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March 11, 2021

TO: Chairman Vedaa and Members of the Senate Government and Veterans Affairs Committee
FR: Jim Silrum, Deputy Secretary of State on behalf of Secretary of State Al Jaeger
RE: HB 1189 – Closing of the election polls

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1189

Page 1, line 1, remove “create and enact a new section to chapter 16.1-15 of the North Dakota”

Page 1, line 2, remove “Century Code, relating to provisional ballots; and to”

Page 2, lines 5 through 14, remove **Section 2**

Renumber accordingly

The proposed amendment above is the preferred amendment because the proper wording for what should be done with voters who take more than the time allowed at the close of the polls is being added to chapters 01 and 13 of Title 16.1 in HB 1253. It does not need to be repeated in this bill, which would add it to a third chapter in Title 16.1. In [HB 1253](#), please confirm this in Section 4 on page 3, lines 18-26 and Section 83 on page 64, lines 12-20.

OR

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1189

Page 1, line 2, replace “provisional ballots” with “closing of the polls”

Page 2, lines 7 and 8, replace underlined text with “Closing of the polls.”

Page 2, lines 9 through 14, replace underlined text with “After the polls close, the election board may generate the report of the vote totals not later than thirty minutes after the last elector in line at the closing time received a ballot. An elector remaining in the polling place after the thirty minutes have expired who has not completed marking the ballot must be offered the choice of casting the ballot as marked or continuing to mark the ballot. If the elector chooses to continue marking the ballot, the ballot selections must be excluded from the report of the vote totals generated by the election board but must be forwarded by the election board to the canvassing board and added to the final tally. The secretary of state shall develop uniform, mandatory procedures for election boards to ensure the secrecy of each elector's ballot.”

Renumber accordingly

If the Committee desires to keep Section 2 of the bill, the wording above would be the most appropriate language.