



Written Testimony for the
Senate State and Local Government

January 26, 2023

Erica Johnsrud, McKenzie County Auditor/Treasurer

RE: OPPOSITION for SB 2308

Good afternoon, Chairwoman Roers, and members of the Senate State and Local Government Committee. My name is Erica Johnsrud and I serve as the Auditor/Treasurer for McKenzie County. I stand in opposition of SB 2308.

The intent of this bill is to remove mail ballot elections from North Dakota Century Code by repealing NDCC 16.1-11.1, the chapter pertaining to the process for mail ballot elections.

McKenzie County became a vote-by-mail county in 2018, joining 36 other counties who currently administer their elections in this manner. The exact same processes of voter verification, residence verification, and signature verification are followed for voters who vote either by absentee or by mail ballot. The only difference between mail ballot elections and absentee voting is that mail ballot counties are required to send out a ballot application form to each active voter in the county listed in the central voter file and to voters who will be eligible to vote for the first time (i.e. turn 18 years old on or before Election Day). ND Century Code states:

16.1-11.1-08. Election Laws applicable.

When applicable, all election procedures provided in this title must be followed. The only difference between mail ballot voting and absentee voting is, for mail ballot voting, the application for the ballot is mailed to each active voter listed in the central voter file for the county administering an election by mail and each qualified individual eligible to vote in the state for the first time.

I want to stress again the only difference between mail ballots and absentee ballots is that vote-by-mail counties are required to send out an application form, not a ballot, to all active voters and those turning 18 before Election Day. In McKenzie County we send out blank applications along with a letter outlining voting options in McKenzie County. I've attached here to my testimony the application and letter sent out for the November 2022 Election. It is my opinion that the application form and letter mailed to the voter enhances voter knowledge regarding upcoming elections, helps voters early on make a plan for voting in the upcoming Election, and increases voter turnout.

Voters are still required to provide all of the required information on the application form and submit it to the County Auditor for verification and cross-referencing to the Central Voter File before any ballots are sent to voters. No voter is required to vote using this method and all voters continue to have the option to vote in person on Election Day if that is their desire.

Voters across McKenzie County and North Dakota choose to vote by mail or by absentee because it works best for them and that is the choice they make. Voting from home allows voters additional time to review ballots, research candidates, research issues and measures, and mark their selections privately at their convenience. Other voters choose to vote in-person on Election Day, which is an option regardless of the county's designation as vote-by-mail, and required by law.

Eliminating mail ballots but allowing absentee ballots is an internal contradiction, as the processes of verification are identical and indistinguishable from one another and has the potential to limit voter accessibility and notice of upcoming elections.

I urge a **DO NOT PASS** recommendation on SB 2308.



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McKENZIE COUNTY
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County Auditor/Treasurer-Erica Johnsrud



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September 19, 2022

RE: GENERAL ELECTION NOVEMBER 8, 2022

Dear McKenzie County Resident,

Enclosed please find an absentee/mail ballot application. If you wish to vote by absentee/mail for the General Election in November, please fill out and return the completed application to the Auditor/Treasurer's Office at the address listed on the top of this letter. If you know of a family member or friend who did not receive an application, and they are a resident of McKenzie County, they may request one from the McKenzie County Auditor/Treasurer's Office or download one from www.vote.nd.gov. Many individuals prefer to vote in the comfort of their own home, with access to information regarding the measures and candidates, without the feeling of being rushed in a busy polling location.

Beginning September 29, 2022, after your completed application is received and verified, the Auditor/Treasurer's Office will mail (to the ballot delivery address stated on the application) an official ballot, a ballot secrecy envelope and a return envelope with a place for your signature and date on the back. When our office receives your sealed ballot in the return envelope, it will be secured with your ballot application. The return envelope must be postmarked or returned in person at the McKenzie County Courthouse **by 5:00 P.M. on November 7th, 2022**. Please note this is the day *prior* to Election Day.

Sealed ballots and applications will be securely transferred to the Mail Ballot/Absentee Election Board. When the Election Board receives the sealed ballots and applications, the Inspector, along with the Judges, will compare the signature on the ballot application with the signature on the return envelope. Once all of the signatures have been verified, the outer return envelope will be opened. All of the ballot secrecy envelopes will then be placed in a bin and shuffled, ensuring the privacy of your vote. Once shuffled, they will be run through the ballot scanner and accepted.

If you choose to forego this option, you will still have the opportunity to vote at any one of the three polling places that will be open on Election Day from 9:00 A.M. to 7:00 P.M. CT. These polling places will be the Cartwright Community Hall, Watford City Civic Center, and Mandaree Community Center. If you wish to vote in person on Election Day, you need not return the ballot application. Please remember to bring a valid North Dakota ID to the polling place of your choice.

Should you have any questions on the process or procedures, please do not hesitate to contact my office at 701-444-3616x3 or email me at ejohnsrud@co.mckenzie.nd.us.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Erica Johnsrud".

Erica Johnsrud
McKenzie County Auditor/Treasurer



ABSENTEE/MAIL BALLOT APPLICATION
SECRETARY OF STATE
 SFN 51468 (02-2022)

For Office Use Only
Precinct Part

For reference, see North Dakota Century Code, Chapter 16.1-07.

Application must be for at least one of the following elections: (check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> June (Primary) election | <input type="checkbox"/> City election | <input type="checkbox"/> Special election |
| <input type="checkbox"/> November (General) election | <input type="checkbox"/> School election | |

Applicant Information: (ALL FIELDS REQUIRED)

Voter's name		Date of birth		Daytime telephone number	
North Dakota ID type used: (check one)					
<input type="checkbox"/> Driver's license	<input type="checkbox"/> Non-driver's ID	<input type="checkbox"/> Long-term care certificate (include with application)	<input type="checkbox"/> Tribal ID		
<input type="checkbox"/> Passport (only for voters living outside the United States) or military ID**			<input type="checkbox"/> Applicant without ID*		
ID number (required only if driver's license, non-driver's ID, tribal ID, passport, or military ID is selected above)					
Residential address		City	State	ZIP code	
Ballot delivery address (if different from residential address)		City	State	ZIP code	
I do solemnly affirm that I have resided or will reside in the precinct where my residential voting address is located for at least 30 days next preceding the election and will be a qualified elector of the precinct.					
Signature (required)				Date	

Applicant unable to sign:

If the applicant is unable to sign the applicant's name, the applicant shall mark or use the applicant's signature stamp on the application in the presence of a disinterested individual. The disinterested individual shall print the name of the individual marking the "X" or using the signature stamp below the "X" or signature and shall sign the disinterested individual's own name following the printed name together with the notation, "witness to the mark."

<input type="checkbox"/> Voter's Mark	Printed name of person making mark or voter's signature stamp
	Signature of "witness to the mark"

***Applicant without ID:**

If the applicant does not possess or cannot secure an approved form of identification due to a disability with which the individual lives and which prevents the individual from traveling to obtain, another qualified elector of the state may attest that the applicant is a qualified elector of that precinct by signing below and providing his or her approved North Dakota identification number. **NOTE:** A qualified elector may not attest the qualifications of more than four applications in an election.

Printed name of attester	Driver's / non-driver's / tribal ID number	
Signature of attester	Date	Daytime telephone number

****Active military and overseas voter:**

Check **ONE** (if applicable):

- Citizen living outside of the United States
- Uniformed service or family member living away from the voter's residence, yet **within** the United States
- Uniformed service or family member living away from the voter's residence, yet **outside** the United States

If one of the check boxes above applies to you, please indicate your preferred ballot delivery method:

- Mail Email (provide email address): _____ Fax (provide fax number): _____

Mail or submit to the auditor of your county of residence or appropriate election officer

(The signature on this affidavit will be compared to the signature on the affidavit on the envelope in which the absentee ballot must be placed.)