

SENATE STATE AND LOCAL GOVERNMENT COMMITTEE
SENATOR KRISTIN ROERS, CHAIRMAN

TESTIMONY PRESENTED BY

MICHAEL HOWE, ND SECRETARY OF STATE

Madam Chair Roers and members of the committee, I'm Michael Howe, North Dakota Secretary of State, and I'm here in support of HB 1297.

Since taking office in 2023, my team has sought to streamline processes and has looked to make consistent policies across all 40 duties that the Office of the Secretary of State oversees. In the last two years, we have made significant progress in informing the electorate of how North Dakota's election process can be trusted, and informed our citizens how proactive the legislature has been in implementing common sense election integrity reforms, such as:

- The legislature has passed one of the most robust and thorough voter ID laws in the country.
- North Dakota does not mass mail ballots.
- Absentee voting requires proof of identification before a ballot is mailed.
- We only use paper ballots in North Dakota elections.
- Our tabulation equipment does not connect to the internet.
- We have banned private money from funding election administration at all levels of government.
- And last session, we successfully passed legislation that ensures only United States citizens are voting in North Dakota elections.

Our office oversees elections across the state in partnership with all 53 counties. Our elections in North Dakota have a top-down process. Each county uses the same election equipment, strives to have the same processes, and follows the same laws passed by the legislature and prescribed by the Office of the Secretary of State. In other states, you may see a bottom-up process where each political subdivision uses different equipment or has a different process. North Dakota's uniform process lends itself to easier, efficient, and secure election administration.

HB 1297 prohibits the method of Ranked Choice Voting and Approval Voting in any North Dakota election. The administration of ranked choice voting is not something our current election management system can handle and

would create complications for our county auditors who are tabulating the results, thus causing delays in election results. In this era of building trust in our election system, we simply cannot afford to have complications or delays in any election. All the goodwill we have built in the last two years of our statewide election education would be eroded because of a nonsense formula to tabulate election results. Passage of HB 1297 is another proactive approach the legislature can take to ensure our elections are easily understood and uniformly administered across every political subdivision.

Approval Voting is a system that allows qualified electors to choose as many candidates as they would like. If it was "vote for 1" and 4 candidates were seeking that office, a voter under Approval Voting would be able to vote for all 4 candidates. The candidate with the most votes would be declared the winner.

Our concern is what happens if multiple political subdivisions begin implementing unorthodox election methods? Supporters of Fargo Approval Voting are correct. It alone has not created any administration problems. However, our worry would be if Fargo uses approval voting, and Burleigh County decides to adopt ranked choice voting, Jamestown adopts ranked choice voting, and Rugby decides to use approval voting. Multiple election methods implemented across the state would have an impact on the administration of a statewide election with local political subdivision elections on the same ballot. Our election equipment would not be able to tabulate a ballot that includes a city race using approval voting, a county race using ranked choice voting, and legislative and statewide races using traditional voting methods. These all would need to be on a separate ballot in the scenario laid out.

Madam Chair and members of the committee, our office commends the North Dakota Legislature on being proactive by-passing common-sense election integrity laws. HB 1297 is another proactive approach the North Dakota Legislature can implement. Our office recommends a Do Pass on HB 1297