MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M

ROLL NUMBER

DESCRIPTION

1452

2005 HOUSE GOVERNMENT AND VETERANS AFFAIRS
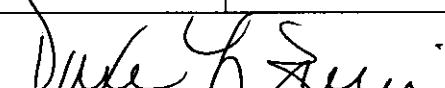
HB 1452

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 1/27/05

Tape Number	Side A	Side B	Meter #
1	x		12.-30.1
Committee Clerk Signature			

Minutes: HB 1452 Relating to the central voter file; and to repeal section 16.1-02-08 of the North

Dakota Century Code, relating to the central voter file.

14 members present, 0 absent.

Rep. Horter-District 42-For-Introducing the bill.

Alvin A. Jaeger-Secretary of State-Testimony Attached. A record of who has voted , it is not

a record of who can vote. That is a very important distinction, because a record of who has voted

is a lot different then who can vote, because who can vote is voter registration and North Dakota

just does not have that.

Chairman Haas: Those unique numbers are assigned by your office, is that correct?

Al: We are working with DOT and probably going to be basing it off there data base. This is

suppose to be for facilitating the system, making it work, not to become general public

knowledge, just like social security numbers were used for years to facilitate the system and now

in they are re-dock everything. This is anything but a record that already exists in 53 counties, put

in one central place, where all the auditors can then take the information, print out the poll books,

so on a election day everything works quicker and faster.

Chairman Haas: When the data is collected at the state level, before the county auditors have

access to get it back and it is printed in a new format is it then alphabetized.

Al: We are still working on that.

Chairman Haas: It sure would be quicker for election workers to find a name in a poll book, if

it was alphabetized.

Al: After the election the county auditor has a period of time, where they have to input the

updates, so the list becomes current.

Rep. Boehning: Do all the counties currently have everything computerized, is there still a few

doing things manually?

Al: There are poll books that are still maintained by writing and of course they are difficult to

read. One thing that is and advantage to the system is jury duty records are pulled from the

machine. We want to make it uniform across the state.

Rep. Klemin: A question on this unique identifier, section 7, is there any other purpose for the

unique identifier other than for voting and how much trouble is it for the county auditor to retract

all those numbers, if that is only thing it is used for.

Al: The reason for the identifier is to make sure there are not two of you, the one that lives here

and the one who lives else where, that it is kept separate. They will be able to print out a poll

book, without the identifier.

Rep. Klemin: Is there any other reason for this identifier other then this, not the social security

number is it?

AL: It is just to make the system works.

Rep. Klemin: If it wasn't an exempt record, what can anybody do with it?

Danette Odenbach-North Dakota Association of Counties-For-The unique identifier is going to be that number that is on your drivers license.

Rep. Klemin: That number on my drivers license, is exempt over at the DOT?

Danette: My understanding is yes.

Rep. Klemin: If they got that list of drivers, for example, they don't have that identifier number on that list.

Danette: My understanding is an exempt record.

Rep. Klemin: I guess I am still confused what anyone else, **for** **id**entity theft purposes use this unique identifier number use for voting, what good is it for anyone else.

Danette: I guess I couldn't presume to know what sinister idea people have to use that, I request of DOT, they want to keep that as an exempt record and to be consistent with the laws.

Rep. Conrad: What is taking so long with this system and how did we get Association of Counties involved.

Al: The Help America Vote Act was signed in October 2002 and we have been working since then to secure over six million dollars of voting equipment and doing some other things. This is a massive program, this is got to be done right the first time. We have an agreement where entered in, where the HAVA coordinator is an employ of the Association of Counties, they provide the services. She works for HAVA at my direction.

Rep. Boehning: Does that number get cross referenced from the DOT, so when I die that number disappears from the voter list, so we don't have a bunch of cemeteries voting again.

AL: They need to be dead longer then 40 days. There is a system.

Chairman Haas: Thank you very much. Any more questions?

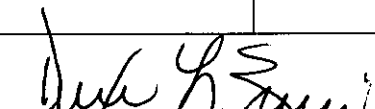**The hearing will be closed on HB 1452.**

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1452

House Government and Veterans Affairs Committee

❑ Conference Committee

Hearing Date 1/28/05

Tape Number	Side A	Side B	Meter #
4	x		20.2-24.7
Committee Clerk Signature			

Minutes: HB 1452 Relating to the central voter file: and to repeal section 16.1-02-08 of the North

Dakota Century Code, relating to the central voter file.

14 members present, 0 absent.

Discussion and Vote.

Chairman Haas: We are going to do HB 1452.

Rep. Grande: I will move a motion to revert back original language in that.

Chairman Haas: We have an amendment on page two, on line two that we would remove lines

two and three and reinstate the lined out portion. Is there a second to that? Seconded by Rep.

Klemin, is there any further debate on the amendment?

Rep. Sandvig: What they are doing is going around and get a random sample, so they know who

lives here, that signed affidavits.

Chairman Haas: Any further discussion on the amendment? If not we will try a voice vote on

the amendment. Which is to restore the language that originally was on lines two and three of

page two of HB 1452. Voice vote, all in favor of the amendment say I, oppose no, the

amendment is carried. We now have the amended bill before us HB 1452, what are your wishes

on the amended bill?

Rep. Sitte: I move a DO PASS as AMENDED.

Chairman Haas: We do have a DO PASS as AMENDED by Rep. Sitte, is there any discussion

on the bill as amended. Seconded by Rep. Horter. I will ask the clerk to take the roll.

VOTE: YES 12 NO 2 ABSENT 0-   DO PASS AS AMENDED

REP. CONRAD WILL CARRY THE BILL.

VK
1/28/05

HOUSE   AMENDMENTS TO HOUSE BILL NO. 1452 GVA 1/31/05

Page 1, line 2, remove "subsection 5 of section 16.1-02-05,"

Page 1, remove lines 22 and 23

HOUSE AMENDMENTS TO HOUSE BILL NO. 1452 GVA 1/31/05

Page 2, remove lines 1 through 8

Renumber accordingly

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1452

House   House Government and Veterans Affairs   Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number   58289.0101

Action Taken   Do Pass As Amended

Motion Made By   Rep Meier   Seconded By   Rep Horter

Representatives	Yes	No	Representatives	Yes	No
Chairman C.B. Haas	✓		Rep. Bill Amerman	✓	
Bette B. Grande - Vice Chairman	✓		Rep. Kari Conrad	✓	
Rep. Randy Boehning		✓	Rep. Louise Potter	✓	
Rep. Glen Froseth	✓		Rep. Sally M. Sandvig		✓
Rep. Pat Galvin	✓				
Rep. Stacey Horter	✓				
Rep. Jim Kasper	✓				
Rep. Lawrence R. Klemin	✓				
Rep. Lisa Meier	✓				
Rep. Margaret Sitte	✓				

Total   (Yes)   12   No   2

Absent   Ø

Floor Assignment   Conrad

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

1st Grande - moved to remove my Amendment Restore the Language
2nd Klemin

REPORT OF STANDING COMMITTEE (410)
January 31, 2005 9:30 a.m.

Module No: HR-20-1397
Carrier: Conrad
Insert LC: 58289.0101   Title: .0200

REPORT OF STANDING COMMITTEE

HB 1452: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1452 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "subsection 5 of section 16.1-02-05,"

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 8

Renumber accordingly

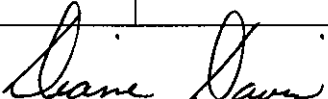2005 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1452

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1452**

Senate Government and Veterans Affairs

Business and Conference Committee

Hearing Date March 10, 2005

Tape Number	Side A	Side B	Meter #
1		x	1822-3927
Committee Clerk Signature			

Chairman Krebsbach opens hearing on **HB 1452**.

Relating to the central voter file.

(meter #1822)

Al Jaeger - Secretary of State - See written testimony.

(meter #2627)

Sec. Jaeger - Also discussed his amendment of inserting "legal". See attached amendment.

Senator Lee - Discussed legal names and a situation she had with her mother-in-law's legal

name

when making her airline reservations.

Senator Nelson - Added that her daughter-in-law also goes by two names.

There was some discussion on legal names.

Recessed the hearing on 1452.

(meter #3074)

Continued hearing on 1452

No discussion, no one to testify.

(meter #3379)

Close the hearing on 1452.

Senator Lee moved to adopt the amendment.

Senator Syverson seconded

Amendment passed

Senator Syverson moved do pass on amended bill

Senator Lee seconded

Senator Brown will carry

(meter #3997)

1452

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1452

Page 3, line 11, after "complete" insert "legal"

Page 4, line 12, after "complete" insert "legal"

Renumber accordingly

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1452

Senate **Government and Veterans Affairs** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _Do pass on the amendment_____

Motion Made By _Senator Lee_ Seconded By _Senator Syverson_

Senators	Yes	No	Senators	Yes	No
Karen K. Krebsbach, Chairman	X		Carolyn Nelson	X	
Richard L. Brown, Vice Chairman	X				
Judy Lee	X				
John O. Syverson	X				

Total (Yes) ___5___ No ___0___

Absent ___0___

Floor Assignment ___Syverson___

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

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1452

Senate   **Government and Veterans Affairs**   Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken   *Do pass on amended bill*

Motion Made By *Senator Syverson* Seconded By *Senator Lee*

Senators	Yes	No	Senators	Yes	No
Karen K. Krebsbach, Chairman	X		Carolyn Nelson	X	
Richard L. Brown, Vice Chairman	X				
Judy Lee	X				
John O. Syverson	X				

Total   (Yes)   5   No   0

Absent   0

Floor Assignment   *Senator Brown*

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

REPORT OF STANDING COMMITTEE

HB 1452, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1452 was placed on the Sixth order on the calendar.

Page 3, line 11, after "complete" insert "<u>legal</u>"

Page 4, line 12, after "complete" insert "<u>legal</u>"

Renumber accordingly

2005 TESTIMONY

HB 1452

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

January 27, 2005

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

FR: Al Jaeger, Secretary of State

RE: HB 1452 – Central Voter File

The 2002 Legislative Assembly adopted Senate Bill 2394 authorizing the creation of centralized statewide database, which is to contain the information from the poll books from every precinct in each county. It is only a record of who has voted. It is not a record of who can vote.

The county poll book lists the names of those individuals who voted in the most recent election. After the election, each county will update the data in the database. Known as the Central Voter File, the database then allows the County Auditors to pre-print updated poll books for the succeeding election, which increases poll worker efficiency and accuracy and shortens the time a voter must wait for his or her ballot. The Central Voter File is also intended as a post-election means to identify voter fraud.

At our recommendation, SB 2395 contained certain timelines by which the project would become functional. Although a committee has been working on it, this is a major project and it must be carefully planned and developed. In this bill, I am requesting the timelines be changed.

Section 1: On page 1, the changes move the timeline from 2009 to 2011.

Section 2: On page 1, line 19, the timeline is changed from 2006 to 2008.

Section 3: On page 2, lines 2 and 3, changes the requirement from "all" to at least 10% the number of notices that a County Auditors must send to those voters who were challenged on election day and who as a result signed affidavits.

Section 4: On page 2, lines 13 through 27, removes requirement of the state court administrator to report any individuals placed under guardianship or the names of those whose voting rights have been restored. Since the Central Voter File is only a record of who has voted and not who can vote, the voter eligibility requirements should not be referred to in this chapter because they are covered in other sections of the Century Code.

Section 5: On page 3, line 10, the date is changed from 2008 to 2010.

Section 6: On page 3, lines 27 through 31, the changes remove the requirement for a designation within the Central Voter File for those individuals who are incarcerated, have guardianships, or who were challenged when appearing to vote. Again, since the Central Voter File is only a record of who has voted and not who can vote, the voter eligibility requirements should not be referred to in this Chapter because they are covered in other sections of the Century Code.

Section 7: On page 4, line 12, the change allows the County Auditor to generate a poll book on the day before the election rather than having to do it by the fifteenth day before the election.

In the same section, lines 26 and 27, the change makes it clear that the unique voter identifier in the county's poll book is an exempt public record, which cannot be revealed.

Section 8: On page 5, this section repeals the section of this chapter pertaining to the State Department of Corrections and their reporting of incarcerations. This is for the same reason as the changes made in Section 4 with the court administrators.

ALVIN A. JAEGER
SECRETARY OF STATE

PAGE www.state.nd.us/sec

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

March 10, 2005

TO: Senator Krebsbach, Chairman,
        and Members of the Senate Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: HB 1452 – Central Voter File

The 2003 Legislative Assembly adopted Senate Bill 2394 (2003 Session Laws, Chapter 172) authorizing the creation of centralized statewide database, which is called the Central Voter File. It is to contain the information listed in the poll books from each voting precinct in the state. The Central Voter File is to be a record of who has voted. It is not a record of who can vote.

Each precinct poll book lists the names of those individuals who voted in the most recent election. After the election, each county will update the data maintained in the Central Voter File, which will then allow the County Auditors to pre-print updated poll books for the succeeding election. This updated poll book will increase election worker efficiency and accuracy, shorten the time a voter must wait for his or her ballot, and serve as a post-election record to identify voter fraud.

At our recommendation, SB 2395 contained certain timelines by which the project would become functional. Several months ago, I appointed a committee to develop, procure, and implement the Central Voter File. And, while they have been faithfully working on it, this is a major project and it must be carefully planned and developed. Therefore, in this bill, I am requesting the timelines be changed.

Section 1: On page 1, the changes move the timeline from 2009 to 2011.

Section 2: On page 1, line 19, the timeline is changed from 2006 to 2008.

Section 3: On page 2, lines 3 through 17, the stipulation is removed that required the state court administrator to report the names of any individuals placed under guardianship or the names of those whose voting rights have been restored. Since the Central Voter File is only a record of who has voted and not who can vote, the voter eligibility requirements should not be referred to in this chapter because voter eligibility requirements are contained in other sections of the Century Code.

Section 4: On page 2, line 31, the date is changed from 2008 to 2010.

Section 5: On page 3, lines 17 through 21, the stipulation is removed that required a designation within the Central Voter File for those individuals who are incarcerated, have guardianships, or who were challenged when appearing to vote. Again, since the Central Voter File is only a record of who has voted and not who can vote, the voter eligibility requirements should not be referred to in this Chapter for the same reasons stated in Section 3 above.

Section 6: On page 4, line 3, the change allows the County Auditor to generate a poll book on the day before the election rather than having to do it by the fifteenth day before the election.

In the same section, lines 3 through 5, the change makes it clear that the unique voter identifier listed in the precinct poll book in the County Auditor's office is an exempt public record, which cannot be revealed.

Section 7: On page 4, this section repeals the section of this chapter pertaining to the State Department of Corrections and their reporting of incarcerations. This is for the same reason as stated for Sections 3 and 5.

Finally, we request that the amendment be adopted.