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Operator's Signature

Deanna D. Smith

10/21/03
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2288

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10/21/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2288

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 02/07/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		0-2019
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

Senator Karen Krebsbach, Chairman opens SB 2288. All senators present.

Al Jaeger, Secretary of State, in support of SB 2288. (Testimony attached) It has bipartisan sponsorship. Bill will eliminate all references to presidential preference caucus. Bill would allow Secretary of State to establish dates.

Secretary Jaeger also purposed an amendment attached.

Senator Nelson: Subsection 8, what are the National parties rules at this point?

Sec. Jaeger: I understand there are some party rules. We have some latitude. Both major parties have things in place that allow us to precede. State law will not dictate if there is national party rules to the contrary to how caucus votes are actually cast as a national convention. that is governed by the their rules but, if there are no rules then ti says this is the way to do it.

Senator Dever: there is a difference in the way that the Democratic Party select their candidate now than in 2000. I think that is the reason for the bi-partisianship.

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10/21/03
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Page 2
Senate Government and Veterans Affairs Committee
Bill/Resolution Number SB 2288
Hearing Date 02/07/03

Sec. Jaeger: It allows citizens of ND to participate and does not cost the state anything.

Senator Dever: Maybe you can correct me if I am wrong, but in '92 and I think in '96 Perot won the democratic primary. the reason for that was because the democratic party chooses there candidate through convention.

Sec. Jaeger: If I remember right, Clinton was not on the ballot though.

Senator Dever: The democratic party chose then through convention and now they choose through caucus, if they choose.

Sec Jaeger: If they choose to do it they have to let me know by Sept. 1st of the preceding year.

Senator Krebsbach: Any further questions or testimony...

Closed SB 2288

Senator Nelson moves to adopt amendment

Senator Brown 2nd

6 Yes 0 No

Senator Brown moves a Do Pass as amended

Senator Dever 2nd

6 Yes 0 No

Carrier: Senator Brown

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10/21/03
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FISCAL NOTE
Requested by Legislative Council
01/22/2003

Bill/Resolution No.: SB 2288

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill will result in absolutely no cost to the State of North Dakota for the political parties to nominate candidates for President of the United States.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

None

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

None

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

None

Name:	Al Jaeger	Agency:	Secretary of State
Phone Number:	328-2900	Date Prepared:	01/22/2003

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38310.0101
Title.0200

Adopted by the Government and Veterans
Affairs Committee
February 7, 2003

JP
2-10-03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2288

Page 2, line 31, replace "2" with "5"
Renumber accordingly

Page No. 1

38310.0101

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Deanne Ball
Operator's Signature

10/21/03
Date

Date: 2/7/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt amendment to SB 2288

Motion Made By Nelson Seconded By Brown

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator April Fairfield	✓	
Senator Dick Dever, Vice Chr.	✓		Senator Carolyn Nelson	✓	
Senator Richard Brown	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent _____

Floor Assignment _____

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

Date: 2/7/03
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee**Legislative Council Amendment Number**

Action Taken

Motion Made By

Seconded By

[illegible]

Total (Yes)

No

Absent

Floor Assignment

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

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DATE

REPORT OF STANDING COMMITTEE (410)
February 10, 2003 12:53 p.m.

Module No: SR-25-2108
Carrier: Brown
Insert LC: 38310.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2288: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2288 was placed
on the Sixth order on the calendar.

Page 2, line 31, replace "2" with "5"

Renumber accordingly

Deanna Waller
Operator's Signature

10/21/03
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2288

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10/21/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2288

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 3-20-03

Tape Number	Side A	Side B	Meter #
1		x	2.8-20.6
3	x		0-2.7
Committee Clerk Signature <i>Jody Renske</i>			

Minutes: Chairman Klein: called the meeting to order on SB 2288. All committee members were present.

Senator Dever: appeared in support of SB 2288 and also was a sponsor of the bill. This is a bipartisan bill, and that is a good thing. Presidential preference caucus I think served as a good thing for us in the last election and an opportunity for parties to engage in a party building effort to promote the candidates and bring the people together not to just fill out a ballot but to discuss some issues and have an opportunity to hear some speakers, I think citizen involvement is processed a lot more.

Al Jaeger, Secretary of State: appeared in support of SB 2288 and provided a statement (SEE ATTACHED TESTIMONY).

Representative Klein: the cost of the election that we had in 1995 what did that amount to?

Al Jaeger: we were able to do it for right around \$200,000.00.

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10/21/03
Date

Page 2
House Government and Veterans Affairs Committee
Bill/Resolution Number SB 2288
Hearing Date 3-20-03

Representative Klein: page 5, Sec. 5, that amendment, I've been trying to figure out what that is about, will you explain this.

Al Jaeger: you need to go to page 7, on the top, to do the legislation in 1995 to be able to do it the way we did it, we were excluded from the requirements of having to do administrative rules that whole hearing process and so on the top of page 7 the reason that all of that language is in there, B, is being deleted because we don't need that anymore, if we did not have that in 1995 we wouldn't have been able to do it for \$200,000.00. All that you see there is already in the law, and we are just taking that section out that pertains to our office. If the law isn't changed we will have to take up a collection real quick.

Representative Grande: made a motion to **DO PASS** on SB 2288.

Representative Meier: **SECOND** the do pass motion.

VOTE: 13-YES 1-NO 0-ABSENT.

Motion carried.

Representative Haas: will carry the bill to the floor.

Meeting adjourned.

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Deanne Waller
Operator's Signature

12/21/03
Date

Roll Call Vote #:

Date: 3-20-03

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE
SENATE BILL/RESOLUTION NO. 2288

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass

Motion Made By Rep. Grande Seconded By Rep. Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte		X			
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 13 No 1

Absent -0-

Floor Assignment Rep. Haas

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

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Date 10/21/03

REPORT OF STANDING COMMITTEE (410)
March 21, 2003 7:48 a.m.

Module No: HR-51-5387
Carrier: Hans
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2288, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends DO PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2288 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-51-5387

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12/21/03
Date

2003 TESTIMONY

SB 2288

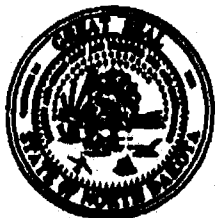
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Deanna Waller
Operator's Signature

10/21/03
Date

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.state.nd.us/sec



PHONE (701) 328-2900
FAX (701) 328-2992

E-MAIL sec@state.nd.us

SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 106
BISMARCK ND 58505-0600

February 7, 2003

TO: Senator Krebsbach and Members of the Government and Veteran's Affairs Committee

FR: Al Jaeger, Secretary of State

RE: Senate Bill No. 2288 - Presidential Caucuses

In 1995, the Legislative Assembly adopted HB 1432 (1995 Session Laws Chapter 209), which authorized a presidential preference contest that was held for the first time on February 26, 1996. Without repealing that law, the 1999 Legislative Assembly adopted SB 2121 (1999 Session Laws Chapter 207), which authorized a presidential preference caucus system to be used for the 2000 election (GOP caucused on February 29 and the Democrat-NPL on March 7). It was a one-time authorization event and the law expired on April 1, 2000.

If adopted, this bill will eliminate all references to the presidential preference contest and make permanent a presidential caucus system to be used in all future presidential election years. In addition, it will do the following:

Section 1 subsection 1: Set the window for the caucus to be held following the states of Iowa and New Hampshire and prior to the first Wednesday in March.

Section 1 subsection 2: Authorize the Secretary of State, before August 15 in the year preceding the presidential election year, to set the date of the caucus after consulting with the two political parties designated in the law.

Section 1, subsection 3: Set the date of September 1, in the year preceding the presidential year, by which political parties must notify the Secretary of State of their intent to participate in the caucus and that the results of the caucus must be used to instruct delegates.

Section 1, subsection 4: Allow all officially recognized political parties to participate in the caucus.

Section 1, subsections 5 and 6: Set the procedures for the legislative district political chairman for calling the caucus and allow other party business to be conducted at the same time.

Section 1 subsection 7: Specify that a presidential caucus does not have to be held in every election precinct and identify those individuals who are allowed to participate in the caucus.

Section 1 subsection 8: Unless prohibited by national party rules, set the apportionment of votes for the candidates at political party's national convention.

Section 1 subsection 9: Ensure ballot access for a political party that did not participate in the caucus.

Section 2: Change a reference for consistency of other provisions of the bill.

Section 3: Allow a political organization one year to secure 7,000 signatures to place a name of a presidential candidate on the ballot.

Section 4: Allow an independent candidate to have a designation on the ballot not exceeding five words.

Sections 5 and 6: Eliminates or repeals that which is no longer needed.

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.state.nd.us/sec



SECRETARY OF STATE
STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0600

PHONE (701) 328-2900
FAX (701) 328-2982

E-MAIL sec@state.nd.us

March 20, 2003

TO: Rep. Klein, Chairman, and Members of the House Government and Veteran's Affairs Committee
FR: Al Jaeger, Secretary of State
RE: Senate Bill No. 2288 - Presidential Caucuses

In 1995, the Legislative Assembly adopted HB 1432 (1995 Session Laws Chapter 209), which authorized a presidential preference contest, which was held for the first time on February 26, 1996. Without repealing that law, the 1999 Legislative Assembly adopted SB 2121 (1999 Session Laws Chapter 207). That bill authorized a presidential preference caucus system to be used for the 2000 election (the GOP caucused on February 29 and the Democrat-NPL on March 7). It was a one-time authorized event and the law expired on April 1, 2000.

If adopted, this bill will eliminate all references to the presidential preference contest adopted in 1995 and make permanent a presidential caucus system to be used in all future presidential election years. In addition, it will do the following:

Section 1 subsection 1 (page 1): Set the window for the caucus to be held following the states of Iowa and New Hampshire and prior to the first Wednesday in March.

Section 1 subsection 2 (page 2): Authorize the Secretary of State, before August 15 in the year preceding the presidential election year, to set the date of the caucus after consulting with the political parties designated in the law.

Section 1, subsection 3 (page 1): Set the date of September 1, in the year preceding the presidential year, by which political parties must notify the Secretary of State of their intent to participate in the caucus and that the results of the caucus must be used to instruct delegates.

Section 1, subsection 4 (page 2): Allow all officially recognized political parties to participate in the caucus.

Section 1, subsections 5 and 6 (page 2): Set the procedures for the legislative district political chairman to call the caucus and to allow other party business to be conducted at the same time.

Section 1 subsection 7 (page 3): Specify that a presidential caucus does not have to be held in every election precinct and to identify those individuals who are allowed to participate in the caucus.

Section 1 subsection 8 (page 3): Unless prohibited by national party rules, set the apportionment of votes for the candidates at political party's national convention.

Section 1 subsection 9 (page 3): Ensure ballot access for a political party that did not participate in the caucus.

Section 2 (page 3): Change a reference to maintain consistency with other provisions of the bill.

Section 3 (pages 3 and 4): Allow a political organization a period of one year to secure 7,000 signatures to place a name of a presidential candidate on the ballot.

Section 4 (page 5): Allow an independent candidate to have a designation on the ballot not exceeding five words.

Sections 5 and 6 (pages 5 thru 7): Eliminates or repeals that which is no longer needed.

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Alvin A. Jaeger
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10/21/03
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