

2009 HOUSE POLITICAL SUBDIVISIONS

HB 1396

# 2009 HOUSE STANDING COMMITTEE MINUTES

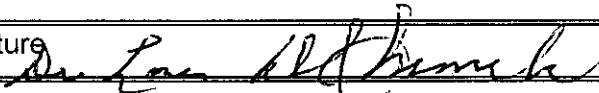
## Bill No. HB 1396

### House Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: January 30, 2009

Recorder Job Number: 8248, 8249

Committee Clerk Signature 

Minutes:

**Chairman Wrangham** opened the hearing on HB 1396.

**Rep. Kasper:** (5.20) it is about the rotation on the ballot. If you pass HB1395 then you kill HB 1396 because you have the two precincts in my district you have a rotation that went like this.

If your name was drawn and you were number 4 on the ballot in one precinct , the way the law reads now , you are number 3 in the other precincts so first we have the unlucky draw was four and three on the ballot. What HB 1396 does is if there are less than four precincts you must rotate the names on the ballot so that everyone has the same amount of opportunity of top and bottom.

**Al Jeager:** the reason the fiscal note would cost over \$10 millions . It is not just name location and the four precincts; in addition. It would require name rotation. There are 10 county commissioners. We do not have the technically; it is all in the fiscal note.

**Chairman Wrangham:** We kind of combined the two bills. I hope this did not cause any problems by doing this.

Hearing is closed.

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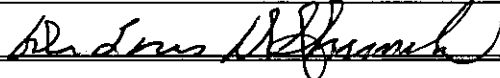
## Bill No. HB 1396

### House Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: February 5, 2009

Recorder Job Number: 8749

Committee Clerk Signature 

Minutes:

**Chairman Wrangham** reopened opened the hearing on HB 1396.

**Do Not Pass Motion Made By Rep. Conrad; Seconded By Rep. Kilichowski.**

**Discussion:**

**Rep. Koppelman:** I don't think I have seen a case of death by fiscal note. Whether you like the bill or don't like the bill is one thing. The state would cost \$10 million to rotate names on a ballot and we have been doing it so that is silly.

**Rep. Kilichowski:** Someone said if you pass 1395 you could kill 1396.

**Chairman Wrangham:** I am going to oppose the Do Not Pass because I think the fiscal note is out of line too, but I can understand the other side. I think it is a good idea, if the fiscal note was true?

**Rep. Koppelman:** the bill does not refer to any kind of office and that might be a problem. Rotations were equal when you were running. It has been debated whether it makes any difference or not.

**Rep. Kilichowski:** I think it is an insult to our voters that we have to send this kind of money assuming everyone is not going to check a few names depending on their location on the ballot.

**Rep. Conrad:** I think we need more research before we spend this kind of money.

**Vote:** 9 Yes      3 No      1 Absent    **Carrier:** Rep. Conrad

**Hearing closed.**

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/13/2009

Bill/Resolution No.: HB 1396

**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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$10,100,000	\$0	\$0	\$0
Appropriations	\$0	\$0	\$10,100,000	\$0	\$0	\$0

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Requires a name rotation on the ballot for statewide, district, or county positions. However, the technology/software does not currently exist to accommodate such rotation. In addition, the voting system currently being used in the state could not accommodate the technology even if it did exist.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

All of the election equipment currently being used in the state and funded 95% by the federal government would have to be replaced to accommodate the name rotation outlined in the bill.

**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.*

\$6,600,000 = Replace current election equipment

\$2,000,000 to \$3,000,000 = Obtain certification of software by the Election Assistance Commission

\$750,000 = Design, develop, and test software

\$750,000 = Technical data certification

Footnote: All of these amounts are supported by information obtained from election equipment vendors, a federal agency, and election equipment vendor analysis of the state's present election equipment and software.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

\$10,100,000

<b>Name:</b>	Al Jaeger	<b>Agency:</b>	Secretary of State
<b>Phone Number:</b>	328-2900	<b>Date Prepared:</b>	01/28/2009

Date: 2-5-09  
Roll Call Vote #: 1

**2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. HB 396**

House Political Subdivisions Committee

☐ Check here for Conference Committee

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

Action Taken DO PASS DO NOT PASS AS AMENDED

Motion Made By Rep. Conrad Seconded By Rep. Kilichowski

Representatives	Yes	No	Representatives	Yes	No
Rep. Dwight Wrangham, Chairman		✓	Rep. Kari Conrad	✓	
Rep. Craig Headland, Vice Chairman	0		Rep. Jerry Kelsh	✓	
Rep. Patrick Hatlestad		✓	Rep. Robert Kilichowski	✓	
Rep. Nancy Johnson	✓		Rep. Corey Mock	✓	
Rep. Lawrence Klemin	✓		Rep. Steve Zaiser	✓	
Rep. Kim Koppelman		✓			
Rep. William Kretschmar	✓				
Rep. Vonnie Pietsch	✓				

Total (Yes) 9 No 3

Absent 1

Carrier: Rep. Conrad

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

**REPORT OF STANDING COMMITTEE**

**HB 1396: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends  
**DO NOT PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1396 was  
placed on the Eleventh order on the calendar.