanted to give the county where in outlying areas he could have vote by mail and then have regular precincts inside. The bill has two parts to it. According to the League of Cities these are the cities that have over 1,000. The two that don't are Park River and Velva they are in vote by mail counties. They have had vote by mail for several election cycles. Apparently the people are comfortable with it. Rep. Kasper and I grew up in Beulah so we are familiar with Mercy County. It is not what we would recommend the county do, but it takes place in Beulah, Stanton and it did not go over very well, but it was a county decision. Walsh and McHenry have vote by mail and like it. This bill would require polling places in every legislative district and there are a lot of counties that have more than one legislative district. Because of population I suspect we could have a polling place serving a small population so this is saying every city over 1,000, but there are only two counties now that don't have voting places now so I don't think those counties mind. Any of the amendments possible are not very agreeable.

Rep. Klemin: Did I understand you to say that every polling place open on the day of election?

Al Jaeger: This is requiring a polling place be open within that legislative district and this is requiring there be a polling location open within that legislative district.

Rep. Klemin: They can be very small or large so I can't imagine that there isn't one polling place open in a legislative district on an election day.

Al Jaeger: There is always polling location open. Now with Bismarck in the general election they had voting at the Civic Center. There were several legislative districts that voted there, but there wasn't necessarily a polling location in each legislative district. There are 5 legislative districts now and each one of them by this would have to have a polling place open.

Rep. Klemin: That is the second part of this which I wasn't referring to which goes on to say on line 16-18 the situation you just described. When you mentioned voting at the Civic

Enter; I don't remember that there wasn't a polling place open in any district that we didn't all have to go to the Civic Center on Election Day to vote.

Al Jaeger: There was voting at the Civic Center; Horizon.

Rep. Klemin: There was a place open in the legislative district to vote?

Al Jaeger: There were several polling places open, but physically there wasn't a polling place open in every legislative district. We could have very few people in those areas. If there are four or five self-contained districts within Burleigh County the two district that you mentioned that are on the outlying part they would need to have polling places too.

Rep. Klemin: I don't want to get confused between having a legislative district that is in several counties to have a polling place in each county that is within that legislative district. I am talking about you have to have one polling place open in each district regardless of how legislative districts there are in them. That might require some coordination between county auditors to determine where that should be.

Al Jaeger: I don't understand the difference. Right now you have a county and there are polling locations and there might not be a polling place physically in those legislative districts. This is saying there would be. In early voting you can go and get the ballots and vote.

Rep. J. Kelsh: District 28 also comes into Burleigh County. I don't think there is any city in Burleigh County and I don't think there is any city within that district. If this bill passes as is it would require that there would be in Burleigh County a voting place in District 28, and there are no towns in that area.

Al Jaeger: That is right and that is why I urge everybody to look at the bill closely.

Chairman N. Johnson: Do you get very many complaints from people not being able to vote?

Al Jaeger: We don't at all. There are various ways they can vote now and there seems to be no problem with it. They have 39 days to be able to do that process so there are many different opportunities to vote.

Leanne Oliver, Election Specialist, Secretary of State's office: The first time we got a number of calls on voting, but now I only had one gentleman called mad because he did not get his stuff into the mail to get his ballot on time, so he knew it wasn't going to count so he knew he had to drive there on election day.

Rep. Klemin: This part of the bill says each legislative district must have a voting poll open during the day of the statewide election? Are there any 47 districts that did not have a voting place open in the districts?

Leann Oliver: All 47 districts had a polling place. The questions would be no like Morton County has three legislative districts in it but the legislative district in it; but in 34 it goes into Grant and Sioux and they would have to they would have to have a polling location?

Rep. Klemin: That is not my question. Each of those legislative districts you mentioned had at least one polling place open.

Leann Oliver: Yes, but it goes further in requiring that a polling location is open within every county.

Bruce Strinden, Chairman of Morton County: I am in favor of voting, but if this bill moves forward it should be amended so if you could not put a polling place in that area you would have a certain premotor in miles so you could basically accomplish the same thing.

Rep. Koppelman: Are you thinking of a mileage thing that would say within five miles of or something like that?

Bruce Strinden: I would say if the committee chose to move forward with this bill that it would make it a lot more palatable because I am quite sure that Morton County is not the only county that would run into a similar issue.

Rep. Hatlestad: In that area of District 33 do they vote at that other polling place a mile away?

Bruce Strinden: Yes they do. That was up by the Seven Seas in Mandan.

Rep. Kathy Hogan: Do you get many complaints at the county level about the voting procedures within your county?

Bruce Strinden: No we don't. We have taken extraordinary efforts to make sure the voters get a place to vote. We have vote by mail and other voting places that are open. We have 16 places open and we do operate on early voting which is run out of the courthouse.

Rep. Kathy Hogan: Have you seen any changes in your voting turnout?

Bruce Striden: We have seen a slight increase in voting turnout since we have adding in more voting places and voting by mail.

Passed out ND Legislative District Voting (#2)

Rep. Koppelman: Did you have people wanting to lessen the number of polling places or complaints there were too many?

Bruce Strinden: We did make some adjustments of where the voting places were within the city of Mandan and we did combine some. Complaints that are really the only issue last election that some people were still confused where to vote.

Rep. Koppelman: That could be viewed an issue. People aren't complaining that it is too convenient?

Bruce Strinden: Never that the process is too convenient.

Rep. Toman: Does Morton County has a polling place for District 26?

Bruce Strinden: Yes we have one polling place for sure. It actually comes into Hebron so we have one for sure and I think we may have two. The only district that would be affected would be District 33. The other three we have good coverage there.

John Arnold, North Dakota Association of Counties: (Testimony # 3) Went over testimony. 59:35 - 1:30:06

Rep. Koppelman: You did say there were cases where counties had either diminished the number of polling places or threatened to do so where people came in and objected and those decisions were reversed or not?

John Arnold: The one I know of is the Burleigh County example when they tried to use the provision tab of Parshall of vote by mail. The residences of Baldwin area did come in to the committee meetings and expressed their displeasure with that idea and they still have a polling place now.

Rep. Koppelman: Do you have a threshold in mind on how many voters is too many to disenfranchise if there are ten people and you have to hire five people for a day to let them vote?

John Arnold: The residence of Legislative District 4 does still have opportunities to vote. They still do have options. I was pointing out the cost to have 5 people there to set all day. The latest they would be able to open is noon and have to be open until at least seven. There should be more reasonable ways to allow them to vote.

Rep. Koppelman: I stead of just saying no is there an amendment you would propose to solve some of those extreme examples to make the bill viable instead of just attempting to kill it?

John Arnold: I think it is best left up to the county commissioners to decide.

Rep. Koppelman: You do acknowledge that it is the State Legislature that under the Constitutional law makes public policy with respect to elections.

John Arnold: I do.

Neutral: None

Hearing closed.

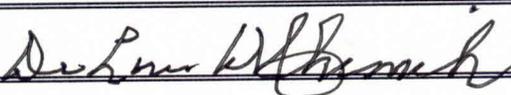
2013 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

HB 1288
February 15, 2013
Job # 19047

Conference Committee

Committee Clerk Signature



Minutes:

Chairman N. Johnson reopened the meeting on HB 1288. This is the bill that talked about having a voting place open on Election Day in each city over 1,000 populations. At least one voting place within the legislative district.

Rep. Koppelman: The main concern we heard about during the hearing was those areas where there may be no polling place inside a legislative district. My thought was on the area on lines 16-18 on page 1 having language that would say or within 10 miles of the district or county. Maybe that would solve the problem for some of those areas.

Motion Made to Amend by Rep. Koppelman: Seconded by Rep. M. Klein:

Discussion:

Chairman N. Johnson: I don't know if that would solve the one in District 4 in Mercer County. They may not have a polling place available within ten miles for those six people.

Rep. L. Meier: Would it make more sense to have it state that it must have a city within its area for a polling place?

Chairman N. Johnson: What are you saying?

Rep. L. Meier: Within the county that the county must have a city within it. Usually polling places have a city within them.

Rep. Klemin: It is more than 10 miles from the southern boundary of Burleigh County to Lincoln. There may be some unintended consequences from putting in some kind of mileage number.

Rep. Koppelman: I am not married to the 10 mile idea. I thought it was one way of trying to get past these problems that might come up.

Rep. Hatlestad: Didn't the Morton County guy say that Mercer County voted a mile away in Morton County for District 33 so that would take care of that.

Rep. Klemin: I don't know if there is any way we can amend this bill to make it better myself. Starting on lines 13 & 14 there is only two cities that would apply to and that is Velva and Park River and there is no problem there to be resolved. Lines 15 & 16 each legislative district must have at least one voting place in the district on the day of the statewide election. There is no legislative district that does not have at least one voting place within the district on a statewide election. The one we were just talking about I don't know how that could actually be resolved that would make it better than the current practice and it doesn't seem to be having a problem there. I am not going to support the amendment. I would just like to keep it the way it is and kill the bill.

Rep. Koppelman: The other question that came up was in that last section of the bill the concern there seemed to be the unintended elimination of a current propogative and I that language could be added to say if it doesn't conflict with the provisions of this act. I would also go to 15 or 20 miles if it was appropriate.

Rep. J. Kelsh: We may be forgetting the testimony from at least one county that they are very open. They changed from mail in ballot because people did not like it; they have restored polling places if it has been requested, they have tried to make voting as easy as possible. This map is not 100% accurate. I agree with Rep. Klemin. I don't know if the bill is necessary.

Chairman N. Johnson: We have before us an amendment for HB 1288. That amendment is to have on lines 17 to allow it within a 10 mile area of each county or district.

Roll Call Vote: 6 Yes 9 No 0 Absent Failed

Rep. Koppelman: It seems interesting that we have a lot of discussion when we talk about election law in this chamber about voter disenfranchising and when we talk about a bill like this we say well the folks listen to the people and many of us have been on local governments and I do believe that is true by enlarge. We also represent those local people and we have heard that people feel inconvenienced by having to vote by mail etc. The intent of this bill is to make the opportunity to have voters go to the polling place and cast a ballot.

Do Pass Motion Made by Rep. Koppelman: Seconded by Rep. A. Looyesen

Rep. Klemin: I am going to vote no on the do pass motion. I agree that the right to vote is certainly paramount, but I think voters also have a responsibility to education themselves on where they have to go to vote; what the time limits are and what the various methods are. They can't assume that something that they did ten years ago is going to be the same today. Then we have the problem of finding people to work at the polling places. We probably could pay them \$100/hr. and then we could get somebody to do it.

Rep. Ben Hanson: I will also be voting no on the bill for two reasons. We have had a lot of concerns about the specifics of what this would do and what this would cause for affect. Rep. Kasper did say we should put some gravy on the bill so we could get people to come there. I disagree with Rep. Kasper that it is easy to find folks to come and work on these voting polls.

Rep. Toman: I like the premise of the bill so I probably will be voting yes for it. Rep. J. Kelsh I have a question for you. In District 33 in Morton County, which is not my district, but it is my county Commissioner Strinden stated that in Mandan we have a polling place for 33 but there is also a polling place for 33 in New Salem so if the county commissioners wouldn't have opened that so how does the county work. Do they do similar stuff in your counties? Is this what is going on in more of the rural districts as well.

Rep. J. Kelsh: The counties trying to make it convenient to vote also. Lamoure County has two polling places and a mail in ballot. Sergeant County, which is a smaller county, only has one on Election Day but there are quite a few less townships in Sergeant County. I do feel that they try to make it as simple as possible. They don't like to have a polling place for 50 voters and it is not very efficient. I do think if this bill does not pass I would encourage the cities and counties to encourage those that have cities with over 1,000 populations to get a voting place there. That only makes sense even if they are mail in people.

Rep. Kathy Hogan: I read the peer study on the voting comparisons from the state that was released about three weeks ago and it talked about who has the most effective and open and accessible fair voting system and North Dakota was ranked second in 2010 and first in 2012. That study talks about excess, availability and really does show that North Dakota has a system that is good so I think we are trying to fix a problem that doesn't exist. We have an excellent system and working relationship between counties, cities and state government. I think we should be celebrating how good our voting system is instead of trying to fix something that isn't broken.

Rep. Koppelman: I agree we have a great system. It has changed in recent years and some of the changes are what this bill tries to address. It is not coming in with some new idea. The only state in the nation without voter registration would also be the easiest place to vote. Is that what they said?

Rep. Kathy Hogan: It is percentage of voters and they really look at do you know who your voters are. I think they think we have a fair system.

Rep. Muscha: Rep. J. Kelsh when you were asking about the counties. Ramson County has one polling place but we have been doing that for so many years now for many reasons. When we actually closed our polling place in town some years ago many people do the mail in ballot, but we also have what is called the Heart Program. (Helping Enderlin Area Residence Drive) so there are a lot of older people that still want to go in person they can get a ride over to Lisbon. Of course you like to have that polling place, but it has been working. Has Rep. Kasper spoken to western counties? Is there really a problem? They aren't in my area.

Rep. Kretschmar: I live across from a very rural district next to Rep. J. Kelsh's district and in my own county we can vote by mail if we wish. There are people who want to go and vote on Election Day and that is fine and there are two polling places in McIntosh County. Logan County is a vote by mail county. Emmons County Use to do that, but they changed back to a couple more polling places so under current law these responsibilities are up to

our county commissioners. I think the system is working well. I think this bill is not necessary and I would be on the side of do not pass.

Chairman N. Johnson: We have a motion on front of us on 1288.

Roll Call Vote: 6 **Yes** 9 **No** **Failed**

Do Not Pass Motion Made by Rep. Ben Hanson; Seconded by Rep. J. Kelsh:

Vote: 9 **Yes** 6 **No** 0 **Absent** **Carrier: Rep. Hatlestad:**

Closed.

Date: 2-15-13
 Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1288

House Political Subdivisions 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 Rep. Koppelman Seconded By Rep. M. Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson		✓	Rep. Ben Hanson		✓
Vice Chairman Patrick Hatlestad		✓	Rep. Kathy Hogan		✓
Rep. Thomas Beadle	✓		Rep. Jerry Kelsh		✓
Rep. Matthew Klein	✓		Rep. Naomi Muscha		✓
Rep. Lawrence Klemin		✓			
Rep Kim Koppelman	✓				
Rep. William Kretschmar		✓			
Rep. Alex Looyen	✓				
Rep. Andrew Maragos		✓			
Rep. Lisa Meier	✓				
Rep. Nathan Toman	✓				

Total (Yes) 6 No 9

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent: Within 10 miles on line 17.

Failed

Date: 2-15-13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1288

House Political Subdivisions 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 Rep. Koppelman Seconded By Rep. Looyzen

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson		✓	Rep. Ben Hanson		✓
Vice Chairman Patrick Hatlestad		✓	Rep. Kathy Hogan		✓
Rep. Thomas Beadle	✓		Rep. Jerry Kelsh		✓
Rep. Matthew Klein		✓	Rep. Naomi Muscha		✓
Rep. Lawrence Klemin		✓			
Rep. Kim Koppelman	✓				
Rep. William Kretschmar		✓			
Rep. Alex Looyzen	✓				
Rep. Andrew Maragos	✓				
Rep. Lisa Meier	✓				
Rep. Nathan Toman	✓				

Total (Yes) 6 No 9

Absent 0

Floor Assignment _____

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

Failed

Date: 2-15-13
 Roll Call Vote #: 3

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1288**

House Political Subdivisions 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 Rep. B. Hanson Seconded By Rep. J. Kelsh

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Ben Hanson	✓	
Vice Chairman Patrick Hatlestad	✓		Rep. Kathy Hogan	✓	
Rep. Thomas Beadle		✓	Rep. Jerry Kelsh	✓	
Rep. Matthew Klein	✓		Rep. Naomi Muscha	✓	
Rep. Lawrence Klemin	✓				
Rep Kim Koppelman		✓			
Rep. William Kretschmar	✓				
Rep. Alex Looyen		✓			
Rep. Andrew Maragos		✓			
Rep. Lisa Meier		✓			
Rep. Nathan Toman		✓			

Total (Yes) 9 No 6

Absent 0

Floor Assignment Rep. Hatlestad

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

REPORT OF STANDING COMMITTEE

HB 1288: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1288 was placed on the Eleventh order on the calendar.

2013 TESTIMONY

HB 1288

ALVIN A. JAEGER
SECRETARY OF STATE

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PHONE (701) 328-2900

FAX (701) 328-2992

E-MAIL sos@nd.gov

SECRETARY OF STATE

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

February 14, 2013

TO: Rep. Johnson, Chairman, and Members of the House Political Subdivisions Committee

FR: Al Jaeger, Secretary of State

RE: HB 1288 – Polling Places in Cities over 1,000 population

According to the North Dakota League of Cities, the following cities had a population in excess of 1,000.

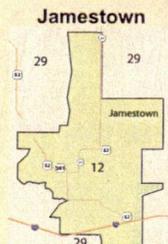
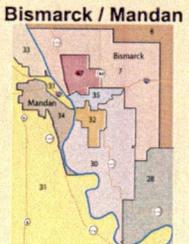
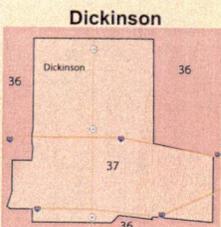
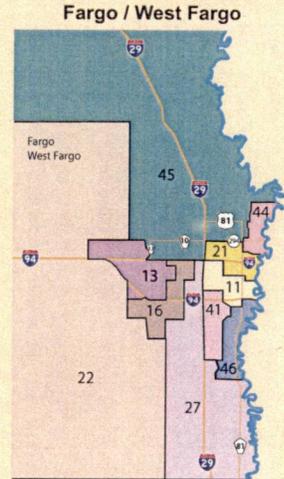
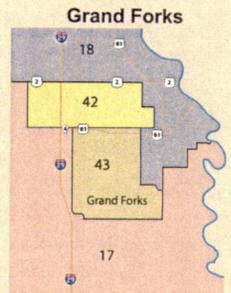
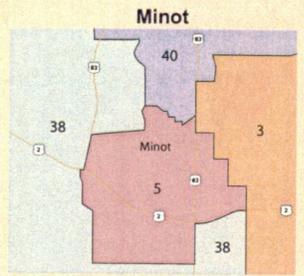
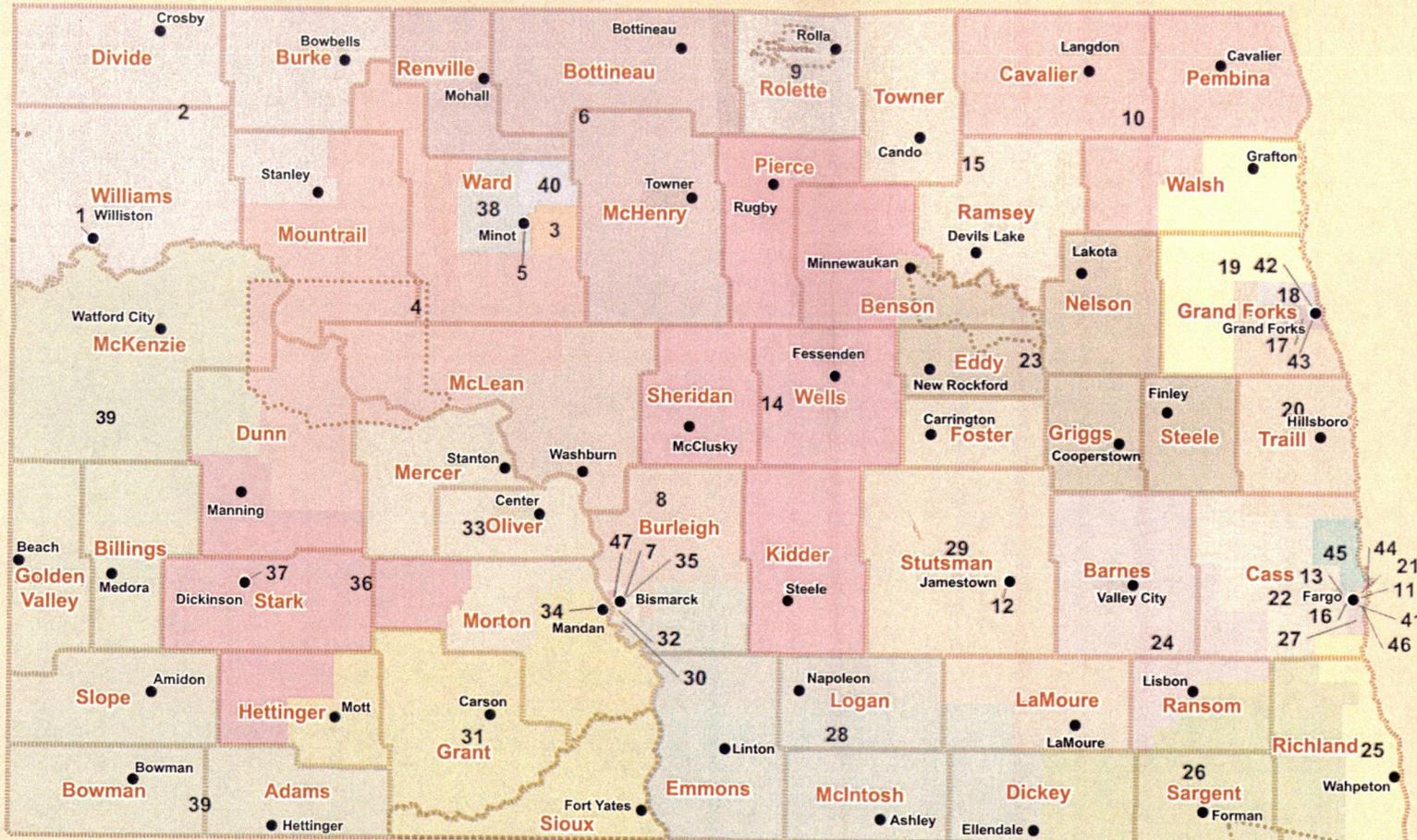
Fargo	Lincoln	New Rockford
Bismarck	Casselton	Larimore
Grand Forks	Bottineau	Cavalier
Minot	Lisbon	Rolla
West Fargo	Carrington	Washburn
Mandan	New Town	Tioga
Dickinson	Langdon	Hettinger
Jamestown	Mayville	Cando
Williston	Oakes	Linton
Wahpeton	Harvey	Kenmare
Devils Lake	Watford City	Velva
Valley City	Bowman	Crosby
Grafton	Hillsboro	Burlington
Beulah	Stanley	Beach
Rugby	Garrison	Wishek
Horace	Park River	
Hazen	Ellendale	

Only two cities, Park River and Velva, did not have polling places open within their city on election day. Both of these cities are in counties, Walsh and McHenry, which vote by mail and have now for several election cycles.

We suspect that if the voters in those citizens had concerns, they would have expressed them to their respective county commissioners and they would have considered those concerns. For example, that happened in Mercer County and changes were made to add polling places in Beulah and Hazen.

The Secretary of State's office believes that this decision is best made by the level of government that is closest to the people.

Because of that and because the bill virtually changes nothing as it now exists, we recommend a do not pass.



North Dakota Legislative Districts

December 2011

PHONE.....(701) 328-2900
 ELECTIONS.....(701) 328-4146
 EMAIL.....sselect@nd.gov
 WEB.....www.nd.gov/sos
 MY DISTRICTS...http://vip.sos.nd.gov



Alvin A. Jaeger
 Secretary of State
 600 E Boulevard Ave Dept 108
 Bismarck ND 58505-0500

- County Boundary
- County Name
- County Seat
- Legislative District
- Reservation Boundary

Testimony to the
House Political Subdivisions Committee
Prepared February 14, 2013 by
John Arnold, North Dakota Association of Counties

Regarding: HB 1288 – Polling Places

Madam Chair and members of the committee, HB 1288 is not necessary because County Commissioners and Auditors, like legislators, are responsive to their constituents and what works best within their jurisdiction. While there is well intentioned concern that a decrease in polling places may negatively impact a voter's ability to cast a ballot I urge you to consider the following:

- Dunn and McKenzie Counties conducted mail ballot elections in 2008, however in 2010 returned to the traditional polling place method of holding elections due to feedback provided by residents of the county regarding the mail ballot election.
- Emmons and Mercer Counties both increased the number of polling places open on Election Day after residents of those counties expressed concern over only having one polling place open in the county on Election Day.
- Prior to the 2012 election cycle Burleigh County considered using provisions in 16.1-11.1-01 (2) allowing for counties to partially conduct elections by mail ballot. Residents that would have been affected by this change expressed their displeasure and the option was not used by Burleigh County.
- Conversely, when Ramsey County first held a mail ballot election they had polling place open in Edmore, in the north of the county, as well as the polling place in Devils Lake, in the south of the county. After extremely low turnout at the Edmore location due to the popularity of the mail ballot, the location was closed for future elections and no negative feedback has been received.

Furthermore, the requirement for a polling place to be located within every legislative district in a county has one likely unintended consequence. Legislative District Four contains that very small portion of Fort Berthold Reservation that is in Mercer County. HB 1288 would require a polling place, staffed by a minimum of five people, to be located in the precinct where:

- In 2012 there were six voters in the June Election and seven in the November Election.
- In 2010 there were zero voters in the June Election and five voters in the November Election.
- In 2008 there were zero voters in the June Election and ten Voters in the November Election.

Madam Chair and members of the committee, for the above reasons I urge a Do Not Pass recommendation on HB 1288.